

Women and armed conflicts¹

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Note

As we read, eleven years on, our 2004 paper "Women and armed conflict", we were struck by its continued relevance. This is why we thought it was still worth publishing. Nothing has changed except numbers, years or places where atrocities were endlessly happening. Nothing has changed in principle, or, more exactly, there has been no principled improvement on that front. This is no exaggeration. The same pattern goes on and on.

If the issue of sex is, as we believe, at the heart of every other form of inequality, then the sequence in the analysis of events needs to be reversed: it is not the national liberation struggle (let us take that example), aiming at creating a new national state, that is primary, that has democratic prospects and would therefore liberate women as well as nations/peoples and nationalities. It is on the contrary women/feminists who could and should do something about the "national" and "race" matter. The women's and the feminist struggle must act upstream (in time and structurally) of the building and deconstructing nations and states because the gender struggle has the potential to *shape and define* the national-liberation and the racial disposition in *trans-national, trans-ethnic* and secular terms (and because it is the one that has the possibility to lead and redirect the national liberation and state building, regardless of what one thinks or wants to do with these). The feminist struggle is the one that has the prospect to *create a broader space of equality for all*². In the words of a contemporary Kurdish woman theorist who,

¹ The present paper, hitherto unpublished (except for the first section, "Update 2015", and the last one, "The usefulness and exemplarity of a women's court" which are new), was written in 2004 as a background paper for the UNRISD (UN Research Institute for Social Development) as "Policy Issues in Post-Conflict Transformation and Reconstruction" for the multi-authored project Armed Conflict, Violence and Social Change, [http://www.unrisd.org/unrisd/website/newsview.nsf/\(httpNews\)/34A3D248CC332E57C1256E9E0051D133?OpenDocument](http://www.unrisd.org/unrisd/website/newsview.nsf/(httpNews)/34A3D248CC332E57C1256E9E0051D133?OpenDocument). It has been updated 2015 for this journal. We thank Urvashi Butalia, editor of the Report, and UNRISD, for the occasion they gave us for this piece of research. It was mentioned in section 4 of the same, p. 261: http://hdrnet.org/550/5/section4_conclusions.pdf (accessed on October 12, 2015). The project for which we wrote a background paper was published as part of a broader "10 Years after the Beijing conference on women", a project titled "Gender Equality: Striving for Justice in an Unequal World" as Chapters 13 (The impacts of conflict on women) and 14 (After conflict: Women, peace building and development) in Section 4 as *Gender, armed conflict and the search for peace* [http://www.unrisd.org/80256B3C005BCCF9/\(httpPublications\)/1FF4AC64C1894EAAC1256FA3005E7201?OpenDocument](http://www.unrisd.org/80256B3C005BCCF9/(httpPublications)/1FF4AC64C1894EAAC1256FA3005E7201?OpenDocument). We decided to publish it here (2015) because we think that whatever was found by us on the topic 11 years ago, is still valid. We updated the paper minimally in footnotes 1, 2 and 10-13, and by adding a brief introductory and conclusive section. We also updated the Internet links that had meanwhile changed. Please refer to the note at the end of this paper. We thank UNRISD for the opportunity of doing this research.

² We have been receiving recently (2014-15) news about such a struggle, from an otherwise difficult situation in the trans-statal Kurdistan in the area of Rojava, in the middle of the resistance to ISIS (the self-proclaimed group "Islamic State in Iraq and Syria") as well as to the Syrian and Iraqi regimes, in circumstances where Turkey does not encourage the Kurds in state-building but has groomed a section of Turkish Kurds for nonviolence through arrangements with their imprisoned leader, while the USA has other calculations in the name of "help", and the whole region is on fire due to decades long and also recent western irresponsibility. This Kurdish liberation struggle in which women and feminist politics are prominent has prospects to parallelly be a revolution too. Of course, if it maintains itself against ISIS. For the map of that area, see: <https://twitter.com/occupiedtaksim/status/512266381358669824>; for an overview of fights in Rojava, see: <http://www.theguardian.com/commentisfree/2014/oct/08/why-world-ignoring-revolutionary-kurds-syria-isis>; for women's approach to that civil war, see Dilar Dilik, "What kind of Kurdistan for women?", <http://links.org.au/node/4109>; Necla Acik, "Kobane: the struggle of Kurdish women against Islamic State", <https://www.opendemocracy.net/arab-awakening/necla-acik/kobane-struggle-of-kurdish-women-against-islamic-state>; Meredith Tax, "The Revolution in Rojava", *Dissent*, 22 April 2015, https://www.dissentmagazine.org/online_articles/the-revolution-in-rojava; see information about Kurdish women's resistance on Meredith Tax's web-page: <http://www.meredithtax.org/taxonomyblog/how-help-rojava-links> and in her newbook *A ROAD UNFORESEEN: WOMEN FIGHT THE ISLAMIC STATE* expected in July 2015 at the

based on the experience of the leading Kurdish women's guerrilla group in national resistance, also advocates a feminist epistemological revolution – women should create a space of social sciences “that puts women and society in the centre.”³ It would be a beginning. No nation is built without the decisive contribution of gender, and no nation or state is dismantled without this being done, again, through manipulating gender.

New large-scale and mass violence against women worldwide, such as *femicide* in Mexico or mass *womenhunt* by the retrograde Islamist group Boko Haram⁴ in Nigeria - spreading throughout several African countries south of the Sahara, strike a sinister note as regards social relations between the sexes in many parts of the world. This should be a warning sign when we find ourselves drawing unfounded optimistic conclusions prematurely.

Bringing sex/gender into focus where it belongs in the process of untying the knot, in unsettled societies such as those in the Yugoslav Balkans and beyond, would represent in itself a considerable progress in thinking and in analysis.

There has been some progress in the public sphere however, though insufficient. The war in Bosnia-Herzegovina brought the topic of rape as a war-weapon to the fore, which includes the definition of rape by the UN as a weapon and tactics of war. Several UN resolutions deal with this, as a result of the evidence from the Yugoslav wars and war crimes against women elsewhere⁵. The same phenomenon was identified in Rwanda and elsewhere. Impunity concerning rape and killings of women is not always tolerated any more, and mass-movements, this time including men, have occurred, for example in India after the hideous gang-rape case and murder of the student Jyoti Singh Pandey in 2012, and frequent subsequent cases now increasingly publicised and publicly denounced, in spite of the general patriarchal tendency to blame rape on the victim.

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Bellevue literary Review ; again, in October 2015, we see more and more girls take part in, the new *intifada* in Palestine. See Gönül Kaya, “Why jineology... ?”, <http://www.kurdishquestion.com/index.php/kurdistan/north-kurdistan/why-jineology/533-why-jineology.html> (accessed on October 12, 2015).

³ Gönül Kaya, “Why jineology ?”, *op. cit.*, p. 5.

