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Role of Women in Post Conflict Societies
Comparative Analysis of Kenya and Uganda

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DECLARATION.

I declare that this thesis is my original work and has not been submitted to any other college or university for academic credit

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Date

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ABSTRACT.

The study sought to find out the role of women both during the peace process and also in the rehabilitation and reintegration phase. Pre-conflict and post-conflict phases share marked parallels. The requisite measures are often similar, since peace building and conflict prevention are essential before and after a conflict.

Women can play a significant role in decision-making functions through their full participation in conflict settlement and peace processes. Women can also act in this phase as negotiators and mediators to encourage dialogue between the parties. During the reconstruction of the justice and administrative systems qualified women can help in the formulation of laws and regulations to ensure gender equality in public life and fair access to economic resources (e.g. land and property rights).

However, despite their active role in promoting peace, women tend to fade into the background when official peace negotiations begin and the consolidation of peace and rebuilding of the economy becomes a formal exercise.

Women constitute an indispensable force in rebuilding societies emerging from conflict. But women's valuable contributions notwithstanding, much could be done to support them. However, as has also been demonstrated, there is no universal answer to the question about how best to support women in societies emerging from conflict.

ABBREVIATIONS.

UN	-	United Nations
AU	-	African Union
CEDAW	-	Convention on the Elimination of all forms of Discrimination Against Women
GOK	-	Government of Kenya
NSC	-	National Security Council
TJRC	-	Truth Justice and Reconciliation Commission
FIDA	-	International Federation of Women Lawyers
COVAW	-	Coalition on Violence Against Women
FAO	-	Food and Agriculture Organisation
IDP	-	Internally Displaced Persons
LRA	-	Lord Resistance Army
NRM	-	National Resistance Movement
USIP	-	United States Institute of Peace
GUSCO	-	Gulu Support Children Organisation
NGO	-	Non-governmental Organisation
UNICEF	-	United Nations Children Education Fund
UNHCR	-	United Nations High Commission for Refuges
USAID	-	United States Agency for International Development
UWONET	-	Uganda Women Network
ICD	-	Inter-Congolese Dialogue
STI	-	Sexually Transmitted Disease
AIM	-	Appreciative Inquiry Model
DRC	-	Democratic Republic of Congo
NAADs	-	National Agricultural Advisory Services
CSO	-	Civil Society Organisation
CBO	-	Community Based Organisation
PfPS	-	Partnership for Peace and Security

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CHAPTER ONE

1.1 Introduction and Background to the Study

The specificity and diversity of women's experiences must be acknowledged. Only on this basis can we conduct comparative analyses and begin to develop a deeper general understanding of post-war reconstruction from a gender perspective.

Women are a highly differentiated group of social actors, who possess valuable resources and capacities and who have their own agendas. Women influence the course of things, and their actions are constitutive of post-war societies. The reduction of women to targets and beneficiaries fails to recognize their contributions and contributes to their marginalization.

Women's contributions to war and peace have long been underestimated. In fact, women often contribute to the outbreak of violence and hostilities in many cases they are instrumental in inciting men to defend group interests, honour, and collective livelihoods. Women also play a key role in preserving order and normalcy in the midst of chaos and destruction. In times of conflict, when men engage in war and are killed, disappear or take refuge outside their country's borders, it is women who are left with the burden of ensuring family livelihood. Women struggle to protect their families' health and safety a task which rests on their ability to cope pragmatically with change and adversity.

It is therefore not surprising that women are also a driving force for peace. They are often among the first to call for an end to conflict and to strive for order and rebuilding. In post-war situations, whether in groups or individually, formally or informally, women probably contribute more than government authorities or international aid to reconciliation, reviving local economies and rebuilding social networks.

However, despite their active role in promoting peace, women tend to fade into the background when official peace negotiations begin and the consolidation of peace and rebuilding of the economy becomes a formal exercise. But it is not possible to return to pre-war mores; gender roles and social values are deeply affected by the experience of war. Thus, the reconfiguration of gender roles and positions is an integral part of the challenge of rebuilding war-torn societies. It is important for policy-makers and operational actors in national governments and aid organizations to understand the complex ways gender and rebuilding societies interact.

Economists increasingly recognize that nothing is more central to development than the economic, political and social participation and leadership of women. This is particularly true in post-conflict societies, where women often make up the majority of the population and have primary responsibility for raising the next generation. A broad set of data now show that raising female education, increasing their control over resources, and lifting their political voice can have a profound impact on development.

Giving women more control over resources is also important. Simply put, women tend to invest more in the family than men. When women control income, more is devoted to education, health and nutrition-related expenditures, and less is spent on alcohol and cigarettes. The outcome is not trivial - for example, increases in female income improve child survival rates 20 times more than increases in male income. There is, not surprisingly, also evidence that women in positions of political leadership make different policy choices than men. This has broad and potentially profound implications for the way that resources are allocated at the local-level, and therefore for development and post-conflict reconstruction. The bottom line is that in many countries, women are excluded politically and their needs tend to be neglected. Giving women access to political power begins to redress that.

1.2 Background to the study

Throughout the world women's role in conflict and war has been seen as marginal in terms of ensuring that human security is upheld. Accounts of war through news reporting, government propaganda, novels, the cinema and other mediums tend to cast men as the peace builders and women as passive, innocent victims. In Africa, wars have been portrayed through stories of the courage of men as fighters and eclipsed the active role women have played as peace builders during and after the war.

The building of peace is an activity in which all affected sectors of society have a responsibility. Women are given special attention because they represent a vital resource for conflict prevention and sustaining peace efforts from the grassroots level upward.

Moreover, women face new challenges and inherit additional responsibilities in the post conflict period that need to be highlighted and addressed. On the other hand, the social transformation occurring in the post conflict context opens up opportunities which should contribute to empowering women and enhance their contributions to democratic governance.

In the post-conflict phase women play a particularly important role both during the peace process and also in the rehabilitation and reintegration phase.

Women play a significant role when in decision-making functions in conflict settlement and peace processes. Women can and do act in this phase as negotiators and mediators to encourage dialogue between the parties; by highlighting the needs of women in the demobilisation and reconstruction phase. Women's groups and networks can make an important contribution to a sustainable peace process; former women soldiers, survivors and refugees can foster reconciliation through their experiences. The support of women by other women in psychosocial care, trauma management and reintegration of widows and combatants help prevent social and economic isolation; during the return or resettlement of internally displaced persons (IDP) or refugees. The women affected can be given support in the choice of settlement by activists or women's groups, during the reconstruction of the justice and administrative systems qualified women can help in the formulation of laws and regulations to ensure gender equality in public life and fair access to economic resources (e.g. land and property rights).

Experience has shown that the consolidation of peace in the aftermath of conflict requires more than purely diplomatic and military action, and that an integrated peace-building effort is needed to address the various factors that have caused or are threatening a conflict. Peace-building may involve creation or strengthening of national institutions, monitoring elections, promoting human rights, providing for reintegration and rehabilitation programmes, and creating conditions for resumed development. Peace-building aims to build on, add to, or reorient such activities in ways designed to reduce risk of a resumption of conflict and contribute to creating the conditions most conducive to reconciliation, reconstruction and recovery.

1.3 Statement of the Research Problem

Women represent a vital resource for conflict prevention and sustaining peace efforts from the grassroots level upward. Women are a highly differentiated group of social actors, who possess valuable resources and capacities. Women influence the course of things, and their actions are constitutive of post-war societies. Why are women reduced to targets and beneficiaries and their contributions marginalized?

It is this bias in neglecting or assuming women's role as peace builders alongside other actors in conflict situations, which informed this study.

1.4 Objectives of the Research

1. To determine extent of women participation in decision making post-conflict in Kenya and Uganda
2. To examine status and impact of public policy and programs aimed at supporting women's role in post-conflict reconstruction
3. To determine the role of NGOs in facilitating Women's participation in post-conflict peace-building in Kenya and Uganda
4. To undertake a comparative analysis of factors that determine and set limits on women roles in post-conflict reconstruction process

1.5 Literature Review

This section focuses on various scholarly works done in past studies highlighting how women have been involved in post conflict societies in a number of African countries.

It is now wide knowledge that Africa profiles the highest statistics of violent conflicts in the world. For years the treatment of conflicts in Africa involving national armies revolved around conventional mechanisms that have excluded the traditional approaches that are, according to Ofuho (1999) now in greater demand in the contemporary world, particularly in Africa.¹ The advantages of the social perspective in the conflict transformation process to Ineba Bob-Manuel are obvious as it leads to a more profound and shared understanding of the conflict. It also encourages the acceptance of the aim of a satisfying relational life after the conflict is resolved. It makes the transformation process participatory in a full sense as it involves more than just the inclusion of the parties and the mediators. It further promotes a sense of belonging, which in turn, may contribute to the restoration, maintenance and building of relationships.

"Women's under-representation or lack of involvement in official efforts at resolving internal state conflicts is taken as a given in most situations. While they often bear the brunt of the war brutalities, and are increasingly involved in combatant activities, they are seldom part of the inner circles of peace negotiations, peace accords, or policies at the formal level to resolve conflict"² (Boyd, 1994: 3).

¹ Tsjeard Bout and Georg Frerks (2002) Women's Roles in Conflict Prevent, Conflict Resolution and Conflict Reconstruction: Literature Review and Institutional Analysis. Conflict Research Unit of the Netherlands Institute of International relations, Clingendael

² *ibid*

1.5.1 Governance and Conflicts in Africa

A case is often made that conflicts are caused primarily by economic underdevelopment, resource scarcity, widespread poverty and limited access to and participation in processes of political decision making. While it is true that poverty generates tensions as people scramble for limited resources, such tensions cannot deteriorate into war, if institutions and mechanism exists, that afford all citizens a conducive and enabling environment to earn a decent livelihood. Similarly, whereas tensions are bound to arise in any society in the course of interaction between various competing social identities and beliefs, such tensions cannot degenerate into serious conflict, unless the country's existing governance institutions, policies and ideologies are not adequately responsive to the diverse social identities and instead, tend to encourage social fragmentation rather than social cohesion. In such a situation, democratic culture of tolerance of social differences and beliefs, is also likely to be lacking. This kind of social context then becomes a fertile ground that can easily be exploited and ignited by the existing political leadership into a civil war that only serves the hegemonic elite interests, rather than the interests of the country as a whole.

In my view therefore³, most of the civil wars and violent conflicts that have occurred in Africa during the second half of the 20th and now the 21st Century, have their roots in undemocratic structures and processes of governance, unequal power and resources allocation, which are politicized and expressed in socio-cultural terms. In this connection, political leaders whip up and politicize citizen's ethnic, religious and racial diversities and use them as a means to justify and to get mass endorsement and participation in self serving wars. They do this not only because of their love of power, but because of their love for personal wealth which often degenerate into greed, exemplified in the licensing of economically motivated violence in such countries as Liberia and Sierra Leone (Berdal & Malone: 2000). Such conflicts therefore, are an indication that the governance framework lacks democratic structures and mechanisms for equitable participation, allocation and distribution of power, and resources and for the development of multiculturalism, tolerance and accommodation of diverse socio-cultural ideological and religious beliefs. Once armed violence is allowed to become a means of addressing such internal problems, the result is not only the destruction of the economic and social infrastructure but also

³ Berdal & Malone: 2000

the prevailing institutions of governance. So post-conflict reconstruction and attainment of sustainable peace entail the rebuilding of the social, economic, and political infrastructure and strengthening governance institutions to make them conducive to and supportive of economic and social development on a just and equitable basis, regardless of gender, ethnic, religious, cultural, racial and other social identities within society.

