PSRP

# Reimaging Inclusive Security in Peace Processes: LGB&T Perspectives

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# Key Findings and Recommendations

This report finds:

► In deeply divided societies, political negotiations and accords to address violent conflict often address historical grievances surrounding ethno-nationalist, political, social and cultural inequalities.  Grievances relating to other identities are often side-lined as residual matters in terms of making and building peace.

► The level of insecurity experienced by sexual and gender minorities is impacted directly by both ethno-nationalism and overt political conflict. Inclusive approaches to conflict transformation will include analysis and practices which seek to affect the security of multiple identity groups, including Lesbian, Gay, Bi-sexual and Transgender (LGB&T) communities.

► By moving beyond statist interpretations of security, analysts and policymakers create conceptual space to challenge the persistence of ethno-sexual and ethno-gender insecurities in transitional societies.

► Framing LGB&T security within a universal human rights agenda underscores LGB&T people's fundamental right to security. However, human rights approaches can underplay the relationship between LGB&T insecurities and the legacies of conflict. Contextualising LGB&T insecurities within a conflict framework can inform analytical and policy approaches to reimagining what the human right to security means in transitioning societies.

► Statist interpretations of security limit understandings of the sources of insecurity in conflict-affected states. LGB&T articulations of insecurity should guide both policy and practice in transitional societies; advocacy groups should have access to policymakers and a broad range of LGB&T groups should be appropriately resourced to address all aspects of their constituencies' security needs during peacebuilding.

► LGB&T insecurity cannot be addressed solely through policy and legal change. Civil society organisations can play a role in preserving forms of LGB&T insecurity during conflict; consequently, they can play a central role in reducing forms of LGB&T insecurity during the conflict transformational period.

► Policing reform in transitional societies must fully address LGB&T security. If historically low-levels of confidence and trust between sexual and gender minorities pertain, and the police are a key institution for reform, re-building trust with a range of constituencies, including LGB&T constituencies must be addressed through institutional change and monitoring.

► The media have a duty to move beyond debates concerning the 'morality' of legal changes designed to dismantle the sexual and gender inequalities of the past. The media can play an important role in terms of exposing the effects of the persistence of those historical inequalities on the security of LGB&T people in conflict-affected states.

# LGB&T [1] Communities and Peace Processes; Introduction

In deeply divided societies, political negotiations and accords focus on addressing the historical grievances surrounding ethno-nationalist political, social and cultural inequalities. As societies begin the transitional process, the grievances of other identities are often side-lined as residual matters in terms of making and building the peace. The marginalisation of women from peacebuilding and the failure of conflict transformation to adequately address gendered inequalities have received much critical attention from feminists. Those critical gendered engagements provide useful frameworks for examining the marginalisation of sexual and gender minorities from conflict transformational frameworks; a site of analysis that has only recently emerged. Moreover, feminist interrogations of conflict transformation expose the exclusions created by statist conceptions of security that too often frame security as the absence of political violence. Therefore, the exclusion of LGB&T insecurities from statist conceptions of security emerges due to the limited way that the state and policymakers frame violence.

However, ethno-nationalist conflict can strengthen historical prejudices and inequities surrounding sexuality and gender identity creating insecurity and other forms of harm. These prejudices and inequities often permeate the conflict transformational period, which means that the harms of the past persist in the present. Consequently, both political conflict and processes of conflict transformation shape homophobia and transphobia. LGB&T security is therefore directly linked to political conflict.

Placing LGB&T equality issues within a conflict transformational framework, the author conducted 14 focus groups with LGB&T friendship and support groups in Northern Ireland. The focus groups explored the effects of conflict transformation on LGB&T equality in the region. The findings exposed that a range of sexual and gendered inequalities have persisted at macro, meso and micro-levels during Northern Ireland's transition from conflict facilitated by the 1998 Peace Agreement (Northern Ireland, The Agreement reached in the multi-party negotiations (Good Friday Agreement), 10 April 1998). Security – or more accurately insecurity – became a persistent theme during the series of focus group discussions. This report draws on this data to consider the relationship between LGB&T equality and one of the core objectives of conflict transformation, the cessation or reduction of levels of societal violence.

[1] The study participants identified as Lesbian, Gay, Bi-sexual or Transgendered. There were no intersexed people in the sample.

