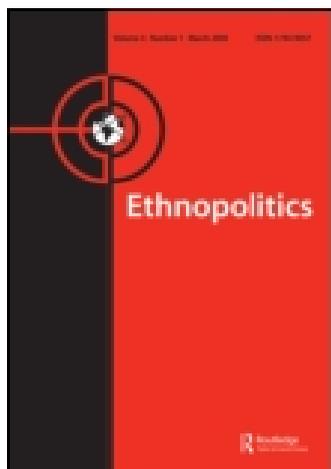


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Should Peace Agreements Recognize Women?

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ABSTRACT In order to end conflict and foster democracy, most contemporary peace agreements recognize particular ethnic groups, typically by accommodating them within the central institutions for governing the state. Yet the conflicts that peace agreements aim to manage or resolve also affect other groups in society. Accordingly, this article considers whether a convincing normative case might be made for extending the act of recognition to women. To this end, four possible arguments are considered—the justice argument, the nature argument, the interest argument and the role-model argument. Although the fourth of these arguments has received the least amount of attention from contemporary feminists, it is argued that it is the most plausible (or least problematic) way to justify the claim that peace agreements should recognize and accommodate women. That said, the authors accept that, taken on its own, the role-model argument is still a fairly weak argument, and so the paper concludes by suggesting how, in practical terms, it might be bolstered.

Introduction

Most contemporary peace agreements recognize conflicting ethnic groups, usually by accommodating them within key political institutions for governing the state.² Indeed, recognition is often seen as a necessary, although by no means sufficient, condition of a successful transition from ethnic conflict to sustainable democracy. The reasoning here is perhaps easy to appreciate. All societies are divided to one extent or another. Yet in so-called 'deeply divided societies', such as those of Northern Ireland, Bosnia or Sri Lanka, the constitutional status of the state itself is typically called into question: one or more ethnic group will claim that the state should not continue to exist, or not continue to exist in its present form, and may even resort to violence in order to change the constitutional status quo. Under such conditions, any political disagreement, no matter how mundane, can break down along ethnic lines and hence become part of the larger struggle for the state.

The result is political insecurity. Put simply, ethnic groups in conflict worry about their interests and they worry about the preservation of their identity. In order to protect their interests and identities, they will often insist on formal institutional guarantees before signing up to any peace agreement. Those guarantees can take many different forms,

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depending on the context, but they will often involve assurances that political power will be fairly shared, that resources and opportunities will be equitably distributed, that mutually binding decisions will not be taken unilaterally, or that the different ethnic groups will have control over their own internal affairs, particularly in areas such as culture, religious practice or education. In a nutshell, as the language and concepts of ethnicity are the primary channels through which conflict is framed and articulated, so it follows that any resolution will depend on protecting ethnic groups and making their individual members feel secure within the confines of a shared democratic state.

Besides ethnicity, conflicts also affect other interests and identities. Yet in deeply divided societies, where the claims of ethnic groups will typically predominate in political life, those other interests and identities may be overlooked or wilfully discounted. As a result, some people may be denied the chance to shape their own relation to the polity, to couch their interests in terms other than ethnicity, or to treat their ethnicity as a largely personal dimension of the self. According to Charles Taylor, non-recognition or misrecognition of this sort 'can inflict harm, can be a form of oppression, imprisoning someone in a false, distorted, and reduced mode of being' (Taylor, 1994, p. 25). One is therefore led to ask whether the act of political recognition should also be extended to other groups. This article examines this question with respect to the largest and most publicly visible group in most societies, i.e. women.³ We contend that there is a good case for arguing that peace agreements should recognize women, although, to date, the case that we defend is not one that contemporary feminists have found especially appealing. Recognizing women within the terms of a peace agreement sends out a positive message to women generally. For example, fixed candidate quotas for women within political parties may make it easier for women to win seats in parliament or government and hence to serve as role models for other women; but women representatives can serve as role models for everyone else in society too, because their very presence within a parliament or government can serve as a reminder of the fact that there is more to politics than ethnicity.

Thus, in the first instance, we argue that recognizing women can help to foster democracy in a deeply divided society. Yet while some feminists may think that this instrumental approach risks minimizing the concern for gender equality, turning it from an issue of political principle into a vehicle for securing other political goods, we see no real tension here. On the contrary, the fact that recognizing women might help foster democracy should itself be seen as a compelling argument for gender equality, albeit indirectly. At any rate, no one seriously doubts the case for gender equality. Yet by locating that case within the context of a deeply divided society, it may be possible to gain some new perspectives on it.

Before proceeding, it is worth saying a few words about the status of this article. In the first instance, the central, animating question is approached from a political theory perspective. As such, the primary concern is with the way in which political institutions ought to be arranged, rather than with the way in which they are arranged in the here and now. Yet at the same time, it is assumed throughout that normative arguments inevitably imply empirical questions—or, if one prefers, that normative and empirical questions are mutually implicating. Accordingly, the theoretical claims are illustrated with a range of empirical examples drawn from a range of country studies (Northern Ireland, Lebanon, South Africa, etc.). Those examples have been chosen because of what they tell us about the actual position of women within and across ethnic groups. Yet they have also been chosen because of the ways in which they force us, as political theorists, to reflect back on our normative assumptions and the arguments that they spur.