Most African countries that have experienced violent/armed conflicts are characterised by wide gaps in power, and resource distribution, both vertically among different classes, and horizontally among people belonging to different religions, ethnicities, clans, races, and regions. A close look at the historical and structural contexts of some of the major theatres of African civil wars and conflicts, e.g. in Sierra Leone, Somalia, Sudan, Liberia, Rwanda, Republic of Congo etc, all indicate that undemocratic governance was a major causal factor.

Analyzing the Somali case, one scholar argues that mis-governance has been the root cause of the war situation that has prevailed in Somalia since 1991. During the brutal and authoritarian regime of Mohamed Siyad Barre that continued for 21 years, the fabric of the society was slowly and meticulously dismantled. By the mid 1970s, Somalia had one of Africa's largest standing armies, and had spent from 40 to 50 per cent of its GDP in defence and security (Jama 2000:45). Siyad Barre's manipulation of clans had created an atmosphere of mistrust and hostility that gradually weakened both the traditional and the national institutions. So when the government collapsed in January 1991, the institutions were not solid enough to prevent the whole country from disintegrating. In this regard, the study notes that Somalia existed as a state only from 1960-1991, when the last military regime was ousted and the country disintegrated into fiefdoms, controlled by rival factions led by predatory warlords. The prevailing situation henceforth has been a "Hobbesian nightmare, where there is neither rule of law nor institutions to regulate relations and protect the most vulnerable from the most vicious. Regrettably, after spending more than \$4bn, UN left the country in a situation no better than that which had prompted its intervention. Somalia is run by militias, merchants and mullahs, pursuing their private interests rather than the public good. The Djibouti government is now saying that the time of the warlords and the militia bosses is over. They want to encourage the Somalia 'civil society' to take political power. This civil society, however, is fragmented, lacks a solid social base and has very limited political

resources. In many instances, civil society in Somalia is a one man or one woman show,"⁴ (Mohamoud 2000: 40;41)

1.5.2. Role of Women in Political Decision-making on War and Peace

The discussion of women's participation in political decision-making (Nzomo, 1994 Meena: 2000) and in relation to war and peace (Mugambe:2000),infact predates the recent discussions of postconflict reconstruction. In 1985, the Nairobi Conference, which marked the closing of the United Nations Decade for Women, pointed to the need to involve women equally in decision-making. The recommendations of the Nairobi Forward-Looking Strategies for the

Advancement of Women stated that: "Governments should be encouraged to increase the participation of women in the peace process at the decision-making level, including them as part of delegations to negotiate international agreements relating to peace and disarmament and establishing a target for the number of women participating in such delegations".⁵

However, when the first review of the appraisal and implementation of the Nairobi Forward-Looking Strategies was conducted in 1990, the disappointing conclusion was that "women are no more prominent among those making decisions on conflict than in the past," and therefore "the United Nations and the international nongovernmental organizations concerned should continue to monitor and support women's increased involvement' in the peace process" (United Nations, 1992: 3). At the Beijing Conference in 1995, the issue was again raised at the international policy level, when the conference defined it as a strategic objective to "increase the participation of women in conflict resolution at all levels...and integrate a gender perspective in the resolution of armed or other conflicts...and ensure that bodies are able to address gender issues properly"⁶(United Nations, 1995: 61). One of the important steps taken was to stress that women's involvement in decision-making was not only a question of quotas for women, but a process that also entailed increased gender sensitivity in general, requiring appropriate training and more research on gender issues.

⁴ Ibid, Mohamoud 2000: 40;41

⁵ Ibid, United Nations Decade for Women

⁶ Beijing Conference in 1995

It is often argued that women are well positioned to play more critical roles in peacemaking in Africa because of their socially constructed functions as the custodians of family and community values, and as nurturers, care givers and mediators within the family. While this argument to a large extent holds in the still highly patriarchal African societies, we need to be cautious that we then do not proceed to conclude that women as a gender, are central to decision-making on matters of war and peace. As a matter of fact as Vicker(1993:125) noted regarding women globally:

"Although women have as much right as the other 50 per cent of the human race to participate in policy making for peace, in which their perspectives are sorely needed, their actual role in the political for a where policies are made (are lacking)—Women were never consulted about the need for 50,000 nuclear warheads."⁷

To date, despite the renewed commitment made in 1995 in Beijing by world governments to increase women's decision-making representation to a 30 per cent minimum, the reality is far off the mark in most African countries. Despite the fact that many countries emerging from armed conflict have adopted new constitutions that grant women equal political, social and economic rights, the implementation of these good intentions often runs counter to the existing social norms regarding gender roles especially the social division of labour, which has not changed in favor of women, but rather adds to their burden, thus posing practical limitations on the possibilities for active involvement in national affairs. Few women in Africa hold high level positions in public management and governance. By 1998, only a handful of African countries (Mozambique, Angola and South Africa) were approaching the 30 per cent minimum critical mass of women needed in governance positions, for them to be effective (Meena:2000).Hence, strategic matters of decision-making, and policy-making, including issues of war and peace, remain a male affair, with little or no input from women.

Even when women are involved in peacemaking activities at the community level, they are often excluded when peace is being negotiated at the state level. Thus, even in the noted exception of Somalia, where an invitation to participate in the peace conferences was extended to Somali women, their role was generally restricted to that of observer, which does not allow them

⁷ Vicker(1993:125)

to influence the ongoing debate directly. Furthermore, when at some point it was recommended that all regional representations to the Transitional National Council should include at least one woman, it turned out that many clans would not accept being represented by a woman (Jama, 1996).

"The principle of equality between men and women is basic to the political philosophy of our governments. We learned throughout the liberation struggle that success and power are possible when men and women are united as equals. It was when women were free to fully contribute towards their own freedom that Zimbabwe was possible"⁸ (Lapchick & Urdang, 1982: 108).

But having recognized women as important players in the newly independent nation, soon after the elections, the male leadership "turned it's back upon them and pushed them aside— only occasional appeals to women to support ZANU and a consistently more ceremonial endorsement of ZANU's women league has been used to appeal to sections of women considered to be important enough to influence public opinion. The economic base of the new society remained fundamentally the same as it had been under the pre-war regime and offered women fewer openings than had been promised. Thus wartime expectations conflicted with post war realities and traditional norms. Women did not turn society on its head as had been expected rather they were marginalized by a system they had fought so hard to change."(Leda:1989:6163). Leda therefore concludes that women themselves might have changed and expected to change society, but the male-led guerilla movements with whom they worked had not confronted the issue of gender equality to any real extent, relying on women primarily for popular support and their own well-being. Thus, the post-independent position of women and their exclusion from political and economic life is not such a surprise.⁹ (Leda,1989:63; Staunton,1990). Indeed, women have often found that fighting for their country's liberation and achieving more prominent public roles is not a guarantee that a real commitment to gender equality will follow victory.

The point to be underscored here is that, despite women general marginality in the corridors of power and conflict mongering they are often among the first to call for an end to conflict and to strive for order and rebuilding. In postwar situations, whether in groups or individually, formally

⁸ Ibid, (Lapchick & Urdang, 1982: 108

⁹ Ibid, Leda:1989:6163

or informally, women probably contribute more than government authorities or international aid agencies to reconciliation, reviving local economies and rebuilding social networks.

But because of women's exclusion from peace building negotiations and decisions, they lack direct influence in the identification of reconstruction priorities that are usually part of peace agreements. Nevertheless, women continue to play critical roles through their work in grassroots organizations working for peace and reconciliation. From within these organizations, women constantly challenge the authorities and other members of society with demands for peace, non-discrimination, accountability, recognition of human rights, etc.

These organizations often demonstrate their ability to mobilize large numbers of women, and to translate individual grievances into legitimate social concerns. Moreover, many of them play an important role in building a new culture of peace at the local level by organizing peace education and community-based reconciliation and social reconstruction activities.

Women's organizations have also made remarkable contributions in many African countries towards the post 1990 democratization efforts by organizing civic education and legal counseling programme aimed at empowering fellow women to participate in electoral politics and in lobbying for legal and constitutional reforms that provide for gender equality and access to resources and opportunities for self advancement. Indeed, it is in the 1990s that we saw African women emerge as major contenders to male dominated political power. Examples include: Kenya and Liberia, where women were major contenders for the presidency in the national elections of the late 1990s; in South Africa, where women's presence in the legislature is significant, with one serving as the Speaker of the National Assembly; and in Uganda, where women played an active and effective role in the constitution making process, and by January 2001, the only African country with a woman vice- president. It is women's determination and capacity to organize and their socio-culturally assigned role as nurturers and societal problem solvers, that has enabled them to play significant roles in the post-war political, economic and social reconstruction of their countries.

1.5.3. African women as actors in Conflict and Post Conflict

Political reconstruction involves formal peace negotiations between representatives of the warring parties and reaching an agreement regarding power sharing and political priorities. In addition, it requires the establishment and development of legitimate, accountable and capable institutions which ensure a minimum degree of security and protection of all citizens' rights. But for women, it is also a struggle for inclusion in decision-making and shaping of the postwar political dispensation¹⁰ (Sorenson, 1998).

During postwar political reconstruction women share many interests and problems with their fellow male citizens, but they also differ on a number of issues. Women's specific concerns are shaped by the prevailing socio-cultural conceptualizations of gender roles and relationships and by the economic positions and obligations which they have within the family and the community, as daughters, wives and mothers. In addition, their postwar position will be partly determined by their former positions in the landscapes of conflict, as internally displaced persons, widows, single breadwinners, victims of rape or torture, ex-combatants, refugees, etc. Apart from contributing to the definition of women's specific postwar concerns, these structural and situational factors play a decisive role in defining the motivations as well as the constraints on women's involvement as social actors in the political process toward sustainable peace.

In post-war Uganda, the National Resistance Movement (NRM) government recognized the role women had played in the liberation struggle and hence made women's advancement a priority of the new government. Among other things, women's participation in the government was assured by appointing women to several cabinet seats, including the position of the Vice- President. Boyd (1994:79-80) notes in this regard that:

"Women play a significant role in reshaping politics in Uganda and assisting in the resolution of violent political conflicts. From positions of leadership within the state, they appear to place on the agenda a different perspective and even a different negotiating style. They also appear to have some influence in the decision-making process. But there are still too few of them in senior leadership positions to make the impact that critical numbers make. (But) from even the few visible examples where women do assert themselves in relation to men for example, in the—

¹⁰ Ibid, Sorenson, 1998

Constituent Assembly elections where nine women won in their own right, and often overwhelmingly, against male candidates—Women in leadership are certainly influencing the process of transforming their society such that political violence and gender inequalities will be eradicated." ¹¹

In conflict torn Somalia, women formed NGOs which, among other activities, organize peace education activities, that focus on alternative forms of behaviour that stress equity and social justice and nonviolent ways of dealing with tensions and conflicts (Jama, 1996; Warsame, 1996). Urban Women are also said to play a major role in shaping public opinion by organizing peace demonstrations whenever there was a threat or an actual eruption of hostilities between two clans, as well as holding peace demonstrations on International Women's Days, chanting slogans such as "Somali women want peace not war" (Warsame,1996). Women also actively participate in peace matches organized by other civil society organizations.

