

WOMEN, PEACE AND SECURITY: A CRITICAL ANALYSIS OF THE SECURITY COUNCIL'S VISION

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The *Charter of the United Nations* makes forty-five references to the word “peace.” In the vast majority of them, peace is coupled with security – rather than development or human rights – in the interdependent phrase “international peace and security” (for example, arts. 1(1), 2(3), 11(1), 11(2), 11(3), and 12(2)).¹ It is no surprise, then, that the Security Council continues this linkage in its women, peace, and security (WPS) agenda, which commenced in 2000 with the adoption of Security Council Resolution 1325 (SCR 1325), the first of its thematic resolutions on WPS. In this critical analysis, I historicize the WPS agenda and argue that long-standing feminist conceptions of positive peace – which at least some members of the coalition of non-governmental organizations (NGOs) who lobbied the Security Council to adopt SCR 1325 had hoped to thereby promote – have become captive to the militarized security frame of the Council’s operation.

The UN Charter includes a small number of other references to peace, which provide a starting point for re-imagining peace outside the “frames of war”² and creating the conditions of possibility for non-violence rather than militarism, and an appreciation of the equal value of every life. In the preamble, the “peoples” of the UN commit to “liv[ing] together in peace with one another” (para. 2); among the listed purposes of the UN is the achievement of “universal peace” (art. 1(2)); UN membership is open to “peace-loving states” (art. 4(1)); and the “peaceful” or “pacific” settlement of disputes is prioritized (arts. 1(1), 2(3), 14, 33–38, 52(2), and 52(3)). These references accord with a feminist agenda for peace, the core components of which were identified a hundred years ago by the Hague Congress of

Women (Hague Congress), which was held in 1915, during the Great War, to develop strategies to bring the conflict to a speedy conclusion.³ The Congress participants outlined a wide-ranging vision of the measures they thought necessary to bring an end to the “the madness and horror of war” and build a “permanent peace”.⁴ They established an International Committee of Women for Permanent Peace to pursue their goals, which was renamed the Women’s International League for Peace and Freedom (WILPF) in 1919.⁵ In 2000, WILPF took the lead in persuading the Security Council to adopt SCR 1325, and remains actively involved in the NGO Working Group on Women, Peace and Security (NGO Working Group), which promotes the implementation of all the WPS resolutions.

While there is much to celebrate about the Security Council’s WPS agenda in terms of policy and institutional developments, admission into the inner sanctum of the Security Council’s work has come at some cost to feminist goals.⁶ One cost has been a softening of feminist opposition to war, evidenced by a shift in the focus of feminist peace advocates from strengthening the laws that make armed conflict illegal (*jus ad bellum*) to seeking to humanize the laws that govern the conduct of armed conflict (*jus in bello*); from aiming to end all wars to making wars safer for women. The idea that lawful justifications for the use of force might even be expanded to include protection of the rights of women has been endorsed and, while some of the long-term goals of feminist peace

TRACING THE AGENDA FOR PEACE OF THE HAGUE CONGRESS OF WOMEN

The twenty interlinked resolutions adopted by the Hague Congress provide the backdrop for my critique of the Security Council's selective engagement with feminist ideas through its work on WPS. Although these resolutions bear many markings of their time, including maternalist assumptions about women's "natural" proclivity to peace, condescending references to colonized peoples⁹, and reliance on the system of "neutrality" that was then in place¹⁰, they nonetheless outline some of the essential elements of an international system in which resort to arms becomes unthinkable. They propose that the right of conquest no longer be recognized, that international disputes be resolved by mediation or conciliation, that states assume obligations to exert social, economic and moral pressure on any country that resorts to arms, that transfer of territory only occurs with the consent of the men and women residing therein, that foreign policy be democratically determined through systems that ensure the equal representation of women and men, that children be educated in "ideals of constructive peace," and that a series of permanent international institutions be established in order to settle questions of law relating to war, develop practical proposals for international cooperation among states, and settle economic and commercial disputes.¹¹ The resolutions explicitly reject the approach of developing legal and customary conventions of law to "humanize" war (Resolution 2),¹² and focus squarely on transforming the laws of war so that the use of force can never be justified. The women who adopted them understood peace in the positive sense of creating global conditions in which all lives are valued and are able to be lived in dignity and equality, emphatically rejecting the idea that peace is merely the absence of war.

Eighty-five years later, still committed to the hope of a world without armed conflict,

advocates appear to have been embraced, this engagement has proved to be largely "ritualistic," involving the formal acceptance of norms which are then undermined through inaction.⁷ Rather than brokering substantive change in the dominant ideas and practices of international peace and security that conceive of peace primarily in military terms, feminist arguments have been manipulated to support the expanding exercise of unaccountable power by the Security Council since the end of the Cold War, and legitimize its militaristic and carceral approach, in the name of protecting women, mostly from sexual violence, and promoting their rights. Far from reframing our obligations to each other in light of our shared (human) precariousness, as Judith Butler suggests, the Security Council's approach to peace supports the continued expansion of the international market for arms, increased powers of state security institutions, and more coercive policing of expressions of sexuality and gender.⁸

In order to critically examine the Security Council's vision of WPS, and its impact on feminist aspirations for peace, I track the fortunes of three of the components of permanent peace identified a hundred years ago by the Hague Congress: calls for the equal participation of women and men in conflict-related decision-making, universal disarmament, and the adoption of measures to prevent the many adverse effects of war on women, especially sexual violence. In conclusion, I argue for rejecting conceptions of peace that are framed solely or largely in terms of militarized security and, instead, for reviving all of the elements of the permanent peace imagined by the Hague Congress in 1915, and building on their traces that can be found in the UN Charter. Feminist peace advocates need to rework these elements in light of present day arrangements of power and contemporary feminist perspectives informed by queer, indigenous, and postcolonial politics, and think again about the wisdom of looking to the Security Council as a vehicle for promoting permanent peace.