# Inclusive Peace and Security

Feminist research has exposed how gendered and sexual narratives and practices shape ethno-nationalist conflict. Ethno-gendered and ethno-sexual narratives often frame the broader values and distinctive culture of the ethno-nationalist group to produce a set of patriarchal and heteronormative ideals (see e.g. Mayer, 2000; McClintock, 1995; Nagel, 2000; Ní Aoláin, 2016). These ideals regulate gender and sexual subjects into identities and practices that reflect and signify broader ethno-nationalist visions of the nation. The more pervasive this social regulation becomes, the more it erodes and diminishes the bodily autonomy of gendered and sexual subjects.

Those who do not conform to ethno-nationalism's normative scripts by, for example, fashioning their own autonomous sexual and gendered scripts can become subject not only to forms of social disapproval, but additionally subject to forms of physical punishment. Indeed, some commentators have argued that the broader culture of violence in deeply divided societies can encourage violent responses towards members of gendered and sexual minorities that transgress ethno-nationalist norms (see Kitchin, 2002).

Consequently, the level of insecurity experienced by sexual and gender minorities is impacted directly by both ethno-nationalism and overt political conflict. During conflict transformation, reducing and preventing political violence becomes the focus of peacebuilders. Less, if any, attention is paid to the effects of political conflict on violence directed at identities that cut across ethno-nationalist identifications. Invariably, hierarchies of violence emerge as the reduction of levels of violence between ethno-nationalist groups is prioritized, and other forms of violence are viewed as residual issues in terms of transforming conflict (see Hillyard, McWilliams and Ward, 2006). The PSRP report by McWilliams and Doyle (2017) on intimate partner violence in peacebuilding societies is instructive in terms of exposing the value-systems that maintain a hierarchical ordering of violence during transition. An inclusive peace will increase security for a range of identities, and an inclusive approach to analysing the outcomes of conflict transformation will include analyses of how conflict transformation affects the security of multiple identity groups.

# Research and Methodology

This report draws on focus group research conducted by the author as part of a broader project conducted with colleagues Catherine Gander (Maynooth) and Stefanie Lehner (QUB), titled 'LGBTQ Visions of Peace in a Society Emerging from Conflict', that was funded by the AHRC through a Partnership for Conflict Crime and Security Award.[2] The project sought to facilitate the inclusion and participation of LGB&T people in peacebuilding through blending social science and creative arts methodologies. The project hosted a series of focus groups with LGB&T people that were followed by a set of photographic and theatre workshops that led to a photography exhibition and a touring theatre play that reflected the themes of the project.

The focus group research commenced in August 2016 and the final group was held in February 2017. Group discussions explored issues of LGB&T[3] inclusion and equality before and after the Northern Ireland peace accord in 1998. The Focus Identity Trust, Gender Identity Ireland and the Rainbow Project facilitated the focus group research by providing the researcher with access to LGB&T and transgender friendship and support groups located in South Belfast, North Belfast, Enniskillen, Omagh and the Foyle area (Ashe, 2018). Some of the friendship and support groups that participated in the focus group sessions had low membership due to fears surrounding the disclosure of identity through attendance. In addition, some organisers attributed low-levels of membership to a lack of investment in LGB&T support groups by local government and the Northern Ireland Assembly.

[2] Further information on the project can be found at: http://www.ahrc.ac.uk/researchfundedthemesandprogrammes/crosscouncilprogrammes/paccs/funded-activity-conflict/ (Accessed 19 January 2018).

[3] Further information on the project can be found at: http://www.ahrc.ac.uk/research/fundedtheme.

Between 1-5 focus groups were conducted with each regional support/friendship group. The focus groups were conducted in community centres or local offices and lasted approximately 90 minutes, with double sessions lasting approximately 180 minutes. The researcher utilised a semi-structured focus group schedule of questions to explore 5 themes with each group, displayed in the table below:

| | |
|---|---|
| Thematic area 1 | Dominant and subjugated perspectives on peace. |
| Thematic area 2 | Inclusion/exclusion before 1998. |
| Thematic area 3 | Inclusion and exclusion after 1998. |
| Thematic area 4 | The role of the institutions established or reformed after 1998 in creating inclusion\exclusion. |
| Thematic area 5 | Visions of a positive peace. |

Collectively, the focus groups recorded the responses of 20 participants to explorations of 5 thematic areas. Due to the regional coverage, there was a mix of protestant and catholic participants. The age range of the participants was early 20s to 70+.

