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

<table>
<thead>
<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
   - Stability vs transformation? (Brown & Ni Aolain, 2014)
   - Peace vs justice?
WPS and Power-Sharing (continued)

- 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 Analyses

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
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: Gender Quotas in Bosnia and Herzegovina

Formal institutional context:
Dayton Peace Agreement 1995; Law on Gender Equality 2003 (quotas); National Gender Action Plan 2006; NAP on UNSCR 1325, 2010

Rhetorical commitment to gender equality but poor outcomes in practice
Case Study I: Gender Quotas in Bosnia and Herzegovina (cont.)

Identity

- Formal rules nested in formal and informal rules of power-sharing e.g. sanctions for ‘traitors’ (Deiana, 2016; 2017)
- Clash between formal provisions for women and formal and informal rules of power-sharing, e.g. status of survivors of wartime sexual violence
- Formal rules eroded, e.g. scrapping of Adviser on Gender Equality by OHR, 2001

Level of analysis

- Elite and internationalised nature of settlement works to disempower women and create disconnect between elite and grassroots politics

Normative assumptions

- Role of actors, international and domestic, in maintaining gendered status quo in the name of stability
Case Study II: The Northern Ireland Women’s Coalition

Formal institutional context: Forum elections 1996; Good Friday Agreement (GFA) 1998; rules of power-sharing institutions

Seized window of opportunity to secure 2 seats in Forum and 2 seats in first Northern Ireland Assembly

Secured a number of equality and human rights provisions in GFA, e.g. civic forum, bill of rights (Fearon, 1999; Waylen, 2014)

Lost all legislative representation in 2003

Erosion and non-implementation of some provisions
Case Study II: The Northern Ireland Women’s Coalition (cont.)

**Identity**
- New rules *nested* within formal and informal rules of power-sharing, e.g. Assembly rules whereby members must *designate* as ‘nationalist’, unionist or ‘other’.
- **Gender issues squeezed** from agenda in polarised post-Agreement environment e.g. failure to resurrect Civic Forum following suspension in 2002.

**Level of analysis**
- More inclusive pre-Agreement negotiations but post-Agreement negotiations progressively more *elite-centred*.
- Some inclusive provisions *eroded* or not implemented.

**Normative assumptions**
- Equality has come into tension with stability in post-Agreement political discourse, e.g. *role of actors* in entangling issues like Same Sex Marriage in ethno-nationalist disputes.
Conclusions

Insights from FI help to illuminate the dynamics of post-settlement gender politics:

• Nestedness

• Interplay between formal and informal institutions

• Gendered logic of appropriateness

• Role of actors

Gender as an analytical category and understanding gendered institutions

Yes, we can go beyond institutions but we can’t leave institutions out of analysis

**Question:** If the aim is for transformation, FI is very good at illuminating the difficulties and showing why progress falters and sometimes reverses, but can it provide lessons and tools for successful change?