⁴ Whose name, according to Wikipedia, supposedly means “Western education is forbidden.” The kidnapping of around 300 schoolgirls in April 2014 (but such kidnappings are by no means new) and, in addition to it, the kidnapping of another couple of hundreds of women and girls in their other hunts, remains with little and lesser echo in world media, probably because there is no alternative western rescue scenario involved here, as the USA scenario of “rescuing” Afghan women from Afghan men, the Taliban, once was.

⁵ See the Security Council Resolution no.1325, from 2000, about which Wikipedia has the following: “after recalling resolutions 1261 (1999), 1265 (1999), 1296 (2000), and 1314 (2000). The resolution on women, peace and security acknowledges the disproportionate and unique impact of armed conflict on women and girls. (...) It was also the first United Nations resolution to specifically mention women. The resolution has since become an organizing framework for the women, peace and security agenda, which focuses on advancing the components of resolution 1325.” (https://en.wikipedia.org/wiki/United_Nations_Security_Council_Resolution_1325) Then in 2008, comes the Resolution no. 1820: Resolution 1820 (2008) on Women and peace and security. At the United Nations Human Rights Office of the High Commissioner, we can read the following: “In the resolution, passed 19 June, the Security Council noted that “women and girls are particularly targeted by the use of sexual violence, including as a tactic of war to humiliate, dominate, instil fear in, disperse and/or forcibly relocate civilian members of a community or ethnic group.” The resolution demanded the “immediate and complete cessation by all parties to armed conflict of all acts of sexual violence against civilians.” (...) While women's rights groups and others working to end sexual violence are under no illusions that the resolution is a panacea, most agree that it is a much-needed step in the right direction. (...) Indeed, the resolution stresses the need for “the exclusion of sexual violence crimes from amnesty provisions in the context of conflict resolution processes,” calls upon member states to comply with their obligations to prosecute those responsible for such crimes, and emphasizes “the importance of ending impunity for such acts.” (...)

In the 20th century, perceptions of rape in war have moved from something that is inevitable when men are deprived of female companionship for prolonged periods to an actual tactic in conflict.” (<http://www.ohchr.org/en/newsevents/pages/rapeweaponwar.aspx>)

Women and Armed Conflict

Armed conflicts, as an extreme form of violence represent the denial of basic human rights on a mass scale. The right to life itself is put into jeopardy. Women are affected in specific ways: as victims of rape (the latter being increasingly used as a war tactic); as sole caretakers and breadwinners of their families and households, as refugees and displaced persons, as widows and orphans, survivors and mourners in a devastated environment, as bearers of heavy and long lasting post-war physical and psychological traumas.

The purpose of this essay is to address, in a gendered perspective, the consequences of armed conflicts as well as women's participation in formal and informal peace processes and activities related to post-conflict transition. We shall explore the relationship between armed conflicts and other forms of violence, especially gender-based. We shall also focus on peace and the specific qualities it should encompass from women's perspective

Rape and sexual violence during war are not new phenomena, but the scale at which they have been practiced in some recent conflicts have shocked the imagination and triggered the attention of both activists and researchers. In recent years, mass rape in war has been documented in Bosnia, Rwanda, Cambodia, Liberia, Peru, Somalia, Uganda and many other places. A number of studies were carried out that went beyond the mere description of such occurrences and analysed the profound relationship between sexual violence and the role assigned to women and their bodies as symbolic "depositories of national and ethnic 'purity'". Thus, it has been emphasized that sexual aggressions against the "enemy's women" were often perpetrated and perceived not as individual acts of violence, but as a deep symbolic blow upon the honour of (male) enemy combatants. In some recent conflicts, in particular, such as those in Rwanda and former Yugoslavia, rape has been used as a specific tactic and weapon of war. Soldiers and militia members were encouraged to commit rape by instigations such as "this is what will make a man out of you". Refusal to commit rape was seen as a lack of masculinity and manly aggressiveness, almost as if women incarnated in their bodies the border of the enemy's territory. Impunity with regard to rape was fully guaranteed. On the other hand, the awareness that such practices caused broad international indignation led to the manipulation for political purposes of the rape discourse itself. Thus, the fact that rape was highlighted as a "crime of honour" and an act against the whole community often led to the overshadowing of its most blatant aspect as a cruel physical and moral pain inflicted upon the victim herself. Thus, beyond the act of rape itself, the political manipulation of the victim's trauma became a new manifestation of violence against women during modern wartime.

In the light of these findings, we might also put forward the hypothesis that the increased incidence of sexual violence in war is partly related to the character of recent conflicts as corollaries of assertive identitarian and ethnocentric movements that are emerging on the ruins of expectations left unfulfilled by three earlier models of the state: the socialist state in the East, the welfare state in the West and the post-colonial state in the so called Third World.

These identitarian revivalist movements and armed conflicts triggered by them are among the main factors (others being poverty, the lack of resources, natural disasters) that fed during the decade of the nineties unprecedented movements of refugees and displaced persons worldwide, the majority of the latter being women and children. According to UNHCR statistics, at the start of 2003 the number of refugees and displaced persons under its concern amounted to 20.6 million, roughly one out of every 300 persons in the world. These figures are not all-inclusive. There are estimates that the total number of internally displaced persons only (IDPs) is between 20 and 25 million in 2004. Besides the privations endured by any refugee or displaced person, women and girls among them are exposed to specific, additional hardship such as the lack of security, sexual violence, restrictions imposed on their movements with a concomitant more difficult access to protection institutions. In many countries, for example, refugee men continue to be viewed as the sole applicants for refugee status and refugee women have

limited access to asylum procedures.

The population of the host country or region often has a negative attitude towards refugees and sees them as intruders or competitors on the labour market. In many cases, local authorities prefer to keep refugees and IDPs isolated in closed camps, which further reinforces their feeling of helplessness and dependency on aid. The big IDP camp in Zahr-e-Dasht, located in the middle of a desert, some 40 kilometres west of Kandahar, Afghanistan, is a striking example of such a case.

Hardship rarely ends with the resettlement or the return of refugees/IDPs to their country/region of origin. Sometimes, the return takes place before normal security conditions at home have been re-established. Returnees often find their old houses destroyed and their land occupied by others or scattered with landmines. Afghanistan was, after the fall of the Taliban régime, the theatre of one of the most massive and rapid processes of returning (more than two million people in less than two years). For security reasons, the capital Kabul was by far the preferred area of settlement, regardless of the place of origin. Yet, huge neighbourhoods of Kabul were still in ruins. Returnees had to seek shelter among those ruins and start a new life in improvised homes where overpopulation and promiscuity created a particularly difficult environment for women. The first facility that had to be rehabilitated was the house well. Sometimes those wells were found scattered with human bones, horrible remains left by some of the countless massacres of Afghanistan's recent wars. Most often than not, it was impossible to find out to whom those remains belonged and the main concern was to give them a decent burial.