# Findings

Participants agreed that social attitudes had improved since the 1998 Northern Ireland Peace Agreement towards Lesbian, Gay and Bisexual (LGB) people, but felt there had been less improvement in attitudes towards transgender people. There was broad agreement across the focus groups that it was virtually impossible to disclose LGB&T identities during the conflict due to high levels of social prejudice and general fears about the implications of disclosure for personal security. Across the groups participants argued that many people left Northern Ireland due to high levels of prejudice, even after sex between men over 21 became legal in Northern Ireland in 1982. Collectively, participants listed the sources of prejudice and fear during the conflict as the churches, particular members of political parties, education, welfare agencies, paramilitary groups and the (then) Royal Ulster Constabulary (RUC).

## Sources of Insecurity during peace building

### Institutional Prejudice:

Participants argued that after 1998, social institutions and social organisations had failed to address prejudice against LGB&T people, and some had even continued to reinforce prejudice; many remain highly conservative and highly masculinised (see Ashe, 2012; Ashe and Harland 2014). Several of these organisations and institutions, which included public institutions, workplaces, the churches, and the police force, had supported or engaged in practices of building equality and parity of esteem between ethno-nationalist groups during conflict transformation. Indeed some, such as the churches, continue to be associated with different forms of peacebuilding in Northern Ireland including practices of reconciliation.

However, in relation to the LGB&T population, participants argued that these social institutions often contributed to the high levels of insecurity that LGB&T people had experienced during conflict transformation. For example, those in secondary schooling after 1998 experienced significant levels of homophobic and transphobic prejudice. Transgender participants detailed the extreme levels of anxiety they had experienced when faced with welfare agencies, which included the fear of losing custody of their children. Disclosing identities in the workplace was still an area of concern for participants across the regional groups.

The churches and particular political parties were viewed as hostile to LGB&T people, which did little to challenge wider societal prejudice and forms of social exclusion. The Northern Ireland Assembly, the devolved institution tasked with operationalising the peace process, was considered an impediment to progressing equality in the area of sexual orientation by a number of the focus groups. The groups argued that the Assembly awarded low priority to sexual equality, which combined with the DUP's use of the 'petition of concern' to block equality legalisation,[4] creating a hostile political climate wherein advancing the rights of sexual minorities would remain challenging. However, transgender groups believed that it was important to try to keep working with all types of constituencies to educate and advance their claims for equality.

The focus groups believed that the persistence of social conservatism during conflict transformation created fears surrounding the disclosure of LGB&T identities. During the conflict people hid their identities, but during the peace process many continued to assess the levels of risks in terms of disclosing their sexuality or gender identity to particular individuals, groups or institutions. The participants in the focus groups drew a picture of LGB&T people oscillating between disclosure and concealment of their identities. For example, people may disclose their identities to family and friends but conceal them from teachers, employers or welfare agencies. There were high levels of fear in terms of showing affection to same sex partners in public even in urban areas which tend to be viewed as providing a more liberal environment for LGB&T people in Northern Ireland. Insecurity in public places is heightened for transgender women who may not be able to conceal their identities as easily as other sexual and gender minorities. Reports of physical attacks or the harassment of LGB&T people in local areas increased fears of further harassment and attack and could lead to practices of hyper-vigilance especially in public and unfamiliar places.

[4] Section 75 places a duty on public authorities to have due regard for groups with protected characteristics and requires those authorities to undertake monitoring of the workforce and consultation on changes that may affect the equality of protected groups. See https://www.legislation.gov.uk/ukpga/1998/47/section/75 (Accessed 25 January 2018).

## Institutional Reform:

The equality provisions ushered in by the Agreement, for example section 75[5] of the Northern Ireland Act (1998) which included sexuality and gender identity as protected characteristics for the purposes of equality monitoring, were viewed as weak by the participants and easily subverted. Under Section 75, public authorities, when carrying out their functions, must promote equality of opportunity for protected groups. Participants argued that there were still deep pockets of prejudice in some public-sector organisations. For example, a woman who applied for a public-sector job recalled the reaction of the interview panel when she mentioned the skills she had developed working as a co-ordinator of an LGB&T friendship group. She claimed that the tone of the interview changed after the disclosure of her work as a LGB&T activist. She felt that that the disclosure had 'cost her the job'. In addition, participants explained that most application forms request details of the school where qualifications were gained. If a transgender man, for example, went to a single-sex secondary school then the naming of the school on the application form, in effect, discloses his gender identity.