Similarly, women of Sierra Leone have demonstrated the positive impact of networking and political mobilization. Even in the face of threats and intimidation, they have taken up issues ranging from domestic violence and female education to the building of peace and democracy in Sierra Leone. Women's organizations have also worked hard to promote sustainable family life, and helped create a comprehensive system for monitoring and supporting the electoral process, before the occurrence of armed conflict. In this latter regard, during the 1995 parliamentary elections in Sierra Leone, local women's groups, notably, the Women Organized for a Morally Enlightened Nation (WOMEN) and the Federation of Muslim Women's Association, organized themselves to mobilize other women to participate in the national elections, that most would not otherwise have participated. These women NGOs conducted a door to door campaign, ignoring threats to their security, to persuade other women to vote. Apart from directly influencing the outcome of the elections, their political action also generated a sense of solidarity among women, who were encouraged to organize themselves on a number of conflict prevention issues relating to social justice, economic and cultural development (Dunbar, 1997). The critical role women played in these elections was acknowledged by the President-Elect, Ahmad Tejan Kabbah in his inaugural address on March 29, 1996:

¹¹ Boyd (1994:79-80)

‘To the women of Sierra Leone, old and young alike, may I pass on the special message, that perhaps more than your husbands, sons and nephews your efforts have made today a reality. For your support in favour of elections, democratic civilian government, and freedom: freedom to elect the leader of your choice, we applaud your courage and I here publicly acknowledge it’¹² (IPA/OAU:1996).

Although women's political activism has not prevented Sierra Leone from reverting back to war, the lesson from this action by Sierra Leonean women is instructive. Among other things, it demonstrates that, even in apolitically volatile situation, a combination of political will, and a well-organized network of women, can be a dynamic and powerful force for positive change in Africa.

Similar observations have been made regarding women's participation in political affairs preceding elections in post-liberation war Mozambique, where women's organizations prepared and disseminated alternative information pamphlets which reflected more directly women's everyday realities, explaining to women the relevance of certain political issues. Women's organizations also made a valuable contribution by reaching marginalized groups in society through civic education programmes, using their existing community based structures to reach the non-literate sectors of the urban and rural populations. But all this was achieved against a backdrop of significant infrastructural constraints, funding problems and gender discrimination in the election monitoring process (Jacobson, 1995).

In the case of the Sudan, studies show that since 1994, the Sudanese Women's Association [SWAN] based in Nairobi, Kenya, has been seeking to build an enabling environment in which Sudanese women can work together across ethnic, cultural, political and religious differences, to promote peace, human rights, women's empowerment and development For example, between 1995 and 1997, workshops and training seminars were held in Nairobi on food security and peace management issues for the Sudan. Women were also involved in a variety of formal and informal activities inside and outside Sudan, trying to unite women and men, for the common national objective of peace building. As a part of that objective, eight Sudanese women participated in the 1999 international conference: "The Hague Appeal for

¹² (IPA/OAU:1996).

Peace".¹³ This was the first time that one united group of Sudanese women, representing all the political warring groups and civil society organizations, jointly appealed to the world to help bring peace to the Sudan (Nyoka : 2000).

The cases cited above, demonstrate women's often unrecognized role as political constructors and peace builders, who have the capacity to positively influence social change, if provided with an enabling (democratic) environment. In this connection, women have amply demonstrated that in their families, their communities, or their political movements, they can play a key role in positively reshaping the world.

Greater participation of women should be ensured, because women are still carriers of life as in the traditional African belief. They can still have a strong moral obligation to say 'no' to violent ways. They still have the capacity to form networks that cut across ethnic, national and racial barriers. So, the increasing number of women's organisations and networks that have started in war-torn parts of Africa. It is not enough that women should be the court of last resort, because the last resort is a too far away and may come too late.

1.6 Justification of the Research Problem

The social transformation occurring in the post conflict context opens up opportunities which should not be missed by women to empower themselves and to strengthen and enhance their contributions to democratic governance.

This study will help many stakeholders develop in-depth understanding of post-war reconstruction from a gender perspective, develop an enabling policy framework that can give women a platform and voice to contribute meaningfully to conflict management. This can be broken down further as follows:

1.6.1 Academic Justification

This study will help in raising awareness of the many actors involved at different levels in rebuilding war-torn societies which will be of interest to practitioners and scholars alike.

¹³ Ibid, Nyoka : 2000

It aims to shed light on how post-war reconstruction processes influence the reconfiguration of gender roles and positions in the wake of war, and how women's actions shape the construction of post-war social structures.

1.6.2 Policy Justification

This study will aid in policy development which avoids a gendered peace- the needs for men and women should be addressed equally. This stresses the advantages of equal opportunity for both men and women as it promotes positive peace and tackles entrenched violent and aggressive behaviour which is rooted in forms of masculinity". It argues that that working with women as change agents in society improves the conditions of women and have positive outcome for peace building in general.

1.7 Theoretical Framework

Peace and conflict studies are concerned with the transformation or resolution of conflict and the building of amicable and positive peace. However, successful and effective conflict resolution and transformation requires thorough and systematic understanding of the root or remote cause of the conflict, which would consequently provide the fundamental ground on which strategies for resolution, prevention, and intervention can be mapped-out by conflict resolution and negotiation experts, peace researchers, activists, agents, and/or concerned institutions. In order to understand peace and conflict resolution mechanisms, it is important to look at the theories underpinning the subject.

1.7.1 Burton's human needs theory for conflict and conflict resolution.

The human needs theory provides a framework of analysis that centers on the unmet human needs. The theory that unmet human needs are the remote source of conflict and violence is a well established idea in the fields of politics, international relations, and development studies (broadly connoted) particularly in the specialism of peace and conflict resolution¹⁴ (Marker, 2003; Burton, 1990a, 1990b; Coate and Rosati, 1988). Human needs theory stipulates that there is more likelihood of conflict and violence as a result of unmet human needs, psychological and physiological, rather than that of interest, as people strive to fulfil their needs (Burton, 1990a). Both Maslow and Burton (in Marker, 2003) viewed these needs as not limited to food, shelter,

¹⁴ Ibid, Marker, 2003; Burton, 1990a, 1990b; Coate and Rosati, 1988

and water, but rather extend to include nonphysical elements needed for human growth and development, participation, control over their own life, as well as all those things human beings are innately driven to attain.

For Burton (1997), the concept of basic human needs offered a possible method of grounding the field of conflict analysis and resolution (which he and a few other pioneers had essentially improvized during the 1960s) in a defensible theory of the person. Together with other peace researchers (Coate and Rosati, 1988; Lederer, 1980), he set out to reframe the concept in order to provide the new field with a convincing alternative to the prevailing paradigms of preventing Post-War social science: mechanistic utilitarianism, behavioralism, cultural relativism, and Hobbesian “realism” etc. (Rubenstein, 2001). In Burton’s view, the needs most salient to an understanding of social conflicts were not only material (food and shelter), but also included needs of identity, recognition, security, and personal development. Over time, however, he tended to emphasize the failure of existing state systems to satisfy any of these needs, which is the primary source of modern ethno-nationalist struggles. However, he pointed out that the level of importance of any or a combination of these needs depends on the socioeconomic, cultural, and political development of a country (Burton, 1990a).

Burton (2009) points out that aggressions and conflicts are the direct result of some institutions and social norms being incompatible with human needs. His submission is that aggression and antisocial behaviors are stimulated by social circumstances. There are human limits to abilities to conform to or withstand such institutions and norms, since human beings are not wholly malleable. The needs that are frustrated by institutions and norms require satisfaction; they certainly must be pursued in one way or another. Denial by or inability of society to provide material basic needs, recognition, and identity would lead, at all social levels, to alternative behaviors designed to satisfy such needs, be it ethnic conflict, street gangs, or domestic violence. The great promise of human needs theory, in Burton’s view, is that it would provide a relatively objective basis, transcending local, political, and cultural differences, for understanding the sources of conflict, or designing conflict resolution processes, and for founding conflict analysis and resolution as an autonomous discipline (Burton, 1990b).

The implication is that the needs theory is particularly useful for understanding the causes, resolution, and management of conflict in the developing regions, such as Africa.

The human basic needs theory emphasizes instead, the problems of the (domestic) institution of government's inability to meet the basic needs of the population, as the source of conflicts. As argued, Burton pointed out that aggression and conflicts are the direct result of some institutions and social norms being incompatible with human needs. He tended to emphasize the failure of existing state systems to satisfy any of these needs, which is the primary source of modern ethno-nationalist struggles. In Africa, the denial or neglect of the basic needs (such as material needs; recognition of different ethnic groups, particularly the minority groups; neglect of certain identities, such as the human cost of unemployment to the youths seeking their identity in society; and other needs) is the major source of conflicts. Just as the theory stipulates, when such non-negotiable basic needs are unmet, conflict is inevitable.

1.7.2 Peacemaking theories

Peacemaking theories revolve around the traditional peaceful methods of conflict resolution – inquiry, good offices, negotiation, mediation, arbitration and adjudication. However, theoretical frameworks have not yet been developed for inquiry, good offices, arbitration, and adjudication. Accordingly the focus will be on negotiation and mediation which theories have been formulated.

Inquiry involves the intervention of a neutral party in a conflict for the purpose of fact-finding or information collection. The ostensible purpose is to help determine the undercurrents of the conflict. Good offices on the other hand entail an impartial third party serving as a conduit for the transmission of information between or among the parties to the conflict. Additionally, the third party may provide venues for meetings between or among the disputants. As in inquiry, the third party does not offer proposals for the settlement of the conflict.

In arbitration parties to the conflict select an arbitrator or arbitrators, determine the corpus of law to be used, choose the participants and decide on the time and place of hearings. Essentially the disputants exercise full control over the fundamental rules of the process.

1.7.3 Negotiation Theory

Negotiation entails the holding of face-to-face discussions between or among the representatives of the parties to the conflict. No third party is directly involved. Negotiation theory is based on several elements. At the epicenter are the actors; these are the players or the participants in the conflict, they may include the government and private groups in society, an insurgency group or groups, primordial groups, professional groups.

1.7.4 Mediation Theory

Conceptually mediation is the intervention of a neutral party in a conflict for the purpose of proffering solutions for the peaceful resolution of the conflict. As in negotiation, the actors are the foundation of the mediation mode; these are the participants in a conflict; they may include the government and a private group or groups. The reasons for conflict range from political, cultural, economic and social matters such as the allocation of political power, ethnic discrimination, the inequitable distribution of resources and poor social services. Importantly there may be either a single or multiple issues at the center of a particular conflict.