- 1 *Charter of the United Nations*, New York, 26 June 1945.
- 2 Judith Butler, *Frames of War: When Is Life Grievable?* (London: Verso, 2010).
- 3 A total of 1,136 women attended from twelve countries: Austria, Belgium, Britain, Canada, Denmark, Germany, Hungary, Italy, the Netherlands, Norway, Sweden, and the United States. Expressions of support came from women's groups in a further ten countries including Argentina, South Africa, and India, then still a British colony.
- 4 Lela B. Costin, "Feminism, Pacificism, Internationalism and the 1915 International Congress of Women," *Women's Studies International Forum* 5 (1982), 310.
- 5 Leila Rupp, *Worlds of Women: The Making of an International Women's Movement* (Princeton NJ: Princeton University Press, 1997).
- 6 Dianne Otto, "The Security Council's Alliance of 'Gender Legitimacy': The Symbolic Capital of Resolution 1325," in *Fault Lines of International Legitimacy*, ed. Hilary Charlesworth and Jean-Marc Coicaud. (New York: Cambridge University Press, 2010): 239–78.
- 7 Hilary Charlesworth and Emma Larking, eds., *Human Rights and the Universal Periodic Review: Rituals and Ritualism* (Cambridge: Cambridge University Press, 2014).
- 8 Butler, *Frames of War*; Ratna Kapur, "Gender, Sovereignty and the Rise of a Sexual Security Regime in International Law and Postcolonial India," *Melbourne Journal of International Law* 14 (2013): 317–45.
- 9 Rupp, *Worlds of Women*, 75. Rupp observes that many Hague Congress participants understood themselves as "offering a hand to their more oppressed sisters" in the colonies.
- 10 James Upcher, "Collective Security and Sovereign Equality: The Debates over the Discriminating Concept of War and the Limits of Non-Participation." (paper presented at the 22nd annual ANZSIL Conference, Canberra, Australian Capital Territory, July 3–5, 2014)
- 11 "Resolutions Adopted by the International Congress of Women at The Hague, 1 May, 1915," reproduced in Jane Addams, Emily G. Balch and Alice Hamilton, *Women at the Hague: The International Congress of Women and Its Results* (New York: Macmillan, 1916; New York: Humanity Books, 2003), appendix 3, 123–30 (Hague Resolutions).
- 12 "This International Congress of Women opposes the assumption that women can be protected under conditions of modern warfare."

in which women enjoy equality with men, WILPF took a bold initiative. Encouraged by the International Women's Day Statement in 2000, by then Security Council President Bangladeshi Ambassador Chowdury, which linked peace "inextricably" with gender equality,¹³ WILPF assembled a coalition of NGOs to persuade the Council to adopt a more feminist agenda, by individually lobbying its members and drafting an initial version of SCR 1325.¹⁴ The resolution that was eventually adopted in October 2000 was widely welcomed by feminist scholars and activists, who described it as a "landmark resolution" representing a "new, daring, and ambitious strategy for anti-war feminists"¹⁵, a "watershed political framework"¹⁶, and a "significant success story" for gender mainstreaming.¹⁷ It is the only Security Council resolution that can boast of translation into dozens of languages and a transnational grass roots constituency of women's peace and human rights activists, due largely to the efforts of the NGO Working Group and WILPF.¹⁸ and a transnational grass roots constituency of women's peace and human rights activists, due largely to the efforts of the NGO Working Group and WILPF. Since 2000, a further seven thematic WPS resolutions have been adopted (as of October 2016). These resolutions can be divided into two groups. Four of them (SCR 1325, SCR 1889, SCR 2122 and SCR 2242) focus broadly on issues of concern for women during armed conflict and in its aftermath, emphasizing the importance of women's participation and the recognition of women's rights (women's empowerment resolutions). The other four resolutions (SCR 1820, SCR 1888, SCR 1960 and SCR 2106) focus exclusively on the issue of protecting women (and children, and eventually men as well) from sexual violence (sexual violence resolutions). Yet even as I group the resolutions in this way for the convenience of discussion, it is important to acknowledge that the women's empowerment resolutions can also be read as primarily protective.¹⁹

Among the Hague Congress Resolutions are three proposals that I will use to

critically assess the Security Council's WPS agenda. The first, evident in many of the 1915 resolutions and linked to the goals of the suffrage movement at the time, is the demand for the equal participation of women in conflict-related decision-making (Resolutions 3, 5, 8, 9, 14, 17, 18, and 19). There was a strong sense that international campaigning could bolster these same claims at the national level, as participants agreed that "the combined influence of the women of all countries is one of the strongest forces for the prevention of war" (Resolution 9). The second proposal is the call for universal and complete disarmament and, as an initial step, nationalizing the arms industry in order to remove it from private ownership and profit-making (Resolution 12). The third is to halt the "odious wrongs" perpetrated against women during armed conflict, especially "the horrible violation of women that attends all war" (Resolution 2). These three concerns map onto the three core themes of the Security Council resolutions – participation, prevention and protection – identified initially by WILPF and, since then, utilized by the Secretary-General to structure his annual reports on WPS.²⁰

- 13 "Le Conseil de Securite Estime que les Femmes Doivent etre Representees a tous les Niveaux de la Prise de Decision Concernant les Eddorts de Paix," United Nations Press Release SC/6816, 8 March 2000.
- 14 Sheri Gibbings, "Governing Women, Governing Security: Governmentality, GenderMainstreaming and Women's Activism at the UN" (Master's thesis, York University, 2004); Carol Cohn, Helen Kinsella and Sheri Gibbings, "Women, Peace and Security: Resolution 1325," *International Feminist Journal of Politics* 6 (2004): 130–40.
- 15 Carol Cohn, "Mainstreaming Gender in UN Security Policy: A Path to Political Transformation?," Working Paper no. 204, Boston Consortium on Gender, Security and Human Rights (2004), 3–4.
- 16 Elizabeth Rehn and Ellen Johnson Sirleaf, *Women, War and Peace: The Independent Experts' Assessment on the Impact of Armed Conflict on Women and Women's Role in Peace-Building* (New York: UNIFEM, 2002), 3.
- 17 Jacqui True, "Mainstreaming Gender in Global Public Policy," *International Feminist Journal of Politics* 5 (2003), 373.
- 18 PeaceWomen Translation Initiative. Accessed 7 November 2014. http://www.peacewomen.org/translation_initiative/security-council-resolution-1325.
- 19 Dianne Otto, "The Exile of Inclusion: Reflections on Gender Issues in International Law over the Last Decade," *Melbourne Journal of International Law* 10 (2009): 11–26.
- 20 Sam Cook, "Editorial," *WILPF 1325 PeaceWomen E-News* 109, September, 2009. <http://www.peacewomen.org/e-news/sc-resolution-1820-reviewing-initial-progress>; United Nations, General Assembly, *Report of the Secretary-General on Women, Peace and Security, S/2013/525* (4 September 2013).