Returnees from political exile may still be perceived by their home-country authorities as hostile and dangerous, which increases the security risk. On 5 December 1995, in the indigenous returnee community of Xaman, in a highly militarized northern province of Guatemala, 11 unarmed villagers, including three women and two children, were killed and many more wounded by soldiers patrolling the area. UN investigation revealed that the villagers had peacefully gathered to express their disagreement with the presence of soldiers in their community. The latter, however, having been repeatedly told by their superiors that former refugees were sympathisers of the guerrilla, thought they had been surrounded by dangerous guerrilla fighters.

The United Nations High Commissioner for Refugees - UNHCR has recently deployed remarkable efforts to strengthen the gender-dimension of its work. Yet, for many years, assistance to refugees had been organised and delivered by family units, which sometimes consolidated women's dependency on male chiefs of households. Some consequences were disturbing: thus, in 1997, in a remote village of Guatemalan returnees from Mexico, on the occasion of municipal elections, the village council decided that the chief of each family (obviously, a senior male member) should carry the votes of all adult family members to the voting station. They were warned by local UNHCR staff that such voting would be invalidated. In general, Guatemalan women in refugee camps in Mexico were better organized and more politicized and "gender-conscious" than their sisters who remained at home. This was due, *inter alia*, to the fact that they benefitted from educational projects including intensive training on gender equity provided by NGOs and humanitarian organizations. However, after the negotiated collective return of many refugee communities to Guatemala in the mid-nineties, one could often observe a disappointing regression to the traditional patriarchal family codes and a narrowing down of the limited autonomy that those rural women had acquired during their stay in the camps.

The repercussions of armed conflicts tend to be protracted over time much beyond the end of the hostilities. The damage inflicted on the social fabric often takes forms that hit women in a particularly strong way. A society emerging from war is usually deeply traumatized and, in one way or another, more violent and intolerant than it would otherwise be. Most likely, it will have emerged from the conflict as heavily militarized, both literally (with a dense presence of military personnel) and symbolically, by the male values and virtues it will celebrate (courage,

intransigence, aggressiveness). It is likely to be ruled by warlords and commanders imbued with the ideology of patriotic, male heroism and inclined to take advantage of their victory on the battlefield to re-establish or even tighten their control over women. The country may have become a hunting ground for loose militias, criminal gangs, drug traffickers and other mafias, a violent and lawless environment that pushes women back home and to the fireplace, under the unquestionable authority of their husband, their father, their brother.

This is where the most interesting problem of the link between different scales of violence comes in - how violence - the violence of conflict, generally seen as an external violence - enters the space of the home, enters the community, and brings about more criminalization and exacerbated domestic violence. After peace accords are more or less implemented and peace sets in officially, for women it may still not be peace. Peace for them could mean not only the cessation of war, but also throwing off the burqa, sending girls to school, discontinuing bride prices, being able to walk the streets and to travel alone. Until such claims and many others are fulfilled, for one part of the population there will be no peace. Mainstream thinking may not recognize this. But it is important that women and all democratic individuals and groups do and support a vision of gender-democracy as the first condition to democracy as such.

Many of the post-conflict features just described can be observed in the post-Taliban Afghanistan. In spite of some undeniable signs of progress (2004), particularly in the field of education (almost one third of the children attending school are said to be girls), the country remains a dangerous and unfriendly place for women. Women continue to be threatened or attacked if they do not abide by the strict dress-codes or move around the city alone. They continue to be arrested and detained over long periods of time for "crimes" related to their marital situation (for example when they escape from home). In some remote provinces under the rule of warlords and local commanders, young girls are frequently kidnapped and forcibly married. Girl schools in several cities were attacked with rockets and heads of families warned not to send their female children to school and their wives to work. The day when Afghan women will be able to fully participate in public life and in the rebuilding of their country is still far ahead. Recently, national women's associations marked an important step forward when they managed to have a clause included in the new Constitution that defines "citizens" as men *and* women. On the other hand, some measures aimed at facilitating the daily life of women seem to have an ambiguous character and may, if kept, produce contradictory results in the long run. The women's commercial centre recently inaugurated in Kabul will enable women, to trade among themselves with uncovered faces for lapses of time in a closed space: thus, they will become "free consumers" before they have been made full-size citizens. Let's hope not *instead* of.

A post-conflict social environment hostile to women can be observed in other parts of the world, with different manifestations and scales of intensity, but with similar root causes and a comparable general detrimental effect on the gender-régime. The official nationalistic discourse in the new Balkan ethnocracies has come to glorify again the role of women as mothers and wives. Women are aggressively being urged to contribute to the increase of the national birth-rate, while their acquired right to chose whether to give birth or not is being questioned repeatedly. The birth-rate has become a matter of national policy and yet another weapon (against the birth-rate of the "ethnic rival"). Through the resurgence of mother-mythology, women and their bodies are again manipulated as instruments of regressive nationalistic policies. Thus, a peace activist from Belgrade Staša Zajović wrote in 1992: "In tandem with the cult of blood and soil, the new Serbian nationalists also summoned to life the symbolic mediaeval figure of mother Yugovich - the long suffering, brave, stoic mother of nine, offering her children up to death in defence of the fatherland. Maternity is now to be seen as an obligation, not as a free option for women, the sexuality of women has to be controlled and reduced to procreation".

A climate of violence and aggressiveness permeated relationship within families, between

neighbours, colleagues, former friends and associates. Men who were in the army or paramilitary groups returned home traumatized, angry and violent. They brought weapons and used them to threaten and harm women. A known Serbian anti-war activist Lepa Mladjenović wrote in 1992: "Some of the men who came back from the front continue massacres in their homes, they abuse women, beat their children, sleep with machine guns under their pillows, rape their wives while they are sleeping, destroy furniture, scream, swear, spit and accuse".

A very graphic illustration of such a climate can be seen in the film entitled "The powder keg" by the Yugoslav (Serbia) director Goran Paskaljević. Set in 1995 Belgrade, the film involves about 20 characters that cross paths during the course of a single night. *With the nerves frayed by a decade of civil war and poverty, they respond to every encounter in full fight mode. The film begins with an incident of road rage. A hapless teenage tough, weaving through the dark streets of Belgrade in an unlicensed car acquired who knows where, is so intent on terrorizing a young woman out walking by herself that he slams into a parked car. The car's owner, outraged by this assault on his most prized possession, single-handedly demolishes the car driven by the teenager and then pursues him to his father's apartment where he proceeds to smash a lifetime accumulation of furniture and chotchkes... In another scene, a young woman whose boyfriend was killed as soldier in one of the ongoing Balkan wars, is trapped in a train compartment by a drunken boxer who has just finished carving up his best friend with a broken bottle and wants to top off the night with a rape.*⁶

