

‘WALK[ING] THE HALLS OF POWER’? UNDERSTANDING WOMEN’S PARTICIPATION IN INTERNATIONAL PEACE AND SECURITY

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The prioritisation of women’s participation in the Women, Peace and Security agenda inaugurated by Resolution 1325 has marked a watershed: feminist demands have been articulated in terms that have been accepted by the institutions and processes of international peace and security. Critiques, however, of the focus on participation — that either question the quality of the gains delivered, or the wisdom of prioritising participation in unreformed institutions — suggest a need for greater conceptual clarity around participation as an objective and outcome in feminist engagement with international peace and security. This article draws on arguments for women’s participation in feminist political theory in order to delineate five meanings of participation within the Women, Peace and Security Resolutions, namely: participation as the presence of role models; participation as representation; participation as deliberation; participation as inclusion; and participation as expertise. This article finds that the text of the Resolutions evidence erroneous interpretation and application of feminist arguments for participation, with the result that the Resolutions prioritise the advancement of a presumed set of ‘women’s interests’ in peace and security over the actual presence of women in peace and security decision-making.

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I INTRODUCTION

The Consultative Group on the Past was probably the best 8 people I've ever worked with in my life and I think it is a wonderful report. I haven't been at a gathering ever since that has actually taken it apart at any substantive level and that was one of my fears — that we had missed something very big.¹

It was February 2011 in a crowded lecture hall as my first year students gathered to hear the musings of the former Co-Chair of the Consultative Group on the Past in Northern Ireland ('Consultative Group'). The Consultative Group was established by the Northern Ireland Secretary of State in 2007 to consult across the community in Northern Ireland on how society could best approach the legacy of the conflict, make recommendations as appropriate to build a shared future and to present a report with their conclusions to the Secretary of State.² I sat listening to yet another seemingly authoritative reflection on dealing with the past, by yet another high-profile man, as I wondered how it had come to pass that the Consultative Group's report made precisely no mention of women or gender. I wondered aloud: 'didn't they even notice that the majority of people they are speaking to from victims' groups were women?' 'Haven't they even heard of United Nations Security Council *Resolution 1325*?'³ In this moment, I was forced to confront the distance between what I was teaching these same students about feminist 'victories' in international law, most notably the United Nations Security Council ('UNSC') *Resolution 1325* on Women, Peace and Security ('WPS'), and the locally understood priorities around dealing with the past in Belfast and Northern Ireland.

The adoption of *Resolution 1325* in 2000 marked the inauguration of the WPS agenda at the highest formal institutional level of international law. *Resolution 1325* indicates pillars of priority action, namely: participation, protection, prevention and relief and recovery.⁴ *Resolution 1325* is widely celebrated for its recognition of women's gender-specific experiences of conflict and of women as agents of conflict transformation. However the Resolution has been criticised for the lack of implementation and oversight mechanisms included.⁵ In response to this identified deficiency, subsequent Resolutions have been adopted by the UNSC to develop and enforce more meaningful implementation and oversight mechanisms for the WPS agenda. To this end, *Resolution 1820* focused on the specific issue of conflict-related sexual violence, bringing increased attention to

¹ Denis Bradley, 'Lessons from the Work of the Consultative Group on the Past' (Speech delivered at the 'The Past is Still Present': The Legacy of the Conflict — Where Do We Go from Here? Seminar, Ulster Hall, 10 December 2010) <http://www.caj.org.uk/files/2011/02/23/Denis_Bradley_Speech_December_2010.pdf>.

Denis Bradley was Co-Chair of the Consultative Group on the Past.

² Northern Ireland Affairs Committee, *The Report of the Consultative Group on the Past in Northern Ireland*, House of Commons Paper No 171, Session 2009–10 (2009).

³ SC Res 1325, UN SCOR, 4213th mtg, UN Doc S/RES/1325(2000) (31 October 2000) ('*Resolution 1325*').

⁴ Karen McMinn and Catherine O'Rourke, 'Baseline Study on UNSCR 1325: Women and Peacebuilding Toolkit — Sharing the Learning' (Research Paper No 14-02, Transitional Justice Institute, December 2012) 8.

⁵ *Ibid.* See *Report of the Secretary-General on Women, Peace and Security*, UN SCOR, UN Doc S/2002/1154 (16 October 2002) [65]–[67] ('*Report on Women, Peace and Security*').

the area,⁶ as did its partner *Resolution 1888*,⁷ which established mechanisms for the implementation and enforcement of the WPS agenda. This included the appointment of a Special Representative of the Secretary-General to represent and advance the United Nation's work on addressing sexual violence in conflict.⁸ Importantly, *Resolution 1889*⁹ included a request to the Secretary-General ('UNSG') to develop a set of global indicators to track the implementation of *Resolution 1325*. These indicators would serve as a common basis for reporting on the implementation of *Resolution 1325* by relevant UN entities, other international and regional organisations and UN member states.¹⁰ More recently, *Resolution 1960*¹¹ mandates enhanced data-gathering and documentation of sexual violence in conflict in order to underpin accountability and sanctions against perpetrator groups.¹² Together, all of these Resolutions are intended to be complementary and mutually reinforcing of the WPS agenda that was inaugurated by *Resolution 1325*.

A distinctive feature of the WPS agenda has been the emphasis (and some tentative language of legal obligation) on women's participation in matters of peace and security. The first operative paragraph of *Resolution 1325* '[u]rges Member States 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'.¹³

The prioritisation of women's participation in the WPS agenda has marked a watershed: feminist demands have been articulated in terms that have been accepted by the institutions and processes of international law. Formal recognition has been secured from the international community, at the highest institutional level, of the importance of women's participation in peace and security.

This article therefore emerges from a local reflection on a global challenge: what is it that we advocate when we seek women's participation in peace and security? What are the reasons that the WPS agenda struggles to deliver this participation? Drawing on feminist political theory, this article considers the context and motivations for the rise of women's participation as a global feminist objective. The principle of participation, which underpins the WPS resolutions, is fleshed out and some tensions and inconsistencies in how the WPS Resolutions seek to advance both the presence of women and the inclusion of a set of presumed 'women's interests' in international peace and security are

⁶ SC Res 1820, UN SCOR, 5916th mtg, UN Doc S/RES/1820(2008) (19 June 2008) ('*Resolution 1820*'). See Dianne Otto, 'The Exile of Inclusion: Reflections on Gender Issues in International Law over the Last Decade' (2009) 10 *Melbourne Journal of International Law* 11, 23–5.

⁷ SC Res 1888, UN SCOR, 6195th mtg, UN Doc S/RES/1888(2009) (30 September 2009) ('*Resolution 1888*').

⁸ *Resolution 1888*, UN Doc S/RES/1888(2009), para 4; McMinn and O'Rourke, 'Baseline Study on UNSCR 1325', above n 4, 8.

⁹ SC Res 1889, UN SCOR, 6196th mtg, UN Doc S/RES/1889(2009) (5 October 2009) ('*Resolution 1889*').

¹⁰ *Ibid* para 17.

¹¹ SC Res 1960, UN SCOR, 6453rd mtg, UN Doc S/RES/1960(2010) (16 December 2010) ('*Resolution 1960*').

¹² *Ibid* para 3.

¹³ *Resolution 1325*, UN Doc S/RES/1325, para 1 (emphasis altered).

noted. This article finds that the WPS Resolutions evidence an erroneous interpretation and application of feminist arguments for participation, with the result that the WPS Resolutions prioritise the advancement of a presumed set of 'women's interests' in peace and security over the actual presence of women in peace and security decision-making. The conclusion considers the consequences of the displacement of arguments for women's presence in decision-making within the WPS agenda.

II THE EVOLVING FEMINIST POLITICS OF PARTICIPATION

The emphasis on women's participation within the WPS agenda needs to be understood within a broader phenomenon identified by Judith Squires as 'the new politics of gender equality', in which feminists have moved away from the autonomous organising that was privileged within early second-wave feminism, towards directly targeting and engaging institutions of power.¹⁴ This revised feminist approach to formal institutions of power has been fostered by the receptiveness of these institutions to feminist demands for policy change, for example on issues of domestic violence. Moreover, changing forms of governance, and the greater prominence of transnational decision-making fora, have proven more accessible to women's movements, for example in the adoption of mainstreaming in the UN and European Union.¹⁵

Within this 'new' feminist politics of participation, feminist demands for women's greater participation in decision-making are underpinned by a series of linked feminist arguments, captured paradigmatically by Anne Phillips in her study of democracy and representation as the 'role model' argument, the 'justice' argument, the 'different agenda' argument and the 'larger dream' argument.¹⁶ Understood as role models, when more women are visible in peace and security decision-making, 'their example is said to raise women's self-esteem, encourage others to follow in their footsteps, and dislodge deep-rooted assumptions about what is appropriate to women and men'.¹⁷ The 'justice' argument is potentially the most compelling argument for women's participation in peace and security decision-making. On the basis that women constitute at least half of the populations affected by peace and security decision-making, their exclusion from that decision-making is manifestly unjust. If that decision-making were organised in a truly fair and open manner, so the argument goes, one could reasonably expect the equal presence of men and women within decision-making fora and structures.¹⁸

¹⁴ See generally Judith Squires, *The New Politics of Gender Equality* (Palgrave Macmillan, 2007).