The mediator may be invited or may volunteer. In either case, the parties to the conflict must accept the intervention of the mediator. In order to be effective, the mediator must be neutral and must be perceived as such by the parties to the conflict. The mediator must bring a perspective, skill and information that are germane to the resolution of the conflict. Successful mediation is contingent upon a variety of factors. According to Saadia Touval, these factors can be divided into two major categories: the circumstances of the mediator's intervention and the mediator's attributes and qualities.

1.8 Hypothesis

Women play an important role in decision making in post conflict society.

Women are a driving force in peace building as they call for an end to conflict.

There is biasness in neglecting women's role in peace building alongside other actors in post conflict societies

There is lack of a policy framework and programs to facilitate women contributions in post conflict societies

1.9 Research methodology

Methodology is a way of systematically solving a research problem¹⁵ (Kothari, 2008). This chapter discusses the research methods that were used in order to answer the research problem under investigation and respond to the specific objectives as set out.

1.9.1 Research design

According to Mutai (2000), a research design is a specific plan for studying the research problem, and the plan consists of detailed information on data collection, measurement and analysis¹⁶. The researcher employed non-probability sampling which focused on an in-depth analysis of policy and institutional instruments supporting the role of women in post conflict societies.

1.9.2. Data collection

The study will use secondary data to answer the specific objectives. Secondary data will be obtained from policy frameworks (Kenya and Uganda Constitution), institutional Instruments, , UN and AU framework on conflict resolution.

1.10 Scope and Limitations of the research

The study will be carried out in two countries Kenya and Uganda focusing on policies and institutional instruments supporting women roles in post conflict societies. This study was constrained by time, geographical location of area of study.

¹⁵ Ibid, Kothari 2008

¹⁶ Ibid, Mutai 2000

CHAPTER TWO

2.0 Women and Post Conflict Reconstruction

This chapter discusses beyond conventional images of women as victims of war, and document the many different ways in which women make a contribution to the rebuilding of countries emerging from conflicts. Special attention is given to women's priority concerns, to their resources and capacities, and to structural and situational factors that may reduce their participation in reconstruction processes. It also aims to shed light on how post-war reconstruction processes influence the reconfiguration of gender roles and positions in the wake of war, and how women's actions shape the construction of post-war social structures.

2.1 Political Reconstruction

Women obviously share many interests and problems with their male fellow citizens, but they also differ on a number of issues. Women's specific concerns are shaped by their social roles as daughters, wives and mothers, by the economic positions and obligations which they have within the family and the community, and by prevailing cultural conceptualizations of gender roles and relationships. In addition, their post-war position will be partly determined by their former positions in the landscapes of conflict, as internally displaced persons, widows, single breadwinners, victims of rape or torture, ex-combatants, refugees, etc. Apart from contributing to the definition of women's specific post-war concerns, these structural and situational factors play a decisive role in defining the motivations as well as the constraints on women's involvement as social actors in the political process toward sustainable peace.

Political rebuilding which aims to establish a sound political environment and a genuine political culture is a tremendous challenge to any country that has been torn by violent political conflict. Political reconstruction first of all means reaching an agreement regarding power-sharing and political priorities. In addition, it requires the establishment and development of legitimate, accountable and capable institutions which ensure a minimum degree of security and protection of all citizens' rights. Sustainable peace, however, also hinges on the presence of institutions that are conducive to and supportive of economic and social development on a participatory and equitable basis, regardless and solidarity must emerge.

2.1.1. Women Increasing Public Presence and Political participation

‘There is a big impact. Once you are empowered with resources, you are more bold and confident to take up leadership positions’¹⁷.’(Commercial Officer, Gulu district.)

Where women were traditionally confined to the domestic sphere, there is now a presence in a number of public arenas. Women have a stronger profile in marketplaces, and are increasingly taking leadership positions in market organization. They attend workshops and training courses run by NGOs and development partners, and researchers noted how familiar women have become with the language of rights, both in urban and rural settings.

This may be due to the amount of sensitisation work conducted during the war when people were living in camps. At a community level, women are part of the various decision-making spaces and community Programmes, they are well represented in groups and associations, including small but significant advances at leadership level within SACCOs, as well as through the NAADS Programme.

There is also an aspect of “political apprenticeship”, whereby women who have joined groups have also acquired a range of skills relevant to activism in public life.²² Engagement in such activities has provided training spaces for women in public leadership. Though the political impact should not be exaggerated, this dynamic has created openings in an otherwise male-dominated world.

Women are politically active as voters, as evidenced both by the overwhelming majority who voted in the 2006 election (79 percent); and the 92 percent who intend to vote in the 2011 general elections. Some have acted as campaign agents though, because of low incomes, few reported providing candidates with financial support. Women also reported high levels of confidence in other women as leaders.

In Uganda, the government has developed policies to further integrate women into decision-making at all levels, and women have succeeded in obtaining ministerial-level posts in the new governments (El-Bushra and Mukarubuga, 1995). On Uganda, Bennett et al. (1995: 92) report

¹⁷ Post-war economic opportunities in northern Uganda: implications for women’s empowerment and political participation

that "the government is committed to inclusion of women and recognition of their concerns in the political process at all levels. Uganda has five ministers as of 1994 but at village level a new order will take time to emerge".¹⁸

2.2. Women's involvement in the peace process

From 1993–94 Betty Bigombe¹⁹, then Minister for the Pacification of the North, was tasked with initiating talks with the LRA, the earliest example of a serious attempt by the government to talk peace with the insurgency leaders. After several courageous meetings between the Bigombe team and the LRA – the first in Pagik, Gulu district in November 1993 – there was cautious optimism that peace might be achieved, though this soon evaporated and the violence resumed.

As documented, women played a critical role in peace activism at a community level throughout the years of conflict. During the conflict period, most women tried to remain with their families and support peace in their communities, appealing to fighting groups to disavow violence, encouraging rebels to return home and lobbying the government to promote reconciliation. Women were active in forming community-based organisations and local NGOs sought to address the consequences of conflict by promoting reconciliation, reintegration and regeneration.

Northern Ugandan women were also instrumental in drawing international attention to the conflict. When the LRA abducted 139 girls from St. Mary's College, Aboke in October 1996, affected parents formed the Concerned Parents Association (CPA) to campaign for their release. Led by Deputy Headmistress Sister Rachele Fassera, parents Angelina Atyam and Okello Phoebe Norah, and others, CPA initiated a high-profile advocacy campaign that gained worldwide support and influenced the agenda in negotiations to end the conflict. Strong government backing helped to erode popular belief in the north of a "conspiracy of silence" and lack of political will to end the conflict.

Despite these initiatives, and the specific suffering women experienced in the war, government negotiators at the Juba Peace Talks were exclusively male (although the deputy chairman of the

¹⁸ Ibid, Bennet et al 1995: 92

¹⁹ The Challenges of Mediation, the Uganda Experience, USIP

LRA delegation was a woman, as were several members). Neither the chief mediator's office nor other actors at the negotiating table made any attempt to include women in the process.

In response, UWONET organised a march for peace in October 2007 to highlight UN Security Council Resolution (UNSCR) 1325, demanding that at least one-third of the Juba Peace Talks team be women.³² The demonstrators marched through conflict-affected districts before presenting a symbolic "Women's Peace Torch" to the negotiating teams – whereupon both sides shook hands for the very first time. The protest had some impact: UWONET gained observer status at the talks and four women were added to the government team.³³ Women's involvement in the Juba peace process was supported by the United Nations Fund for Women (UNIFEM), which funded their participation and advocacy to ensure women's voices were heard in the negotiations.

2.2. Economic Reconstruction

The economic reconstruction of a country emerging from war is crucial and complex, and directly or indirectly shapes women's post-war livelihoods. First, economic reconstruction involves government initiatives to design a new policy framework in which priority areas for growth and development are identified. At the concrete level, economic reconstruction involves the rehabilitation and development of infrastructure and production facilities and the development of a qualified human resource base to match the established priorities. To promote activities in specific areas, the above initiatives are supplemented with inputs of credit, loans and other resources.

While national authorities and external financial institutions play a crucial role in the recovery of economies shattered by war, post-war economic life is also vibrant with individual men and women who develop individual or collective strategies for survival and development, seeking to exploit whatever opportunities, legal or illegal, they can find to escape further poverty and marginalization.

In addition to reflecting women's struggles to meet increasing responsibilities, women's concerns about their economic prospects also reflect an awareness that economic recovery entails processes of inclusion and exclusion, or stratification and marginalization, which are partly, but not entirely, beyond their control.

2.2.1. Agricultural Activities

'Women have now gone back to farming, but with a business mind.' (Commercial Officer, Gulu district).

The current period of relative peace has seen most IDPs return to the rural areas where women have resumed farming in numbers almost equal to the pre-war period. However, the way women engage in agricultural production has changed. In some cases, they have responded to the invitations of national and foreign commercial companies to work as contract growers of oilseed crops (sunflower and soya beans), cotton, upland rice and maize, individually or in collectives. Working with community-based organisations and farmers' groups, the Food and Agricultural Organisation (FAO), Agricultural Cooperative Development International/Volunteers in Overseas Cooperative Assistance (ACDI/VOCA), Agency for Cooperation and Technical Development (ACTED) and United States Agency for International Development (USAID) have provided women's groups with seeds, ox ploughs, goats, chickens and access to markets. They offer training in agronomic practices, business skills, credit and savings, nutrition and hygiene. These initiatives were designed to support the resettlement process, reduce poverty and contribute to food security in Northern Uganda.

Women are also engaged in value-added, post-harvest handling, the use of labour and time-saving technologies, and have become prominent in farmers' groups under government initiatives, such as the ongoing National Agricultural Advisory Services (NAADS) scheme.

2.2.2. Informal Sector Activities

"Some women have attained relative economic and political autonomy from male domination. This has been primarily through entrepreneurial activity in the grassroots war-economy"²⁰(Chingono, 1996: 209).

Petty trade and small-scale business activities often play a central role in the revival of post-war economies. Among the reasons for their relative prominence is the fact that these activities are in principle open to everybody: large investments are not required, unlike in agriculture, they do not require on access to land, which is a scarce resource, they can be carried out at any time and for

²⁰ Chingono, 1996: 209

any length of time, and, finally, the lapse of time between investment and income is considerably shorter than in agriculture. Women in most post-war societies rely heavily on this sector, and they demonstrate a remarkable entrepreneurial spirit and perseverance even under dire circumstances.

For example in the post-war situation for women in **Uganda**, Kabera and Muyanja write: "Other new developments have included the involvement of women in petty trade and even wholesaling. This has partly been due to the number of families in which all the adult males have been killed, forcing women to find additional sources of income. Other new skills have also been learned in exile. There have been marked improvements in carpentry and building work, and better techniques of poultry farming and fruit growing have been introduced. Maize cultivation has been widely adopted (formerly the crop had hardly been grown in the region but people who had received relief rations had become used to it). Beer brewing using sorghum, millet and bananas has become more common, and women can be seen selling beer at local markets. Trading networks between villages have intensified, and travelling by bicycle over quite long distances has become a normal practice. This has all been the consequence of exposure to ideas from outside the local area"²¹ (Kabera and Muyanja, 1996: 103).

