Women and Peace: A Case Study of Nepal

THESIS

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Conclusion

The common narrative of wars have been about women being victims in wars. In this research we go beyond this narrative to figureout if women have been instrumental in bringing about peace. The central problem addressed in this thesis is the problem of'victimhood' of women in conflict situations and the importance of 'agency hood' of women to not only protect their lives during conflict and post-conflict situations but also bring about qualitative change in societal arrangements in post conflict situations. In the present thesis we analyze the Women Peace and Security regime (WPS), around which the entire women and conflict issue revolves and is the pillar of women's participation in peace processes. For this purpose, we examined the case of Nepal.Having undergone a full ten year of internal war, Napalese women participated in the war as combatants, but also as peace makers. In their later role they had substantial support of the International players.

The WPS agenda of today is the product of more than a century of international women's peace activism. A worldwide women's civil society movement for peace first emerged in the protest of widespread destruction of First World War, and evolved due to women's organization at local and national levels.First time in history, pacifist women from around the world met at the International Congress of Women in The Hague (1915), and established Women's International League for Peace and Freedom (WILPF), that remainedactive as a leader in the movement for women, peace and security today. The experience gained by women's organizations

before the World War I provided a base to build the women's peace movement in the post war years.

During the entire World War II, the international women's peace movement campaigned for an end to conflict and for international disarmament. The impact of these women's movements was that, after the establishment of the UN, the Commission on the Status of Women (CSW) was established in 1946 for gender equality and the advancement of women. Women's civil society also plays an active role in moving the WPS agenda forward. During the Cold War period, civil society focused its attention toward the advancement of international Human Rights standards, and the adoption of treaties and conventions for the protection of the gender equality. The leading convention of these efforts are the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979. Though the Convention did not directly address women's rights inarmed conflict,it emphasized the importance of women's participation and leadership in all spheres, which is a basic concept of the WPS agenda. Due to immense civil society activism, the CEDAW committee adopted general recommendations to eliminate discrimination against women in conflict-affected situation [1] .The Fourth World Conference on Women,at Beijing in 1995, marked another important step towards women, peace and security. At Beijing, women's civil society played an important role to shape the Beijing Platform for Action, which accepted 'women in armed conflict' as one of critical areas and recognized increase in the participation of women in conflict resolution. It recognize women's contributions to peace and security. The world events unfolded atrocities committed against women during the crises in

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[1] https://www.unwomen.org/en/digital-library/publications/2015/8/guidebook-cedawgeneralrecommendation30-womenpeacesecurity

eastern Europe, that progressively lead to the formulation and adoption of the much celebrated Security Council resolution number 1325. UNSCR1325 became the benchmark resolution of subsequent resolutions that underscored the need for implementing the WPS and was one of the crowning achievements of the global women's movement and women's civil society activism.

This international interest gained support and momentum from the Feminist theoretical and methodological approaches within mainstream international relations theory. Feminist theoretical research has been successful in providing awareness into the critical significance of incorporating women's issues, terms and concepts in peace and security arrangements. For example, if we see 'peace' simply as the absence of violent conflict, this ignores the fact that there might not even be peace for women if their security and rights have not been an integral part of the process. Feminist research helped us to identify overlooked concerns about women. Feminist International Relations has identified 'male streams' International Relations theory as one of the discourses that portrays distorted and partial world view that reflects unequal power of control and influence that men hold on the lives of women and children. This discourse is more about how power works rather than power in abstract terms as the 'realists' intend us to understand. Feminist Peace and Conflict theory reveals how women and their identities, practices and institutions associated with femininity are rendered invisible by IR due to masculine hegemony of discipline.

Initially feminism enters into IR realm as a critique of ontology of discipline and demanded ontological reforms. Enloe's (1983; 1989; 1993; 2000) and Tickner's (1988; 1992; 2001) works are widely seen as having cleared the ground for the feminist critique of IR. Cynthia Enloe focused on core international issues of war, security and militarism and raises the question 'where are the women in international

relations'? Enloe provided comprehensive evidence for the ontological revisionism required of mainstream international relation. Tickner makes strong epistemological and ontological claims that form the women's point of view in international politics. Tickner criticizes six principles of Morgenthau's political realism. Tickner says that war is a cultural construction that depends on myths of protection of vulnerable people (Women and children), but the evidences of war show that women are severely affected by conflict, which disprove the protection myth. In other words, we can say that national security translated into social insecurity of women. Elshtain focuses on the ways in which war's "productive destructiveness" inscribes and rein scribes men's and women's identities and thus the boundaries ofcommunity. Anne Sisson Runyan and V. Spike Peterson discuss why 'gendered lens' is important for understanding the changing nature of world politics and global security in which gender issues are absent from national and international policymaking. Betty Reardon (2014) reveals the relationship between patriarchy and war system. The writings of Miller (1986), Ruddick (1989), Gilligan (1982)and Boulding (1988, 1989) marked an important step toward a recognition among scholars that women's cultural, moral, and psychological 'ways of being' are different from those of men and, in many ways superior. Some feminists argue how feminine virtue or trait has been used in building peace and harmony during conflict and post–conflict period. For example, Sara Ruddick used 'maternal standpoint' (basis of judgment) to judge war and to recruit mothers and maternal thinking to a politics of peace. She argues that care and relation-based thinking is a necessary condition for peaceful society and if menwould take active roles in care taking, less aggression-based decisions would be made. Peace educationists such as Elise Boulding (1988a, 1989a, 1992a, 1999, 2000a) and Brock-Utne (1989) also made ground-breaking contributions in the study of women's roles