¹⁵ See generally Teresa Rees, *Women and the EC Training Programmes: Tinkering, Tailoring and Transforming* (Saus Publications, 1995).

¹⁶ See Anne Phillips, *The Politics of Presence* (Oxford University Press, 1995). Phillips states at 62–3:

There are those that dwell on the role model successful women politicians offer; those that appeal to principles of justice between the sexes; those that identify particular interests of women that would be otherwise overlooked; and those that stress women's different relationship to politics and the way their presence will enhance the quality of political life.

¹⁷ *Ibid* 63.

¹⁸ See generally *ibid* 57–83.

The 'different agenda' argument is motivated by a concern for the political interests that are excluded when women are excluded from decision-making. Gender is central to determining one's experience of conflict and as a result, one's needs in conflict-resolution and peacebuilding. Where women are excluded from this decision-making, their needs are unlikely to be prioritised by traditional power-holders and decision-makers and their interests are unlikely to be adequately understood by those formulating prescriptions to these problems. The claim, therefore, is that greater participation of women in peace and security decision-making would give rise to a 'different agenda' in that decision-making and guarantee the presence of expertise in that 'different agenda'.

We might add a fourth argument underpinning demands for women's greater participation in decision-making, namely expertise. Finally, the larger dream claim for women's greater participation in peace and security decision-making is aimed not just at the inclusion of women, but at the transformation of international peace and security more broadly. The hope is that by changing the players, the nature of the game will change in turn, thereby allowing a different set of priorities to emerge. Women are typically linked to civilian experiences of conflict and needs 'on the ground' and, because of this, greater participation in decision-making by those from a range of different perspectives will enable greater quality deliberation in decision-making.

The turn to participation also reflects a shift in feminist understandings about the relationship between gender equality and women's political participation. The 'new politics of gender equality', which marks increasing emphasis on participation in formal institutions and processes, also marks the abandonment of the idea that the equal political participation of women and men can only happen as a consequence of dramatic social and political upheaval and a new acceptance that equal political participation of women might, in fact, provide a means to achieving women's equality. To illustrate, in terms of transnational feminist activism, participation in decision-making first gained prominence in the 1995 *Beijing Declaration and Platform for Action*,¹⁹ the outcome documents of the UN's Fourth World Conference on Women.²⁰ Interestingly, participation was a demand much less prominent in Beijing's precursor conferences in 1975, 1980 and 1985. Yet, it was Beijing where women's participation emerged as the panacea to women's inequality. To quote Blanca Rodríguez Ruiz and Ruth Rubio-Marín:

[Participation] is the objective that best exemplifies the empowerment of women proposed at the Fourth United Nations World Conference on Women's Rights (Beijing, 1995) as a crosscutting goal of all initiatives aimed at achieving real equality of the genders.²¹

In broader terms, Phillips links this new enchantment with participation to the rise of a type of identity politics and the 'parting of ways' between gender

¹⁹ *Beijing Declaration and Platform for Action* as contained in *Report of the Fourth World Conference on Women*, UN Doc A/CONF.177/20/Rev.1 (17 October 1995) ch I.

²⁰ See Dianne Otto, 'Holding Up Half the Sky but for whose Benefit?: A Critical Analysis of the Fourth World Conference on Women' (1996) 6 *Australian Feminist Law Journal* 7.

²¹ Blanca Rodríguez Ruiz and Ruth Rubio-Marín, 'The Gender of Representation: On Democracy, Equality, and Parity' (2008) 6 *International Journal of Constitutional Law* 287, 287.

equality concerns with the economic concerns of old.²² In other words, the feminist emphasis on participation within existing institutions can be seen as part of a wider move from oppositional to more integrationist feminist strategies.

Further, the increasing transnational feminist focus on participation as a normative good (in terms of both process and substance) emerged from more sober feminist engagement with differences among women. Given that the peace and security agenda applies to contexts of formerly (or sometimes persistently) violently divided societies, the degree of consensus among women's organisations and movements about the need for women's participation in these processes is striking. Irrespective of how deeply entrenched ethnic and other divisions are among women, the demand for the participation of women achieves remarkably broad support from women. Locally, conflicts are characterised by a 'meta-conflict' — that is, 'multiple disagreements over what kind of conflict it is, and about whether it is "one" or "many"'.²³ Different meta-conflict stances are underwritten by different experiences of the conflict and produce differing ideas as to the necessary ingredients for resolving the conflict.²⁴ Feminist theorisation and critical reflection demonstrates that there is no uniform women's experience of conflict.²⁵ To pretend that there exists a feminist consensus about the nature of harms experienced by women in conflict, would conceal a range of internal disagreements and implicit hierarchies about what harms matter. Consequently there is no unified feminist perspective about either the nature or causes of women's experiences of conflict.²⁶ Questions of peace and security are overt sites of meta-conflict negotiations.²⁷ Women in conflict situations do not stand outside this meta-conflict, but they instead reflect it, albeit in ways that are different from those of men. As I have argued elsewhere (with Christine Bell):

The feminist emphasis on the participation of women needs also to be understood as a response to the problems of articulating common political goals in the context of deeply entrenched differences amongst women, both locally and across global divides.²⁸

²² Anne Phillips, *Which Equalities Matter?* (Polity Press, 1999) 1.

²³ Catherine O'Rourke, 'Dealing with the Past in a Post-Conflict Society: Does the Participation of Women Matter? Insights from Northern Ireland' (2012) 19 *William and Mary Journal of Women and the Law* 35, 39–40, quoting John McGarry and Brendan O'Leary, *Explaining Northern Ireland: Broken Images* (Blackwell, 1995) 1.

²⁴ McGarry and O'Leary, above n 23, 1–2; Christine Bell and Catherine O'Rourke, 'Does Feminism Need a Theory of Transitional Justice? An Introductory Essay' (2007) 1 *International Journal of Transitional Justice* 23, 31.

²⁵ See, eg, Valerie Amos and Pratibha Parmar, 'Challenging Imperial Feminism' (1984) 17 *Feminist Review* 3.

²⁶ O'Rourke, 'Dealing with the Past in a Post-Conflict Society', above n 23, 39–40. For an overview of different feminist approaches to epistemology and 'standpoint', see Sandra Harding, *Whose Science? Whose Knowledge? Thinking from Women's Lives* (Open University Press, 1991) 105–87.

²⁷ O'Rourke, 'Dealing with the Past in a Post-Conflict Society', above n 23, 40. For an example of the peace and security meta-conflict negotiation, see Christine Bell, 'Dealing with the Past in Northern Ireland' (2003) 26 *Fordham International Law Journal* 1095, 1145.

²⁸ Bell and O'Rourke, 'Does Feminism Need a Theory of Transitional Justice?', above n 24, 31.

The absence of an easy feminist agreement on the meta-conflict in peace and security has resulted in a focus on process whereby women agree that they should at least be included in the institutions and practice of peace and security.²⁹

III THREE CRITIQUES OF PARTICIPATION IN THE WPS AGENDA

Although relatively young, the WPS agenda has already prompted substantial feminist unease in response to its ostensible successes. The most established of these critiques have emerged from two very different directions: one that questions the value of participation as a goal, the quality of the gains delivered and the terms of inclusion; the other that views the emphasis on participation in the WPS agenda as part of the broader feminist 'will to power' within the murky power deals of the international legal sphere.³⁰

A *Too Little Participation?*

In terms of the first critique, and as tellingly articulated in previous contributions to the *Melbourne Journal of International Law*,³¹ feminist unease concerns the prominence of commitments around women's participation in peace and security decision-making.³² The legal status of such commitments remains in question.³³ The wisdom of prioritising women's equal presence in largely unchanged decision-making bodies is under challenge.³⁴ There are concerns about the terms of inclusion in such bodies. The potential for inclusion to signal the cooption, rather than meaningful participation, of women and a feminist agenda is a recurring concern. In particular, there is concern that the WPS agenda has retrenched and institutionalised protective stereotypes of women as vulnerable, sexualised and inherently predisposed to peacemaking.³⁵ This final concern is that the increasing emphasis on the participation of women in the institutions and doctrine of international peace and security has been at the price of the essentialisation of women as the passive victims of sexual violence. This has resulted in a narrowing of the female subjectivities allowed to participate, and the silencing of more radical feminist positions on international peace and security. This is arguably the dominant contemporary feminist concern about international law.³⁶

²⁹ O'Rourke, 'Dealing with the Past in a Post-Conflict Society', above n 23, 39–41.