Women's groups established to resist war and violence in the countries of former Yugoslavia brought a feminist analysis to the aggressive nationalism of the emerging ethnocracies. They saw parallels between men's defence of their "private" abuse of women at home and violence perpetrated against people of other ethnic groups. Feminist groups in Belgrade pointed out that both "private" and state violence stemmed from patriarchy: *Patriarchy considers that men's violence in the family is a private matter. – This ideology permits of privacy violence in all other domains of society. When the SOS hotline for women calls the police to intervene in violent scenes, a violent husband standing besides his bruised wife claims: this is my wife, it is my issue. Policemen, also with male understanding, confirm that this is a family matter. That is exactly the model for how the first man of the ruling régime in Serbia (Slobodan Milošević) leads the war in Kosovo: "Kosovo is an internal problem of Serbia".*

Psychological disorders induced by violence, especially sexual violence, can be the most difficult to overcome. The painful experience of rape, because of the silence that surrounds it, because of the impossibility of the victim to articulate it in public, continues to make the lives of many women miserable over long years. It is worth noting that raped women, in their testimonies before truth commissions and tribunals, tend to focus on the pain and affliction this misfortune has inflicted upon their relatives and loved ones (children, husbands, parents) rather than speaking directly about the violence they suffered themselves. In other terms, they position themselves as witnesses rather than victims because "to see their lives in relationship to other people's lives is part of their reality". This also comes from the fact that women are humiliated by rape and ashamed to speak about it since society keeps stigmatizing them on this matter and since the event has destroyed their family relationship⁷. "While men and women who were wounded or killed are seen as heroes or martyrs, no similar status is accorded to raped women: such is also the case with those who disappeared in the conflict and whose pain cannot be measured"⁸. On the other hand, when men testify about raped women, they either stress the offense to their honour and to that of the entire community or, otherwise, mention rape only as an occasional and nonessential occurrence. The narrative on rape comes, in a way, as an annex to the fate of the community. Violence against women is seen almost as something

⁶ Excerpts from the film review in "The Village Voice", www.villagevoice.com/movies/the-powder-keg-6510646 accessed on June 20, 2015.

⁷ Iveković, *Dame Nation*, p. 229

⁸ *Guatemala nunca mas, I - El impacto de la violencia*, Guatemala 1998, pp. 218-9.

“naturally” due to them and its “normalization” is made more acceptable.

The sufferings of those who lost their loved ones as a result of massacres and forced disappearances can also cause deep psychological and emotional ailments, particularly when there is no certainty about the circumstances of the death and its very occurrence, when the remains of the victim have not been returned to his or her family and when the process of mourning cannot be carried out. Psychological pain is often accompanied by physical disorders such as headaches, gastritis, chest pains, visual problems and respiratory infections. In Guatemala, it appeared that witnesses and victims of state sponsored violence continued to experience such problems up to two decades after the acts themselves. In indigenous Mayan communities, this situation is commonly described as “tristeza”, literally sadness or the embodiment of suffering. In Mayan *cosmovisión* (but in many other religions too) mourning as an essential “relationship with the dead”, cannot be realized fully until the lost relative is known without doubt to be dead and the remains of the loved one are put to rest properly in a place where they can be honoured. Such situations have been extensively documented in two excellent (already quoted) reports covering the history of the 36 year-long armed conflict in Guatemala (*Memories of Silence* – a report of the “Commission on Historical Clarification” sponsored by the UN and *Guatemala never more* – a report by the Archbishop’s Human Rights Office).

In a paradoxical way, besides being the main victims of violence during armed conflicts and in their aftermath, women are sometimes also participants in the infernal logic that reproduces and perpetuates violence - though the logic itself may not be theirs. Women give life and are educated and socialized to protect it. It is therefore easy to understand why they raise their voice against acts that threaten and endanger life. They have been doing that courageously and tirelessly by requesting accountability for past crimes of the military junta in Argentina, by crossing the borders of exclusion and hate in the Balkans, by denouncing the misdeeds of the warlords and their commanders in Afghanistan, by raising in protest against the new wall of fear and shame in Palestine. But reality is more complex than that. Women are also educated and socialized to accept the other role assigned to them by the motherhood mythology: the role of custodians and reproducers of the myths and legends of the community. “*They keep alive the myths and are the first to transmit a sense of collective memory of success and suffering to children...It is therefore not surprising that mothers play an important role in ethnic and nationalist propaganda*”...Interviewed by BBC television, the mother of Captain Muller, a hero of the Liberation Tigers of Tamil Eelam expressed unreserved joy that her son had died for the cause⁹. The same phenomenon can be observed in the Middle East where some Palestinian mothers loudly express pride at the “martyrdom” of their sons who die as suicide bombers or get killed by Israeli soldiers. Even some feminists from developed Western countries see it as an achievement for women to be able to enrol in the army and to take part on the same footing as men in combat operations. Is it not another acceptance of a ready made role, a role that women are expected to perform, not to discuss? Is it an anomaly, a terrible aberration that reverses the “natural” inclination of women to protect life and reject violence?

The point seems to be that no gender-régime in the world so far has offered women the freedom to chose the role they want to play - or not to play, and much less, the possibility to design that role for themselves as fully fledged citizens and not members of a subordinate group, marked by their supposed (imposed?) natural aptitudes and inaptitudes. It is the denial of freedom and full citizenship that makes it possible for women to be, at the same time, the victims of violence and actively involved in the nationalistic, religious, ethnic or other fictitious identitarian causes that support and reproduce violence. More and more women (and luckily some men too) are becoming aware of that and are joining forces in order to fight for a democracy in which the quality of citizenship would not be dependent on gender codes. A “gender-sensitive”

⁹ Radhika Coomaraswamy, Lecture delivered at the Third Minority Rights Lecture on 25 May 1999 in Geneva.

democracy is clearly the precondition for democracy as such. Yet, while the awareness that democracy cannot be built on racism and apartheid has been more or less universally accepted (at least in the official discourse), the idea that democracy is also incompatible with gender discrimination and exclusions still has a long way to go before it becomes common sense.

This brings us to the conclusion that there is a structural and historic link between different types of violence. Women are not “naturally” opposed to violence. Yes, they *are* educated and socialized to protect life. Accordingly, they will tend to value in a different way some basic aspect of social life, establishing, consciously or unconsciously, different orders of priorities: they will, for example, tend to attribute a higher value to the kind of social relationship consistent with the objective of preserving and protecting life (understanding, solidarity, mutual help) while being more sceptical about the value of power and dominance. Yet, they will be able to articulate politically such social inclinations to the extent they manage to become aware of the multiple patriarchal oppression that perpetuates and reproduces the discourse of violence both in the framework of an armed conflict and during peacetime, both in society and in the family. Women (and men too, by the way) need the same philosophical tools to resist the discourse and the logic of war and that of ordinary domestic violence. It is no surprise therefore that women who actively take part in anti-war and anti-nationalistic movements, women who reject the discourse of hate and ethnic or religious homogenization, are also those who fight for a different gender relationship within their own families and communities.