in international development and peacemaking.Peace educationist views are based on the women's possibilities to influence the socialization of the young generation towards peace building. Brock-Utne argues that through the socialization process, women and girls are being better educated for peace than boys and the whole world will not be benefitted by the peacemaking capacity of women, if women, are oppressed and can not participate in peace building. Boulding saw peace building in the family, as the foundation for peace building in the world. Women have multiple roles as 'breeding, feeding' and productive labour, which are mostly 'out of sight and mind,' and these multiple roles have helped to provide women with the skills that are necessary to build peace and to envision healthy futures.[2] Much of the literature stating the rationale behind advocating women's substantive participation in decision-making, is known as critical mass theory (Drude Dahlerup; 1988, Drude Dahlerup & Lenita Freidenvall; 2005, Rosabeth Moss Kanter; 1977, Karen Beckwith; 2007, Sarah Childs & Mona Lena Krook; 2008, Pamela E. Oliver & Gerald Marwell; 2001). This critical mass theory attributes the success of women's peace efforts to the critical mass that women need to have in any arrangemnet. They pin their hopes on women's representation in all decision making bodies of conflict resolution and peace process. Therefore, the whole feminist peace theoretical works expatiate upon not only the narrative of women as victims of war but also on women contributing to the peace processes. They portray that women's traits or femininity is not her weakness, rather it is her strength to resolve conflicts and influences women activists towards the establishment of WPS agenda.

So far the Security Council has adopted nine resolutions addressing the problematic. They are, 1325 (2000), 1820 (2009), 1888 (2009), 1889 (2009), 1960

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[2] Boulding, E. (1992a). The Underside of History: A View of Women Through Time (Vols. 1-2). Newbury Park, CA: Sage.

(2010), 2106 (2013), 2122 (2013), 2242 (2015) and 2467 (2019). They all emphasise upon one or the other aspect that relates to women and peace issues. This has generated a voluminous literature on WPS that lends strength to the cause of women in peace processes. In practice it was discovered that women comprised a very low proportion of negotiators in peace processes, yet this percentage   is significant in comparison to the condition before the adoption of UNSCR 1325 in the year 2000. Moreover it has certainly helped women's informal participation. Women's informal participation in peace processes is more visible and successful than formal participation. We have examples of peace processes where women's role has been very critical to convert peace processes into peace agreement such as in Liberia, Democratic Republic of Congo, Kenya, Afghanistan, Myanmar, Syria, Yemen.

An anaysis of text of peace agreements revealed that UNSCR 1325 did impact drafting the peace agreements. A careful scanning of all 300 Peace Agreements, signed between 2000 and 2008, it was exposed that only 18 (6%) peace agreements mention sexual gender based violence. Many peace accords include general equality clause, and just a few peace agreements mention quotas as a measure to include women in decision-making. On the other side of the picture, there is slight increase in women referenced peace agreements in post 1325 era. According to a comprehensive study conducted by Christine Bell and O' Rourke (2010) for the period during 1990-2010, only 92 (16%) out of 585 peace agreements contain specific references to women, in which 42 (11%) out of 92 peace agreements contain specific references to women before 1325 and 50 peace agreements (27%) contain specific references to women after 1325. Qualitatively, these agreements touch the issues raised by 1325 but unsystematically. In 2006, report of Secretary–General *In-depth study on all forms of violence against women,* pointed out conflict affected countries such as Congo,

Liberia, Rwanda, Uganda, Sierra Leone, Darfur, former Yugoslavia, where sexual violence occured. This report emphasizes the urgency of establishing more effective prevention measures and remedial services.