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- 21 Rupp, *Worlds of Women*, 216–17. The “Spanish Resolution,” so-called because it was introduced by the Spanish delegation, was adopted by the twelfth Assembly of the League of Nations on 24 September 1931. It read: “The Assembly, convinced of the great value of the contribution of women to the work of peace and the good understanding between the nations, which is the principle aim of the League of Nations, requests the Council to examine the possibility of women cooperating more fully in the work of the League.”
- 22 UN General Assembly (GA), Resolution 3010(XXVII), “International Women’s Year,” UN Doc. A/RES/3010(XXVII), December 18, 1972; GA, Resolution 3519(XXX), “Women’s Participation in the Strengthening of International Peace and Security and in the Struggle against Colonialism, Racism, Racial Discrimination, Foreign Aggression and Occupation and All Forms of Foreign Domination,” UN Doc. A/RES/3519(XXX), December 15, 1975; GA, Resolution 3521(XXX), “Equality between Men and Women and Elimination of Discrimination against Women,” UN Doc. A/RES/3521(XXX), December 15, 1975.
- 23 GA, Resolution 34/180, “Convention on the Elimination of Discrimination against Women,” UN Doc. A/RES/34/180, December 18, 1979, preamble para.7 (the cause of peace requires “the full participation of both men and women in society”).
- 24 GA, Resolution 37/63, “Declaration on the Participation of Women in Promoting International Peace and Cooperation,” UN Doc. A/RES/37/63, December 3, 1982.
- 25 Charlesworth and Larking, *Human Rights and the Universal Periodic Review*.
- 26 “Windhoek Declaration and Namibia Plan of Action on ‘Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations,’” May 31, 2000, http://www.un.org/womenwatch/osagi/wps/windhoek_declaration.pdf. Micaela di Leonardo, “Morals, Mothers and Militarism: Antimilitarism and Feminist Theory,” review of *Over Our Dead Bodies: Women against the Bomb*, edited by Dorothy Thompson; *The Web of Life: Feminism and Nonviolence*, edited by Pam McAllister; *Does Khaki Become You? The Militarisation of Women’s Lives*, by Cynthia Enloe. *Feminist Studies* 11 (1985): 599–617.
- 27 J. Ann Tickner, *Gender in International Relations: Feminist Perspectives on Achieving Global Security* (New York: Columbia University Press, 1992).
- 28 Dianne Otto, “A Sign of ‘Weakness’? Disrupting Gender Certainties in the Implementation of Security Council Resolution 1325,” *Michigan Journal of Gender and Law* 13 (2006), 167–68.
- 29 Apart from preambular references to women’s equal participation in most of the WPS resolutions, only three resolutions make reference to equal participation in operative paragraphs: see SCR 1820, para. 12 (peace and security decision-making); SCR 1889, para. 19(c) (peacebuilding processes); SCR 2122, para. 7(c) (peace talks), and para. 8 (electoral processes).

1. THE EQUAL PARTICIPATION OF WOMEN AND MEN (PARTICIPATION)

From an historical perspective, it is clear that the Security Council’s promotion of women’s increased participation in conflict-related decision-making is far from novel. There are many earlier examples of international institutions formally endorsing this goal. They include the Assembly of the League of Nations in 1931, which called for increased cooperation with women’s organizations in the “peace” work of the League, based on the assumption that this was an area for which women had a special affinity.²¹ In a similar vein, the General Assembly has reiterated the importance of women’s participation in the maintenance of international peace and security many times, including in resolutions associated with International Women’s Year (1975)²² and adopting the *Convention on the Elimination of All Forms of Discrimination against Women* in 1979,²³ and in the 1982 *Declaration on the Participation of Women in Promoting International Peace and Cooperation*.²⁴ The disconnection between these repeated commitments, and the continuing reality of women’s exclusion from formal processes of international peace and security, can aptly be described as a form of “ritualism,” whereby states subscribe to institutionalized rituals that repeatedly affirm certain goals, despite having little or no commitment to their substantive realization; a term that has been used to describe UN human rights processes.²⁵

Yet despite the experience of ritualism, and the eventual realization that the achievement of voting rights for women in domestic politics was not going to make war an impossibility, feminist advocacy for peace has continued to call for the equal participation of women and men in decision-making associated with conflict resolution and peacemaking. Feminists have, however, disagreed about the justifications for this goal. Some argue for the importance of gender equality as a value in itself, while others, like the Hague Congress participants,

take the view that women are “naturally” predisposed to peace and thus a stronger force (than men) for preventing war.²⁶ Yet other feminists have sought to project a more social constructionist rationale for increasing women’s participation – as bringing perspectives to bear on decision-making from outside the frame of military thinking because of their social experiences of inequality and disadvantage.²⁷ However, even this approach does not entirely resolve the dilemma that has always haunted this aspect of the feminist agenda for peace: that mobilizing as women, to demand inclusion in peacemaking processes on the basis of women’s present gendered experience, as mothers, as victims and, more broadly, as marginalized from elite power structures, works against the feminist agenda for peace which requires disrupting those same gender identities because they have served to legitimate militarism and women’s inequality.²⁸