Four Arguments for Recognizing Women

A political impulse is always close at hand in demands for recognition. Such demands are made when the laws and institutions of a state are seen to unjustly favour some groups of people while unjustly disadvantaging others (Porter, 2003, p. 75). For this reason, formal institutional recognition is a central element of many peace agreements.⁴ Ethnic groups that have been treated unjustly in the past demand recognition so as to guarantee that they will have equality and fair treatment in the future. However, some peace agreements have been criticized for putting too much emphasis on ethnicity, thereby diminishing the significance of other kinds of identity and interest. Critics worry that this emphasis will create a hierarchy of group concerns and heighten the sense of disenfranchisement that is felt by those who do not wish to be, or who cannot be so neatly classified (O'Neill, 2003, p. 372; cf. Little, 2009, pp. 260–261).

In response to this worry, the negotiators of a peace agreement will often argue from a standpoint of political realism or pragmatic necessity. Protecting different ethnic groups is, as Brendan O'Leary explains, rarely done for its own sake, or because of the desire for 'a romantic celebration of a thousand different flowers (or weeds)' (O'Leary, 2005, p. 9). Rather, it is the product of a hard confrontation with reality that forces certain options on politicians, be they men or women. Peace agreements will generally be imperfect in terms of their democratic credentials; but, when all is said and done, nothing is more important than ending violence and reducing ethnic conflict.

Undeniably, arguments from pragmatic necessity carry considerable weight. Yet while ethnic groups may have to feature centrally, there may still be a case for arguing that peace agreements should also recognize other groups. Broadly speaking, contemporary feminists have advanced four arguments on which one might draw to defend the view that peace agreements should recognize women: the justice argument, the nature argument, the interest argument and the role-model argument (Phillips, 1995; cf. Dovi, 2007; Mansbridge, 1999). In what follows, each of these arguments is treated in turn. The justice argument is important in terms of securing background conditions for democracy, particularly civil and political rights. Yet it does not go far enough in terms of explaining why recognizing women within the terms of a peace agreement should make a difference to the actual business of democracy itself. The nature argument does offer an explanation as to why the sex of a representative should matter to democracy. Yet it succeeds only in so far as one is willing to accept what most feminists deny, namely that all women have an essential identity that marks them out as different. The interest argument avoids ontological assumptions of this sort. Yet while it appeals directly to the principle of political equality, its indeterminacy undermines the contribution that it might make to ending violence and fostering democracy. By contrast, the role-model argument, plainly and simply, seeks to remind us that there is more to politics than ethnicity. Indeed, the fact that it is so parsimonious explains why it is the most promising of the four.

The Justice Argument

As Anne Phillips points out, if 'there were no obstacles operating to keep certain groups of people out of political life, we would expect positions of political influence to be randomly distributed between the sexes. There might be some minor and innocent deviations, but any more distorted distribution is evidence of intentional or structural discrimination'

(Phillips, 1995, p. 63). As we have just suggested, the realities of life in deeply divided societies will often be such that special institutional provision will need to be made for ethnic groups; but as ethnic groups are themselves comprised of (roughly) equal numbers of men and women, Phillips's point still holds. It is patently unjust for men to monopolize representation.

From a feminist perspective, this criticism is strengthened by the fact that ethnic leaders are generally men who often have a vested interest in imposing uniform beliefs and standards of conduct on group members. When issues of gender equality are raised during the course of a negotiation process, if indeed they are raised at all, the typical response is that addressing the historical injustices common to both men and women *qua* members of discrete ethnic groups must take priority over the particular interests of women *qua* women (Rebouché & Fearon, 2005, p. 160; cf. Yuval-Davis, 1998, p. 28). Thus, in so far as the agreements that result reinforce ethnic interests and identities, and in so far as ethnic interests and identities are patriarchal, they risk perpetuating gender inequalities, and are to that extent unjust.

Consider the case of Lebanon. When peace negotiations took place in 1989, all of the 62 politicians who met at Ta'if were men, elected as the representatives of their respective Muslim or Christian groups. The Constitution that emerged does not discriminate against women *per se*. On the contrary, Article 7 maintains that 'Lebanon is a democratic parliamentary republic founded on respect for public liberties, especially the freedom of expression and belief, on social justice, and on equality in rights and duties among all citizens, without discrimination or preference' (Lebanese Constitution, 1990, Article 1, Sub-section C). However, the Constitution not only recognizes 18 different ethnic groups by accommodating them within the central institutions for governing the state, but also affords them a fair degree of control over their own internal affairs through, among other things, the allocation of personal status laws covering issues such as marriage, divorce, child custody, control of family property and inheritance. Affording groups control over their own internal affairs is regarded by some comparative scholars as a necessary condition of peaceful coexistence in a deeply divided society (e.g. Lijphart, 2004, p. 97); but personal status laws, as Susan Moller Okin argues, are likely 'to have much greater impact on the lives of women and girls than on those of men and boys, since far more of women's time and energy goes into preserving and maintaining the personal, familial, and reproductive side of life' (Okin, 1999, p. 13). Or as Ayelet Shachar argues, the 'policing of women' by men is often justified by appealing to the need to maintain group boundaries and is achieved via the implementation of personal status laws and lineage rules that control the situations in which women are allowed to marry and have children: women 'must procreate in ways that that will preserve the membership boundaries and autonomous identity of their group', irrespective of the implications for the protection and development of women's rights (Shachar, 2001, pp. 51, 56 and *passim*).

