New Institutions, New Gender Rules? A Feminist Institutionalist Lens on Women and Power-Sharing

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Introduction

- **Starting Point:** DfID Political Settlements Research Programme (PRSP) gender stream

- **Added value of FI** for understanding political settlements?

- Attention on how, why and what questions surrounding gender provisions in peace agreements

- Less attention on **how specific gender provisions sit within wider political settlements**

- How do we understand **new formal gender rules within the wider rule set** and in practice?

- Rise of **power-sharing at the same time as WPS**
Puzzle: Women, Gender and Power-Sharing

- In the work done to date on women, gender and power-sharing: gap between theory, quantitative and qualitative research
- **Theory**: ‘Mantra’ that power-sharing is bad for women (Bell, 2015)
- **Quantitative**: Landmark study using PA-X database (Bell, 2015) suggests positive association between power-sharing and women’s political participation
- **Qualitative**: Research suggests considerable tensions between pursuit of gender equality and power-sharing
- Debate both between feminist and power-sharing scholars and among feminist scholars
An FI Lens

Suggest we should look at new formal gender rules in political settlements in terms of:

- **Nestedness** of new gender rules within wider social and economic contexts and past and ongoing legacies

- **Interplay** between formal and informal institutions including “rules in use”

- **Gendered logic of appropriateness**

- **Role of actors** in the process of the making of settlements and the daily practice of new institutions, both formal and informal
Women, Peace and Security (WPS)


• Impact of **UNSCR 1325** and its sister resolutions

• **Limits:** women remain largely absent from peace negotiations (Coomaraswamy, 2015); gap between provisions and implementation (Bell, 2015; Bell & O’Rourke, 2010)
### PA-X Peace Agreement Access Tool (PA-X Women), Bell (2015)

- **Database of peace agreements** from 1990-present which contain provisions for women and gender
- 169 such framework/substantive 1990-present; 55 pre UNSCR 1325; 114 post UNSCR 1325

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<tr>
<th></th>
<th>Pre-1325</th>
<th>Post-1325</th>
<th>Total</th>
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<tbody>
<tr>
<td><strong>Gender Quotas</strong></td>
<td>4 (7%)</td>
<td>27 (24%)</td>
<td>31(18%)</td>
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<tr>
<td><strong>1325</strong></td>
<td>----</td>
<td>4 (4%)</td>
<td>4 (4%)</td>
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<tr>
<td><strong>Institutions for Women</strong></td>
<td>3 (6%)</td>
<td>9 (8%)</td>
<td>12 (7%)</td>
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*Source: www.peaceagreements.org*
Gender Provisions within Wider Institutional Context

• **Gap in WPS literature:** how do these specific provisions fit with wider political and economic structures, especially power-sharing frameworks?

**Power-sharing**

• **Consociational power-sharing:** model of choice in international peacebuilding and post-conflict institutional design, coinciding with the rise of the WPS agenda

• **4 conditions of consociation:** grand coalition; group autonomy; proportional representation; minority veto (Lijphart, 1977)

• **Theoretical refinements:** corporate vs liberal consociation (McGarry & O’Leary 2006; 2009, 2007; McCulloch, 2014; Nagle, 2011)
3 theoretical tensions/disjunctures:

1. **Identity**
   - Primacy of ethno-national identity vs. gender identity (*Rebouche´ & Fearon, 2005*)
   - Nature of identity: fixed vs fluid, multiple, cross-cutting

2. **Level of analysis**
   - Elite vs grassroots (*Byrne & McCulloch, 2017; Kennedy, Pierson & Thomson, 2016*)

3. **Normative assumptions**
   - Peace vs justice?
Feminist analysis suggests power-sharing creates inimical conditions for the pursuit of gender equality.

But, others point potential overlap in the principles underpinning WPS and power-sharing:
- political inclusion of under-represented groups
- accommodation of difference

(Byrne & McCulloch, 2012: 566; Byrne & McCulloch, 2017; Rebouche’ & Fearon, 2005: 163)
WPS and Power-Sharing: Quantitative Analysis

Bell, 2015: analysis of the Peace Agreement Access tool (PA-X)

- PA-X Women limited to gender specific provision
- Little evidence that power-sharing exerts a detrimental impact on women’s political participation on paper; indeed the model can be compatible with gender equal representation measures, e.g. quotas
- Out of 26 conflicts which provided for political power-sharing, 21 provided for legislative quotas for women (80%)
- Quotas are often implemented in the post-agreement phase of power-sharing
- Power-sharing is not going away; feminist scholars must engage with it
WPS and Power-Sharing: Qualitative Analyses

Power-sharing gives primacy to *ethno-national identities*

Fosters ethno-nationalism as dominant *political discourse* and dominant *dynamic of party competition*

In this way, power-sharing can work to:

- **Marginalise** gender issues (Deiana, 2016; Kennedy, Peierson & Thomson, 2016)
- **Undermine** gender commitments (Rebouche & Fearon, 2003)
- **Contest** and de-legitimise gender politics (Helms, 2007)
- **Co-opt** gender equality agenda (Nagle, 2016; Thomson, 2016)
Deiana, 2016: when it comes to the impact of power-sharing on women we need to look beyond the “strictly institutional dimension” to capture broader dynamics shaping women’s experiences.

We believe it’s not ‘either/or’ – institutional/cultural - but ‘both/and’
Case Study I: Bosnia and Herzegovina

**Formal institutional context:** Dayton Peace Agreement 1995; heavily internationalised settlement prescribing rigidly consociational power-sharing system with federal elements

**Opportunities:** Law on Gender Equality 2003 (quotas); National Gender Action Plan 2006; First NAP on UNSCR 1325, 2010; Women’s parliamentary caucus, FBiH, 2013

**Constraints:** Ethno-national discursive strategies; centralised internal party culture; NGO-isation of civil society; clientelism and patronage.
Bosnia and Herzegovina: An FI Application

**Nested newness:** Formal gender rules nested in formal and informal rules of power-sharing e.g. sanctions for ‘traitors’ (Deiana, 2016; 2017)

**Formal-Informal interplay:** Clash between formal provisions for women and formal and informal rules of power-sharing, e.g. status of survivors of wartime sexual violence

**Erosion of formal rules,** e.g. scrapping of Adviser on Gender Equality by OHR, 2001

**Gendered logics of appropriateness:** XXX

**Role of actors:** international and domestic actors’ role in maintaining gendered status quo in the name of stability

**Women’s agency** in seizing WPS agenda and exploiting cooperation with international community to secure gains, e.g. quotas; Women’s parliamentary caucus in FBiH.
Conclusions: Added Value of FI

To the women and power-sharing debate we believe an FI lens provides:

• a **more systematic account** of why, despite its promises, power-sharing often fails to deliver positive outcomes for women in practice

• a **deeper explanation of the constraints** women face within power-sharing systems

• an **appreciation of the opportunities** and soft spots actors can exploit in these institutional settings

• an illustration of the **temporal dimensions** of women’s experiences of power-sharing

• the **possibility to celebrate small wins** for the WPS agenda in post-settlement trajectories