Allen likewise notes beer production as an important income-generating activity among women returnees in Uganda. The potential for profit, however, was dependent on whether women possessed their own equipment, whether they had to hire assistants, and in some cases also whether their customers would be willing and able to pay (Allen, 1996). For petty trade an additional determinant would be access to cash, to invest in commodities. Assessing the wider impact of women's economic strategies, Allen stresses that in order to obtain good profits, women often had to walk long distances to good markets, and this meant that they would be away from home for a considerable period of time and thus be unable to perform their domestic tasks.

'Fish-mongering in Gulu is monopolised by women. There are three women's groups engaged in fish-mongering and it is difficult to penetrate this business now.'

²¹ Kabera and Muyanja, 1996: 103

Women make up the majority of market and street vendors, especially in evening markets, and sell cereals, vegetables, fish, other foodstuffs and second-hand clothes. The brewing and selling of alcohol has been in comparative decline in the post-war period, but are still significant economic activities, along with the sale of bottled beers and spirits. Women's trade in food has expanded vastly, with local crops now sold across the region and over the border to South Sudan. Most agricultural products – millet, groundnuts, potatoes, cassava, vegetables, fruits and maize – are in high demand

2.3. Social Reconstruction

At the social level, postwar societies face two separate challenges. One is the rehabilitation of a partially damaged or totally collapsed social sector, the other is the facilitation of a longterm process of social integration. With regard to the place of women, a major concern is whether the social sector addresses women's particular needs and concerns in an appropriate and adequate manner and recognizes and incorporates women's capacities and skills into the provision of social services.

At one level, social reconstruction requires the allocation of resources to rehabilitate the social infrastructure and institutions to provide populations with health care, education and other services. This is a precondition not only for people's survival, but also for enabling them to contribute to the overall rebuilding process. At another level, social reconstruction is expected to heal the psychological wounds, and to generate an inclusive social environment with a minimum of stigmatization, marginalization, or exclusion. It demands the restoration of mutual respect, trust, confidence and solidarity building, as prerequisites for reducing the risks for renewed violent conflict.

Despite great eternal differences, women as a social category share certain experiences and interests which may generate a level of solidarity and mobilize them as rebuilders, displaying courage, fortitude and great resiliency in seeking to pick up the shattered pieces of their lives—some attempting to reactivate distant ties of kinship others reaching out to other women to create new forms of female solidarity and still others resolutely drawing on their inner strength and demonstrating their capacity for self preservation.

2.3.1 Education

The importance of education for prevention of conflict cannot be overemphasized. As Kuzwe (1998: 38) points out: "There is not a shadow of doubt that illiteracy and lack of education provide the ideal cultural environment for the propagation of conflict".

Women understood this and in Uganda, female teachers were observed trying to continue children's primary education in refugee camps and welfare for internally displaced people and in post-conflict phase children's and adults' education is also a field of activity for many grassroots women's organizations. (Jama, 1996; Byrne, 1996d). For example, a group of women organized a local support group, the Gulu Support the Children Organization, which aimed primarily to help children who had been withdrawn from school to participate in the armed struggle but who wished to escape from warfare and continue their education (Sorenson : 1998).

2.3.2 Healthcare

In the health sector of most war affected societies, female health professionals have put their skills and experiences to good use, by joining relief and health organizations such as the Red Cross, or by forming voluntary associations which not only provide medical assistance, but also organize training and discussion groups on healthrelated issues (Kasman and Korner, 1996; Marcus, 1996b). Aside from taking part in providing primary health care, women often also play an important role in developing new mechanisms to respond to the many new health problems occurring as a result of war, such as psychosocial trauma, rape, warrelated injuries, poor nutrition as a result of displacement and loss of livelihoods, etc. The importance of women's resources in this field is widely acknowledged. Consequently, it has been argued that targeting women for professional health care training is a key to improving the community's health status. Moreover, it may provide valuable opportunities for longterm employment.

However, in practice many programmes continue to discriminate against women when enrolling people in training activities. And when women are involved in the health sector, they typically occupy mainly low level jobs.

2.3.3. War-related social problems

Aside from taking part in providing primary health care, women often also play an important role in developing new mechanisms to respond to the many new health problems occurring as a result of war, such as psycho-social trauma, rape, war-related injuries, poor nutrition as a result of

displacement and loss of livelihoods, and so on. In the **former Yugoslavia** Republic of Srpska, for example, some women responded to the massive influx of refugees by organizing informal self-help groups to provide refugees with food, shelter and clothing, or to take them to the hospital for treatment. Later, some of these women formally established an NGO called Duga (Rainbow) to continue their work, which in addition to relief now includes psycho-social and legal counselling (**Walsh, 1996**). groups and NGOs, many of which focus on health care, that have emerged in the wake of the disintegration of Yugoslavia.

In **Sri Lanka**, increasing numbers of civilian casualties and displacement-induced health problems likewise moved many men and women to do voluntary community work. Some six years after its foundation, the Family Rehabilitation Centre, an NGO originally established to provide health care to war-injured persons, has trained hundreds of victims or clients in health care and social activities so that they can help others. It has established outreach posts throughout the country, and a broad network of international experts and sponsors has been established. As is the case for many organizations that started as small, single-issue associations, the Family Rehabilitation Centre has broadened its scope to include psycho-social counselling, skills training and income-generating activities, all of which are considered preconditions for the improvement of health (Family Rehabilitation Centre, 1993).

Post-apartheid **South Africa** has overcome many of its previous ills, but like many other post-conflict societies, it continues to be ridden with violence at all levels (see also **Nordstrom, 1997**). Women experience this at home, where they and their children are physically and verbally abused by husbands and fathers, and in the public arena, where they are at risk of rape, violent attacks and harassment. An illustration of the severity of the problem is People Against Human Abuse (PAHA), an organization founded by a group of women in Pretoria in 1994. Some of the founders had experienced their own families being torn apart by violence. During its first three years, PAHA managed to assist a large number of victims, and more importantly, it has initiated a dialogue with teachers, police, magistrates, health staff, staff from the welfare department and others who may be instrumental in reducing physical and psychological violence and re-establishing trust and justice (Makhoere, 1997). The Autonomous Women's Centre Against Sexual Violence in **former Yugoslavia** (Belgrade) is another voluntary organization that addresses the relationship between the militarization of society and domestic violence. Like PAHA, it aims to help abused and battered women (**Walsh, 1996**).

In addition to threatening the physical health of civil populations in general, civil wars also cause wide psycho-social suffering. Mass rape, torture, disappearances, killing, abuse, violence, and so on expose people to extraordinary situations which gradually erode their self-esteem and self-confidence, and generate a loss of meaning and control: "After long years of war, psycho-social problems may express themselves in fear, health problems, alcoholism, anger, bitterness or even suicide. They cause not only mental and physical pain but might also prevent the necessary activities to create a decent livelihood and to integrate into the social community" (Klingebiel et al., 1995: 74).

This complex phenomenon is commonly referred to as traumatization. In a recent publication on children and war, Boyden and Gibbs point out that the term "trauma" is a Western notion not easily translated across cultures. Based on their investigations of how people in **Cambodia** perceived and responded to various forms of trauma, the authors argue that more attention should be given to the subjective ways in which people engage with their environment in the context of political violence and other stressful events, an approach which simultaneously gives wider recognition to culturally specific understandings of disease and the corresponding options for healing (Boyden and Gibbs, 1997: xi). Likewise, pointing to the cultural understanding and context of psycho-social distress, Maynard (1997: 206, 213) emphasizes that healing in these settings is rarely a relationship between only a client and a professional, but involves whole families and communities.

Unfortunately, little information is available on the ways in which communities themselves address psychological distress through communal ceremonies, religious rituals, dialogues, and so on, nor is it clear what roles different population groups play in such recovery efforts. In a study of children and war in **Mozambique**, Gibbs (1997) gives an example of how people tried to overcome stressful experiences by engaging in constructive work. The shared experience of doing something useful pushed memories of deconstruction and destruction into the background and offered a positive alternative: "The actual physical work of reconstruction following return such as the building of homes and the planting of fields .was considered by local people to be particularly crucial to the also mean that distrust and rivalry, play an increasingly important role in everyday social interactions. This situation constraints post conflict social reconstruction.

But with some external assistance from such institutions as the UNCHS (Habitat) women in war torn societies do begin to find a new place in society as decision makers, peace makers and

developers. UNCHS' attempt to support the improvement of women's position in postwar societies is based on the assumption that women are particularly qualified and interested in the reconstruction of human settlements. The programme strives to ensure that new settlements meet women's needs, and envisages that women's involvement will have other longterm outcomes, in the form of women's empowerment; contribute to healing war traumas, facilitate processes of reconciliation, and generate new social relations. Habitat has introduced this programme: *Women Rebuilding Their Lives*, in Rwanda, Burundi and Ethiopia (UNCHS, 1995).

In a nutshell, Social reconstruction is a complex process that involves the very foundations of any society social identities, roles, relationships and institutions, and social welfare. In the wake of massive dislocations and disruptions that have challenged and partly dismantled the prevailing social structure, there is a need to redefine the social basis of the nation, as well as the local community and household.

In most post conflict societies, women more than men, generally put great emphasis on the rehabilitation and development of the social services sector. Under difficult circumstances, women reestablish children's education, build up primary health care services, and address the social consequences of traumatic war experiences. The particular approaches that women adopt in such cases, often promote cooperation across various social and professional lines. However, even when women's efforts in this field are widely acknowledged to be of crucial importance, women's work is generally perceived as a natural extension of their domestic work. While it is true that women's particular experiences and social positions in most cases make them especially qualified for social work, the failure to admit that this is a professional status may jeopardize women's access to training and remuneration, lower the status and respect that the work entails for them.

CHAPTER THREE

3.0 Role of Women Organisations and NGOs in facilitating Women participation in post conflict Kenya and Uganda

3.1. Case of Kenya

The ethnic clashes after the general elections 2007 in Kenya changed the political opportunity structures for women's organizations:

“After the Post-Election-Violence the women's organizations in this country were fragmented. (...) Women were divided along tribal lines. (...) And it's the time to rebuild the women's movement which was not there before.” (African Women and Child Feature Service (AWC), Nairobi, 21.04.2009)”

During the conflict the activists of women's organizations preceded their ethnic belongings to a female identity fostered thereby a re-traditionalization of women's roles. In contrast, after the conflict women's organizations gained new opportunities to participate in social and political order. Women's organizations started to revive a women's movement based on a shared female identity In addition to the welfare commitment; women's organizations were also involved in building up a new social and political order.