There is evidence to support the claim that the protections afforded to ethnic groups in Lebanon have led to discriminatory practices against women, and in the worst instances have served to highlight the tensions between civil and criminal law, particularly when dealing with issues of gender-based violence such as so-called 'honour' crimes (WRMP, 2000; Hillyard *et al.*, 2006). Of course, someone might say that the easiest way to respond to patriarchy of this sort is through the right of exit; women should be free to leave the group if that is what they think will serve their interests best—but for many women, such choices are merely formally available. The argument in favour of a

right to exit is sound, but only if the members of an ethnic group do, in fact, have a genuine or effective opportunity to leave. Indeed, as Leslie Green argues, ‘the fact that it is possible to do so does not suffice to show that those who do not manage to achieve the task have stayed voluntarily’ (Green, 1999, p. 266; but see Kukathas, 1992a, pp. 116–117, 1992b, p. 678).⁵

The mere existence of a right to exit does not necessarily make it a reasonable choice for many women. Yet even where women are able to exercise the right to exit, there is no guarantee that it will lead to greater levels of gender equality. In deeply divided societies, where ending conflict and fostering democracy must be the cardinal concerns, those who exercise the right to exit will typically form a very small minority and hence may have very little voice or influence in public and political life. In sum, to the extent that ethnic identities are politically dominant and characterized by patriarchy, women who exercise the right to exit will may find themselves in a subordinate position twice over. First, they will be subordinated by the dominance of patriarchal ethnicity within the existing political system; and second, they will be subordinated by their low numbers as a consequence of exiting. Therefore, the injustices experienced by women *qua* women in societies of the sort with which we are concerned in this article cannot be redressed simply by becoming avoidable.

Arguably, those injustices stand a better chance of being redressed through oversight mechanisms designed to ensure that states meet their obligations under instruments such as the United Nation’s Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979). CEDAW defines gender-based discrimination as any ‘distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field’ (CEDAW, 1979, Article 1). Properly implemented, international treaties or conventions of this sort could certainly play their part in securing greater levels of gender equality. Nevertheless, they still leave at least one pressing question unaddressed—a question that becomes all the clearer for being located within the context of a deeply divided society seeking to make the transition from violent ethnic conflict to stable democracy.

A peace agreement should seek to protect women from arbitrary discrimination or from undue interference by men in their daily lives (just as it should protect everyone from unjust treatment, whatever their identity or interests). It should also seek to ensure that women can participate on equal terms with men in determining the laws and policies under which they are to live. As a matter of basic justice, women and men should have equal opportunities to participate in political life—they should have an equal right to vote, to form or join political parties, to run for office, etc. Many feminists, however, argue for more than an equal right to participate. They also argue for greater numbers of women in parliament or government.⁶ Yet as Phillips points out, ‘while we can quite legitimately talk of an equal “right” to political participation, we cannot so readily talk of an equal “right” to be elected to political office’ (Phillips, 1995, p. 65).

The problem might be put like this. No workable parliament or government could accommodate each and every group in society. So, the choice is between giving up on the idea of accommodation altogether or accommodating only those groups where there is a clear a compelling case for doing so. Here, much will depend on the context.

As far as deeply divided societies are concerned, there is a clear and compelling (arguably ineluctable) case for accommodating conflicting ethnic groups; unless ethnic groups are accommodated, there may be no chance of bringing violent conflict to an end or of fostering democracy. But what reasons might one advance to justify the claim that peace agreements should also accommodate women? The justice argument holds that women should not be subject to arbitrary discrimination and hence should have the same civil and political liberties as men. As such, it seeks to secure the background conditions of democracy and hence, to that extent, does have something important to say about why peace agreements should recognize women. Yet in order to ground the stronger claim that women should have institutional guarantees similar to those afforded to ethnic groups, something else needs to be added to the mix. Exactly what that might be is open to debate; but in general terms one must be able to show that institutional guarantees for women would make a difference to the actual business of democracy itself, i.e. to how decisions are made and to the quality of those decisions. Whereas the justice argument does not extend this far, the nature argument purports to make just such a case.