The construction of citizenship is a process of acquiring agency, of becoming a *subject in the political sense*. There are many ways in which victims can gather the courage to speak out, become visible and occupy a space in the public arena. Those ways can be long and tortuous. Visibility can also come as “a side effect” in the pursuance of some other, apparently more urgent objective like overcoming an unbearable pain or recovering the peace of mind necessary to survive in the community. The small indigenous town of Rabinal in the province of Baja Verapaz, Guatemala, and the surrounding villages, were the scene of numerous massacres and mass rapes in the early eighties, perpetrated by the army and paramilitary units during search raids to “clean” the area of supposed guerrilla supporters. The province remained scattered with clandestine cemeteries and the remains of hundreds of people were never found. It is a very poor region and, after the conflict most male survivors left it and sought employment in the capital. Widows and orphaned children remained. A group of widows – a dozen of them at the beginning, started gathering once a month and spelling out publicly the names of their dead. Some were threatened but decided not to leave the group. The sense of purpose gave them the necessary courage. They were joined by other widows and their number reached almost a hundred. A long collective mourning led them to the idea of building a small monument with the names of their loved ones. Then, they decided to set up an association and finally, with the support of human rights NGOs and the UN mission, they decided to seek justice and reparations from the tribunals and to raise money from donors in order to start economically sustaining work.

Women peace movements have mushroomed worldwide. Women activists and organizations have been present and active in almost every international conflict, civil war or, by the way, any other man made or natural disaster of the last decades. They help healing the wounds, they bring psychological relief and hope, they try to speak a language of reason and solidarity when it seems that the whole world has gone mad. But they are rarely invited to contribute to the official peace negotiations. Further analysis of the implications of women's situation of subordination in the patriarchal régime may also provide some answers to the question how and why is it that women's initiatives for peace begin long before the formal processes begin. And why is it that they often remain unacknowledged, or even completely ignored by the main protagonists of both the conflict and the official peace process. This apparent contradiction is accurately described by the South Asian Forum for Human Rights (SAFHR), an international NGO

located in Kathmandu, Nepal, in the presentation of their remarkable research and training programme on women and peace:

Women are the chorus at peace rallies, the front line of the humanitarian story, but they are not on the dais, they do not determine the agenda. In the end, they are invisible. History has little or no space to record women's experience of war, as if it was undifferentiated from that of men; it carries no chronicle of women's resistance and peace making effort, as if it made no difference...Part of the difficulty is that women themselves see their activity as non political and an extension of their domestic concerns – "stretched roles". Moreover, women's visibility is further obscured by the fact that their language of support and resistance flows from their cultural experience, especially of being disempowered. The creative anarchy, non violence and non hierarchical characteristics that mark women's innovative actions for peace, challenge traditional notions of what political action should and can be about. Since women's activism in building peace and reconciliation at the grassroots level is grounded in the informal space of politics, it gets undervalued and as post conflict politics moves into formal space, it gets marginalized. Increasingly, women peace activists are emphasizing the importance of women making the transition from informal space to the formal space of political structures.

Almost as a rule, official or semi-official peace talks start with a major intrinsic flaw: their very protagonists - the people who fought each other and still carry the guns. You do need them around the table if you want them to make peace. More often than not, they are the same people who already demonstrated their inability or unwillingness to seek a peaceful solution to the crisis. They reluctantly accepted to negotiate either because the armed conflict took an unforeseen turn and is no longer likely to bring about the expected results or because the same objectives appear to be attainable at a lower cost by other means... or simply, because they were forced to the negotiating table by the international community or some other powerful external mediator. In any of these cases, the last fall-back line of the former warriors and negotiators to be, is the maintenance, with minimal, really unavoidable changes, of the existing power structure – i.e. of the regime they managed to impose and of their personal power. The longer the conflict, the more numerous the abuses committed against civilians, the more difficult the transition to peace is likely to be since returning to normalcy also means returning to some sort of legality and justice (even if only "transitional"), some sort of accountability for the killings and rapes. In any case, the rationale for peace is built around the same criteria as earlier, the rationale for war: preserving and, to the extent possible, consolidating and further expanding the control exercised by the dominant power structure and, concomitantly, the patriarchal gender-régime.

Women's involvement in the peace process tends to be radically different because the meaning, the quality of peace aimed at is different. As we shall see, this difference also has important repercussions on the time dimension of the peace involvement. Why does women's activism for peace usually start long before official negotiators even think of meeting each other, and why does it last longer? Why women's activism and official talks follow different paths and have different dynamics once both of them are on tracks? Why is women's activism usually not discontinued once the peace accords have been signed?

First of all, women get involved much earlier because they do not have the same objectives with regard to the conflict itself. In fact, they might even consider, as we already saw in the case of the feminists in Serbia, that the objectives put forward to justify the war were false, illegitimate and totally unacceptable. Or, even if they think that resorting to arms at a certain point in time had no alternative, they might feel that, in the meantime, the cost in human lives and devastation has become too high and that the armed struggle *ipso facto* became senseless and absurd. Whichever the case, they have not participated in defining the goals of the conflict and will not see these goals as sacrosanct as their male companions do. Hence, they will not see the preconditions for peace in relation to these goals. Stopping further loss of life and

devastation, bringing families together again, helping refugees to return from exile, making it possible for children to go back to school - may appear as objectives having, individually or taken together, a much higher value than those perceived by the dominant (male) power structure as pre-conditions for peace. That is why, women's groups and associations have, in a number of contemporary armed conflicts, preceded official negotiators, acted as pressure groups and pushed for a quick and far reaching peace process. Women do not target power in the peace negotiations. They are not afraid of losing it because they don't have it. It is simply not their cause. We may recall the famous phrase coined by Karl Marx: "*Proletarians have no fatherland*". Or even better, Virginia Woolf's: "*As a woman, I have no country. As a woman I want no country. As a woman, my country is the whole world*"¹⁰.

Women's work for peace will also continue after the official peace negotiations have concluded their work. Many of them might even feel that their most meaningful work can start only once the guns are silenced. They will carry out important humanitarian projects to alleviate the consequences of war and consolidate the foundations of peace, but they will also strive for more ambitious objectives that reflect a broader and more inclusive understanding of the term "peace": peace as a notion that encompasses social equity, participation and, certainly, an improved gender relationship.

Women activists aim, we might say, at a specific "quality of peace". Peace could also mean shunning the veil, educating girl children, claiming human rights, stopping women trafficking and bride payment, being able to take decisions or being able to travel alone, getting rid of impunity, of warlords and of the drug economy. It could also mean something very simple, something that goes without saying in a prosperous country, but is far from being at reach in most places of the so called third world: being able to survive and sustain one's family with the money earned through decent and honest work.