³⁰ Janet Halley, *Split Decisions: How and Why to Take a Break from Feminism* (Princeton University Press, 2006) 22.

³¹ See Otto, 'The Exile of Inclusion', above n 6.

³² See Dianne Otto, 'Power and Danger: Feminist Engagement with International Law through the UN Security Council' (2010) 32 *Australian Feminist Law Journal* 97.

³³ See Otto, 'The Exile of Inclusion', above n 6.

³⁴ *Ibid.*

³⁵ *Ibid.*

³⁶ See generally Dina Francesca Haynes, Naomi Cahn and Fionnuala Ní Aoláin, 'Women in the Post-Conflict Process: Reviewing the Impact of Recent UN Actions in Achieving Gender Centrality' (2012) 11 *Santa Clara Journal of International Law* 189; Fionnuala Ní Aoláin, Dina Francesca Haynes and Naomi Cahn, 'Criminal Justice for Gendered Violence and Beyond' (2011) 11 *International Criminal Law Review* 425. For a typology of critical feminist literature on international criminal law, see Catherine O'Rourke, 'International Law and Domestic Gender Justice, or Why Case Studies Matter' in Martha Albertson Fineman and Estelle Zinsstag (eds), *Feminist Perspectives on Transitional Justice: From International and Criminal to Alternative Forms of Justice* (Intersentia, 2013) 11, 13–22.

B *Too Much Participation?*

With a very different emphasis, the WPS agenda and its associated feminist-informed developments in international law have motivated a very different set of concerns led by Janet Halley (and others).³⁷ The ‘governance feminism’ thesis points to the increasing presence and influence of women in the institutions of the international legal order. To look at non-governmental advocates in the international system such as judges, prosecutors, investigators and decision-makers in new international criminal tribunals — and victims testifying before those tribunals — it is evident that women are no longer a uniformly marginalised or excluded constituency from the realm of international law. Halley points, in particular, to the successes of the women’s lobby in securing the criminalisation of wartime rape as evidence of that constituency’s significant influence in certain matters.³⁸ While other groups and constituencies may, relatively speaking, have more influence and control than feminist advocates in international law, this is not the same as being ‘utterly without power’,³⁹ as in the self-understanding of many feminists. In fact, to quote Halley, in international law today, ‘feminists walk the halls of power’.⁴⁰ Halley’s representation of feminists as ‘movers-and-shakers’ in the international system presents a significant challenge to the conventional understanding of feminism as subversive of the prevailing international order and as speaking truth to power.

C *The Wrong Type of Participation?*

Given that the first and second critiques might be summarised, respectively, as either that the WPS agenda delivers too little women’s participation, or too much, they point to an acute need to more clearly refine and articulate what it is that we mean when we variously advocate, or chastise, women’s ‘participation’ in peace and security. Feminist political theory of women’s participation and representation offers substantial and important insights to just such a finely-grained analysis of the different meanings of participation underpinned by the WPS Resolutions and illuminates how these different meanings might be working, ultimately, against women’s participation in peace and security.

The increasing prominence of women’s participation as both a feminist demand and policy response is not unique to peace and security. The ‘new’ politics of participation focuses on both aspects of representation as defined by Hannah Pitkin in her classic statement on the issue, namely descriptive and substantive representation.⁴¹ (This distinction between descriptive and substantive representation is now widely used in related political theory, for

³⁷ See Janet Halley, ‘Rape at Rome: Feminist Interventions in the Criminalization of Sex-Related Violence in Positive International Criminal Law’ (2008) 30 *Michigan Journal of International Law* 1; Janet Halley et al, ‘From the International to the Local in Feminist Legal Responses to Rape, Prostitution/Sex Work, and Sex Trafficking: Four Studies in Contemporary Governance Feminism’ (2006) 29 *Harvard Journal of Law and Gender* 335; Karen Engle, ‘Feminism and Its (Dis)Contents: Criminalizing Wartime Rape in Bosnia and Herzegovina’ (2005) 99 *American Journal of International Law* 778, 778.

³⁸ Halley et al, ‘From the International to the Local’, above n 37, 377–85.

³⁹ Halley, *Split Decisions*, above n 30, 14 (emphasis altered).

⁴⁰ *Ibid* 21.

⁴¹ Hanna Fenichel Pitkin, *The Concept of Representation* (University of California Press, 1967).

example in the work of feminist political theorists such as Phillips,⁴² Squires,⁴³ Mona Krook⁴⁴ and Sarah Childs).⁴⁵ 'Descriptive representation' refers to the physical presence of women in decision-making fora. The 'new' politics of gender equality introduces gender quotas as a practical means to ensure the descriptive representation of women. 'Substantive representation', by contrast, refers to the representation of ideas and interests that disproportionately concern women in decision-making.⁴⁶ It is less concerned with the gender profile of decision-makers per se and prioritises instead certain gender policy outcomes. Women's policy agencies are a practical contemporary means to securing this sort of substantive representation of women and, in practice, can and do coexist with gender quotas.

Paradigmatic feminist interventions into the field of politics and political theory responded to the visible exclusions of the political system, that is, the dramatic under-representation of women in elected democratic institutions.⁴⁷ However, the focus has increasingly shifted in the past two decades towards questions of women's substantive representation, particularly to the representation of ideas and interests in politics that disproportionately concern women. This shift in focus has no doubt in part been enabled by the increasing presence of women within representative institutions and, in turn, the generation of new research questions concerning the relationship between the greater physical presence of women and policy outcomes on issues of disproportionate concern to women. The shift in focus to substantive representation has also substantially increased the number and nature of institutions under focus, with considerable attention being paid to women's policy agencies, 'insider' feminists, gender experts⁴⁸ and gender mainstreaming policies.⁴⁹ As the WPS Resolutions demonstrate, there is increasing certainty, expertise and programmatic activity about presumed 'women's interests' in peace and security. This focus on substantive issues has delivered clear dividends to women in terms of increased programmatic attention to gender-sensitive humanitarian relief, which addresses the needs of displaced and refugee women and girls, an awareness of women's caring responsibilities in humanitarian aid and increasing resources for the prevention of, and rehabilitation from, sexual violence. The third critique of the participation focus in the WPS agenda is that through the erroneous interpretation and application of feminist arguments for participation, the WPS Resolutions prioritise the advancement of a presumed set of 'women's interests' in peace and security over the actual presence of women in peace and security decision-making. The ostensibly fixed and determinate nature of these

⁴² See, eg, Phillips, *The Politics of Presence*, above n 16.

⁴³ Squires, above n 14.

⁴⁴ Mona Lena Krook, *Quotas for Women in Politics: Gender and Candidate Selection Reform Worldwide* (Oxford University Press, 2009).

⁴⁵ See, eg, Sarah Childs and Mona Lena Krook, 'Analysing Women's Substantive Representation: From Critical Mass to Critical Actors' (2009) 44 *Government and Opposition* 125.

⁴⁶ Pitkin, above n 41, 114–15.

⁴⁷ Phillips, *The Politics of Presence*, above n 16.

⁴⁸ See generally Joni Lovenduski (ed), *State Feminism and Political Representation* (Cambridge University Press, 2005).

⁴⁹ See Rees, above n 15, 21.

'women's interests' has worked, ironically, to de-prioritise the actual presence of women in peace and security decision-making. As a result, it has been made even more difficult for women to gain traction in the overtly political business of peace and security that falls outside these perceived 'women's interests'.

IV FIVE MEANINGS OF PARTICIPATION IN THE WPS RESOLUTIONS

The prominence of 'participation' throughout the WPS Resolutions is evidenced by the frequent use of the term (approximately 22 times across the five resolutions) and its invocation throughout the preambles and operative provisions of the resolutions.⁵⁰ The foundation was laid in *Resolution 1325*, which called in its first operative paragraph for greater participation by women in the maintenance and promotion of peace and security.⁵¹ Initiatives such as the request in *Resolution 1889* for the UNSG to submit to the UNSC a report specifically on the theme of women's participation in peacebuilding⁵² reiterate and reinforce this focus on participation.

The discussion of the evolving feminist politics of participation identified five arguments underpinning women's participation in decision-making: the 'role model' argument, the 'justice' argument, the 'larger dream' argument, the 'different agenda' argument and the 'expertise' argument.⁵³ This Part examines the text of the WPS Resolutions and considers the extent to which the WPS Resolutions evidence a commitment to feminist arguments for participation. Using a textual analysis of WPS resolutions, Part IV identifies five different meanings of 'participation' within the Resolutions: participation as the presence of role models; participation as representation; participation as deliberation; participation as inclusion and participation as expertise. The appendix to this article provides a much more detailed and disaggregated analysis of the resolutions, in which their provisions are coded according to role models, representation, deliberation, inclusion and expertise. The appendix delineates these different types of participation and their manifestation across the WPS resolutions.