Participants believed that section 75 offered little protection from discrimination in employment because recruitment and selection processes in public sector institutions were still affected by prejudices towards LGB&T people. They recognised that the Northern Ireland Equality Commission and the Human Rights Commission, which was a product of the 1998 Agreement, had attempted to protect and advance LGB&T rights, but the focus groups believed these institutions could not effectively address the range or depth of the insecurities that they experienced in everyday life. Moreover, they viewed taking a legal case of discrimination against an employer as both complex and difficult. Barriers to securing and maintaining employment created economic insecurities for many of the study participants. They worried that they would not be able to keep their sexual orientation or gender identity private which might lead to prejudice in the workplace that would eventually force them to resign. Others, especially transgender participants feared that they would never be able to secure a living wage due to their gender identity.

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[5] Section 75 of the Northern Ireland Act 1998 places a duty on public authorities to have due regard for groups with protected characteristics and requires those authorities to undertake monitoring of the workforce and consultation on changes that may affect the equality of protected groups. See: https://www.legislation.gov.uk/ukpga/1998/47/section/75 (Accessed 25 January 2018).

## Policing Reform:

Policing has been an exceptionally complex issue in Northern Ireland. The police force, the Royal Ulster Constabulary (RUC) which also operated as a counter-insurgency force during the conflict was overwhelmingly protestant in composition and was perceived as a partial and prejudiced force by the Catholic community (see Ryder, 2004). After 1998, the police force underwent significant reforms, which included the inclusion of more Catholics, and to a lesser extent more women. The RUC was also renamed and rebranded as the Police Service of Northern Ireland (PSNI). Participants who had experience or historical memories of the RUC viewed its replacement by the PSNI as improving policing outcomes for LGB&T people.

As the RUC had been charged with enforcing 'anti-gay' laws in the period before the establishment of LGB&T legal protections this finding is not surprising. Currently, the PSNI is legally charged with protecting the security of LGB&T people. However, focus group data indicated that historical memories and perceptions of policing during the conflict continue to shape LGB&T people's contemporary perceptions. During the conflict, the historical relationship between the police force and LGB&T people resulted in deep distrust. Older focus group participants who had experienced the conflict lacked confidence in the contemporary police force. Interestingly, when asked about their perceptions of policing, focus group participants in the 20 to 30 year old category regularly set the problems they identified in contemporary policing within a broader historical framework that included the period of the conflict. Older participants argued that younger LGB&T people had inherited their deep distrust of the police because those younger people were very aware of the historical relations between the police in Northern Ireland and the LGB&T identity groups.

The research data suggested that the history of policing in the region increased the prospect of negative experiences of the PSNI being interpreted as evidence of the persistence of institutional bias against LGB&T people in the police force. In general, focus group participants felt that LGB&T people did not have parity of esteem in terms of policing priorities and processes. Participants exhibited low-levels of confidence in the police force. When asked if they would report homophobic or transphobic incidences or crimes to the PSNI, the participants responded that they would be concerned about how they would be treated during the reporting and investigation of the incidence or crime. The majority of participants believed that 'nothing would be done' as the police service would not take those types of incidence or crime seriously (see also Jarman 2012). As below, the decision of some respondents to turn to armed groups to reduce insecurity reflects these perceptions.

## Paramilitaries:

While Northern Ireland underwent processes of demilitarisation, a number of armed groups continued to operate at local levels and persisted in using forms of informal community justice including beatings and shootings (see Ashe, 2009; 2012; 2015). Participants who lived in working class areas had divergent perceptions of the effects of the persistence of paramilitary groups during conflict transformation on LGB&T security. Three participants indicated that given the issues surrounding the ability of the police force to provide security, they either would 'seek protection' or had been guaranteed protection from transphobia in their community from paramilitaries. In general, LGB participants felt paramilitary groups were not interested in sexual orientation. However, two participants exhibited extreme levels of fear that their sexual orientation would become disclosed to the local paramilitary group. The fragmented nature of paramilitary groups in both ethno-nationalist communities explains variations in participants' perception of those groups.
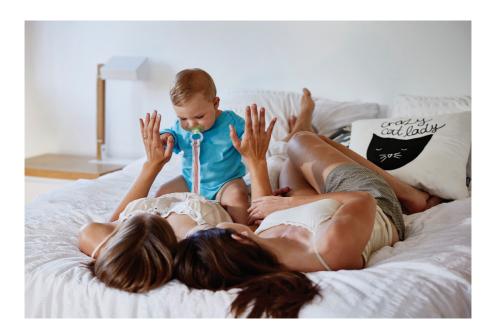
# Conclusion: Inclusive Peace and Security