Despite this conundrum, women’s “increased” participation is promoted by all eight of the WPS resolutions, although the language of “equal” participation is undeniably patchy.²⁹ The women’s empowerment resolutions all commence with provisions that emphasize the need for women’s increased participation in formal conflict resolution and peace processes, including as UN special representatives and envoys and in peace support operations (SCR 1325, paras. 1–4; SCR 1889, paras. 1, 4, 19; SCR 2122, paras. 1, 7, 8, 14; SCR 2242, paras. 1, 7 and 13). Significantly, the importance of the conflict resolution and peacemaking work of local women’s organizations is also recognized, and the need to consult with them and draw them into formal processes is repeatedly emphasized (SCR 1325, paras. 8(b) and 15; SCR 1889, para. 10; SCR 2122, preamble para. 13, paras. 2(c) and 6; SCR 2242, para. 5(c)). Consultation with “socially and/or economically excluded groups of women” is urged in SCR 2122 (para. 7(c)). Increasing the percentage of women in military and police contingents deployed in

peacekeeping operations is also repeatedly encouraged (SCR 1820, para. 8; SCR 1888, preamble para. 15; SCR 1960, preamble para. 16, para. 15; SCR 2106, para. 14; SCR 2122, para. 9; SCR 2242, para. 8). The hope of many feminists is that these references mark a break in the entrenched practice of “seeing” women in the context of armed conflict, if they appear at all, only as a vulnerable group needing, in particular, (military) protection from sexual violence.

In opening these opportunities for women’s voices to be heard, and their agency as full participants in civil and political life to be recognized, it is important to examine exactly how, and for what purposes, the WPS resolutions anticipate that women’s perspectives will be engaged. Will women’s participation be limited to making “feminized” contributions, for example by assuming domesticating and pacifying roles in the immediate post-conflict period or contributing to the design of “civilized” rules and practices aimed at saving or protecting women in the global South?³⁰ Or will women be admitted as full and equal participants in conflict prevention and resolution, and in peacebuilding, able to question militarism and promote the positive peace envisaged by the women’s peace movement? The rationale for women’s participation offered in the sexual violence resolutions provides a salutary answer. For example, employing more women in peacekeeping military and police contingents is promoted instrumentally, as a way to provide better protection for local women and children against sexual violence (SCR 1820, para. 8; SCR 1960, para. 15) and increase their willingness to report sexual violence (SCR 1960, preamble para. 16), as if these are contributions which women are inherently predisposed to making.³¹ Further, as Sheri Gibbings has found, even in their role as “peacemakers,” women are severely constrained by the UN’s discursive norms of speech and conduct, which make it impossible for critical, anti-imperial and anti-militarist views to be “heard” within the terms of the Security Council’s WPS

agenda.³² This clearly makes it impossible for women’s participation to make a difference to the Security Council’s existing lexicon of peace.

Mimicking the earlier commitments to women’s increased participation in promoting and securing international peace—whether in an empowered, protective or instrumental sense - the Security Council’s endorsement has so far proved ritualistic, with few tangible effects. This experience suggests that ritualism may have become the anchoring point for international legal and institutional engagement with women’s participation, underscoring the enormity of the challenge to change this pattern. Since the adoption of SCR 1325, the Security Council has repeatedly reiterated its frustration at the slow pace of change in this regard.³³ Expressing “deep concern” about the continued “underrepresentation of women at all stages of peace processes” (SCR 1889, preamble para. 7), in 2009 the Security Council asked the Secretary-General to prepare a report examining the problem of women’s underrepresentation (SCR 1889, para. 19). The resulting report identified a large number of barriers to women’s participation, which were entrenched in social conventions and/or enshrined in legislation, including lack of physical security, low levels of confidence in the political process, stigma associated with political leadership, lower educational attainment, unequal division of domestic responsibilities and discriminatory social norms (paras. 15–22).³⁴ An action plan, focused especially on the UN system, was proposed (paras. 25–52). Yet, three years later, in his 2013 report on WPS, while the Secretary-General finds a modest increase in the representation of women in formal peace negotiations, the numbers of women elected to parliaments in post-conflict societies and serving as ministers had dropped.³⁵ Adding to the long line of appeals, the most recent SCR 2242 emphasizes the need for aid to be directed towards women’s “empowerment” (paras. 2 and 15) and stresses the importance of

30 Anne Orford, *Reading Humanitarian Intervention: Human Rights and the Use of Force in International Law* (Cambridge: Cambridge University Press, 2003), 59-63.

31 Olivera Simić, “Increasing Women’s Presence in Peacekeeping Operations: The Rationales and Realities of ‘Gender Balance,’” in *Rethinking Peacekeeping, Gender Equality and Collective Security*, ed. Gina Heathcote and Dianne Otto. (London: Palgrave-Macmillan, 2014): 185-99.

32 Sheri Gibbings, “No Angry Women at the United Nations: Political Dreams and the Cultural Politics of United Nations Security Council Resolution 1325,” *International Feminist Journal of Politics* 13 (2011): 522–38.

33 See, for example, “Statement by the President of the Security Council,” UN Doc. S/PRST/2005/52, October 27, 2005 (underrepresentation in formal peace processes); “Statement by the President of the Security Council,” UN Doc. S/PRST/2009/8, April 21, 2009 (very low numbers in formal mediation processes); SCR 1820, preamble para. 11 (acknowledging “persistent obstacles and challenges to women’s participation”).

34 United Nations, General Assembly, *Report of the Secretary-General: Women’s Participation in Peacebuilding*, A/65/354-S/2010/446, 7 September 2010.