The Nature Argument

Institutional guarantees provide ethnic groups with a genuine stake in the democratic system and even the opportunity to transform that system from within. As such, the hope is that they will encourage ethnic leaders to engage with one another in a spirit of compromise and conciliation or give rise to a more conciliatory, collective view of common political problems (McGarry & O'Leary, 2004, p. 25). The worry is, however, that this optimism will turn out to be misplaced. Once ethnic differences are prioritized within the terms of a peace agreement, there is a risk that the social cohesion on which democracy depends may not develop.⁷ For example, while mechanisms designed to ensure that groups will have control over their own internal affairs are intended to guarantee political emancipation and reduce tensions, those mechanisms may actually serve to make things worse. A situation in which the members of different ethnic groups live parallel existences is not one that is well calculated to advance mutual understanding or to cultivate sentiments of trust. Instead, it may well result in a sharpening of differences between ethnic groups (Barry, 1975, p. 505; Ghai, 2002, p. 170).

For many feminists, gender equality is not just about equal rights for men and women, but also about changing the character of politics more generally. In this context, a strong distinction is sometimes drawn between interests and needs—whereas an emphasis on interests treats politics as a matter of brokerage between different groups, an emphasis on needs appeals to a more basic, common humanity.⁸ Perhaps the most influential argument of this sort is to be found in Carol Gilligan's *In a Different Voice* (1982). There, Gilligan argues that the discipline of developmental psychology has persistently and systematically misunderstood women—the course of their psychological growth, their moral motives and commitments, and their special view of what is important in life. More specifically, Gilligan argues that what developmental psychologists fail to see is that men and women take fundamentally different approaches to morality: whereas men frame moral relationships in terms of individual rights and restrictions, women frame moral relationships in terms of an ethic of nurturance and care. In other words, whereas men tend to think in terms of what the rules will allow, women tend to think more about the caring thing to do. Thus, according to Gilligan, in this fundamental

difference what we see is ‘the tie between relationship and responsibility, and the origins of aggression in the failure of connection’ (Gilligan, 1982, p. 174).

Gilligan’s research lends support to (or is perhaps to some extent a reflection of) the old and pervasive idea that women are naturally more peaceful than men. If this were indeed the case, the argument for accommodating women within the terms of a peace agreement through such measures as candidate quotas or reserved seats would be compelling. If women are naturally peaceful, or at least appreciably more peaceful than men, then increasing the number of women in parliament or government could reduce political conflict. In other words, increasing the number of women in formal positions of power could change the way in which politics is conducted—for example, by softening the tone of parliamentary debate or by under-girding the emergence of a more consensual form of decision-making (see York, 1998, p. 21). The idea that women are more peaceful than men, and that politics would be a more conciliatory affair if extra room were made for them, continues to motivate many feminist activists (Alison, 2009, pp. 89–90). It has also informed the thinking of such august bodies as the United Nations. For example, the United Nations Security Council Resolution 1325 not only affirms ‘the important role of women in the prevention and resolution of conflicts and in peace-building’, but goes on to stress ‘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’ (United Nations Security Council Resolution 1325, 2000, p. 1). On closer examination, however, the idea that women are more peaceful than men simply goes too far—normatively, ontologically and empirically.

Normatively, the irony of this way of defending the view that peace agreements should recognize women is that it ‘implicitly accepts hierarchical thinking about gender; the hierarchy is simply inverted, with femininity valued over masculinity’ (Alison, 2009, p. 89; cf. Phillips, 1995, p. 75). As such, it merely perpetuates the very hierarchies that many feminists have worked so long to deconstruct. Consequently, from a feminist point of view, the nature argument turns out to be intellectually self-defeating. It simply does not serve to bring about the right sort of politics.

Ontologically, contemporary feminists do not deny that there are such things as ‘feminine values’ and ‘masculine values’ or that those different values shape how men and women act or see the world. Clearly, there are important differences here, and some of those differences are rightly celebrated; but for most contemporary feminists, male and female values are socially constructed and hence inherently contingent. They are not the product of irreducible biological or psychological differences, but of social circumstance and shifting social relations (Young, 1997, p. 389).⁹

Then, of course, there is the most obvious problem of all for the nature argument: empirically, the fact of the matter is that not all women are pacific or caring, just as not all men are aggressive or pugnacious. The academic field studying women and ethnic conflict is still relatively new, and scholars have tended to focus their attentions on women as passive victims (itself a version of the ‘women are more peaceful and less aggressive or war-like than men’ theme). Yet there is a growing body of literature that examines women as agents of ethnic conflict (e.g. Elshtain, 1995; Lorentzen & Turpin, 1998; Alison, 2009). What this literature shows is that, while some women may be pacific, others actively engage in violence—as volunteer soldiers, as recruitment officers, as intelligence agents, as suicide bombers, etc. Accordingly, the fact that women play their part in

perpetrating ethnic conflicts not only gives the lie to the essentialist idea that women are more peaceful than men, but also serves to undermine the nature argument as an approach to justifying the claim that peace agreements should recognize women. If there is no particular reason to think that women are inherently more peaceful than men, then one cannot appeal to that line of thought to defend the idea that peace agreements should recognize women. Put another way, in so far as there is no particular reason to think that women are more peaceful than men, providing women with institutional guarantees analogous to those provided to ethnic groups may do nothing to enhance the prospects for democracy.

