



VIOLENCE AGAINST WOMEN: IMPLICATIONS FOR POST-CONFLICT RECONSTRUCTION

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Introduction

This article draws on research undertaken with Rwandan refugee women living in South Africa to argue that the distinction that is often made between gender-based violence and political violence is a largely artificial one that results in women's marginalisation within post-conflict reconstruction efforts. My aim is to raise a number of questions about how we understand the violence that women suffer in times of war and peace and the possible continuities and changes that these undergo. Issues of gender-based violence have occupied a difficult position within post-conflict reconstruction at least in part because violence against women has typically been rendered domestic in contrast to the conflict of war which is considered political. There is an assumption within asylum legislation that those who are displaced by violence are typically men resulting in laws that, although purporting to be universal, privilege men's wartime experiences.¹

This article draws on two case studies from a broader research project with women from the African Great

Lakes Region who are living in Johannesburg, South Africa. I use this to argue that the distinction made between domestic and political violence tends to define much of the violence that women suffer in times of armed conflict. Rendering these experiences as "domestic" places them outside of the scope of many post-conflict reconstruction activities.

Domestic and Political Violence: A False Distinction

At the heart of the question about how post-conflict reconstruction affects women is a question about how women suffer in times of war – as well as the role they play in it. Understanding this can shape post-conflict interventions that are more gender equitable. One of the most common descriptions that women gave in the

Above: Violence against women – a common phenomenon during conflict – is usually not recognised as a central part of post-conflict resolution efforts

above-mentioned research was of how their position as children of mixed ethnic marriages, or themselves being in such marriages, shaped the violence they experienced. The following case study is a typical example of this:

Case Study 1

M fled to South Africa after she was threatened because she, a Tutsi woman, was married to a Hutu man. Both she and her husband were attacked because it was assumed that he was a supporter of Tutsis, given his marriage to her, and that she was leading him away from other Hutus. In particular, she was concerned for the safety of their children. She said that her children were constantly being harassed because their ethnic identity was in doubt. Her daughter was expelled from school because of her 'mixed' ethnicity. On another occasion someone attempted to abduct her daughter and it was this incident that led the family to finally flee. She described how the propaganda of the war paid particular attention to people in 'mixed' ethnic marriages. She described this saying that: "That's where from '59 a Hutu is the enemy of the Tutsi. That's what they taught me – as a Hutu they are enemies. Like my husband was Hutu. He could kill me with all my children because they've got that blood of the Tutsi. Then as an example, he'll give you a good example and first start with his wife, kill [her]. Then if the children are lying with his wife [kill] all. To show you that this blood, he doesn't need it again."

For many women interviewed the positioning of their children within a 'mixed' marriage was a central reason for their flight. Much of the violence they suffered was because they had married someone of an opposing ethnic group or because they themselves were children from such a marriage. The Hutu nationalist propaganda of the war paid particular attention to people in these kinds of marriages and identified killing a spouse from another ethnic group as the ultimate act of commitment to the conflict.

For example, of the widely promoted Hutu Ten Commandments published in a December issue of the newspaper *Kangura*,² four regulated marriage and sexual relationships across ethnic divisions. They stated that:³

- Every Hutu should know that a Tutsi woman, wherever she is, works for the interest of her Tutsi ethnic group. As a result, we shall consider a traitor any Hutu who: marries a Tutsi woman; befriends a Tutsi woman; employs a Tutsi woman as a secretary or concubine;
- Every Hutu should know that our Hutu daughters

are more suitable and conscientious in their role as woman, wife and mother of the family. Are they not beautiful, good secretaries and more honest?

- Hutu woman, be vigilant and try to bring your husbands, brothers and sons back to reason;
- The Rwandese Armed Forces should be exclusively Hutu. The experience of the October [1990] war has taught us a lesson. No member of the military shall marry a Tutsi.