Since the late 1980s, feminists and scholars started to consider gender issues in the field of Peace and Conflict Studies.¹ All these studies show that the experiences women made in certain conflict situations cannot be generalized or unified: Thus, women can be considered as victims, perpetrators or as well profiteers.² Other studies in the field of Peace and Conflict Studies emphasize that women revive traditional roles and behavior during the conflict: Against the background of the conflict common values of a certain ethnic group or nation³overlap female identities and differences are getting negated in order to strengthen the cohesion of the group. Consequently, a re-traditionalization of gender identities starts:⁴ women are seen as mothers and as guardians of society or an ethnic group, whereas men are considered to be manly war heroes.⁵

During the conflict itself and in the post-conflict situation, the report on human rights violations in the conflict situation (Waki Report) also dealt with the level of violence. The wide coverage of sexual violence initiated a public debate on violence against women. Women organizations used the media to draw attention on the violence against women and to break the existing stigma

and taboo. The public discussion about violence against women allowed women's organizations to locate it as a social problem and to legitimate the work of women rights organizations. This resulted in a discursive process during the post conflict situation, which enabled a common concern of women beyond any ethnic belonging.

Following the public agenda setting many women organizations also participated in relevant committees for dealing with human rights violations. In the process of reconciliation many civil society actors, including women's organizations were included. The government established the Truth Justice and Reconciliation Commission (TJRC). FIDA and COVAW were involved in the civil society representation of the TJRC, the TJRC Task Force. The Task Force offered an important platform for incorporating gender issues into the process of reconciliation. Women's organizations participated in societal processes, thus preserving a public forum and designing the processing of the post conflict situation in a gender sensitive way.

The involvement of women's organization in the constitutional process can be considered as another success. The people voted for it on 4th August 2010 by a referendum. With regard to gender issues, the draft wanted to ban all forms of gender-based discrimination including violence against women, promoted abortion rights in case of a life threat to the mother, granted land rights and ownership to women and secured equal marriage rights and responsibilities to men and women. Numerous campaigns of the women's organizations followed the referendum.

Strengthening welfare activities and the commitment to reconciliation: with the end of a conflict numerous women's organizations take care of victims of sexual violence. For example, the *Coalition on Violence Against Women (COVAW)* in Nairobi takes women affected by violence and assures them of medical care in hospitals. Other organizations, such as the *Gender and Development Center* in Kisumu, are active in the refugee camps themselves or support refugees in covering their basic needs. All these activities have been done for women, regardless of their ethnic origin. Women's organizations are also active in social reconciliation processes. For instance, the *Women Action Forum for Networking (WAFNET)* and the *National Response Initiative* promote national reconciliation by organizing multi-ethnic soccer games in Sotiki and in Kisii and thus bringing previously conflicting ethnic groups together.

Agenda-setting in the post-conflict situation: In addition to the welfare commitment, women's organizations are also involved in building up a new social and political order. During the conflict itself and in the post-conflict situation¹⁰, the media almost reported daily about gender-based violence. The report on human rights violations in the conflict situation (*Waki Report*)³⁰ also dealt with the level of violence. The wide coverage of sexual violence initiated a public debate on violence against women for the first time.³¹ Women's organizations used the media to draw attention on the violence against women and to break the existing stigma and taboo. The public discussion about violence against women allowed women's organizations to locate it as a social problem and to legitimate the work of women's rights organizations. This resulted in a discursive process during the post-conflict situation, which enabled a common concern of women beyond any ethnic belonging. Thus, images of women are going to become part of a general societal identity construction. It is often stressed by women's organizations that a multiple identities and the strengthening a female identity are main objectives of the post-conflict situation.

Following the public agenda-setting many women's organizations also participate in relevant committees for dealing with human rights violations. In the process of reconciliation many civil society actors, including women's organizations are included. For dealing with human rights crimes, the government established the *Truth, Justice and Reconciliation Commission (TJRC)*. FIDA and COVAW are involved in the civil society representation of the TJRC, the *TJRC Task Force*. *The Task Force* offers an important platform for incorporating gender issues into the processes of reconciliation. Women's organizations participate in societal processes, thus preserving a public forum and designing the processing of the post-conflict situation in a gender sensitive way.

Networking activities and movement building: There are two main networks of importance in the post-conflict situation: The *Gender-Based Violence Sub Cluster (GBV-cluster)* and a network called G10. The former was created by an initiative of the *United Nations* in the framework of the internationally applied cluster system of *the Inter-Agency Standing Committees* in January 2008. To coordinate the humanitarian assistance, to increase accountability and partnership between the funders, civil society organizations and government institutions the activities of all these actors are organized in networks – so-called clusters.³⁷ Whereas the majority of sub-clusters dissolve after the crisis in Kenya the GBV-cluster is continuing. Since October 2008 it is subordinated to the *National Commission on Gender and Development* and represents over 50 representatives of the government, the civil society and the donors.

The GBV-cluster aims at informing about gender-based violence, coordinating the activities in this area, at developing tools together to combat violence against women and at persuading state institutions with regard to these issues.

The G10 Network was founded in February 2009 by more than ten women's organizations located in Nairobi.³⁹ Compared to the internationally initiated GBV-cluster initiative; this initiative is much more traced back to the Kenyan context. The participating organizations are working with different emphasis in the field of women's human rights in Nairobi and plead for gender equality by lobbying and advocacy on the national level. G10 particularly wants to strengthen the cooperation between women's organizations on the national level

3.2 Case of Uganda

In post-war Uganda, the National Resistance Movement (NRM) government recognized the role women had played in the liberation struggle and hence made women's advancement a priority of the new government. Among other things, women's participation in the government was assured by appointing women to several cabinet seats, including the position of the Vice- President. Boyd (1994:79-80) notes in this regard that:

"Women play a significant role in reshaping politics in Uganda and assisting in the resolution of violent political conflicts. From positions of leadership within the state, they appear to place on the agenda a different perspective and even a different negotiating style. They also appear to have some influence in the decision-making process. But there are still too few of them in senior leadership positions to make the impact that critical numbers make. (But) from even the few visible examples where women do assert themselves in relation to men for example, in the— Constituent Assembly elections where nine women won in their own right, and often overwhelmingly, against male candidates—Women in leadership are certainly influencing the process of transforming their society such that political violence and gender inequalities will be eradicated."²²

For close to 20 years the Acholi sub-region of Northern Uganda experienced an armed conflict between the Lord Resistance Army (LRA), a rebel group led by Joseph Kony and the

²² Boyd 1994:79-80

government of Uganda. The conflict claimed a lot of lives and displaced many people from their homes, besides devastating social services and physical infrastructure in the region. In virtually all the districts which form the northern regions and some parts of the eastern region that were affected by this insurgency, there was massive displacement to the extent that in some of the districts such as Kitgum, over 90% of the population was displaced (MoFP&ED 2004).

In the context of violent conflict, women's land rights are further exacerbated by the effects the conflicts impose on them. Most humanitarian agencies, NGOs and governments often concentrate on women's access to social services, training and education, and domestic violence, among others, despite women facing land related challenges in the aftermath of the conflict. Yet addressing all the other challenges is dependent on the security women have in access and use of land. As Foley (2007) argued²³, land rights cut across a number of different sectors including displacement and return, human settlements, agriculture and livelihood, economic development, environmental issues, urban and rural planning, security, land mines, and justice and the rule of law. Land is a basis for shelter, food, economic activities, and is the most significant employer of women's labour in SSA (Kamjathy & Nicholas 2001; & Kabonesa 2002). Hence whatever short term or long term programs designed for women in post conflict reconstruction, access to, ownership and use of land remains a key aspect in rebuilding their lives.

Armed conflicts often exacerbate women's existing problems of insecure land tenure and access, besides generating new ones (Baranyi & Weitzner 2006). In situations of high mortality of men during the war, the women who have survived have found it difficult to secure access to land that was formerly owned or jointly owned by the husbands or with other male relatives. This is because such women might be denied access to land by their in-laws or by other surviving male relatives. This phenomenon has been widely reported in countries that have experienced armed conflicts. For instance, UNHCR (2001) noted that in the aftermath of the genocide and massacres of 1994 in Rwanda, many women who became widows met stiff resistance from in-laws or male members of their own family in accessing land²⁴.

²³ Foley 2007

²⁴ UNHCR 2001

Women whose previous access to land were through marriage but became widows were left in a vulnerable position especially when the husbands' relatives lay claim to the land (Ibid). While women, who lost documentations evidence of their land, were dispossessed of their land in the aftermath of the conflict.

Similar repercussions for women have been reported in the aftermaths of civil wars in countries such as Mozambique (Waterhouse 2001; & Bruck & Vothknect 2008), Burundi (Sabimbona 2001), and Uganda (Hetz et al 2007; Oxfam 2008; & World Bank 2008), among others.

Intervention by the state and other agencies working in post conflict settings is therefore necessary to alleviate the plight of women and ensure their full access to land and other property rights. Indeed post conflict situations have been argued to present opportunities for integrating women's land rights in the recovery and resettlement processes. This is because the disruptive effects of the war on the socioeconomic fabric of the affected society presents opportunities to engage new and transformational measures and processes that have regard for women's rights including addressing and reforming land related conflicts and inequalities in the post conflict reconstruction.

Many development partners had a focus on women during the late war-period in response to evidence of the shocking levels of GBV, a wider women's empowerment agenda, and informed by the proven maxim that 'women reinvest 90 percent of their income in their families and communities, compared to men who reinvest only 30 to 40 percent'.²⁵ The emphasis on women during the emergency period was a significant factor contributing to women's economic and political gains

Roco Kwo ('Transforming Life'), implemented by Care International with Norwegian support, is another innovative programme. The project targets 270,000 beneficiaries, of which 70 percent are women, and focuses on women as levers for lifting their communities out of poverty. The project works with communities, in collaboration with the private sector, to stimulate productivity and the competitiveness of women's produce on the market.

²⁵ Domestic Violence Act of 2010

Another such case is the Agri-Business Development Initiative (aBi), part of the *U-Growth* programme and jointly funded by Danida, Sida, Belgium, the European Commission and government. This nationwide programme aims to support agri-business growth across Uganda, including in the north. It was originally envisaged that the aBi would have a gender component, led by Danida, with US\$8 million set aside for women's projects.

In terms of the international principles on gender and the role of women in development outlined above, most multilateral and bilateral development agencies have made their own commitments and drawn-up policy guidelines on mainstreaming gender in their activities, including initiatives to target gender inequality and preliminary gender analysis to inform programme design.⁴⁶

One initiative that seeks to integrate gender issues into economic recovery programmes is the Farmer Field and Life Schools (FFLS) programme, jointly designed by the FAO, UNIFEM and United Nations Population Fund (UNFPA), with implementing partners.

FAO has been providing support to rural communities through a participatory learning methodology called Farmer Field Schools (FFS) for over 15 years. Lessons from the experience indicated that successes, in terms of increased livelihood returns for farmers, sometimes led to marked increases in GBV. In response FAO began to address livelihood interventions through a gender lens, linking up with UNIFEM (leading on strengthening the inclusion of women's concerns) and UNFPA (leading on strengthening community response to GBV), seven NGOs and the Ministry of Gender, Labour and Social Development. This led to the integration of the "life skill" component into the FFS curriculum, including in-depth dialogue with farmers' groups about culture, its negative aspects, and how the latter could be addressed so that women and men could work together collaboratively. These processes have included exploration of changing gender roles, and to embrace positive changes.

Initiatives reflecting the MDGs' emphasis on gender equality in education and health services are also in evidence in Northern Uganda: UNICEF supports girls' education and women teachers in schools and at a policy level through studies supporting the government's Gender in Education Policy; and the World Health Organisation (WHO) has programmes to improve support for victims of GBV, and women's access to reproductive health services.

