Returning Home: Women in Post-Conflict Societies

Naomi Cahn, GW Law School
Dina Haynes, New England School of Law
Fionnuala Ni Aolain, Minnesota Law School

This paper explores the situation of women returning to their homes and communities after their countries have experienced major conflicts. In that context, it assesses the range of barriers and challenges that women face and offers some thinking to addresses and remedy these complex issues. As countries face the transition process, they can begin to measure the conflict’s impact on the population and the civil infrastructure. Not only have people been displaced from their homes, but, typically, health clinics, schools, roads, businesses, and markets have deteriorated substantially. Moreover, many countries undergoing the post-conflict process were poor before the conflict even started; of the 20 poorest countries, three-quarters experienced conflict during the last 20 years of the twentieth century.¹ Not all conflicts occur in the poorest countries (Ireland and the former Yugoslavia, for example), but its occurrence is highest in these countries.²

While the focus is on humanitarian aid in the midst of and during the immediate aftermath, the focus turns to development-based activities for the longer-term.³ The transition from short term reconstruction to longer term development, however, is not always smooth and has been subject to criticism, primarily due to the overlapping mandates of the organizations engaged in the work and the lack of expertise held by humanitarian organizations that begin engaging in reconstruction and even longer term development work.⁴ For both short and long-term security, it is critical to integrate development and post-conflict processes; and development activities provide a significant opportunity (and mandate) to ensure that gender is central to the transitional process. Here we take gender centrality to be a first principle of response – namely planning, integrating and placing gender at the heart of the development response to conflict.

First, many of the post-conflict goals cannot be implemented when the population is starving, homeless, and mistrustful of government-sponsored services. Women constitute the overwhelming proportion of refugees displaced by war; not responding to their specific needs to return home dooms the reconstruction process. Second, women are central to any socioeconomic recovery process. In many countries, the low level of women’s education, their lack of power, and

⁴ Ronald Waldman, Rebuilding Resources After Conflict: Lessons from East Timor and Afghanistan (Overseas Development Institute 2003), available at: http://www.reliefweb.int/rw/rwb.nsf/AllDocsByUNID/728dcebad50f486085256dd5006fd68a
certain cultural dynamics hamper improvements in women’s status and health as the country seeks to recover. For women, it too often turns out that the transformation is partial and exclusionary, and may frequently operate to cloak women’s ongoing repression and inequality with the blessing of the rule of law and the operation of international donors. For example, men may determine whether their partners use family planning; and men are usually in charge of the family budget, determining how much is spent on nutritious foods and health items such as well-baby visits. Studies have shown that when women are in control of the finances these items are better funded. The lived experience of women in conflicted and post-authoritarian societies suggests that the terms “transition” and “postconflict” have much more territory to occupy that it has hitherto and that much work is needed to both ground and empirically quantify this fundamental difference of conceptualization.

The paper analyzes gender and development strategies in the post-conflict country, and the nexus between the two. It first looks at the need to integrate development and post-conflict, and then turns to an analysis of why gender matters. It then looks at development as both a short and long-term process, articulating a new model of “social services justice” to describe immediate needs as the country begins the peace stabilization process. We argue that social services justice should become a critical aspect of any transitional justice and post conflict reconstruction model, and it serves as a gender central bridge between humanitarian aid and long-term development. Social services justice serves as an “engendered” bridge between conflict and security, running the temporal spectrum from humanitarian relief through post conflict to longer term development, any of which is inclusive of transitional justice. Whether social services is justified as one form of transitional justice or as an early effort at development, its goal is to respond to the immediate needs of the population post-conflict, ranging from livelihoods to health to education.