Tutsi women were socially positioned at the permeable boundary between the two ethnic groups, which accounts for the particular focus on them.⁴ In addition, these 'commandments' indicate that women were given particular duties in monitoring and regulating men's sexual behaviour, in addition to their own. This is evident in the direct address to women that they return their men to reason in the fourth 'commandment'. In this way, sexual transgressions of this sort, and the resulting violence within families, were a central basis of women's persecution. This is equally evident in the following case study:

Case Study 2

K is a Tutsi woman who was about to be married to a Hutu man. When the war broke out they fled together, but were soon separated. She spent two months in the forests of the Democratic Republic of the Congo (DRC) during which time the child she was breastfeeding passed away from starvation. At this point she decided to return home. After returning home, her family tried to force her to marry another Tutsi man who was very senior in the military, claiming that he was an important person and was "of the same blood as her". They insisted on this marriage even after this man raped her. As a result of the rape she left Rwanda and fled to South Africa to find her fiancé. She has been unable to have any further contact with her family.

Each of these case studies indicates a context where the violence that women suffer could be defined as domestic violence. However, in each case it is clear that the nature of the violence they have suffered is rooted in the conflict and shaped by it. That the violence took place within the family does not negate the fact that it was motivated by the ethnic conflict. These case studies indicate that gendered sexual relations are a central aspect of armed conflict. However, this has often been marginalised in a way that considers women as disengaged from war. Far from seeing this kind of violence as a central part of conflict, it is often assumed that the role of women in conflict is to support men's political engagements:

ISSUES OF GENDER-BASED VIOLENCE HAVE OCCUPIED A DIFFICULT POSITION WITHIN POST-CONFLICT RECONSTRUCTION AT LEAST IN PART BECAUSE VIOLENCE AGAINST WOMEN HAS TYPICALLY BEEN RENDERED DOMESTIC IN CONTRAST TO THE CONFLICT OF WAR WHICH IS CONSIDERED POLITICAL

These apparently ethnic wars are, in a sense, also gender wars. The communal power these political movements, armed with guns, seek to establish or defend is (among other things) gender power, the regimes they seek to install are (among other things) gender regimes. As well as defining a relation between peoples and land, they shape a certain relation between women and men. It is a relation of male dominance, in some cases frankly patriarchal. It is constituted at best in a refusal to challenge the existing balance of power enforced by male violence, at worst in an essentialist discourse that reasserts a supposedly natural order and legitimates violence.⁵

Many authors on the Rwandan genocide have noted that marriage across ethnic groups was common.⁶ However, most have not paid attention to how this shaped the violence that women suffered and the specific gendered ways in which they were targeted through the wartime propaganda. For most authors, it is simply stated that Rwanda is a patrilineal society and children take the ethnic identity of their fathers. The Rwandan identity cards⁷ stated the ethnic identity of the adult person carrying them under the photograph with space on the opposite page for the names of all children. This would, bureaucratically, work to ensure that the system of ethnic difference could be sustained with children taking the ethnic identity of their fathers. Indeed, for some women, this was equally a source of distress. For example, a Tutsi woman describes how she tried to explain to her daughter that although she was a Tutsi, her daughter was a Hutu because of her father's Hutu identity. "She said that she doesn't understand. I said to her, 'You know you're a Hutu and I'm a Tutsi'. She said, 'No mum! I can't believe it, no. The Hutus kill'...."

Patrilineal practices such as these serve a central function in ensuring that people belong clearly to one group or another thereby reinforcing the notion that there are two distinct groups, Hutus and Tutsis, to which every person belongs without ambiguity. However, in spite of these bureaucratic and social structures that work to sustain the belief in 'pure' ethnicity, the extent to which Tutsi women married to Hutu men or 'mixed' ethnicity children were persecuted suggests that this is far more complex and needs to be explored further to understand violence against women in this conflict.

Implications for Post-Conflict Reconstruction

Although there has been significant progress in the last decade in ensuring that rape, in particular, and violence against women more generally is recognised as a central part of war, this has not often translated into post-conflict reconstruction efforts. Nor has this always resulted in a challenge to the notion that some rape is political and some is criminal or domestic. In Truth Commissions, women have been in the minority of those that testify and have tended to testify about the actions of male family members. For example, in spite of widespread rape during the South African conflict very few cases of rape were brought before the Truth and Reconciliation Commission (TRC) and women considered the violence they suffered as secondary to the violence men suffered.⁸ Furthermore, violence within the family, as is evidenced in the above case studies, is almost never reported and is typically seen as different from the violence of war. It is, at least in part, for this reason that it is possible for a country to be considered post-conflict even if the levels of rape and violence against women remain as high as they were during the war.⁹

Moments of transition to democracy offer unique opportunities for issues of gender equality to be profiled and incorporated into the often massive policy and legislative changes taking place. However, this is often a complex and contested process. For example, in Rwanda although representation of women in senior levels of government is one of the highest in the world, this does not necessarily change the lived experiences of women. Indeed, in post-conflict societies there is often a call for a return to tradition and values and a concern for how families have broken down during the war. This can easily become a call for entrenching and legitimising gender inequality in the name of peace. In times of war, women often move out of the spheres to which they are socially confined and take on new, typically masculine roles in society, the workplace and their communities. Periods of political transition, as much as they may offer opportunities for gender justice, are also often met with the return to a previous (gender unequal) way of life.