A *The Role Model Argument: Participation as the Presence of Role Models*

The role model argument⁵⁴ contends that the participation of more women in international peace and security provides an example for other women and demonstrates that women can be, and are, suitable for such roles, providing an important optical challenge to the dominant presentation of peace and security as a 'man's game'. Where the WPS Resolutions require the UNSG to ensure that women are included in high-level peace negotiations and as peace mediators on behalf of the UN (such as in *Resolution 1325*,⁵⁵ *Resolution 1888*⁵⁶ and

⁵⁰ See generally *Resolution 1325*, UN Doc S/RES/1325; *Resolution 1889*, UN Doc S/RES/1889; *Resolution 1888*, UN Doc S/RES/1888; *Resolution 1820*, UN Doc S/RES/1820. *Resolution 1960* does not directly refer to 'participation' but reaffirms the United Nations Security Council commitment to fully implement the other four Resolutions: *Resolution 1960*, UN Doc S/RES/1960, Preamble.

⁵¹ *Resolution 1325*, UN Doc S/RES/1325, para 1.

⁵² *Resolution 1889*, UN Doc S/RES/1889, para 19. See also at app 1.

⁵³ Phillips, *The Politics of Presence*, above n 16.

⁵⁴ See generally *ibid* 62–3.

⁵⁵ *Resolution 1325*, UN Doc S/RES/1325, paras 2–3.

*Resolution 1889*⁵⁷), they evidence an understanding of participation as consisting of the presence of role models. This focus on the presence of women in the most visible aspects of peace and security negotiations is consistent with the role model theory. These high profile and highly visible women provide an example for other women and (perhaps more importantly) provide a clear demonstration to everyone that women can and do perform such high-level roles in peace and security.

B *The Justice Argument: Participation as Representation*

The WPS Resolutions require women's participation in decision-making in, for example, the implementation mechanisms of peace agreements⁵⁸ and formal peace processes.⁵⁹ These provisions evidence a straightforward commitment to the descriptive representation of women, that is, the physical presence of women in decision-making fora for peace and security. As this section documents, however, this commitment to women's descriptive representation is underpinned by instrumentalist claims about the greater durability of peace negotiations that include women and not justice claims about the right of women to equal presence in negotiations that affect their lives.

As with claims for descriptive representation more broadly, these claims typically confront problems of interest-aggregation, authorisation and accountability.⁶⁰ Firstly, assumptions about women as a group who have a set of political interests that can be represented through descriptive representation in decision-making have been critically challenged.⁶¹ Questions about such assumptions: for example, how are the interests aggregated? The idea that 'women's interests' in peace and security can be neatly identified, defined and then articulated by a group of women invites empirical and theoretical contestation. Indeed, even a superficial engagement with feminist theory reveals remarkable contestation about the content of 'women's interests' and fundamentally challenges the very existence of such pre-given interests. As Rosemary Pringle and Sophie Watson observe:

It seems clear that feminism can no longer ground itself in an essentialist conception of 'woman' or on an understanding of a 'gender identity' or 'interest' shared by all women. The tendency of white, middle-class women to treat their own experience as normative has already been widely criticized.⁶²

⁵⁶ *Resolution 1888*, UN Doc S/RES/1888, para 16.

⁵⁷ *Resolution 1889*, UN Doc S/RES/1889, para 4.

⁵⁸ See, eg, *ibid* paras 1, 4.

⁵⁹ See, eg, *Resolution 1325*, UN Doc S/RES/1325, para 2; *Resolution 1960*, UN Doc S/RES/1960, Preamble.

⁶⁰ Pitkin, above n 41, 39–59, 156–62.

⁶¹ See Virginia Sapiro, 'Research Frontier Essay: When Are Interests Interesting? The Problem of Political Representation of Women' (1981) *75 American Political Science Review* 701. Cf Irene Diamond and Nancy Hartsock, 'Beyond Interests in Politics: A Comment on Virginia Sapiro's "When Are Interests Interesting? The Problem of Political Representation of Women"' (1981) *75 American Political Science Review* 717.

⁶² Rosemary Pringle and Sophie Watson, "'Women's Interests' and the Post-Structuralist State' in Michèle Barrett and Anne Phillips (eds), *Destabilizing Theory: Contemporary Feminist Debates* (Polity Press, 1992) 53, 68.

Related to this problem of interest-aggregation is the problem of authorisation and accountability. If women who are included in peace and security decision-making are to represent the interests of women in peace and security, by what mechanisms are such women authorised to represent this group and by what processes are such women held accountable to this group? While there are precedents for women organising collectively into political parties or party-like formations in order to gain access to elected peace process negotiations,⁶³ such examples are few and far between and hardly representative of most collective efforts by women to access such negotiations. Moreover, the provisions within the WPS Resolutions that mandate women's descriptive representation include no process requirements concerning how the included women are to be selected. Even if such a process were in place, a further process would be required to ensure that the women who are included are held accountable to the broader constituency of women.

Asked in this way, the notion of women as 'representative' quickly becomes undone. Intuitively, we have little belief in either a 'constituency of women', or in any straightforward representative function to be performed by the women who are there to 'represent' women. Importantly, however, these problems of interest-aggregation, authorisation and accountability are not, either individually or collectively, sufficient to undermine arguments for women's descriptive representation within peace and security decision-making. There are alternative rationales for women's descriptive representation in peace and security that do not encounter these identified problems. Most important of the potential alternative rationales for women's descriptive representation in peace and security is undoubtedly the 'justice' argument.⁶⁴ The 'justice' argument is regarded as the most theoretically 'pure' argument for women's increased participation in decision-making, because it makes no claims about authorisation.⁶⁵ The 'justice' argument relates only to the physical presence of women and not to direct representative relationships between women in decision-making and the masses of women outside of decision-making. Rather, the central claim of the 'justice' argument is that, for the diversity of women's interests to be represented, women must be present in their diversity. In order for this to be achieved, women must be present in sufficient numbers. The provision in *Resolution 1820* for 'the equal and full participation of women at decision-making [in peace and security]'⁶⁶ is a good example of a commitment to women's participation in sufficient numbers and diversity to evidence a justice-based claim for participation.

In addition, in her classic contribution to the debate, Jane Mansbridge argues that descriptive representation can be justified in a context of historic subordination, in order to add legitimacy to the process or institution:

Seeing proportional numbers of members of their group exercising the responsibility of ruling with full status in the legislature can enhance de facto

⁶³ Both the Colombian 1991 Constituent Assembly and the 1996 multi-party peace negotiations in Northern Ireland provide such examples: see Catherine O'Rourke, *Gender Politics in Transitional Justice* (Routledge, 2013) 199–208.

⁶⁴ See Phillips, *The Politics of Presence*, above n 16, 81.

⁶⁵ See *ibid.*

⁶⁶ *Resolution 1820*, UN Doc S/RES/1820, para 12.

legitimacy by making citizens, and particularly members of historically underrepresented groups, feel as if they themselves were present in the deliberations.⁶⁷

Interestingly, this (more instrumentalist) argument for women's descriptive representation is seen within broader UN documentation calling for women's representation. For example, the UNSG report on *Women's Participation in Peacebuilding* talks explicitly about the critical role of women's participation in 'shoring up ... political legitimacy' of peacebuilding efforts.⁶⁸ A further useful example from the texts of the Resolutions is the Preamble to *Resolution 1889*. It is very clear in its linkage of women's descriptive representation to broader instrumentalist goals of conflict prevention and resolution and societal reconstruction:

Reiterating the need for the full, equal and effective participation of women at all stages of peace processes given their vital role in the prevention and resolution of conflict and peacebuilding, reaffirming the key role women can play in re-establishing the fabric of recovering society and stressing the need for their involvement in the development and implementation of post-conflict strategies in order to take into account their perspectives and needs ...⁶⁹

The observation that the commitment to women's participation in the WPS Resolutions is actively instrumental is not new, but the distance between justice claims and the instrumentalism of the Resolutions bears consideration. To illustrate, assumptions about what women's participation will contribute to peace and security decision-making rely overwhelmingly on utility-based arguments that say that women's participation will lead to more 'durable' solutions to violence by addressing underlying causes of violence.⁷⁰ The UN acknowledges that women's groups are excluded 'because their interests are viewed as broader than those of the men involved in negotiations'.⁷¹ According to utility-based arguments, the inclusion of women in the process should enhance the legitimacy of what are otherwise secretive and elitist processes that privilege violent actors.⁷² By contrast, normative arguments about women's participation in decision-making facilitating women's broader equality are remarkably rare. In effect, the justice argument is largely absent from claims for women's descriptive representation in the WPS Resolutions.