The Interest Argument

A third approach to justifying the claim that peace agreements should recognize women—the interest argument—turns on the claim that women are best placed to safeguard and promote their own distinctive interests.¹⁰ To see what is at issue here, let us start with the principle of political equality. Often, that principle is taken to suppose that ‘the weaker members of a political community are entitled to the same concern and respect of their government as the more powerful members have secured for themselves’ (Dworkin, 1997 [1971], p. 297). Yet democracy requires more than equal treatment; it also requires equal participation. After all, a benevolent dictator could claim to treat the interests of his or her subjects with equal concern and respect, but the decisions under which everyone would have to live would still be made by one person rather than equally by all (Dahl, 1989, pp. 87–88). Of course, one need not invoke the personage of a benevolent dictator to understand what is at issue here. Historically, men have long claimed to know what is best for women; but this is precisely what feminists deny—they deny that men are either the best judges or the best guardians of women’s interests (e.g. Young, 1990; Phillips, 1995; Williams, 1998).

As far as deeply divided societies are concerned, women have pointed cause for complaint. In such societies, ethnic identities and interests tend to predominate politically; but as ethnic identities and interests also tend to be patriarchal, the interests that women have *qua* women will tend to be overlooked or discounted unless measures are put in place to give women an effective say. Of course, this failure of recognition may or may not be intentional. Either way, institutions or decision procedures will suffer from a democratic deficit—while appearing to be inclusive, in practice they may restrict political voice or deny political power on the basis of identity (Kymlicka, 1997, p. 58).¹¹ To take a concrete example, in June 2000, the Northern Ireland Assembly backed a motion opposing the extension of the 1967 Abortion Act to the region. It was passed by a majority of assembly members in an oral vote. Prior to the vote an amendment from the Northern Ireland Women’s Coalition, a non-ethnic political party, called for the issue to be referred to the Assembly’s Health, Social Services and Public Safety Committee. In so doing, the aim was to turn the issue from an issue of conscience into an issue of health. The amendment was supported by all of the women present and voting in the Assembly, unionists, nationalists and others. Yet the amendment was defeated (Hillyard *et al.*, 2006, p. 17). Admittedly, some men did vote for the amendment; but the fact remains that it was defeated by men, against the wishes of women.

There are, admittedly, many ways in which this particular example might be interpreted; perhaps the better arguments were on the side of those who backed the motion. But in so far as having an abortion is something that will affect a woman in a way that it could never

affect a man—as abortion is not gender neutral—the fact that there were so few women Assembly members (14 out of a total of 108) suggests that, if the decision was gender-based, women would not have been able to defend their position. Accordingly, if we take as our starting concern the need to foster democracy in a deeply divided society, there seems to be an obvious reason why peace agreements should recognize women: a peace agreement that recognizes women (e.g. by establishing institutional mechanisms designed to increase their number in parliament or government) is more democratic than one that does not. As it is more democratic, there is at least a *prima facie* case for saying that it has a greater chance of taking root (on the assumption, that is, that more democracy is better than less).

Yet once again, matters are not as straightforward as this suggests. One obvious problem with the interest argument is how to defend the view that women have distinctive interests of their own. One approach is to argue that those interests can be determined on the basis of universally applicable criteria, but in practice those criteria always turn out to be too narrow; they capture the interests of some women but not of others (Dovi, 2007, p. 301). An alternative way of framing the idea that women have distinctive interests is to take a relational approach. On such an approach, we cannot make sense of the idea that the members of group A have a distinct interest in an issue except in relation to how the members of an opposing group, B, see that issue. (In the absence of group B, the members of group A might not even be aware that they have a distinct interest in the issue.) Accordingly, when women say that they have a distinct interest in childbearing or employment, this should not be understood as a claim about the centrality of those interests to their identity as women, but simply as a claim about how their experiences of childbearing and employment differ from those of men (Young, 1990, p. 172, 1997, p. 389, 2000, p. 99).¹²

The relational approach to defending the idea that women have distinctive interests of their own is logically consistent with the fact that women can differ greatly among themselves; although different women may see an issue in different ways, men may see the issue differently still. Yet while contemporary feminists have stressed the differences between women almost as strenuously as the differences between women and men, the fact that women are an internally diverse group makes it all the harder to defend the idea that peace agreements ought to recognize them. If women have multiple and contingent interests—if ‘women’ are not a tightly bounded group after all—then it is hard to see how those multiple and contingent interests might be institutionally accommodated.

The interest argument turns on the claim that, unless women are physically present in parliament or government, their interests will not be adequately addressed in a politics that will otherwise be dominated by men (Phillips, 1995, p. 66).¹³ This need not be taken to suggest that men will deliberately set out to treat their interests roughly; but as men do not have immediate access to those interests, and because men have less to lose should anything go wrong, it is easy to see why women might want to be physically present to defend their own distinctive interests. Yet as Robert Goodin points out, there is a problem here (Goodin, 2004, pp. 459–463). If we accept that women are an internally diverse group, and if we also accept that women can be properly represented only by women who are like them in the relevant (i.e. demographic and attitudinal) respects, then it follows that one single woman cannot represent the diverse interests of many different women. In the abortion example highlighted above, women may have been pitted against men along the gender dimension; but, internally, they may also have been pitted

against one another along the religious dimension, or the age dimension, or the class dimension, etc. Then it seems that the problem here is not merely that of increasing the number of women so that their presence in parliament or government is roughly equal to that of men, but of increasing (in theory, exponentially) the total number of men and women overall.