Similarly, processes created for post-conflict justice have often not accommodated women's needs. For example, supporters of Rwanda's *Gacaca* process have argued that it is useful precisely because it utilises 'traditional' mechanisms of justice. Although this may be true, such traditional mechanisms of justice have often

excluded women's participation and seldom made decisions that are in women's favour. Thus, there is a risk of over-romanticising 'tradition' in ways that reduces women's opportunities for participation in post-conflict reconstruction activities and undermines their right to justice.

Finally, this debate raises questions about the nature of post-conflict reparations for women. Although some reparations programmes have included attention to gender-based violence, there have been a number of challenges raised for how we understand reparation.



GETTY IMAGES / TOUCHLINE PHOTO

Women play a significant role in maintaining and developing their communities in times of war and peace

For example, reparations programmes have seldom accounted for the consequences of violence against women that are not directly linked to the specific harm such as the stigma of rape or the inability to remarry – a significant source of economic security for women in many contexts. In addition, there have been times where lobbying for the inclusion of gender-based violence into reparations programmes has itself drawn on and reinforced gender stereotypes, for example, where rape has been included as a crime against the community (rather than the woman) or where emphasis on the stigma that women suffer after rape risks reinforcing this stigma rather than challenging it. Finally, reparations programmes have often not accommodated situations where women have been targeted because of the actions

or political involvements of male relatives, or where the violence they suffer is a result of seemingly domestic activities such as cooking for troops or (as in the case mentioned previously) refusing to marry one's rapist.

Conclusion

How we understand what happens to women in times of armed conflict, and the way that we conceptualise violence against women shapes efforts for their incorporation into post-conflict reconstruction plans. The division that is created between domestic and political violence can function to render much of women's wartime experiences 'domestic' and reduce their engagements with, and in, post-conflict reconstruction efforts. This discussion has focused on those activities that tend to take place in the immediate period following conflict such as criminal tribunals and truth commissions. However, the conceptualisation of violence against women in times of conflict can have long-lasting effects as broader political transition enables or forecloses opportunities for gender justice. ▽

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- 1 Valji, N., De la Hunt, L. and Moffet, H. (forthcoming 2006) *Protecting the invisible: the status of women refugees in Southern Africa*, In Handmaker, J., De la Hunt, L. and Klaaren, J. (eds), *Advancing refugee protection in South Africa*. See also Spijkerboer, T. (2000) *Gender and refugee status*, Dartmouth: Ashgate.
- 2 The media has been viewed as a central tool of the Rwandan genocide and this newspaper was actively used to promote anti Tutsi propaganda. See Green (2002).
- 3 Green, L. (2002) "Propaganda and Sexual Violence in the Rwandan Genocide: An argument for Intersectionality in International Law," *Columbia Human Rights Law Review*, 33, 733-755.
- 4 Ibid.
- 5 Cockburn, C. (1998) *The Space between us: Negotiating Gender and National Identities in Conflict*. London: Zed Books, p 13.
- 6 Mamdani, M. (2001) *When Victims Become Killers: Colonialism, Nativism and the Genocide in Rwanda*, Princeton: Princeton University Press.
- 7 Roadblocks, set up by militias, checked identity cards in order to find and kill Tutsis.
- 8 Goldblatt, B. and Meintjies, S. (1998) 'South African women demand the truth', In Turshen, M. and Twagiramariya, C. (eds) *What Women Do In Wartime: Gender and Conflict in Africa*, London: Zed Books.
- 9 Pillay, A. (2000) 'Violence against women in the aftermath', In Meintjies, S. Pillay, A. and Turshen, M. (eds) *The Aftermath: Women in Post-conflict Transformation*, London: Zed Books.