3.3. Factors determining women roles in post conflict societies in Kenya and Uganda

3.3.1 Civil Society Responses

A number of conflict management interventions have been undertaken by local, national and international NGOs and CBOs. Since the early 90's, across the country and more particularly in marginalized rural and pastoralist areas, CSOs play the central role in facilitating and implementing conflict management and peace building strategies. Some of these initiatives have some form of Conflict Early Warning and/or Early Response component in their conflict transformation or conflict management work. In the run up to the 2007 general elections, the Partnership for Peace and Security (PfPS) network was reconvened in order to promote the national call for peace during elections. PfPS carried out a national campaign ' Chagua Amani Zuia Noma ' based on the precedent of electoral violence in Kenya²⁶.

3.3.2. Working with the Ex-Militia

The militia had to be included with the elders, who may have been warlords, and the young men, who were among the combatants. The objective is to transform their way of life and bring them into the peacebuilding fold. This militia's role in the conflicts had been enhanced by the influx of guns following the breakdown of public order in Somalia.

One strategy involved women contacting the spouses of militia members and urging them to help convert their husbands to peacebuilding. One notorious gangster was among the first converts. Approached by some elders to help fight their enemies, this young mercenary led groups of gangs that unleashed mayhem in most of Wajir. When his wife was invited to join the women peace group, without condemnation, she joined and advised him to leave his gangster activities. He agreed and then surrendered to the military at a time when they were seeking to arrest him. Within a framework of amnesty, he was pardoned and removed guns from the fighting group he led²⁷.

The main explanation given for involvement in mercenary activity is simply to earn a livelihood. Therefore, the strategy used by peace workers was to engage such persons in earning activities.

²⁶ Women & Conflict, Strengthening the Agenda for Peacebuilding in Kenya, Maendeleo ya Wanawake Organisation, 2011

²⁷ *ibid*

3.3.3. Using Religion as a Tool for Peace Building

To prepare the ground for reconciliation, meetings and workshops were organised for religious leaders, both Christian and Muslim. Starting with a vanguard group of women, the peace wagon accommodated people from varied fields. By 1994²⁸, Wajir was experiencing a window of peace. By using traditional and administrative channels, the peace movement broke the cycle of violence and began nurturing peace.

The message of peace was carried from village to village, urging the different groups -- including chiefs, elders, police and women – to work together. Women had cultivated peace across the various sectors of the community and sparked off peace activities at different levels. The challenge now lay in sustaining peace. This depended on the extent to which it was internalized.

3.4 Factors limiting women roles in post conflict construction process in Kenya and Uganda

Lack of a gender-sensitive analysis of local economic practices, which takes into account divergent interpretations and interests. To make a useful contribution to local-level economic recovery and to women's economic empowerment in particular lack of such an analysis may lead to marginalization and tensions, if not outright conflicts.

3.4.2 Poor programme implementation and design on Conflict and Gender

Conflict and gender are seen as “cross-cutting issues” in development policy and practice. The danger of cross-cutting issues is that they are liable to be neglected in favour of priorities that emphasize quick outputs and returns. Government and development partners can address both issues by ensuring that good contextual analysis, including conflict and gender issues, is conducted as early as possible and on an ongoing basis to inform programme implementation and design.

3.4.3. Lack of social networks and organizations

In the context of social integration, it is important to have social networks and organizations that link individual women with others who share their experiences and position, or whose interests are compatible, and are therefore capable of providing support and resources. Such formal and

²⁸ Women & Conflict, Strengthening the Agenda for Peacebuilding in Kenya

informal networks may improve women's situation in many respects, in terms of security, bargaining power, respect, self-confidence and so forth.²⁹

3.4.4. Lack of clear and coherent conceptual and theoretical frameworks

This prevents the development of a clear picture of the meaning, impact and sustainability of women's contributions to post-war reconstruction. On one side, it is therefore important that women's positive contributions continue to be carefully and critically documented to supplement existing material and to counterpoise the dominant image of women as victims. On the other side, it is imperative that in addition to such descriptive work, an effort is made to reassess and improve existing conceptual and analytical tools to enable a better understanding of the many different gender dimensions of post-war reconstruction.

3.4.5. Lack of political strength and political vision

Women suffer from "political illiteracy": they lack an ideological framework that could give teeth to a strong position adopted by a collective women's movement. "Peace building is a political activity and therefore requires political strategy for engagement."

3.4.6 • Lack of visibility

Women's conflict-resolution activities are confined to the informal sector, very often at the periphery of official peace negotiations; in addition, even if women contribute to the promotion of peace, they are not invited later on, when informal negotiations start (or they are notified at too short notice and have neither the resources to participate nor the time to find new sources of funding).

3.4.7. Women's participation in the political realm is not sustainable

Representation does not mean meaningful and recognized participation that has an impact on substantial inputs in peace agreements.

In addition, because they are compelled eventually to return to more traditional activities, women lose their gains and space when the peace process is over. This makes it very difficult for them to return to the public stage later, when the reconstruction begins;

²⁹ Changing Fortunes: Women's economic opportunities in Post-War Northern Uganda', *Investing in Peace Series*, 2010.

The modes of expression women use-poems, marches, plays, prayers, peaceful demonstrations, intercepting delegates in corridors, etc. - are confined to a marginalized feminine realm, without a strong political strategy. Although some of these means of expression can be acknowledged and appreciated for their reference to a more peaceful approach to conflict resolution, they have no impact in long-term strategies for securing a seat at formal and official peace negotiations³⁰.

³⁰ Women & Conflict, Strengthening the Agenda for Peacebuilding in Kenya ,Maendeleo ya Wanawake Organisation, 2011

CHAPTER FOUR

4.0 Policy and Institutional Instruments That Support Women Role In Post Conflict Societies

4.1. Introduction

For the purpose of this study, the study will rely on secondary data to conduct an in-depth analysis of already existing scholarly materials, journals, Civil Society reports, media reports, study findings in the field of Conflict Resolution. The study will review existing data on Government of Kenya and Uganda's constitutional framework, African Union Conflict Resolution, UN conflict Resolution framework, other institutional instruments on Conflict Resolution.

4.1. Kenyan Constitution

Peace therefore is not a constitutional guarantee, perhaps because it is a recent phenomenon which came into world politics after the Vienna Convention in 1994. However, the Bill of Rights, chapter V, section 82 (2) addresses the issue of non-discrimination which this study partly seeks to address. It states that:

“Subject of subsections (6), (8) and (9), no person shall be treated in a discriminatory manner by a person acting by virtue of any written law or in the performance of the functions of a public office or a public authority.”

The **fourth chapter** is regarded as one of the most progressive provisions of the Kenyan constitution. It guarantees fundamental rights including the **freedom of expression, freedom of conscience and belief, the right to equal opportunities for men and women, freedom of the media**, the rights of arrested persons, and the **right of an accused person to get a fair trial**.

While the Kenyan constitution assumes that the word *person* includes everybody and therefore the issue of equal treatment is taken care of, the Bill of Rights Chapter 4 article 19(1), (2), 24(1) and 27 (1-4) states:

- 19. (1) The Bill of Rights is an integral part of Kenya's democratic state and is the framework for social, economic and cultural policies.

- (2) The purpose of recognizing and protecting human rights and fundamental freedoms is to preserve the dignity of individuals and communities and to promote social justice and the realisation of the potential of all human beings
- 24. (1) A right or fundamental freedom in the Bill of Rights shall not be limited except by law, and then only to the extent that the limitation is reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom, taking into account all relevant factors.
- 27. (1) Every person is equal before the law and has the right to equal protection and equal benefit of the law.
 - (2) Equality includes the full and equal enjoyment of all rights and fundamental freedoms.
 - (3) Women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres.
 - (4) The State shall not discriminate directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth.
 - (5) A person shall not discriminate directly or indirectly against another person on any of the grounds specified or contemplated in clause (4)³¹.

The Kenyan government seems to see peace and security issues as falling within the docket of men, a belief which this research seeks to disapprove.

4.2. Uganda Constitution

Uganda's constitution is very explicit and specific in chapter 4 article 21(2) which states:

‘Without prejudice to clause (1) of this article, a person shall not be discriminated against on the grounds of sex, race, color, ethnic origin, birth, creed or religion, or special, or economic standing, political opinion, or disability.’

But it goes on to state in article 33 (1-5) on the rights of women that:

(1) Women shall be accorded full and equal dignity of the person with men.

³¹ New Kenyan Constitution 2010

- (2) The State shall provide the facilities and opportunities necessary to enhance the welfare of women to enable them to realize their full potential and advancement.
- (3) The State shall protect women and their rights, taking into account their unique status and natural maternal functions in society.
- (4) Women shall have the right to equal treatment with men and that right shall include equal opportunities in political, economic and social activities.
- (5) Without prejudice to article 32 of this Constitution, women shall have the right to affirmative action for the purpose of redressing the imbalances created by history, tradition or custom³².

4.3. African Union and NEPAD

As the primary institution responsible for peace, security and development on the continent, the African Union has prioritized the establishment of a peace and security management system that comprises several elements: the Peace and Security Council, the Panel of the Wise, the Continental Early Warning System, the African Standby Force, the Military Staff Committee, and the Peace Fund. NEPAD is a program of the AU that focuses on the socioeconomic causes of conflict such as poverty, underdevelopment, and poor governance. The AU's Constitutive Act articulates the centrality of the AU in the peace and security arena, NEPAD supports post conflict reconstruction and the mobilization of resources for AU Peace Fund.

African post conflict reconstruction policy framework developed in 2005 through a consultative process facilitated by NEPAD secretariat, harmonizes the activities and programs of the AU, NEPAD, the regional economic communities (RECs), member states, civil society, and the private sector in Africa.

This framework recognizes that a country's transition from conflict to peace should be informed by its own particular circumstances reflected in the programming features of peace building interventions: composition, prioritization, timing and sequencing.

³² Ugandan Constitution

4.4. Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)

Article 7 states that:

‘State parties shall take measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure the women, on equal terms with men, have the right: To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government³³.’ Kenya being a signatory to CEDAW has not taken any practical steps to incorporate women in its security committees and this is due the age-old sex discrimination in education and employment. Besides this, the implementation of this provision depends upon the good will of the government in power and this means that the CEDAW committee has no power to enforce this provision.

4.5. The Protocol of the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (2001)

Article 10 (Right to peace):

1. Women have the right to peaceful existence and the right to participate in the promotion and maintenance of peace.
2. State parties shall take all appropriate measures to ensure the increased participation of women:
 - a. In programmes of education for peace and a culture of peace.
 - b. In the structures and processes for conflict prevention, management and resolution at local, national, regional, continental and international levels³⁴.

Even though by 1992, the above protocol was still a draft, the Kenyan government should have applied the principles to guide it thereby ensuring that women would be included in peace-building initiatives so as to incorporate their voices. Kenya, though a signatory to the African Charter and duty bound to honour this protocol, has chosen to ignore it by failing to include women in the peace-making process. This protocol is useful in my study because it has enabled me investigate and interrogate the composition of the security committees at various levels of the

³³ Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)

³⁴ The Protocol of the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (2001)

provincial administration and establish whether grassroots women peace-builders were incorporated in the peace-making process.