Now, as Goodin explains, democracy is not simply a numbers game; it is also about discussion and debate. Yet the more we insist that no one can speak for the members of another group, and hence the more we increase the number of groups in parliament or government, the more impractical deliberation becomes (Goodin, 2004, pp. 457, 463). Feminists do recognize this problem. For instance, Jane Mansbridge argues that, 'in its deliberative function, a representative body should ideally include at least one representative who can speak for every group' (Mansbridge, 1999, p. 634; cf. Phillips, 1995, p. 47). Yet she also argues that a representative body should not seek simply to reproduce all views in the polity. On the contrary, the 'process of choosing representatives should select to some degree against those views that are useless or harmful to the polity as a whole' (Mansbridge, 1999, p. 634). There is, however, an obvious contradiction here. On the one hand, Mansbridge says that we should ideally include all interests and identities; but on the other hand, she says that in reality some will have to be excluded. Now, in this article our guiding assumption is that we should only include women if they enhance the prospects for democracy in a deeply divided society. So what Mansbridge provides is a challenge to determine whether or not women are 'useful' or 'harmful' to 'the polity'. What she does not provide is an answer.

As far as deeply divided societies are concerned, the failure to resolve the issue Goodin raises could seriously undermine the prospects for democracy. If democracy involves both deliberation and voting, and if deliberation becomes unworkable because there are too many individuals and groups claiming a right to speak, then all that we are left with is the contest of numbers—precisely the sort of contest that can lead to conflict in the first place. The upshot is that, although the interest argument does raise vital issues of representation and political equality, it leaves an awful lot unanswered. Since it is so indeterminate, one must therefore question the soundness of the interest argument as a means of justifying the claim that peace agreements should recognize women.

The Role-Model Argument

As its name suggests, the role-model argument is based on the idea that increasing the number of women in parliament or government sends out a positive message to women as a whole. Seeing women in positions of political power can help to raise the esteem of women generally and enhance their overall sense of political efficacy. Curiously, however, this argument has not received a great deal of attention from contemporary feminists. Indeed, Phillips goes so far as to argue that this particular argument has 'no particular purchase on politics *per se*' (Phillips, 1995, p. 63). We beg to differ. By locating the role-model argument within the context of a deeply divided society, one can clearly see its political relevance.

Increasing the number of women in parliament or government could help to undermine the perception that politics is a 'male domain' (Sapiro, 1981, p. 712; see also Mansbridge, 1999, pp. 649–652). As such, it sends out the message to women *and* men alike that everyone in the polity is entitled to an equal say, or is equally capable of ruling, whatever their

identity or whichever interests they happen to hold. By extension, we argue that a peace agreement that makes greater room for women serves to remind everyone in society that there is more to politics than ethnicity—even in a deeply divided society. Increasing the number of women may encourage more women more often to see issues as being in their collective interest *qua* women. In the process, it may also encourage everyone else to see more often that issues need not be reduced to ethnic interests. In so far as recognizing women within the terms of a peace agreement has this effect, it will play its part in fostering democracy (cf. Goodin, 2004, p. 463).

The beauty of the role-model argument is that, unlike the justice argument, it explains why the sex of a representative should matter. Yet unlike the nature argument, it does so without making any ontological assumptions about what it means to be a woman. Nor, unlike in the interest argument, does it rely on the idea that a parliament or government should seek to mirror in its composition all of the interests and identities in society. Indeed, the fact that it expressly does not seek to represent each and every interest should itself serve as a reminder to parliament and government ‘that whatever laws they make will apply to a wide range of people who differ in a multitude of ways, the details of which are partially opaque to them when legislating’ (Goodin, 2004, p. 463). In other words, knowing that every group is not present, and hence that every group cannot speak directly for itself, should lead to decisions that are more circumspect and inclusive.

Of course, someone might say that many other groups, besides women, could act as role models—and so they could. Yet there are at least three (closely related) reasons for thinking that women are particularly well placed. First, as mentioned in our introductory remarks, women are one of the biggest and most visible groups in any society. They are, however, also one of the most complex groups; their interests and identities cut across almost all other social divisions. So, while other groups may also serve as role models, the fact that women are so large and complex a group means that they are that much more likely to symbolize the fact of diversity or, as James Tully describes it, the overlapping, interactive and internally negotiated nature of group identity (see Tully, 1995, pp. 10–11 and *passim*). Second, the more we increase the number of women in parliament or government, the more those women are likely to realize that they have interests in common that need not be reduced to (competing) ethnic interests.¹⁴ Realizing this, women might choose to lead by example, shifting the terms of debate by bringing a gendered perspective to bear on what might otherwise simply be portrayed as ethnic issues, or they might introduce topics for debate that are viewed through a gendered lens in the first instance. Either way, the message sent out is that other forms of politics are possible. Finally, in deeply divided societies the pool of political talent is, for obvious reasons, often limited to those who claim to represent ethnic groups (cf. Lijphart, 1977, p. 66). Limiting the pool of talent would be bad for any democracy; but it would be especially bad for a society in which democracy is already so precarious. In short, it simply makes sense to try to increase the pool of political talent, so that many different examples will be set; and as women are one of the biggest groups in any society, there is every reason to try to include as many women as possible.