LGB&T insecurity in conflict transitional societies is not simply an expression of global prejudices against LGB&T. LGB&T inequalities and insecurities are shaped by conflict and conflict transformational processes. Few peace processes have addressed inclusion of gender and sexual minorities, although some processes notably have: between 1990 and 2016, 10 agreements mentioned issues of sexual orientation. Three of these references are negative, 'prohibiting' or otherwise restricting same-sex relationships (Burundi 2005, Democratic Republic of Congo 2003, and Zimbabwe 2013), and seven provide for some form of affirmation or protection of equality on grounds of sexual orientation (Colombia (several agreements including 2016), Northern Ireland (1998), Nepal (2015) and Philippines (1998), and South Africa (1993).[6] Both positive and negative provision indicates the ways in which issues of sexual orientation can come to the fore with relation to wider discussions over inclusion and the peace process.

If peace is to deliver security for LGB&T communities, and indeed provide for an inclusive approach to security more generally, it is important for analysts to challenge statist interpretations of security and reimagine security as including different forms of power and different models of human insecurity. While peace processes can usher in new narratives, laws and institutions that encompass the equality concerns of a range of identities (as was the case in Northern Ireland), forms of insecurity reinforced by the conflict persist. In order to challenge and ameliorate the effects of those insecurities progressive elements in civil society and state institutions must address the inequities of the past and their persistence in the present. For example, progressives within the churches can play a significant role in developing forms of LGB&T inclusion. Church services for LGB&T people were viewed as very important in terms of building inclusive practices at the level of civil society.

[6] See PA-X Peace Agreement Database at www.peaceagreements.org, and the Appendix for links.

The Northern Ireland case study suggests that institutional and legal reform during conflict transformation can support some incremental progress on LGB&T rights, which is reflected in Section 75 of the Northern Ireland Act (1998). However, deeper transitions regarding LGB&T insecurity will require the appropriate resourcing of LGB&T activists and organisations, and the opening of multiple points of access to policymakers. The media can support these deeper transitions by moving away from debating formats that pit LGB&T advocates against conservative commentators – as has been too often the case in Northern Ireland – towards critical coverage of the effects of the prejudice and hostility LGB&T people experience in transitioning societies. Similarly, reform of policing to raise levels of confidence in the police service after conflict combined with an increase in the number of successful prosecutions for transphobic and homophobic hate crime is essential in terms of increasing the security of sexual and gender minorities. Again, policing requires appropriate resourcing to achieve these goals.

# Peace Agreements Mentioned in Text

Northern Ireland/Ireland/United Kingdom, The Agreement reached in the multi-party negotiations (Good Friday Agreement or Belfast Agreement), 10 April 1998.
▶   Available at: https://peaceagreements.org/view/556/

# Key Resources

Peace Agreements

For full text of peace agreements cited from which data in this report is drawn, and searchable provision on economic power-sharing see: PA-X Peace Agreements Database, University of Edinburgh (www.peaceagreements.org). This database is a repository of peace agreements from 1990 to date, current until 1 January 2016.  It contains over 1500 agreements from over 140 processes with coding provisions for 225 substantive categories.

For peace agreement texts with search functions see further:

▶   Language of Peace, University of Cambridge (https://www.languageofpeace.org/#/)

This tool provides access to over 1000 agreements for mediators and drafters to be able to compare and collate language on key issues.

▶   Peace Agreements Digital Collection, United States Institute for Peace (https://www.usip.org/publications/2009/04/peace-agreements-digital-collection)

This collection strives to contain the full-text agreements signed by the major contending parties ending inter and intra-state conflicts worldwide since 1989. It was last updated in 2009.

▶   Peacemaker, United Nations (http://peacemaker.un.org/)

Peacemaker maintains a comprehensive database of agreement texts, and it serves as an online mediation support tool.

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