⁶⁷ Jane Mansbridge, 'Should Blacks Represent Blacks and Women Represent Women? A Contingent "Yes"' (1999) 61 *Journal of Politics* 628, 650.

⁶⁸ *Women's Participation in Peacebuilding: Report of the Secretary-General*, UN GAOR, 65th sess, Agenda Items 28(a) and 122; UN SCOR, 65th sess, UN Docs A/65/354 and S/2010/466 (7 September 2010) [7].

⁶⁹ *Resolution 1889*, UN Doc S/RES/1889, Preamble (emphasis altered).

⁷⁰ See, eg, Christine Chinkin, 'Hanna's House Professor Christine Chinkin' (Speech delivered at the Women Delivering Peace and Security Conference, November 2012) <<http://youtu.be/AzdDtWQYIo8>>.

⁷¹ *Report on Women, Peacebuilding and Security*, UN Doc S/2002/1154 (16 October 2002) 5 [28]. See, eg, *Resolution 1889*, UN Doc S/RES/1889, Preamble.

⁷² On peace processes as secretive and elitist, see Harriet Martin, *Kings of Peace, Pawns of War: The Untold Story of Peace-Making* (Continuum, 2006).

C *The Larger Dream Argument: Participation as Deliberation*

To the extent that provision is made for consultation with local women's groups, the WPS Resolutions imply an understanding of participation as deliberation. Here, the WPS Resolutions appear to rely on an understanding of participation as grounded in inclusive discussion and radical democracy. Through involvement and debate with those most affected by conflict and insecurity, resultant decision-making will arrive at thoughtful and reflective outcomes that will respect the manifold and evolving concerns of women. This deliberative form of participation seems to imagine a more process-based type of participation.

Arguments in favour of deliberative forms of decision-making are manifold.⁷³ It results in an improved quality of decision-making and the outcomes of such decision-making enjoy greater perceived legitimacy. In particular, such deliberative processes aspire to more than the mere aggregation of existing interests; rather, they aspire to an open and autonomous form of interest formation where people with divergent interests come together to debate their differences and to better inform themselves of alternative experiences. Through this process of deliberation, interests will change and evolve as other perspectives and calibrations of interests inform them. Cass Sunstein's thesis is that perceptions of legitimate entitlement are always shaped by the existing distribution of entitlements.⁷⁴ Thus, if politics is to be about more than simply summing-up existing private interests, it must be the place for revising one's perceived interests based on deliberation among a range of perspectives in circumstances of political equality. Process-based decision-making must be open to different and new priorities emerging from that process.⁷⁵ Consequently, where women's interests are evolving, they can only be included by an ongoing process of deliberation and representation. This, it is submitted, is much closer to feminist ambitions in the WPS agenda. The transformative potential of the WPS agenda is grounded in the insistence on women's deliberation. Women in their diversity will be present in deliberative bodies in order that their perspectives can be voiced and taken into account when crafting policies and interventions in WPS.⁷⁶

This presents both lofty ambitions and a challenging set of practical objectives for the WPS agenda, namely the inclusion of women in sufficient numbers and diversity within decision-making processes that are sufficiently open to allow varied and evolving priorities to emerge. It is the latter part of this requirement — that a process is sufficiently open — that appears particularly under challenge in the deliberation that is mandated by the text of the resolutions. Analysis of the WPS Resolutions reveal that before consultation with women is

⁷³ For a discussion of how workplace democracy in the United Kingdom, the United States and Yugoslavia provides models for participatory decision-making in society more broadly, see generally Carole Pateman, *Participation and Democratic Theory* (Cambridge University Press, 1970).

⁷⁴ Cass R Sunstein, 'Preferences and Politics' (1991) 20 *Philosophy and Public Affairs* 3, 8–9.

⁷⁵ O'Rourke, 'Dealing with the Past in a Post-Conflict Society', above n 23, 64.

⁷⁶ Iris Marion Young, *Justice and the Politics of Difference* (Princeton University Press, 1990) 157–8. Young argues that traditional politics excludes and devalues some individuals on the basis of their group characteristics and consequently, a principle of representation for oppressed groups should be adopted in democratic decision-making bodies.

sought, and before mechanisms of deliberation are activated, they are already defined with reference to a predetermined set of 'women's interests'. For example, the WPS Resolutions provide for consultation with women's groups on supporting their peacebuilding initiatives,⁷⁷ and on their needs concerning sexual violence.⁷⁸ What about women's groups that are not involved in peacebuilding initiatives or in meeting the needs of sexual violence victims? What about the activities and interests of women's groups that do not directly pertain to either peacebuilding or sexual violence? The WPS Resolutions are largely silent about consultation with women's groups on this broader range of issues and interests. The range of issues and interests that are envisaged in the WPS Resolutions for deliberation is therefore disappointingly already predetermined; moreover, it is disappointingly narrow.

D *The Different Agenda Argument: Participation as Inclusion*

Fourthly, the Resolutions aim to ensure that programmatic responses to conflict secure the participation of women as beneficiaries, such as humanitarian assistance, disarmament, demobilisation and reintegration ('DDR') programming, repatriation, resettlement, reintegration and post-conflict reconstruction, the prosecution of harms against women in accordance with the requirements of international law and peacekeeping. In this reading, participation might more accurately be termed 'inclusion' and is more outcome-based. Examples abound through the text of the resolutions, such as provisions relating to the inclusion of women in HIV/AIDS programming;⁷⁹ the evacuation of civilians to include women under threat of sexual violence;⁸⁰ healthcare, legal assistance and socio-economic reintegration programming to include sexual violence victims;⁸¹ and all UNSG reports to include documentation of violations of women and girls.⁸² In this reading, participation is linked more directly to questions of the substantive interests of women, as such provisions are intended to ensure that women's interests are respected and protected.

As Squires notes, the clear advantage in this emphasis on substantive interests of women is that it renders participation that is measureable with reference to certain interests broadly conceived as women's interests in conflict situations.⁸³ The concern, nevertheless, is the apparent certainty and fixity of these interests. Participation as inclusion forecloses debate regarding the conceptualisation of these interests. Moreover, such certainty around this agenda de-links substantive representation of these presumed 'women's interests' from the physical presence of women in processes of decision-making and policy-making. Rather, as the next Part discusses, the existence of predetermined 'women's interests' means that 'gender experts' (who are not necessarily female) represent such interests.

⁷⁷ *Resolution 1325*, UN Doc S/RES/1325, paras 8(b), 15.

⁷⁸ *Resolution 1888*, UN Doc S/RES/1888, para 14.

⁷⁹ *Resolution 1325*, UN Doc S/RES/1325, para 6.

⁸⁰ *Resolution 1820*, UN Doc S/RES/1820, para 3.

⁸¹ *Resolution 1888*, UN Doc S/RES/1888, para 13.

⁸² *Ibid* para 24.

⁸³ Squires, above n 14, 14–15

E *The Expertise Argument: Participation as Expertise*

Participation as ‘inclusion’ is closely linked to the final form of participation in the resolutions, namely participation as (gender) expertise. The Resolutions make repeated reference to the importance of gender expertise throughout relevant peace and security programming. The WPS Resolutions emphasise gender training,⁸⁴ welcome expert initiatives,⁸⁵ provide for additional personnel and bespoke offices with the requisite expertise (such as a team of experts in sexual violence in armed conflict),⁸⁶ provide for women’s protection advisers and gender advisers,⁸⁷ as well as strengthening national gender expertise.⁸⁸ Here we have moved very far from the understanding of participation as the presence of women. Expert individuals and units are there to ensure the translation of women’s (settled and predetermined) interests into policy implementation. Participation as ‘expertise’ suggests no requirement that women perform such roles (indeed, anecdotal evidence would suggest that these roles are frequently occupied by men).

To return to questions of authorisation and accountability identified in the discussion of representation, the emphasis on participation as expertise raises similar questions about the mechanisms of accountability for these ‘experts’: to whom are they accountable? To their employer institutions, or to the intended beneficiaries of their expertise? We tend to regard experts as implementers as ‘doers’ who bring political decisions to life. International experts operate ostensibly without discretion, driven by ‘facts-on-the-ground’, ‘empirical realities’, and ‘best practice’.⁸⁹ Increasing scrutiny of international ‘expertise’ highlights the worryingly apolitical character of the growing place of expertise in global governance.⁹⁰ There is evidence of similar dynamics in feminist approaches to the WPS agenda. While we concentrate our attention, and critique, on the avowedly political deliberations of UN summits, international conferences and UNSC Resolutions, we pay insufficient attention to the manifold ways in which ‘expertise’ shapes political understandings of social problems and the range of responses considered.⁹¹ The WPS Resolutions evidence a compelling level of commitment to the understanding of participation as expertise. Participation as expertise appears, however, to eschew political participation, normative contestation and established understandings of accountability.⁹²

⁸⁴ See, eg, *Resolution 1889*, UN Doc S/RES/1889, para 4.