This last objective is increasingly out of reach in the ultra-liberal economic context that celebrates the market, abhors any redistribution of income for whatever social purpose and exacerbates the gap between the haves and have-nots at national and international level. Countries emerging from conflict are almost by definition in a very poor economic shape. They need foreign assistance and investments, but they also long for social justice and basic social services, schools, hospitals, public transportation. It is hard to see how these essential ingredients of peace could be brought into the picture in countries such as those of former Yugoslavia, for example, or in some conflict-ridden countries of the Caucasus, in Central Asia or even Central America. The implementation of peace accords or the work to prevent new conflicts there run in parallel with pressures applied by the IMF and potential foreign investors to speed up liberal structural adjustment, which often means closing hospitals and laying people out of work. What we usually get then is a vicious and dangerous blend of post-conflict aggressiveness, unemployment, poverty and a massive sense of hopelessness that either drives people into alcoholism, drug-addiction, prostitution and domestic violence, or nurtures dreams of emigration as the only way towards a better life. The blend, needless to say, is particularly harsh on women and children. A recent survey in Sarajevo (nine years after the signing of the Dayton peace accords) revealed that more than 50 per cent of the young people envisage to emigrate and build their future abroad. In Guatemala, eight years after the conclusion of the "Accords on firm and lasting peace", violent crime and human rights violations (often perpetrated by former military or security officers recycled as mafia leaders) are on the rise again. South Africa, ten years after the first democratic non racial elections and the celebrated end of apartheid is ridden by the AIDS epidemics. None of these places is any longer the theatre of armed conflicts. But none of them is a peaceful place either. All of them still offer serious challenges to peace and human rights activists and need their involvement. Again, we can speculate that official

¹⁰ Virginia Woolf, *Three Guineas*, New York 1966, p. 113 (quoted by Radhika Coomaraswamy in her lecture, see footnote no 4).

peace negotiators and women peace activists do not have the same kind of peace in mind.

Yet, the conclusion that peace for women is a broader and more inclusive notion, still does not answer the question why formal peace negotiations once they begin, rarely include women or, if they do so, tend to marginalize their role and contribution?

Two propositions may be put forward:

- first, that women, by not targeting power in peace negotiations, tend to be seen as "soft negotiators", i.e. inclined to concede too much to the counterpart either for humanitarian reasons (which, by the way, are rarely given a prominent place on the official list of priorities) or because they "do not understand" fully the "issues at stake".
- second, that, by having a more inclusive vision of peace, they might insist to include in the agenda issues that are "besides the point"; in other terms, they are likely to be seen as "unrealistic" by the official negotiators.

Some episodes of the peace process in Afghanistan offer good examples of such "misunderstandings". The emergency Loya Jirga (traditional "Great Assembly") held in June 2002 was the first meeting of a national constituency after the Bonn agreements that marked the end of war and the fall of the Taliban régime. The assembly appointed the country's interim authority and discussed other arrangements "*intended as a first step toward the establishment of a broad-based, gender-sensitive, multi-ethnic and fully representative government*". One might speculate about how appropriate it was to entrust a traditional male type of assembly with the task of preparing a "*gender sensitive*" transition. But then, obviously, there was no other tool at hand. Finally, the tradition was made to evolve and some women representatives did attend the assembly. Most participants and observers agree that the first phase of the Loya Jirga, which ended up with the election of President Karzai by a secret ballot, was a remarkable exercise in democratic renewal. However, the second phase consisting in the selection and appointment of other dignitaries, gave raise to many complaints. Women delegates in particular, but not only they, stressed that the negotiations took place in small, informal groups composed mainly of warlords and mujahidin leaders, that there was no transparency and that the interventions by many elected delegates were simply dismissed or ignored. In the aftermath of the Loya Jirga, some delegates, including women, who openly criticized and opposed the behaviour of the mujahidin, received death threats. In fact, what seems to have happened is a clash between two approaches, but also between two faces of Afghanistan's tortured history: on the one hand, the face of hope, of a democratic opening towards new, uncharted horizons where the government would draw its legitimacy from the ballot and where power would be established through a bottom-to-top participatory exercise; on the other, the face of a *de facto* power established through armed struggle (we may even call it liberation struggle against an oppressive régime) that pretends to auto-legitimize itself invoking the sacrifices incurred by the "heroic mujahidin", a top-to-bottom process where the role of the assembly is merely to rubber-stamp the final result. Some delegates and, in particular, some women-delegates who wanted to follow the rules of procedure literally, remained deeply disappointed. The warlords won, it is to be hoped, only a provisional victory. Facing the world, they too had to make some concessions, to accept the appointment of a couple of women to some posts of lesser visibility. Yet, they shared the key roles and the power among themselves. Could it have happened otherwise? One could say: - maybe, had the international community applied the pressure requesting full transparency and supervised of the whole process. But, would it still have been an Afghan process then? All Afghanistan's wars since those of the Great Game between the British Empire and Tsarist Russia in the 19th century were induced by foreign interference. One can bet that the victorious mujahidin would be adamant not to accept other foreign impositions, even if they

were to come from the “international community” incarnated by the United Nations. There is no doubt whatsoever that the country would move faster towards democracy (gender democracy and democracy as such) if more women were involved in the process. International solidarity may help, including with security and protection measures, but it is a complicated chemistry. Who is to fix the border between international solidarity and foreign interference? From the French revolution and Napoleonic wars to the invasion of Iraq, we see that democracy and revolution are not exportable items. What is worse, as soon as they start being exported, they tend to lose their very substance, these essential qualities that make them so attractive. But, every situation needs to be assessed on its own. In a strange way, the more globalised our world, the more it slips away from efforts to establish and apply general principles and rules.

Should women become “more realistic” in their demands in order to be “taken on board” and participate fully in official peace talks? Or, should official negotiators rather try to broaden their own horizons by accepting to discuss issues more profound and more meaningful than power-sharing? Experienced diplomats keep saying that diplomacy, in order to be credible, needs to be backstopped by credible force, i.e. real capacity to use armed force. This is “*realpolitik*”. Obviously, it is not the basis on which women could or should participate in peace negotiations if they want to make a difference. Should they ask that a different diplomacy be put in place? Would it sound like daydreaming? But then, Martin Luther King also had a dream! Participants in official peace talks sometimes feel they are shaping history. They may be less aware that the way they negotiate, select issues and participants, is also shaped by history.