4.6. Beijing Declaration Platform of Action, 1995

Resolution 134 states that: ‘In a world of continuing instability and violence, the implementation of cooperative approaches to peace and security is urgently needed. The equal access and full participation of women in power structures and their full involvement in all efforts for the prevention and resolution of conflicts are essential for the maintenance and promotion of peace and security. Although women have begun to play an important role in conflict resolution, peace keeping and defence and foreign affairs mechanisms, they are still under-represented in decision-making positions. If women have to play an equal part in securing and maintaining peace, they must be empowered politically and represented adequately at all levels of decision making³⁵.’

This declaration underscores the need to have women represented in the peace process so as to include women’s views and perception of peace, something that the government of Kenya seems to be silent about. The government of Kenya seems to marginalize women peace builders by failing to recognize the role they play in peace building thereby making them operate under the informal structures at the grassroots level with no or little recognition. The application of the declaration in this study was to enable me to establish if the government incorporates the grassroots peace builders during their peace-making initiatives.

4.7. Article 101 of the Charter of the United Nations

Strategic objective: ‘Requires state parties to increase the participation of women in conflict resolution at decision making levels and protect women living in situations of armed and other conflicts or under foreign occupation³⁶.’

The government, international and regional inter-governmental institutions should take action to promote equal participation of women and equal opportunities for women to participate in all forums and peace activities at all levels, particularly at the decision-making level, including the United Nations secretariat with due regard to equitable geographical distribution in accordance

³⁵ Beijing Declaration Platform of Action, 1995

³⁶ Article 101 of the Charter of the United Nations

with Article 101 of the United Nations Charter. Kenya is a signatory to the United Nations and it is its obligation to implement the requirements therein but the reality of the situation reveals that it has chosen to ignore this obligation by neglecting to mainstream gender in its peace operations. Security issues are entirely left in the hands of men and this is partly because most of the institutions are male dominated in the false belief that only men can provide security.

4.8. United Nations Security Council resolution 1325 (2000)

For the first time, the United Nation Security Council discussed the question of women, peace and security in New York on 24 and 25 October 2000. This event marked an historic step forward in the area of women and peace. The discussion addressed the needs of peace in all United Nations peace operations, as well as the broader issue of women's role in building and maintaining peace. During this discussion, an overwhelming number of speakers stressed the need to include women in every aspect of peace building, especially calling for their involvement in decision making.

On 31 October 2000, the Security Council unanimously adopted resolution 1325 (2000) on Women, Peace and Security. The resolution called on all actors involved in negotiating and implementing peace agreements to adopt a gender perspective that would take into account the special needs of women and girls during repatriation and resettlement, rehabilitation, reintegration and post-conflict reconstruction. The adoption of this historic resolution was a major step towards recognizing women's role in conflict management, peace keeping and post-conflicts peace building. The resolution states: *'Member states are to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management and resolution of conflict'*³⁷.

It encourages the Secretary General to implement his Strategic Plan for Action (A/49/587) calling for an increase in the participation of women at decision-making levels in conflict resolution and peace processes.

³⁷ United Nations Security Council resolution 1325 (2000)

The resolution further urges the Secretary General to seek to expand the role and the contribution of women in United Nations field-based operations, and especially among military observers, civilian police, human rights and humanitarian personnel.

It suggests that the Security Council expresses its willingness to incorporate a gender perspective into peacekeeping operations, and urges the Secretary General to ensure that, where appropriate, field operations include a gender component.

4.9. Affirmative action

Affirmative Action should be established, as part of state policies, in favor of women's development in each country, thereby reducing interference with and control of the state and citizens to comply. Gender quotas should also be established, with the non-recognition of institutions that do not meet the quota, promoting leadership and financial support, which are considered essential, among others³⁸

³⁸ Women's participation in politics in (post) conflict countries: Role of women in peace negotiations, International network of Women in Politics

CHAPTER FIVE

5.0 Summary of Findings, Conclusion and Recommendations

This chapter provides the summary, conclusion and recommendations of the study in reference to the objectives of this study. It also provides recommendation for further studies.

5.1 Summary

The objectives of this study were to determine the extent of women involvement in decision making and the impact of policy frameworks and institutional instruments in supporting their role in post conflict societies.

Chapter one gave highlights on introduction, background to the study, literature review, objectives, methodology and theoretical framework of the study.

Chapter two discussed women and post conflict reconstruction on political, economic and social pillar

Chapter three focused role of women in post conflict citing Kenya's case of post election violence and Uganda during the era of NRM and LRA

Chapter Four examined the various policy frameworks and institutional instruments supporting women in post conflict societies.

Moreover, women continue to be poorly represented in formal peace processes, although they contribute in many informal ways to conflict resolution. In recent peace negotiations, for which such information is available, women have represented fewer than 8 percent of participants and fewer than 3 percent of signatories, and no woman has ever been appointed chief or lead mediator in UN-sponsored peace talks. Such exclusion invariably leads to a failure to adequately address women's concerns, such as sexual and gender-based violence, women's rights and post-conflict accountability.

However, the UN Security Council now recognizes that women's exclusion from peace processes contravenes their rights, and that including women and gender perspectives in decision-making can strengthen prospects for sustainable peace.

The study found out that women played a key role in post conflict societies but their input was not considered valid in most cases since the society is gendered, it also noted that despite the few policy frameworks and institutional instruments in place they were partially implemented and no

valid reasons why they were not implemented to the letter. It was also noted that due to the ever changing world no new strategies have been put in place to manage emerging trends.

5.2 Recommendations

These recommendations reinforces existing local responses while providing a set of recommendations to governments, women's organizations/civil society and international actors in efforts to advance women's participation and bring more meaningful responses to our responsibilities under SCR 1325.

Developed women managed early warning and response processes which help to alert security agents to prevent any form of gender based violence. Women could play this role very effectively, because, during conflict they had suffered one form of insecurity or the other, therefore, they can work harder than non-victim who never experienced any form of maltreatment.

Programs for restoring civilian security involving security sector reforms should have more women participation. Women should be part of the training and policing the community. Research has it that, "he who feels it knows it". Women who have suffered maltreatment "may very well be able to improve the system, if they are actively involved in their planning, set up and implementation"³⁹. (Bouta and Frerks 2002)

Truth and Reconciliation Commission are beginning to be parts of peace processes in countries emerging from conflict. It helps to bring national reconciliation and healing but sometimes, there are omissions of specific consideration of violence against women. But there are changes and efforts made to correct these poor handlings. For example, women are having up more responsibilities to better the lot of women. More women organizations are encouraged to intervene and provide assistance to women. So, women can work with these commissions to protect the lot of women.

During armed conflicts, women are victims of targeted aggression by different warring factions. Currently there are up to hundred countries where situation of armed conflict and war prevail, and where violence is being perpetrated against women. Violence against women like sexual

³⁹ ibid

abuse threat as sex objects and experiences are horrible, and to ensure attention to this issue, women have to tell the stories and work hard to reduce it in post conflict situation.

In post conflict situation, women should work hard to improve on the economic conditions of the communities and the provision of a long term financial commitment and resource materials, post conflict provides a rare opportunity for women not only to help change the economic conditions, but emerging politics. Government should give women and women organizations the support and resources they need to build peace. Women's organization should be supported politically, financially and technically in their efforts for long term sustainable peace and development.

Trauma counseling, particularly during and after conflict, is important because conflict often traumatizes both women and men. Many people living in conflict situations argue that their trauma is not over with the last bullet, indicating the need for continuing assistance to traumatized victims of conflict well into the post-conflict situation. For example, counseling and psycho-social rehabilitation projects should be part of post conflict reconstruction. In various post conflict situations victims show signs of trauma in depression and disability. Several studies have pointed to difference between women and men in way in which they deal with trauma, therefore, trauma management will be different, and women have a great role to play in the management of trauma for fellow women.

Women's roles in humanitarian assistance programs is not probably their main contribution to conflict prevention and post conflict resolution, but rather to increase their participation in post conflict reconstruction effort. The second reason is to address their direct needs and vulnerabilities in conflict situation better, ensuring that women's specific interest, for instance the provision of food, water, shelter, protection, safety and medicine for themselves, their children and the elderly are taken into account, and finally, to ensure that humanitarian aid does not have counter-productive efforts.

Violations of human rights during conflicts attract tribunals after the wars. War lord like Taylor is dragged to the court of justice to prosecute him for the violations meted to innocent civilians, women and children. It is important that in addressing these crimes, violations committed against women be brought out, they should not be swept underneath. Women particularly find it difficult to speak out or testify against the perpetrators, because of so many reasons. Women require help to encourage them speak out and deal with trauma. Other women who are a lot stable can become

helpful with legal advice and social structures that can assist women be established and work in these centers.

More and more women are participating in conflicts as combatants, it is therefore very important that women be disengaged from conflicts. Safe places and voices for non-war activities should be provided for these women, so that they can stay away from conflicts. The negative consequences of going into the military should be emphasized, alternative sources of income should be emphasized and other forms of resolving the conflict instead of fighting should be discussed. Women can spearhead this process.

In post conflict, re-integration of female ex-combatants should be handled attentively because it is possible that they can be neglected. Most the time, the demobilization program request a return of one's guns for relief or assistance, and women soldiers who have no guns could be neglected. So efforts should be made to include these soldiers in the re-integration program, and "establish support groups of female soldiers that have been in similar positions in order to share traumatic experiences, and assist female soldiers in giving access to property after they have returned home" Bouta and Frerks, (2002)

Early intervention of reconstruction into women's organization, the better will be the outcome of post conflict reconstruction. These intervention agencies should support the old women organization, and new ones should be created. These organizations provide a platform of action for the women in rebuilding the society. These organizations help to promote sustainability as they can do a lot of things, including socio political and economic programs. The organization of women should form the center of recruitment of staff for the different programs for reconstruction.

Joining Hands in Collecting Small Arms: The Mali Experience

Develop a gender sensitive post conflict restructure program for sustainable peace.

Affirmative action should be instituted and women's organizations should be included in the implementation of all emergency humanitarian programmes.

That demobilized child soldiers should be reintegrated and rehabilitated; and that the needs of women, children and other vulnerable groups should be prioritized to avoid impunity for all criminal acts.

The human needs theory gives the most informed theoretical explanation for the conflict and conflict resolution in Africa. The theory tends to emphasize the problems on the (domestic) institution of government unable to meet the basic needs of the population as the source of conflicts. Therefore, unlike other conflict resolution theory and mechanisms, the AU should emphasize the improvement of the governance institution in Africa. All efforts should be in place to compel the government to respond to the wishes of the people, particularly by providing their basic needs. This is the major stipulation of the human needs theory for understanding the cause of conflict and conflict resolution.

5.3 Conclusion

The objectives of the study were met and hypotheses proven. However; there is need to implement and strengthen the policy framework already layed out and support women that are supporting women empowerment so that women and men can equally be represented at the peace table collectively.

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