⁸⁵ See, eg, *Resolution 1888*, which refers to the ‘Office of the Special Adviser on Gender Issues’: *Resolution 1888*, UN Doc S/RES/1888, Preamble.

⁸⁶ See, eg, *ibid* para 8.

⁸⁷ *Ibid* para 7.

⁸⁸ See, eg, *Resolution 1889*, UN Doc S/RES/1889, paras 7–8.

⁸⁹ See generally David Kennedy, ‘Challenging Expert Rule: The Politics of Global Governance’ (2005) 27 *Sydney Law Review* 5.

⁹⁰ *Ibid* 21.

⁹¹ *Ibid* 17.

⁹² Squires, above n 14, 14–15.

Table One: Five Meanings of Participation in the WPS Resolutions

1. The Role Model Argument: Participation as Presence of Role Models	Mandates the presence of women as mediators and high-level negotiators
2. The Justice Argument: Participation as Representation	Mandates women's participation in decision-making, on the basis of the following arguments: <ul style="list-style-type: none"> • Women's broader peace agendas lead to more durable peace • Women's presence enhances the perceived legitimacy of peace talks • Women's presence can advance women's equality
3. The 'Larger Dream' Argument: Participation as Deliberation	Provides for consultation with women's groups on local peace initiatives, to inform UN Peacebuilding Commissions, sexual violence prevention, and to learn about local women's needs with respect to sexual violence
4. The 'Different Agenda' Argument: Participation as Inclusion	Programming for Internally Displaced Persons, refugees, widows, carers, victims of conflict-related (sexual) violence and victims/witnesses in prosecutions to include women
5. The Expertise Argument: Participation as Expertise	Provides for gender experts, women's protection officers, bespoke gender units, and senior responsible officials

V WHAT ABOUT PARTICIPATION AS POWER?

What is the significance of multiple meanings of participation underpinning the WPS Resolutions? Does it speak to a stronger and multi-layered claim for women's participation in peace and security? Analysis of the WPS Resolutions reveals that linking claims for women's participation to normative claims for women's equality is surprisingly rare in the resolutions.⁹³ Also absent, importantly, are claims for women's participation that assume women's natural proclivity for peacemaking. Rather, the overwhelming bases of claims for women's participation are grounded in the notion of a presumed set of 'women's interests' in conflict resolution. These 'women's interests' are attributed to women's roles as civilians, and (consequently in the majority of those affected by conflict) as Internally Displaced Persons, refugees, targets of combatants⁹⁴ and especially as victims of sexual violence.⁹⁵ It is apparent then that calls for women's participation are rarely underpinned by justice-based claims, grounded in women's political equality.

⁹³ Not all the Resolutions draw this link; for a Resolution which does, see *Resolution 1820*, UN Doc S/RES/1820, Preamble.

⁹⁴ *Resolution 1325*, UN Doc S/RES/1325, Preamble.

⁹⁵ See, eg, *Resolution 1820*, UN Doc S/RES/1820, Preamble.

These presumed ‘women’s interests’ as articulated in WPS Resolutions avoids any explicit endorsement of women as naturally or inherently peacemaking. Rather, women’s involvement in grassroots peacemaking initiatives is linked to their pursuit of ‘women’s interests’ in peacemaking, most notably around basic material survival, care for dependents and the prevention of, and prosecution for, sexual violence.⁹⁶ Importantly, every effort is made to locate these ‘women’s interests’ within women’s prevailing gender-specific experiences of conflict. The WPS agenda relies therefore on the notion of gender (dominant shared experiences of women) rather than sex (shared political interests on the basis of being female). Thus, the problem is not the essentialisation of women per se. Rather, the presumed determinacy around the content of these ‘women’s interests’ has given rise to the essentialisation of these interests in peace and security. While this has gathered traction in areas of policy and practice in WPS programming, it has manifestly failed to gain traction in the overtly political business of peace and security, such as questions of how to deal with the past.⁹⁷ There is an apparent failure, therefore, of the participation agenda to engage with the larger political questions — the meta-conflict — that drive violent conflict and its resolution.

Moreover, it seems clear that the more these ‘women’s interests’ are endorsed, the further one moves from the physical presence of women in decision-making. Looking at the text of the resolutions, we can identify the following trend: the fewest and least detailed references to participation concern participation as representation. They are typically contained in the preambles to resolutions,⁹⁸ as distinct from the operative provisions. The most frequent and detailed provisions are for participation as inclusion, with participation as expertise coming second in terms of frequency and detail. Consistent with their detailed nature, these provisions for inclusion and expertise manifest throughout the operative provisions of the Resolutions. In terms of participation as inclusion, *Resolution 1325* talks about sexual violence as one of a range of programmatic issues to be addressed, including HIV/AIDS, repatriation, resettlement and reintegration, conflict reconstruction, refugee camps, DDR of women and girls and the operation of the constitution, electoral system, police and judiciary.⁹⁹ However in the subsequent Resolutions, all of these other policy issues come to be refracted through the lens of sexual violence.¹⁰⁰

⁹⁶ *Report on Women, Peacebuilding and Security*, UN Doc S/2002/1154, [27]–[28].

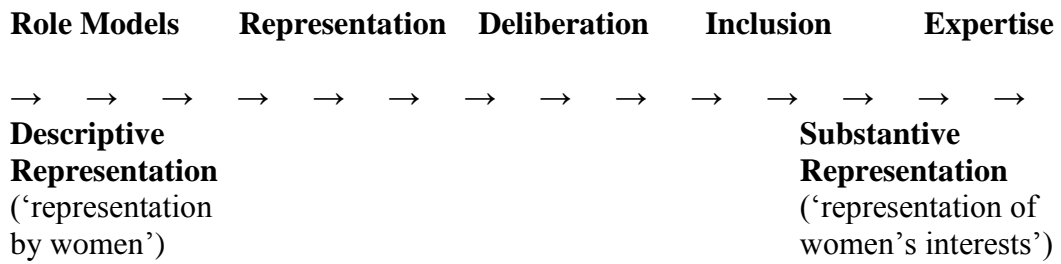
⁹⁷ O’Rourke, ‘Dealing with the Past in a Post-Conflict Society’, above n 23, 44–5.

⁹⁸ See, eg, *Resolution 1888*, UN Doc S/RES/1888, Preamble; *Resolution 1889*, UN Doc S/RES/1889, Preamble; *Resolution 1960*, UN Doc S/RES/1960, Preamble.

⁹⁹ *Resolution 1325*, UN Doc S/RES/1325, paras 6, 8, 12.

¹⁰⁰ See, eg, *Resolution 1820*, UN Doc S/RES/1820; *Resolution 1888*, UN Doc S/RES/1888, [3], [13], [17]. See also Appendix 1 ‘Inclusion’.

Figure 1: Descriptive and Substantive Representation in the WPS Resolutions



The consequences of this narrowing of women’s agenda in peace and security are evident in all sorts of ways in the implementation of the WPS agenda in both a local and global sense. This Part offers a small number of snapshots that illustrate the manifestation of assumptions about these ‘women’s interests’ globally and locally.

In terms of the official international practice of peace and security, a 2009 review of country-specific Resolutions from the UNSC found that while *Resolution 1325* had actually resulted in a significant increase in the numbers of references to women in resolutions, references are much more likely to call for the protection of women and are significantly less likely to call for women’s active participation in decision-making processes.¹⁰¹

In terms of the cross-national practice of conflict resolution, my work with Bell analysing peace agreement provisions for women and gender between 1990 and 2010 found that only 16 per cent of agreements made provision for women and gender.¹⁰² Where references occurred, they did touch on the issues raised in *Resolution 1325* but unsystematically so.¹⁰³ In line with the substance of *Resolution 1325*, peace agreement references to women and gender were analysed under the following six headings: the protection and respect of women’s human rights; measures for women’s specific needs in processes such as repatriation, resettlement and reconstruction; measures supporting local women’s peace initiatives; measures dealing with sexual violence; the exclusion of sexual violence from amnesty provisions; and measures for women’s specific needs in DDR. These categories proved sufficient to capture almost all of the peace agreement provisions for gender, pointing to remarkable consensus and fixity of identified ‘women’s interests’ in peace and security. Of these six qualitative criteria adopted for analysis of all peace agreement provisions for women and gender, only the first involves women’s descriptive representation. Out of 585 agreements, nine made provision for gender quotas or reserved seats

¹⁰¹ Renee Black, ‘Mainstreaming *Resolution 1325*? Evaluating the Impact on Security Council *Resolution 1325* on Country-Specific UN Resolutions’ (2009) 11(4) *Journal of Military and Strategic Studies* 1, 20.