On October 31, 2000, the Security Council of the United Nations adopted the *Resolution 1325* reaffirming “*the important role of women in the prevention and resolution of conflicts and in peace-building, and stressing the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict-prevention and resolution*”. The Security Council is the inner sanctum of the World Organisation, its highest ranking forum and the only body enabled by the Charter to legitimize the use of force and to discuss matters of international peace and security. Inscribing an issue related to the role of women on the agenda of the Security Council would probably have been something unconceivable only twenty years ago. The adoption of Resolution 1325 was the culmination of numerous calls by NGOs and discussions in different UN agencies, all pointing to the deepening gap between the proliferation of women peace initiatives and their effective contribution to some peace processes on the one hand, and the almost complete absence of women in official mechanisms and decision-making fora in the area of peace and security. It was definitely a momentous event. Yet, the importance of the resolution itself should be seen more from the perspective of the ideas it encourages and promotes than from that of the legal obligations it imposes on the member States. In fact, out of the 18 operative paragraphs of the resolution, only three of them are specifically addressing member States. In op. paragraph 1, member States are urged “*to ensure increased representation of women in all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management and resolution of conflict*”. In op. paragraph 3, they are urged to “*increase their voluntary financial, technical and logistical support for gender-sensitive training efforts....*” And in op. paragraph 11, the responsibility of “*all States*” is emphasized “*to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity and war crimes including those relating to sexual and other violence against women and girls...*”. Most operative provisions request the Secretary General to enhance the role of women within the UN system itself, while a number of other provisions call on “*all parties involved*” to “*adopt a gender perspective*” when they negotiate peace agreements and in the implementation of their existing obligations under humanitarian law (for example, to pay special attention to the needs of women and girls during repatriation or resettlement processes).

As to the impact of the resolution so far, it seems that its major achievement has been in terms of

awareness raising among women's peace groups and activists and their galvanization about the need to further insist in being listened to and getting more involved in official peace processes. Some improvements can be observed in the gender balance of the UN structures themselves. Regrettably, the poorest implementation record is with regard to the core issue addressed by the resolution: the effective participation of women in peace negotiations.

In its statement in support of *Resolution 1325* issued in October 2003, the NGO Working group on Women, Peace and Security refers to some "significant benchmarks" for peace-building since the adoption of the resolution, particularly in Sri Lanka, Nepal, Liberia, and also, to increased violence in the Democratic Republic of Congo, Colombia, Afghanistan and to the "pre-emptive" attack on Iraq. It goes on to stress that "*representative women have not been systematically included in the formal processes underpinning conflict transformation and resulting agreements have been gender-blind*". The NGO Working Group also analyses the evolution of women representation at higher level posts in the United Nations Secretariat and in peacekeeping missions, expressing concern over insufficient progress.

The importance of such statistics should not be underestimated. Step by step, day by day changing the gender-structure of decision-making bodies may lead to changes in attitudes and perceptions and, ultimately, to changes in the way peace negotiations are carried out and peace agreements are signed. Of course, when we speak about numbers and balances, it would certainly be even more important to have effective changes in the gender structure of national governments. In the 1995 Beijing Platform for Action, the world's governments agreed to a minimum quota of 30% of women in positions at decision-making levels, a target that is far from being realized. As far as the UN system is concerned, the balance is also still to be achieved, but one might say, at least, that gender equity has already become a sort of official UN ideology.

The number of women in official fora is certainly important, but increasing that number may not be enough to make this world a more peaceful and less violent place. It may just lead to "domesticating" women activists, making them less offensive vis-à-vis the dominant power-sharing organization of the world, to anesthetize the "*creative anarchy, non violence and non hierarchical characteristics that mark women's innovative actions for peace*", a unique virtue and capacity so eloquently pointed at in the already quoted project of the South Asian Forum for Human Rights.

The danger is not just hypothetical. UN reports and other documents already recommend training courses for women and women's organizations on formal peace processes. This is, of course, necessary. Formal processes have their mechanisms and those mechanisms need to be mastered by women activists. In order to use them, but also, gradually, to change them. However, the most important change that needs to be brought about is a change in the patriarchal way of thinking that relegates women to second-rate citizens, perpetuates ideologies of exclusion, dominance and power-sharing. In that respect, the leaders of governments, of parties, and churches and, yes, international organizations too, are those who would need to be "trained" in order, to forget many of the things they have been thought and many of those they accepted as "natural" and self-evident. Who claims to possess universal values, to speak on behalf of universal values, without falling into the other dangerous trap of Eurocentrism or some other form of suprematism? The UN? Probably more than many other institutions, but it is a very fragile quality and it may be easily eroded when the UN is perceived as acting under the influence or pressure of the powerful few.

This takes us to the role of the mediator and, especially, the international mediator. What can be the mediator's role and to what extent can he/she/they support the women's concerns in a peace process? What kind of international mediator would best answer their needs: a strong "interventionist" mediator or a "lower profile", one that would have a more modest, advisory role? Should they put a stronger emphasis on peace or on justice? Are these objectives always mutually supportive? Should he/she be concerned more with humanitarian protection or the

“political empowerment for peace” of local constituencies, including women?

These questions are difficult to answer, but need to be asked and debated in the concrete local context. Experiences and lessons learned differ from country to country. A mediator with a strong mandate was accepted in Guatemala because both “parties in conflict” badly needed the support of the “international community”: the government, in order to end the international isolation in which it had fallen due to its deplorable human rights record; the guerrilla because it had been militarily defeated and could obtain a negotiated outcome of the conflict only with international support. These common needs and the acceptance of the mediator by both sides gave him the necessary manoeuvring space to bring into the process other relevant sectors of society: the representatives of the indigenous population, landless peasants, trade-unions, churches and, of course, women. Thus, a strong emphasis could be put not only on the need to stop hostilities, but also, on the need to promote in-depth reforms in society and to address what came to be known as “the root causes of the armed conflict”: discrimination of the indigenous peoples and women, poverty, unresolved land issues, militarization etc... In this context, civil society organizations, including women’s groups managed to broaden the scope of their activity and could be effectively supported by the UN and international NGOs.

Obviously, more questions have been opened and dilemmas raised by this essay than answers provided. But, should we not see the opening of new questions and the questioning of the “obvious” as a specific, maybe the most important new quality that women activists can bring into the patriarchal order of organized and formal peace talks between the “parties in conflict”? Keeping the debate open is a way towards understanding. Closing it is a way towards more conflict and more violence.

On the other hand, long lasting armed conflicts have often had a devastating impact on the social relationship within the community/society through the militarization or criminalization of traditional solidarity and other groups and the subordination of varied and multiple types of social relationship to a vertical relationship of power and dominance. Though some armed uprisings (such as that of the Maoist guerrilla in Nepal, the Zapatistas in Chiapas), may sometimes shatter traditional codes and give women unexpected visibility and empowerment, the impact of war on society has more often been detrimental to women. Even in the case of highly politicized armed movements that emphasize gender equality among their goals, the patriarchal régime tends to be re-established as soon as the main goal (accession of the movement to power) has been achieved.

The present essay comments upon the role of some international legal instruments and, in particular, of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) - the acceptance of the obligations it seeks to impose upon states and their implementation in practice. Can conclusions, lessons learnt and recommendations for the future be drawn?