One might still, however, worry about the consequences of this instrumental line of reasoning. Although a politics of full presence is impracticable, the idea that each group and subgroup should be represented by someone who shares the characteristics or experiences of the group does at least draw our attention to the ways in which anything

short of full presence can result in some (sub)groups doing very well and others faring comparatively badly. The role-model argument does not suppose that every group or subgroup should be represented; full presence is not required to remind us of the fact that society is diverse or that there is more to politics than ethnicity. The fact remains, however, that 'bringing some women into politics and representing some women's interests, perspectives and opinions can come at the expense of other women's interests, opinions, and perspectives' (Dovi, 2007, p. 311). Or as Adrian Little puts it:

In terms of feminist theories of democracy, it is important to ask how theories that reject any essentialisation of groups are to ensure that minority groups are not exploited. In other words, anti-essentialists, in their denial of the uniformity of groups, must explain how the rights of people who are part of those groups are to be protected. (Little, 2004, p. 148)

There is an important, pressing question here. If, on the role-model approach, we do not (need to) have particular groups of women represented in parliament or government, how can we guarantee that those groups will be sufficiently protected, not just from men but from other groups of women who may have different and competing interests? Little's answer is to argue that, 'there is nothing to prevent feminists arguing that rights should be provided for certain groups such as women but at the same time recognising that the experience of those rights will be variable for different women' (Little, 2004, p. 148). Democratic representation supposes that as many interests as possible will be brought to bear when it comes to making important decisions of law and policy. The issue of rights violations, however, is a very different sort of affair.

In practice, peace agreements normally take rights extremely seriously, not least of all because rights violations can often be a catalyst for violent conflict. They typically do so through the creation of specially dedicated public bodies, general consultative bodies open to all individuals or bills of rights. Good examples of specially dedicated bodies include the Office on the Status of Women and the Commission for Gender Equality created in accordance with Article 9 of the South African Constitution. The Office on the Status of Women is broadly responsible for gender mainstreaming within the mechanisms and procedures of government, whereas the Commission for Gender Equality has a broader role, including that of enabling South African women to find people, issues, resources and tools for social activism (Palmary, 2006). The Equality Commission for Northern Ireland is a good example of a more general consultative body. The Equality Commission is responsible for, among other things, overseeing the implementation of a statutory duty placed on designated public authorities and public service providers to promote equality of opportunity for nine designated categories, including gender. Among other things, it has recommended an extension of the right to request flexible working to all parents of children of compulsory school age, an immediate increase in the number of childcare places, and the elimination of the full-time equal pay gap through the development of a Single Equality Act.

Dedicated public bodies and general consultative bodies can help to ensure that the rights and interests of those who do not have effective representation are adequately protected. So, too, can bills of rights and the jurisprudence that develops around them. For example, traditional leadership institutions and, in particular, customary laws are protected in the South African Constitution (e.g. South Africa Constitution, 1996, Article 211, Subsection 3). Yet customary laws may not be exercised in a manner inconsistent with any provision contained

in the Bill of Rights. This constitutional guarantee has opened up an important avenue through which what Kristin Henrard calls the 'all-pervasive patriarchal structure of customary law' has been effectively challenged (Henrard, 2005, p. 154). In practice, it has ensured the equal standing of women *qua* women within society at large; but it has also ensured the equal treatment of individual women *qua* individuals. As such, the Bill of Rights may be viewed as giving concrete expression to Amy Gutmann's claim that the politics of recognition 'points in at least two directions, both to the protection of the basic rights of individuals as human beings, and to the acknowledgement of the particular need of individuals as members of specific cultural groups' (Gutmann, 1994, p. 8).

Thus, although the role-model argument might in theory be the strongest (or, at any rate, least problematic) of the four arguments that we have considered, it is not without its practical difficulties. However, those difficulties can be redressed by taking a broader view of what a peace agreement might or might not include. Again, the point of the role-model argument is to remind everyone that representative institutions should not be treated as a male preserve or that the democratic process should not be reduced to the pursuit of ethnic interests. The point of reminding everyone of these things is to further the cause of democracy. Yet Little is right to worry about the plight of groups within groups (or minorities within minorities) and to worry about the interests of those who do not have a direct presence in parliament or government of their own. We agree. But just as the role-model argument reminds us that there is more to politics than ethnicity, dedicated public bodies, general consultative bodies and the courts can remind representatives—of both sexes—that parliaments and governments are never as inclusive as one might ideally like them to be.