¹⁰² Christine Bell and Catherine O’Rourke, ‘Peace Agreements or Pieces of Paper? The Impact of UNSC *Resolution 1325* on Peace Processes and their Agreements’ (2010) 59 *International and Comparative Law Quarterly* 941, 942.

¹⁰³ Ibid.

for women.¹⁰⁴ These quotas or reserved seats were invariably low — well below the mooted ‘critical mass’ of 30 per cent. An additional fifteen agreements included general references to women’s ‘effective participation’ or ‘gender balance in decisions or appointments’ or exhortations that women be nominated to certain bodies.¹⁰⁵ Thus, even in the very limited implementation of *Resolution 1325* in peace agreements, women’s descriptive representation has clearly been de-prioritised.

In terms of the isolated case study of Northern Ireland, it is not difficult to discern the contours of the local process to deal with the past: the Report of the Consultative Group is comprehensive in its description of the tapestry of existing legal processes, on the need for an alternative and on the intended priorities in any alternative process (see Table 2). Dealing with the past is an issue at the heart of Northern Ireland’s meta-conflict. In Northern Ireland, the meta-conflict is embodied by fundamentally opposing understandings of the political violence that prevailed. In one reading, the violence was an expression of the legitimate grievances of the minority nationalist population. In another reading, the violence was attributable to the criminal activities of the Irish Republican Army and the state’s proportionate response to that criminality. In a further reading, the conflict was a violent manifestation of ethnic hostility between Catholic and Protestant communities, while the British State attempted to secure peace. The contours of dealing with the past in the jurisdiction will reflect particular positions on the meta-conflict, for example, whether an internationalised process is necessary or a state-led process is sufficient. So too will women adopt different positions within the meta-conflict, depending on their prior political allegiances to community and political identity. What is clear from these alternative readings of the violence in Northern Ireland, therefore, is that women do not constitute a collective in the meta-conflict. To quote Phillips, ‘no one really expects women to secede’.¹⁰⁶ Women qua women, and gender as a political identity, are not recognised stakeholders in this meta-conflict. What is difficult to discern, therefore, is the actual or potential overlap between a locally-defined agenda to deal with the past and the ‘women’s interests’ in peace and security as institutionalised through the WPS Resolutions. Without a commitment to women’s descriptive representation per se, as a matter of both process and justice, the presumed set of ‘women’s interests’ appear easily marginalised from the meta-conflict negotiations around dealing with the past.

¹⁰⁴ Ibid 949. Out of 586 agreements, nine made provisions for gender quotas or reserved seats for women: at 959. In addition, the authors also added a ‘miscellaneous/other’ category to capture a tiny outlier set of provisions, however we found that the ‘only other references to women found in peace agreements (six) are rather random’: at 967. Namely, two cases in which women’s organisations were signatories to the agreement (Bougainville–Papua New Guinea), the conferring of citizenship rights on the male spouses of Côte d’Ivoire female citizens (Côte d’Ivoire), prioritising women for ‘safe passage’ (Israel–Palestinian Liberation Organization), commitments to build a women’s prison (Northern Ireland) and reserving ‘women’ to the central government in an agreement providing for devolution (Sri Lanka): at 967–8.

¹⁰⁵ Ibid 959.

¹⁰⁶ Phillips, *The Politics of Presence*, above n 16, 15.

Table 2: Incompatible Agendas? 'Women's Interests' in Peace and Security and the Dealing with the Past Agenda in Northern Ireland

The Dealing with the Past Agenda (Report of the Consultative Group on the Past in Northern Ireland)	The 'Different Agenda' (WPS Resolutions)
1. Prosecutions 2. Amnesty 3. Inquests 4. Public Inquiries 5. Developing lawful alternatives to prosecution 6. Recovering bodies of the disappeared 7. Tackling sectarianism; promoting reconciliation	1. Presence of women 2. Internally Displaced Persons and refugees 2. Health and psychosocial needs of sexual violence survivors 3. Protection of women (from sexual violence) 4. Subsistence needs of women carers 5. Accountability for sexual violence 6. Women in DDR programming

Both the Northern Irish experience, and the broader analysis in this article, suggest that while the WPS agenda has undoubtedly wielded power and influence over the international practice of peace and security, it has happened around a narrow (and narrowing) set of 'women's interests' in peace and security. The narrowing focus on sexual violence can, on one reading, be linked to the particular problematics of advocacy and legal reform around sexual violence, in that the issue inevitably involves complex imbrications of both power and sex, and that feminists should always be alert to the potential illiberality of increasing legal regulation — no matter how ostensibly progressive — of women's bodies. In another reading, however, the focus on sexual violence in the WPS Resolutions and practice can be read as a particularly acute manifestation of a larger problem, namely the reduction of 'women's interests' in peace and security to any predetermined set of issues (of which sexual violence appears, currently, to be the most potent).

VI CONCLUSION

When we return to my busy Belfast lecture hall, how am I to explain to my students the apparent chasm between the WPS agenda and the locally-understood agenda around dealing with the past? In Northern Ireland, at least, feminism does not 'walk the halls of power'¹⁰⁷ in official approaches to the conflict and its legacy and *Resolution 1325* does not seem to have ameliorated this lack of institutional traction of feminist ideas in the local context. The specifics of the Northern Ireland case are examined elsewhere,¹⁰⁸ but the Northern Ireland case reveals a more fundamental problem — where 'women's

¹⁰⁷ Halley, *Split Decisions*, above n 30, 21.

¹⁰⁸ See generally O'Rourke, 'Dealing with the Past in a Post-Conflict Society', above n 23.

interests' in peace and security are deemed to not be pertinent to the resolution of particular conflicts or tensions in dealing with the past, women's participation can be effectively sidelined and undermined. This local insight reveals a global challenge where women seek to either articulate a different set of interests than those that align with these presumed 'women's interests', or to contest these predetermined interests, the WPS agenda may offer little traction for women's participation in peace and security decision-making.

The very diverse nature of the critiques to emerge to date — either that the feminist emphasis on participation has led to the cooption of women's movements (and the de-radicalisation of the feminist agenda in peace and security) or, conversely, that feminist participation in the institutions and processes of international law has worked to further disempower already marginalised groups. This suggests that we are approaching the Resolution and its outworkings with very different understandings of power, participation and gains. This article has sought to contribute to this reflection on ostensible gains and losses through elucidating a more finely-grained analysis of the objectives as articulated through the WPS Resolutions, particularly as they pertain to participation.

On the whole, the findings in this article suggest that arguments for women's descriptive representation have been displaced within the WPS agenda. Moreover, arguments for substantive representation rest on a fairly limited and predetermined set of 'women's interests' in conflict and its resolution. There is nothing to suggest that it necessarily needs to be women who articulate these interests. The WPS focus on post-conflict policy design and programmatic detail seems particularly precarious in the context of a fragile state with limited capacity, where responsibility for basic service provision will most likely fall on women in any event, while an important opportunity for establishing new power maps of the state that require women's participation, in their diversity and as a matter of justice, is foregone.

What this finer-grained analysis of 'participation' as an objective in the Resolutions reveals is the very narrow space for participation that these strategies ultimately create. 'Women' are invested with a predetermined set of interests in peace and security and their participation is sought to the extent that they pertain to this predetermined set of interests. What remains, however, is very little space for contesting these interests and ultimately, little space for re-envisioning peace and security.

VII POSTSCRIPT

In the period between the submission and final revision of this article, the UNSC adopted two further Resolutions dealing with WPS. The first of these, *Resolution 2106*, was expressly motivated by the Group of Eight's April 2013 *Declaration on Preventing Sexual Violence in Conflict*¹⁰⁹ and mandates the UN and member states to take further steps to advance the prosecution of conflict-related sexual violence. Its adoption was consistent, therefore, with the further contraction of the WPS agenda to issues of sexual violence and the mandating of women's participation only to the extent that it informs this

¹⁰⁹ SC Res 2106, UN SCOR, 6984th mtg, UN Doc S/RES/2106(2013) (24 June 2013) Preamble.

narrowing agenda. Women's 'participation in all aspects of mediation, post-conflict recovery and peacebuilding' is mandated in order 'to address sexual violence in conflict'.¹¹⁰ '[W]omen, civil society, including women's organizations' are to participate because of their role 'in exerting influence over parties to armed conflict with respect to addressing sexual violence'.¹¹¹

Resolution 2122,¹¹² however, is a heartening effort to restore women's descriptive participation, as a matter of justice, to the centre of the WPS agenda. Its preamble¹¹³ refers to the *Convention on the Elimination of All Forms of Discrimination against Women* and the *Optional Protocol to the Convention*.¹¹⁴ In its operative provisions, it commits to greater attention and resources to ensuring women's leadership and participation.¹¹⁵ The Resolution 'commits to ensuring that its periodic field visits to conflict areas include interactive meetings with local women and women's organizations in the field'.¹¹⁶ This commitment is not linked to any specific agenda item or issue. Further, the Resolution

[r]ecognizes the continuing need to increase women's participation and the consideration of gender-related issues in all discussions pertinent to the prevention and resolution of armed conflict, the maintenance of peace and security, and post-conflict peacebuilding.¹¹⁷

The endorsement throughout of women's descriptive participation, as a matter of justice, signals an institutional awareness of some of the issues highlighted in this article about the displacement of women's descriptive participation from the WPS agenda. Whether *Resolution 2122* can, in and of itself, begin to counter the profound implementing logic and infrastructure of the identified set of 'women's interests' in WPS remains a live question.