All these situations pressurize Security Council to adopt new resolution regarding WPS agenda to end sexual violence in conflict situation. Therefore, UN Security Council adopted 1820 resolution in the year 2008 and subsequent resolutions to deal with sexual violence. Wars are still being fought against on and over the bodies of women. Besides humiliation of the opponent they are also aimed at to controlling their production and reproduction capacity by force. This was proved by the available data on numbers of cases of sexual violence that occurred in recent years. Some terrorist groups, such as Islamic State and Levant (ISIL/Da'esh) in Iraq and Boko Haram in Nigeria are using sexual violence as a tactic of terrorism to achieve their ideological and strategic objectives. These terrorist groups use sexual violence for many reasons such as, through trafficking or sale women and girls they get funds for terrorist organization, sometimes they use sexual violence as recruitment tool to attract fighters, for doing this they use modern information technology to sell women and girls online, they use sexual violence to terrorize and displace minority groups. Thus, 1820 resolution may be successful in accessing resources to the victim of sexual violence but it has not been successful in preventing sexual violence in conflict-zone.

The ongoing peace keeping mission mandate has also been examined here, to see how they included WPS issues. Some of the UN peacekeeping mandate that were established prior to 1325, do not mention WPS, for example UNIFIL in Lebanon, UNFICYP in Cyprus, UNDOF in Middle East, MINURSO in Western Sahara, UNMIK in Kosovo have no mention or awareness of WPS. These missions were

renewed after the adoption of 1325 but still did not include WPS mandate. After 1325, most of the UN peacekeeping missions included WPS mandate. A large number of women are deployed in peacekeeping troops. From 1950 to till now (2018) total number of women peacekeepers were 7682 in which 4059 were uniformed and 3623 were civilian[3] but the challenge is women are reluctant to join peacekeeping troops because of fear of sexual harassment or gender discrimination. The sexual exploitation and abuses (SEA) have decreased from 2007 to 2013 in military and police peacekeeper groups, but on the other side, after adoption of UNSCR 1820 in 2008, every year ongoing reported military offences show that sexual exploitation is continuing in peace keeping missions.

The case of Nepal is unique in a sense that the civil war that broke out in Nepal in 1996 and lasted till 2006, there was a very strong involvement of women at each stage. Ranging from female combatants to women leaders in the 'Peoples war' there were issues that were extremely pertinent for women. The civil war in Nepal entailed thousands of casualties. The economic repercussions of the war weakened the country's social structure as households and communities struggled to survive. Economic Grievances such as poverty and continual economic deprivation created an atmosphere for conflict. Caste discrimination, oppression of ethnic group, feeling of powerlessness and inferiority in ethnic groups too were strong causes of conflict. In Nepal, 'lower castes' such as Dalits, Madhesis, Newaris, Tibeto-Burman etc. did not get proper representation in political and decision-making bodies. Nepali government also failed to maintain a uniform development of all regions. All these circumstances created the background for the genesis of armed conflict. On the one hand by fear of being forcibly recruited by the Maoists, men and even young boys were sent out of

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[3] http://www.peacekeeping.un.org

Nepal to safer places like India, and women remained athome to bear the brunt of war. Forced recruitment also resulted in women being recruited by the armed outfit. Consequently women started getting recruited also in Nepalese police and also armed forces.

Thus on the one hand violent conflict victimised women, but also opened spaces for women's agency hood, in war as well as peace. In the case of Nepal, the struggle of women for space in the restructuring of Nepal has been partly generated by the support that was extended to them by the international community in various ways, and also by the readiness of the state and the civil society of accepting this opportunity. Not only did Nepal accept the UN Security Council Resolutions concerning Women Peace and Security, but also related National action plans too were brought promptly in place. Subsequently, the global international pressure and support in terms of monetary and human resources propelled women's participation in the post conflict peace processes.

To make peace process successful qualitative engagement of women in process of peace process is essential. Peace process is being part of political process;women's engagement in broader political process can only ensure women's representation in peace process.

In the words of Meena Malla[4] 'It may be inappropriate to argue that women's role alone brings peace and stability. However meaningful substantial and influential participation in peace process can definitely contribute to achieving it. Women are

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[4] Professor of Political Science at Tribhuwan University.

half of the population of the nation and, therefore half of the solution of the country comes from their side'[5].

Women suffer in war today not because of an absence of law, but because of the lack of implementation of the same or respect for, existing laws.

The central problem addressed in this thesis is the problem of victimhood of women in conflict situation and the importance of agencyhood of women to protect their life during conflict and post-conflict situation. In conclusion, we can say that women bear a major burden of war during conflicts. Before 1325 resolution, there are many international laws, conventions such as ICCPR,[6] ICESC,[7] Hague Convention (1899 & 1907), Four Geneva Convention adopted in 1949 and two additional protocols 1977 which recognize the problem of women in armed conflict, but all these laws considered women as victims not as peace builders. 1325 resolution is the first resolution that recognizes the importance of the participation of women in peace process. Women suffer in wars today not because of the absence of law, but because of the lack of implementation of the same or respect for existing laws. It depends on how the countriesinvolved in armed conflict, implement 1325 and how they build working NAP for the implementation of resolution.