35 United Nations, *Report of the Secretary-General on Women, Peace and Security*, paras. 16–22.

- 36 Christine Bell and Catherine O'Rourke "Peace Agreements or Pieces of Paper? The Impact of UNSC Resolution 1325 on Peace Processes and Their Agreements," *International and Comparative Law Quarterly* 59 (2010), 972–73.
- 37 CARE International, *From Resolution to Reality: Lessons Learned from Afghanistan, Nepal and Uganda on Women's Participation in Peacebuilding and Post-Conflict Governance* (CARE International, 2011).
- 38 United Nations, General Assembly, *Report of the Secretary-General: Women's Participation in Peacebuilding*, para. 69.
- 39 M. Owen, "Widowhood Issues in the Context of United Nations Security Council Resolution 1325," *International Feminist Journal of Politics* 13 (2011), 616–22.
- 40 Sharon Bhagwan Rolls, "Thinking Globally and Acting Locally: Linking Women, Peace and Security in the Pacific," in *Rethinking Peacekeeping, Gender Equality and Collective Security*, ed. Gina Heathcote and Dianne Otto. (London: Palgrave-Macmillan, 2014): 118–30.
- 41 Laura McLeod, "Configurations of Post-Conflict: Impacts of Representations of Conflict and Post-Conflict upon the (Political) Translations of Gender Security within UNSCR 1325," *International Feminist Journal of Politics* 13 (2011), 601–03.
- 42 Vanessa Farr, "UNSCR 1325 and Women's Peace Activism in the Occupied Palestinian Territory," *International Feminist Journal of Politics* 13 (2011): 539–56.
- 43 S. N. Anderlini, "What the Women Say: Participation and UNSCR 1325 - A Case Study Assessment" (Washington, DC: International Civil Society Action Network, 2010), 42–43.
- 44 Sophie Richter-Devroe, "'Here It's Not about Conflict Resolution – We Can Only Resist': Palestinian Women's Activism in Conflict Resolution and Non-Violent Resistance," in *Women and War in the Middle East: Transnational Perspectives*, ed. N. Al-Ali and N. Pratt, (London: Zed Books, 2009), 158–92.
- 45 GA, Resolution 41(I), "Principles Governing the General Regulation and Reduction of Armaments," UN Doc. A/RES/41(I), December 14, 1946.
- 46 GA, Resolution 1148(XII), "Regulation, Limitation and Balanced Reduction of All Armed Forces and All Armaments; Conclusion of an International Convention (Treaty) on the Reduction of Armaments and the Prohibition of Atomic, Hydrogen and Other Weapons of Mass Destruction," UN Doc. A/RES/1148(XII), November 14, 1957; GA, Resolution 1378(XIV), "General and Complete Disarmament," UN Doc. A/RES/1378(XIV), November 20, 1959.
- 47 GA, Resolution 25/2625, "Declaration on Principles of International Law Concerning Friendly Relations and Co-Operation among States in Accordance with the Charter of the United Nations," UN Doc. A/RES/25/2625, October 24, 1970.

their "meaningful" participation (paras. 1 and 16). Perhaps the problem lies in the top-down, imperial direction of promoting change through Security Council resolutions. This might explain the findings of Christine Bell and Catherine O'Rourke that, despite a rise in references to women in post-SCR 1325 peace agreements where the UN was a third party to negotiations (from four to twelve percent), more localized agreements that did not have the UN in such a role also saw a rise over the same period (from seven to fourteen percent). That the latter category of peace agreements continues to show a higher incidence of references to women suggests that locally-driven processes may be marginally more open to influences from outside military-political elites and more responsive to innovative attempts to increase the participation of women's organizations and other civil society groups.³⁶

The idea that the WPS resolutions provide new leverage for local women's peace and human rights organizations to insist on their inclusion in peace processes, and to craft their own peacemaking and peacebuilding projects, has also been questioned. There are certainly hopeful accounts of local activists managing to breathe life into the resolutions – to demand women's participation in peace negotiations³⁷, to ensure women's rights are recognized in new constitutions³⁸, to promote the rights of widows³⁹, to gain support for local women's projects⁴⁰ and to foster feminist reconceptualizations of security.⁴¹ Yet, on closer inspection, much of the activism by local women's organizations has involved raising awareness about the resolutions themselves, and lobbying governments and UN agencies to implement them, rather than using them as a means to support locally resonant community-controlled peacebuilding work outside the discursive limits of the resolutions.⁴² A six-country field study, which sought women's views about the relevance and impact of SCR 1325, found that civil society organizations, despite security threats and few resources, "have been the engine

behind the UNSCR 1325 movement," but noted "the pressure to adopt the women, peace and security agenda and be seen to be 'doing something,'" which has resulted in groups "basically repackaging existing programmes under the UNSCR 1325 umbrella ... the substance [of which] is not necessarily well-adapted or tied to ongoing policy processes".⁴³ If the impact of the WPS resolutions, and the funding that follows them, is to compel women's grassroots organizations to reinvent themselves in the protective and legalistic terms of the resolutions, or otherwise be discredited, then grass roots feminist change is being actively discouraged.⁴⁴ The pressure to deliver a "result" that is recognizable as such by the Security Council threatens to disempower women's grassroots movements for peace – the very subjects of feminism's transformative hope.

2. UNIVERSAL DISARMAMENT (PREVENTION)

In contrast to the ritualistic engagement of the Security Council with women's participation, the WPS resolutions are completely silent about the long-standing feminist goal of general disarmament. This silence is even more glaring when the numerous formal commitments to disarmament during the Cold War are recalled. In 1946, the General Assembly recognized that international peace and security was "closely connected" to disarmament, and urged the Security Council to take prompt measures to ensure the general regulation and reduction of armaments and armed forces.⁴⁵ Subsequent resolutions were adopted in 1957 and 1959 promoting general and complete disarmament⁴⁶ and, in the Declaration on Friendly Relations (1970), states undertook to "pursue in good faith negotiations for the early conclusion of a universal treaty on general and complete disarmament."⁴⁷ Outside feminist circles, strong support for disarmament came from the Non-

Aligned Movement, which, at its founding conference in Bandung in 1955, had declared that “universal disarmament is an absolute necessity for the preservation of peace”.⁴⁸ Links with feminist support for disarmament were recognized in some statements, including at the 1985 Nairobi World Conference on Women, where states called for women to actively support “the halting of the arms race, followed by arms reduction and the attainment of a general and complete disarmament”⁴⁹ and, as recently as 1995, at the follow-up conference in Beijing, where states undertook to “work actively towards general and complete disarmament under strict and effective international control” and to foster a “culture of peace”.⁵⁰

Yet by 2000, general disarmament did not even rate a mention in SCR 1325. Even the Security Council’s own responsibilities under the UN Charter, to establish systems to regulate weapons in order to ensure “the least diversion for armaments of the world’s human and economic resources” (art. 26), are not referred to. Nor do any of the other WPS resolutions give any indication that the Security Council might be ready to rethink its militarized approach to international peace and security in other ways by, for example, emphasizing the importance of developing new non-violent forms of conflict resolution or of fostering a culture of peace, despite the resounding endorsement of such strategies at the Nairobi and Beijing conferences.