¹¹⁰ Ibid para 5.

¹¹¹ Ibid para 11.

¹¹² SC Res 2122, UN SCOR, 7044th mtg, UN Doc S/RES/2122(2013) (18 October 2013) ('*Resolution 2122*').

¹¹³ Ibid Preamble.

¹¹⁴ *Convention on the Elimination of All Forms of Discrimination against Women*, opened for signature 18 December 1979, 1249 UNTS 13 (entered into force 3 September 1981); *Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women*, opened for signature 10 December 1999, 2131 UNTS 83 (entered into force 22 December 2000).

¹¹⁵ *Resolution 2122*, UN Doc S/RES/2122, para 1.

¹¹⁶ Ibid para 6 (emphasis altered).

¹¹⁷ Ibid para 7 (emphasis altered).

Appendix I: Participation in the WPS Resolutions

WPS	Representation	Deliberation	Inclusion	Expertise	Role Models
1325	Preamble, stressing the need to increase the role of women in decision-making in conflict prevention and resolution; para 8(b), calling on parties to 'involve women in all of the implementation mechanisms' of the peace agreements.	Paragraph 8(b), calling on parties to adopt measures that support local women's peace initiatives; para 15, encouraging UN Security Council missions to consult with local and international women's groups.	Paragraph 6, in HIV/AIDs programming in training for civilian police personnel; para 8(a), in repatriation, resettlement, reintegration and post-conflict reconstruction programming; para 8(c), in states' constitution, electoral system, police, judiciary; para 10, in gender based violence programmes; para 11, exclude gender crimes from amnesty provisions; para 12, in designing refugee camps and settlements; para 13, in DDR programming for women.	Preamble includes specialised training for peacekeepers; para 5, field operations to include a gender component; para 7, Member States to fund gender-sensitive training efforts.	Paragraph 3, Secretary General to appoint more women as Special Representatives and envoys.
1820	Preamble, stressing the importance of equal participation in decision-making in conflict prevention and resolution; para 12, encouraging full and equal participation of women in decision-making on peace and security.	Paragraph 10, consult with women's organisations to develop effective mechanisms to prevent sexual violence (in Internally Displaced Persons camps, DDR programmes, justice and security sector reforms); para 11, ensuring consultation and presence of women's civil society in the work of the Peacebuilding Commission.	Paragraph 3, in protecting civilians against sexual violence, evacuating women under threat of sexual violence; para 4, in exclusion of sexual violence crimes from amnesty; para 6, in training to improve women's inclusion in peacekeeping and humanitarian operations; para 7 (and 8), similarly, to prevent sexual exploitation by peacekeeping missions; para 15, requesting reporting on UN programming to prevent and respond to sexual violence.	Preamble, welcoming the United Nations Action against Sexual Violence in Conflict initiative; para 13, urging the UN to assist state institutions to respond to sexual violence; para 15, requesting reporting on UN expertise.	

WPS	Representation	Deliberation	Inclusion	Expertise	Role Models
1888	<p>Preamble notes with concern the underrepresentation of women in formal peace processes; para 16, urging the Secretary General to increase representation of women in decision-making processes with regard to conflict-resolution and peacebuilding.</p>	<p>Paragraph 14, organising to hold interactive meetings with local women's organisations to learn about the needs and concerns of local women (with respect to sexual violence).</p>	<p>Preamble, on the need to include sexual violence perpetrators in those brought to justice; Preamble, recognising that including women in peacekeeping missions and policing functions make women and children more comfortable reporting abuse; para 3, asking armed groups to protect civilians, especially regarding sexual violence, and lustrate those implicated in such offences; para 6, urging states to undertake legal and judicial reforms to bring perpetrators to justice; para 7, urging sexual violence to be investigated and punished; para 10, in adopting targeted sanction for armed conflict to include special measures on sexual violence; para 13, to increase access to health care, psychosocial support, legal assistance and socio-economic reintegration for sexual violence victims; para 17, calling for sexual violence to be included in all UN-sponsored peace talks negotiation agendas.</p>	<p>Preamble, noting the role of the Office of the Special Adviser on Gender Issues in promoting gender mainstreaming; para 4, asking the UN to appoint a special representative on the issue; para 8 (a and b), calling upon the Secretary General to identify and deploy team of experts to situations of sexual violence in armed conflict, working closely with domestic institutions, and identifying gaps in national response/capacity; para 9 is the same, encouraging the strengthening of national justice institutions; para 12, including women's protection advisers; para 20, requesting technical support for troop and police contributing countries, to provide guidance to prevent sexual violence; para 22, requesting resources to strengthen national gender expertise; para 23, urging joint UN-Government strategies to prevent sexual violence; para 26, requesting the Secretary General to advise on monitoring and reporting for the resolutions.</p>	<p>Preamble, noting the lack of women as mediators and ceasefire monitors and lack of women as chief or lead peace negotiators in UN-sponsored talks; para 16, urging the Secretary General to increase representation of women in mediation processes.</p>

WPS	Representation	Deliberation	Inclusion	Expertise	Role Models
1889	<p>Preamble, calling for full and equal participation in peace processes; Preamble, calling for women's empowerment in peacebuilding; para 1, calling on member states to improve women's representation in peace processes; para 6, calling on the UN to record and respond to particular needs of women and girls in post conflict situations, including participation in decision-making; para 14, encourages mobilisation of resources to ensure full participation of women in post conflict situations; para 15, highlighting the need to improve participation of women from earliest stages of peacebuilding.</p>	<p>Paragraph 1, urging support for women's organisations; para 10, encouraging consultation with women's organisations to design concrete strategies to respond to women's needs, including physical insecurity, socio-economic needs, health and reproductive needs, access to justice, as well as capacity to engage public decision-making.</p>	<p>Paragraph 3, emphasising the need to ensure violations of international law against women and girls in armed conflict included in accountability initiatives; para 5, requesting all Secretary General country reports to include documented violations against women and girls; para 6, requesting the UN to record and respond to particular needs of women and girls in post conflict situations, including in participation in decision-making; para 9, urging states to include women's empowerment considerations in funding disbursements; para 11, urging equal access to education; para 12, calling upon armed actors to respect refugee camps to ensure protection of women and girls; para 13, calling upon DDR planning to include needs of women and girls; para 17, requesting a set of indicators for tracking implementation of <i>Resolution 1325</i>.</p>	<p>Paragraph 7, requesting the Secretary General to continue to appoint gender advisers and women-protection advisers.</p>	<p>Preamble, expressing concern about the low numbers of women in formal roles in mediation processes; Preamble, welcoming the UN position to appoint more women to senior UN positions; para 4, calling upon the Secretary General to adopt a strategy to increase the number of his representatives as women.</p>

WPS	Representation	Deliberation	Inclusion	Expertise	Role Models
1960	<p>Preamble, recognising and encouraging the efforts of the Secretary General to address women's underrepresentation in formal peace processes.</p>	<p>Paragraph 8, encouraging the Secretary General to engage with women's groups to enhance data collection and analysis of sexual violence patterns.</p>	<p>Preamble, reaffirming the importance of states in increasing access to healthcare, psychosocial support, legal assistance and economic reintegration for victims of sexual violence; Preamble, welcoming activity to improve peacekeeping missions' prevention and response to sexual violence; para 3, with the Secretary General reports to include documentation of parties responsible for sexual violence; para 5, calling upon parties to conflict to include prohibition of sexual violence in Codes of Conduct, military field manuals or equivalents; para 7, reiterating intention for UN Security Council Sanctions Committees to review information about sexual violence; para 13, expressing an intention to consider sexual violence in mandate authorisations and renewals; para 15, encouraging Member States to deploy more female military and police personnel in peacekeeping operations.</p>	<p>Preamble, welcoming the team of experts on sexual violence and rule of law; Preamble, recognising and encouraging the efforts of the Secretary General to address the lack of mediators and ceasefire monitors with proper training in dealing with sexual violence; para 10, welcoming the work of gender advisers and looking forward to the appointment of more women protection advisers; para 13, requesting the Secretary General to include gender expertise in technical assessment missions.</p>	<p>Preamble, expressing an intention to address the lack of women as Chief or Lead Peace Negotiators.</p>