The usefulness and exemplarity of a women’s court

A Women’s court on War and Post-War Crimes in Yugoslavia was held on May 7-10, 2015 in Sarajevo. All the women witnesses complained about impunity when it comes to violence against women and children. Former victims, though now subjects in their own right, still too often face their former torturers who enjoy freedom and whose looseness continues torturing them with painful memory, exposing them to ridicule and shame. During the war, and even after the war, many women complained about the *continuity and similarity* of the sexual violence they suffered during or after the war, sometimes from the same individuals. In some cases, when

perpetrators are close to the authorities, the militia or the police, nothing could or can be done and they could not be stopped from continually brutally intruding into the lives of the sufferers. Sexual violence, regardless of whether committed with "ethnic" or any other classificatory "justification", does not consist of mere male sexual gratification; as a rule, it comes with cruelty, terror, utter vulgarity, physical violence, beating, pulling of hair, tearing of clothes, exposing the body, breaking of limbs, extreme physical humiliation, the entire grim scenario being purposely designed to induce fear and to intimidate. During the Yugoslav wars in the 90', the assault was often perpetrated by a whole group and the victims were then held imprisoned in hidden places or organised camps, or handed over and sold to other groups. During the war, there were cases whereby armed militias would hand over or resell victims to other militias, even those politically labelled as "enemies". Commerce and women-trafficking is rife between various nationalists and criminals, with no impediment in ideologies. In relation to the ongoing and historical war against women, to *femicide*¹¹, parallel to and embedded into any, and especially in the civil war, these groups happen to be on *the same side*. Besides the rape victims in notorious and well-known camps, there were many victims who were held captive in groups or alone in individual houses and in isolation over longer periods of time, sometimes for months, maybe years. This comes closer to the way of acting in femicide when the latter is a standing and politically constitutive feat in a society.

There is generally a far greater political and societal acceptance for violence against women than there is forbearance of violence against men. This goes totally against the cliché appearing in several peoples' proverbs, which commands that priority in protection or rescue operations be given to women¹². This is often not how it happens in reality. Also, several cases have been described where such victims had later been denied the status of civilian victims of war and of rape since they were not imprisoned or "officially" listed in camps or with post-factum evidence seeking offices, or they could not "prove" that they were victims. Such cases are among the most scandalous ones and show the complicity of the institutional and social politics, since women in such situations could receive neither psychological nor legal aid after the trauma, or ask for and receive compensation. Most women witnesses from Bosnia and Hercegovina agree that the same treatment and the same law should apply to women from the entire territory, regardless of the Dayton agreements' freezing of territorial gains or losses or partitioning of territories. Accordingly, their sufferings should be publicly acknowledged and their brutalisers prosecuted while the state should be at the forefront and supporting those women. Yet this doesn't happen. We could thus move away from the targeted but not yet quite accomplished model where *femicide* would have been inscribed into the foundations of the political system¹³

¹¹ Also: "femicide". Examples of massive attempts at the *extermination of womankind* are not lacking in the history of humankind. One of them is the European Witch hunt, which was no joke and which is largely uncontradicted, and that lasted until late Enlightenment. A term was coined here, witty but linguistically hybrid – "gynocide." In Mexico today, torture, mass rape, mass assassinations of women and accompanying impunity have taken on frightening proportions. There is a practice in India, China, and other countries of selective abortions of female fetuses, killings of female newborns with the same effect, and starvation of girls. These have always been "normal" practices of humankind. The ageold and largely tolerated general hunt on women has been revived on a far larger scale over the past years, and has also spread into the current wars (mainly caused by the west) in some Muslim (especially Arab) countries.

¹² "Women and children first", and the like. Both violence as well as the discourse about non-violence towards women come from one and the same source. The former discloses the real situation (brutality and hate speech), while the latter presents the desired but unachieved condition, an alternative, as well as a display of male "righteousness", in cases when truth can be blurred by narratives. The culture of "collective memory" functions on such a scramble of truth.

¹³ Jules Falquet, "Des assassinats de Ciudad Juárez au phénomène des féminicides : de nouvelles formes de violences contre les femmes?" www.contretemps.eu/auteurs/jules-falquet. The author explores mass killings of women in present-day Mexico, and connects them to the change in the production-process structures within the latest phase in neo-liberalism. The latter includes, in such a scenario, the necessity of killing as well as of non-compensation of the labour force itself (in this case: women). The mass assassinations (preceded by torture and accompanied by all sorts of sordid circumstances) are linked with the fact of partnerships among mafia organizations dealing drugs, corrupt police, the state, and male oligarchies; the author comes to the conclusion that in *neo-compradorial* economic-political systems (whose poorer relatives are our systems) femicide occurs as completely consensual and constitutive, and even as an indispensable link within the chain in conditions of absolute impunity (nobody cares that women are systematically being

as its constitutive part – the neoliberal system in this case, that has been early to announce itself through the series of wars, but late in setting in the Balkans.

The Sarajevo *Women's court* was the first of its kind in Europe. Although it will not solve the accumulated problems, although it has no juridical but only a high moral and symbolic value, although it has no echo in mainstream media or public opinion or in the overall patriarchal sphere, it is a historic landmark and great moral and political victory of women in the direction of gender justice, gender-democracy, peace, freedom and in favour of *radical democracy in general*, as well as in the way of self-confidence and empowerment – for power of a new kind. It has elements of restorative justice and a great healing significance, although at least two to three generations have been – when not killed – permanently damaged by war¹⁴.

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massacred individually and as a group). The same could be said about impunity regarding violence against women in the Balkans and everywhere else. Women, or other numerous victims, have absolutely no one to turn to for protection under such conditions; there is no higher authority, which is during the war. In Mexico, women will have no institutions to resort to until the people on the whole rebel and produce the revolution – the qualitative change, reversing the current hegemony. The people have just recently (2014) slowly started waking-up and protesting, with regard to the case of 43 killed students (men). Something may come from here, and nothing can come from states infiltrated by the mafia and by crime.

¹⁴ For the Women's court, see: Staša Zajović, Daša Duhaček, Rada Iveković, *Women's Court : About the Process*, Belgrade, Žene u crnom/Women in Black, 2015.

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ACRONYMS

CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CEH	Comisión de Esclarecimiento Histórico (Commission on Historical Clarification, Guatemala)
IDP	Internally displaced person
ISAF	International Security Assistance Force (in Afghanistan)
LTTE	Liberation Tigers of Tamil Ealam (separatist armed movement in Sri Lanka)
MINUGUA	Misión de Verificación de las Naciones Unidas en Guatemala / United Nations Verification Mission in Guatemala
NGO	Non-governmental organization
ODDHHA	Oficina de Derechos Humanos del Arzobispado de Guatemala (Human Rights Office of the Archbishopry of Guatemala)
SAFHR	South Asian Forum on Human Rights
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UN/OHCHR	United Nations/Office of the High Commissioner on Human Rights
UNSC	United Nations Security Council