The only references to disarmament in the WPS resolutions are in the context of disarmament, demobilization, and reintegration (DDR) of former combatants, which, while important, is disarmament on a very small scale. Three of the empowerment resolutions are concerned that women and girls who have been combatants, or otherwise directly associated with supporting armed forces and groups, have access to DDR programmes, and that their “different needs” are addressed (SCR 1325, para. 13; SCR 1889, para. 13; SCR 2122, para. 4).



Will women’s participation be limited to making “feminized” contributions... Or will women be admitted as full and equal participants in conflict prevention and resolution, and in peacebuilding, able to question militarism and promote the positive peace envisaged by the women’s peace movement?

Also three of the sexual violence resolutions highlight the need for mechanisms that provide protection for women from violence in DDR processes, particularly sexual violence (SCR 1820, para. 10; SCR 1888, preamble para. 12; SCR 2106, para. 16(a)). One positive consequence of these provisions is that the large numbers of women and girls involved directly in providing services, supporting, and fighting alongside men and boys on the front lines has become increasingly apparent, which also serves to counter the stereotype that women do not participate actively in armed conflict. While it is important to ensure that women are included in DDR processes, the focus is on disarming individuals in the post-conflict environment, rather than preventing the use of arms in the first place and dismantling the burgeoning arms industry.

Even worse, instead of limiting the justifications for the use of arms, several of the WPS resolutions suggest that systematic violations of women’s rights could provide a new trigger for the collective use of force, particularly where sexual violence is used as a “tactic of war.” In three of the sexual violence resolutions, the Security Council expresses its “readiness,” “where necessary,” to take steps to address widespread or systematic sexual violence in situations on its agenda (SCR 1820, para. 1; SCR 1888, para. 1; SCR 1960, para.

48 “Final Communiqué of the Asian-African Conference”, Bandung, Indonesia, April 24, 1955.

49 World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, “Nairobi Forward-Looking Strategies,” UN Doc. A/CONF.116/28/Rev.1, July 26, 1985, para 250.

50 “Report of the Fourth World Conference on Women,” UN Doc. A/CONF.177/20, October 17, 1995, paras. 143(f)(i) and 146.

1). Violations of women's rights have also been employed as a justification for military occupation.⁵¹ As Gina Heathcote has argued, feminist ideas are being used by the Security Council to expand the legal justifications for the use of force (*jus ad bellum*) a profoundly anti-feminist project. Janet Halley and her colleagues, in the context of international criminal law, have also worried that official acknowledgment of rape as a "weapon of war," even if condemnatory, may make rape more likely to be used in precisely that way.⁵² While it could be argued that, in this move, women's lives are more highly valued than previously – that their lives have come to matter and are thus "grievable" – the *quid pro quo* is that women are again conceived in protective terms and "valued" for their chastity and honour, rather than for their humanity.⁵³ Further, I am not convinced that finding new pretexts for justifying the use of force can ever be defended as valuing human life more fully.

Closely related to disarmament, in the sense of avoiding the use of force, is the goal of conflict prevention. However, prevention is given little attention in the WPS resolutions. While there are a number of references to the "important" and "vital" role of women in conflict prevention, they show all the signs of ritualism, appearing mostly in preambular paragraphs and lacking any substantive content (SCR 1325, preamble para. 1; SCR 1820, preamble paras. 10 and 11; SCR 1889, preamble paras. 6, 8, and 10; SCR 2122, preamble paras. 12 and 13; SCR 2242, preamble para. 11). The few operative paragraphs that do refer to conflict prevention do not go beyond reiterating the need to invite women to participate in related discussions (SCR 1820, para. 12; SCR 2122, paras. 2(c) and 7; SCR 2242, paras. 1, 13 (preventing terrorism) and 15 (preventing illicit transfer of arms). All the other references to "prevention" are about the need for measures to prevent sexual violence – and most of these, by contrast, appear in operative paragraphs that give them substance, such as calling for the establishment of monitoring and reporting

mechanisms (SCR 1888, para. 11; SCR 2106, para. 6; SCR 2242, para. 10) and better prevention training for peacekeepers (SCR 2106, para. 14; SCR 2242, para. 9). This provides a dramatic illustration of the way that the WPS agenda has served to refocus feminist attention from *jus ad bellum*, as a means of making armed conflict impossible, to making armed conflict safer for women (*jus in bello*) – as an end in itself.

Today, the amassing of nuclear and conventional weapons is the preferred means of establishing international peace and security. The adoption of the *Arms Trade Treaty* in 2013 concedes as much, setting out to eradicate only the "illicit" trade in arms in an effort to keep weapons out of the hands of "untrustworthy" actors who intend to use them for illegal purposes.⁵⁴ Clearly, it is necessary to reaffirm the earlier connection between disarmament and peace. Yet the Security Council is the least likely of all international institutions to revive this connection, given that its five permanent members are host to the world's largest arms producers. Other institutional locations must be found, or created, where thinking outside the frames of war is not only possible, but can be actively fostered, and where transformative anti-militarist and anti-imperial cultures and practices of peace can be nurtured. The current work of the Human Rights Council towards drafting a Declaration on the Right to Peace,⁵⁵ which includes promotion of general disarmament⁵⁶ perhaps points to a better location, although member states are politically divided about the wisdom of this development.⁵⁷

3. MEASURES TO PREVENT THE ADVERSE EFFECTS OF WAR ON WOMEN (PROTECTION)

Although the Hague Congress of Women rejected the idea that it was possible to humanize war through the development of *jus in bello*, and thereby protect women

51 See, for example, the reference to SCR 1325 in the resolution adopted by the Security Council which provided belated endorsement to the invasion and occupation of Iraq by the US and its allies in 2003: Security Council Resolution 1483, UN Doc. S/RES/1483 (May 23, 2003).