These efforts made by major global powersto diminish violence against women in war and then in peace processes though significant are not sufficient to eliminate the marginalization of these women in peace processes.

UNSCR 1325 made a significant progress in terms of womens participation in peace process in 18 years of adoption of resolution but still women are marginalised

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[5] Based on personal interaction in Kathmandu on 14th September 2019, at Tribhuvan University, Kathmandu.
[6] International Covenant on Civil and Political Rights
[7] International Covenant on Economic, Social and Cultural Rights

in formal peace processes for example in Afghanistan, Syria, Yeman, Myanmar etc. As far as sexual violence in armed conflict shows that after the adoption of 1820 and subsequent resolution, sexual violence has not yet been completely eliminated. Some terrorist groups such as Islamic State and Levant (ISIL/Da'esh) in Iraq and Boko Haram in Nigeria use sexual violence as a tactic of terrorism to achieve their ideological and strategic objectives. Many cases of sexual violence against women documented in Afghanistan, Central African Republic, Democratic Republic of the Congo, Iraq, Mali, Somalia, South Sudan, Darfur and Mayanmar. Therefore, the efforts made by major global powersto diminish violence against women in war and then in peace processes though significant are not sufficient to eliminate the marginalization of women in peace processes.

Nepalese women successfully participated in post-conflict peace process because Nepal implemented 1325 resolution and appealed to the UN for an observer mission and also opened its gates for donor agencies.

Although women were involved in bringing the Maoist and the Nepali Government to the peace table in 2006, they were absent from the peace talks. Like El Salvador, Bosnia, Combodia, Sri Lanka and others, in Nepal also there were trying to push back women into household work in the aftermath of conflict in Nepal, but women in Nepal refused to be silenced. Instead they raised their voices, mobilized, rallied in the streets and demanded what they perceived as their right such as representation in peace process and decision making at large. Women not only raised their voices, but advocated sucssesfully for several policy changes during Nepal's post-conflict transition. Because of women's collective efforts, a legal provision ensuring 33% female representation in Constituent Assembly was included in Nepal's Interim Constitution. The participation of Nepalese women for the restoration of the

democracy is a milestone in the history of popular mass movements. Since 1990 and the beginning of democracy, there has been an exponential growth in the forms and types of activities undertaken for the women of Nepal by state and non-state players. Consequently, the first decade (1990-2000) of democracy appears to have been beneficial for women. However, the participation ofwomen in the politics remained negligible. Even the Constitutional provisions for integrating women into the various levels of the political power structure failed to increase women's participation.

The Maoist movement provided opportunities for women to raise theirissues. Initially, it attracted mostly the poor peasant women and the women from oppressed ethnic and indigenous groups. The ideological desire of themovement is expanding the rights base of the poor and the marginal, including women. The movement attracted women from different groups through their focused campaign on the issues of banning alcohol production and consumption, discouraging gambling, something that many women have been pleased about. Women are also attracted because of the political space provided in the Maoist cadre as never before in the history. Nepali women have participated in politics through this insurgency as never before in the history of the country. On the other side there are also narratives of women who are the victims of gendered forms of violence such as rape and sexual slavery Rape and sexual assaults have been used by security personal as a tool of revenge and harassment.

The participation of women changed the whole mould of how women in Nepal were perceived in public life. Nepal appealed to the UN for an observer mission (UNMIN) and also opened its gates for donor agencies and international support enhances the operational capacity of women's organizations in Nepal.

Nepal has benefited from 1325 resolution and through greater participation of women in peace process; Nepalese women get new dimensions of life during conflict and post-conflict situation. Therefore, a lesson must be learned from the case of Nepal to those countries that undermine the potential of women in peace building. The narrative of WPS has been a very strong chronicle of our times. Ideally there should be no violent conflicts and societies should be just and equitable. However that ideal is still a far cry. Since violent conflicts continue to occur, the involvement of women in peace processes is a substantially significant option that should be exercises for establishing a just and peaceful post conflict society.

As has been well said by Professor Meena Malla, 'The real victory of peace is where no one is defeated. But this situation has not come yet in Nepal. Women are continuing to find their justful place in the post conflict society of Nepal. They still are struggling for their human rights....women's issues are still looked upon as welfare issues. It is still seen through the welfare approach. Welfare approach means that women are weak, so they are being given rights, but once we have rights based approach, so women's rights are not a matter of charity. That concept is gradually taking place in Nepal'.[8]

Women and Peace issues have clearly come to occupy a significant place in the realm of Women's Studies as well as in International Relations. Since violent conflicts have rampantly been occurring within the forewalls of societies and states, the impact they have on women can never be overstated. The best way to mitigate the adverse effects of such violent occurances is to involve women in post conflict arrangements. Nepal has been a flashpoint in this unfolding.

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[8] Based on personal interview on 14th September, at Tribhuvan University.