52 Gina Heathcote, "Feminist Politics and the Use of Force: Theorising Feminist Action and Security Council Resolution 1325," *Socio-Legal Review* 7 (2011): 23–43; Janet Halley et al., "From the International to the Local in Feminist Legal Responses to Rape, Prostitution/Sex Work, and Sex Trafficking: Four Studies in Contemporary Governance Feminism," *Harvard Journal of Gender and Law* 29 (2006): 335–423.

53 Butler, *Frames of War*.

54 GA, Resolution 67/234, "The Arms Trade Treaty," UN Doc. A/RES/67/234, January 4, 2013.

55 UN Human Rights Council, Resolution 23/16, "Promotion of the Right to Peace," UN Doc. A/HRC/RES/23/16, June 24, 2013.

56 Cecilia M. Bailliet and Kjetil Mujezinović Larsen, "Nordic Expert Consultation on the Right to Peace: Summary and Recommendations," *Nordic Journal of Human Rights* 31(2) (2013): 262–78.

57 UN Watch. "The Proliferation of 'Human Rights': A Dictator's Best Friend.," July 4, 2014: <http://blog.unwatch.org/index.php/category/right-to-peace/>.

from harm, they nevertheless protested the adverse effects of armed conflict on women (Resolution 2). These concerns, especially about sexual violence, were for many decades dismissed as unavoidable collateral damage and/or as the inevitable result of “boys being boys,” enjoying the spoils of war, despite its ubiquity.⁵⁸ The condemnation of sexual violence, both during armed conflict and in its aftermath, in all of the WPS resolutions presents a striking contrast. Further, that four of the resolutions are entirely devoted to addressing the problem, attests to the inordinate focus – I would suggest panic – which sexual violence in armed conflict attracts today.⁵⁹ Even the empowerment resolutions employ their strongest language when it comes to condemning sexual violence, insisting that criminal justice must be applied and impunity must not be tolerated, shadowing successful feminist campaigns in international criminal law.⁶⁰ For example, SCR 1325 urges parties to armed conflict to take “special measures” to protect women and girls from gender-based violence (para. 10), and to end the impunity that attaches to perpetrators of war crimes, genocide, and crimes against humanity involving violence against women and girls (para. 11). Clearly, the Security Council is more at ease with casting women in a protective frame than treating them as equal participants in peacemaking and peacebuilding. I have argued previously that this protectionism serves to reinforce a general sense of the Security Council’s (masculine) fortitude and dependability, and provides reassurance about its commitment to protecting those vulnerable (feminized) civilians who need it, despite many indications to the contrary.⁶¹

While SCR 1325 urges the importance of addressing the broad band of “gender-based violence,” all of the following resolutions concern themselves with the narrower category of “sexual violence.” As Karen Engle has argued, this identifies sexual violence as the quintessential harm of war and deepens the sense of sexual panic.⁶² The four resolutions that are concerned

exclusively with sexual violence clearly support the view that the harm suffered is of the worst kind. They condemn the use of sexual violence not only as a “tactic of war,” but also as an impediment to the restoration of international peace and security (SCR 1820, para. 1; SCR 1888, para. 1; SCR 1960, para. 1; SCR 2106, para. 1). According to SCR 1820, the horror of sexual harm even warrants “evacuation of women and children under imminent threat of sexual violence” (para. 3), which grants sexual violence victims a new position of privilege in communities affected by armed conflict. Their lives appear to have become being served by this heightened concern for some people’s safety? What about the women facing imminent death from a non-sexual armed attack, or the men who are at imminent risk of sexual violence, or the children who need emergency medical treatment? Prioritizing the rescue of women and children who are at risk of sexual violence does a lot of symbolic work for the Security Council, providing further reassurance about its determination to protect women and children, despite its “masculinized” military methods of securing and maintaining peace. The panic about sexual violence also serves the larger interests of the Security Council’s permanent members by diverting attention from the failure to attend to the underlying structural causes of armed conflict, in particular the inequitable distribution of global power and wealth, which continues to be reflected in poverty-stricken peacekeeping economies and the imposition of punishing free market

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- 58 Elizabeth D. Heineman, ed. *Sexual Violence in Conflict Zones from the Ancient World to the Era of Human Rights*. (Philadelphia, PA: University of Pennsylvania Press, 2011).
- 59 Dianne Otto, “Making Sense of Zero Tolerance Policies in Peacekeeping Sexual Economies,” in *Sexuality and the Law: Feminist Engagements*, ed. Vanessa Munro and Carl F. Stychin, (New York: Routledge-Cavendish, 2007): 259–82. See, for example, the Global Summit to End Sexual Violence in Conflict held in London, June 10–13, 2014, co-chaired by UK Foreign Secretary William Hague and actress Angelina Jolie, Special Envoy for the UN High Commissioner for Refugees, <https://www.gov.uk/government/topical-events/sexual-violence-in-conflict>.
- 60 Janet Halley, “Rape at Rome: Feminist Interventions in the Criminalization of Sex-Related Violence in Positive International Criminal Law,” *Michigan Journal of International Law* 30(1) (2008): 1–123.
- 61 Otto, “The Security Council’s Alliance of ‘Gender Legitimacy’”.
- 62 Karen Engle, “The Grip of Sexual Violence: Reading UN Security Council Resolutions on Human Security,” in *Rethinking Peacekeeping, Gender Equality and Collective Security*, ed. Gina Heathcote and Dianne Otto (London: Palgrave-Macmillan, 2014): 23–47.



Other institutional locations must be found, or created, where thinking outside the frames of war is not only possible, but can be actively fostered, and where transformative anti-militarist and anti-imperial cultures and practices of peace can be nurtured.

economic systems by international economic institutions.

The sexual violence resolutions establish increasingly robust accountability mechanisms. SCR 1820 spells out a number of concrete measures to protect civilians from sexual violence (para. 3), and calls for the Secretary-General to prepare, in twelve months, an action plan for implementation (para. 15). Guided by this plan, SCR 1888 calls for the appointment of a Special Representative of the Secretary-General on Sexual Violence in Conflict (para. 4), a team of experts that can be rapidly deployed to situations of particular concern (para. 8), and more women's protection advisers in peacekeeping operations (para. 12). A year later, SCR 1960 goes further by creating a system for listing parties to armed conflict, in situations on the Security Council's agenda, that are "credibly suspected" of perpetrating sexual violence, so that focused measures such as sanctions can be considered (para. 3), and calls for more effective and situational specific monitoring, analysis, and reporting arrangements (para. 8). Henceforth, the Secretary-General is requested to submit specific annual reports on the implementation of the sexual violence resolutions (para. 18). Dissatisfied with the slow pace of change, the most recent of these resolutions urges accelerated implementation and also takes the important step of explicitly recognizing that sexual violence victims may include men and boys (SCR 2106, preamble para. 6).

While many feminists applauded the Security Council's new-found concern with addressing sexual violence as an "historic achievement"⁶³ and a long overdue admission that sexual violence during armed conflict is a matter that falls within its purview⁶⁴, others worry that the fixation on sexual violence has distilled the multiplicitous issues associated with women's experiences of armed conflict to the single issue of their sexual vulnerability, reducing the broad agenda of SCR1325 to the goal of making war safer for women,

as if this was possible.⁶⁵ Thus, engagement with the Security Council has shifted feminist attention from preventing war to attempting to ameliorate its adverse impacts on women. This development reflects a wider shift in anti-war activism, from concern with aggression to concern with "atrocities".⁶⁶ While the more recent empowerment resolutions work hard to make up some of the lost ground, demanding attention to improving women's socio-economic conditions through, *inter alia*, access to education, justice, and basic health services (SCR 1889, paras. 10 and 11), and affirming that "sustainable peace" requires a holistic approach that integrates political, security, development, human rights, the rule of law, and justice activities (SCR 2122, preamble para. 11), the larger goal of making resort to armed force impossible has been lost in the panic about sexual violence and the focus on *jus in bello*.

CONCLUSION

In many respects, the Security Council's WPS agenda has cemented the idea that securing international peace relies on military strength and securitized states. Feminist aspirations for permanent peace have been reduced to seeking women's participation in the decision-making structures of the existing frames of war, supporting disarmament only at the local level in post-conflict communities, and urging legal and practical reforms aimed at making armed conflict safer for women. This is not to deny the value of many of the hard-won achievements that have been made possible despite, more than because of, the Security Council's vision. Among these achievements I would include the new openings for women's participation, increased pressure to reduce conflict-related sexual violence and long-overdue recognition of the importance of local women's projects aimed at peacemaking and peacebuilding. However, my argument is that, ultimately, these achievements are not enough – that the *quid quo pro* of the sacrifice of many

63 Human Rights Watch, "UN: Finally, a Step Toward Confronting Rape in War," News Release, June 18, 2008.

64 PeaceWomen, "Feature Analysis: Security Council Resolution 1820: A Move to End Sexual Violence in Conflict," 1325 *PeaceWomen E-Newsletter* 102 (June 2008): 4–7.

65 Heathcote, "Feminist Politics and the Use of Force," 23–43.

66 Samuel Moyn, "Anti-Impunity as Deflection of Argument," in *Anti-Impunity and the Human Rights Agenda*, ed. Karen Engle, Zinaida Miller and D. M. Davis (Cambridge: Cambridge University Press, forthcoming 2017).

components of the permanent peace that were identified by the Hague Congress in 1915 weighs heavily against feminist change. The result has been a weakening of feminist opposition to war, the solidification of protective stereotypes of women that lend support to military ways of thinking, and the loss of the hope for a world in which its “peoples” commit to “liv[ing] together in peace with one another” (UN Charter, preamble para. 2).

So, I return to the dilemma of gender that has always haunted feminist strategies for peace and the importance of critically examining how gender is being engaged and what it is that women’s increased participation in conflict and post-conflict decision-making is expected to achieve. I have argued elsewhere that the Security Council hopes thereby to improve its “gender legitimacy” and shore up support for its exercise of unaccountable power.⁶⁷ Building its social capital in this way relies heavily on the gendered paradigm that men fight wars in order to protect women (and children), and that women are naturally predisposed to peace. The sexual violence resolutions clearly reinforce these ideas, while the women’s empowerment resolutions all slide into protectiveness as well.⁶⁸ Instead of promoting increased women’s participation in the existing framework, feminist peace advocates need to expose the role that gendered ways of thinking play in framing armed conflict as inevitable, and develop strategies that contest and disrupt such certainties. This means fully embracing gender as a social category and engaging men and other genders, as well as women, in the project of peace. Dichotomous conceptions of gender need to be jettisoned if security institutions are ever to de-militarize, and only then will it be possible for people of all gender identities to enjoy equal political participation in all of its senses. In the context of the WPS agenda, men too must be engaged as peacemakers and recognized as potential victims of sexual violence, and peace must be conceived as a multi-gendered project, if the conservative moorings of biological determinism, which

support the gendered grammars of war and peace, strength and vulnerability, are ever to be dislodged.

In order to extricate the idea of peace from the frames of war, we need to disrupt the relentless certainties of militarized security and gender dichotomy that have stifled change and kept us locked in the perpetual violence of “dirty peace,” justifying the production of ever more deadly weapons. We need to understand how to work against feminist ideas becoming bound up in global relations of inequitable power. We need to reframe peace as the creation of conditions that would make the response of violence unintelligible and nonsensical, drawing on all the resources at our disposal, including the rich history of feminist imaginaries of permanent peace, Third World visions of friendly relations, indigenous relations of harmony between people and land, and queer dreams of gender and sexual multiplicities. Realizing peace (non-violence) is an ongoing struggle against the violence that is part of our individual formative histories, and the need to find ways to resist repeating this violence is pressing. Engaging with the Security Council’s work on WPS reminds us of the urgency of the task of creating conditions conducive to positive peace, and its complexity, even as this experience suggests that we think again about the wisdom of looking to the Security Council as a vehicle for promoting permanent peace.

67 Otto, “The Security Council’s Alliance of ‘Gender Legitimacy’”.

68 Otto, “The Exile of Inclusion,”.

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