Concluding Remarks

We have taken a strongly instrumentalist approach to answering the question posed in the title of this article: peace agreements should recognize women if and because recognizing women within the terms of a peace agreement will help to foster democracy in a deeply divided society. Of course, as acknowledged earlier, some feminists may find our approach unsatisfactory. They may think that gender equality is a matter of principle and hence cannot be reduced to the benefits it brings. In practice, however, there need be no tension here. If those charged with negotiating a peace agreement can be persuaded that recognizing women is a good thing for democracy generally, the practical result will be greater levels of gender equality. Over time, feminists may need to introduce more principled arguments to support ongoing improvements in gender relations or to bring about deeper societal change; but at least the instrumental argument that we have defended here can play its part in creating greater space for them to do so. At any rate, many feminists already take a very practical approach to gender equality. As Adrian Little notes, while most contemporary feminists reject the idea that women are more peaceful than men, some feminists are not above making arguments of this sort if, strategically, it serves their interest (Little, 2004, pp. 153–154).

Still, someone might say that, although there is a clear case for arguing that peace agreements should recognize women, convincing men to accept that case is another matter entirely. As gains for women may come at a cost for men—for example, seats in parliament or democratic decisions—men may be reluctant or even unwilling to accept those costs. This may be particularly true in deeply divided societies, where patriarchal attitudes and values may be very hard to deconstruct. Yet much will depend on which arguments are

advanced and how those arguments bear on the case to hand. Feminists have paid relatively little attention to the role-model argument. Yet once that argument is set within the context of a society that is deeply divided and struggling to emerge from violence, it proves to be a more compelling argument than its rivals—where ‘compellingness’ is defined in terms of an argument’s propensity to foster peace and democracy. So, while particular gains for women may result in particular losses for men, in net terms men may have as much to gain as women. In short, women have a powerful instrumental argument at their disposal: the role-model argument. That argument could underpin benefits for women; but the costs to men *qua* men might well be outweighed by the benefits to men as members of a society that is less violent and divided, and more democratic than it was before.

Notes

1. The arguments expressed in this article do not reflect the views of any institution with which David Russell is associated.
2. We use the term ‘ethnic’ in the now widely accepted sense of embracing any ascriptive identity regarded as a natural boundary marker between members of different groups, defined, among other things, in terms of race, language, religion, culture or nationality (e.g. Horowitz, 1985, p. 41).
3. Many feminists distinguish between a woman’s sex (her biology or physiology), her sexuality (her sexual preferences, sexual orientation or sexual practices) and her gender (the social roles and status that she occupies). As Suzanne Dovi argues, these distinctions are important because they ‘allow us to recognize how gender is socially constructed within any given society: What women are depends on the norms and practices of their society’ (Dovi, 2007, p. 304). Partly, our aim is to suggest how conditions might be created that allow women to assume the role of active agents of social change, rather than being simply acted upon by the various social forces that surround them.
4. Our use of the term ‘recognition’ covers not just demands relating to identity but also demands relating to distribution. While the two kinds of demand may be conceptually distinct, in practice they can be hard to disentangle: my identity will be partly defined by my interests, just as my interests will be partly defined by my identity (see Goodin, 2004, p. 455). William Zartman argues that both must be present for ethnic conflict to occur: ‘Without distributional deprivation, identity remains a positive factor and not a motivation for conflict; without an identity element, distributional inequities remain unfocused and non-mobilising’ (Zartman, 1995, p. 5).
5. Chandran Kukathas claims that, while some individuals will be denied a meaningful right of exit because they have been denied a liberal education, this is still preferable to imposing a particular liberal viewpoint on the group as a whole. In other words, the good of cultural diversity trumps the right of individual group members to leave the group. This is precisely the sort of claim that motivated Brian Barry’s (2001) critique of multiculturalism.
6. In relatively stable democratic societies, the evidence suggests that younger women in particular wish to participate in political life on equal terms with men, but do not seek special guarantees beyond that (Campbell *et al.*, 2010). By contrast, in countries where ethnic conflict is pronounced, women sometimes press for institutional measures to increase their numbers in parliament or government; yet even here the aim in the longer run is to arrive at a position where women are treated the same as everyone else (Htun, 2004).
7. Political theorists have long argued that democratic systems need to be underpinned by a sense of common political purpose to be able to function successfully. A clear statement of this view can be found in John Stuart Mill’s chapter on ‘Nationality’ in *On Representative Government*, in which he argues that people will not cooperate unless, at some level, they are united by common political sympathies or can see themselves as engaged in a common political enterprise (Mill, 1991 [1861], pp. 427–434). In other words, the assumption is that democratic polities require not simply differentiation from other polities but some degree of internal homogeneity if they are to survive and flourish.
8. Jodi York (1998, pp. 21–23) offers a concise overview of criticisms levelled at cultural feminists.
9. Although Gilligan is often accused of peddling some form of essentialism, she explicitly argues that the association of women with a particular, distinctive ‘voice’ is not absolute. As she puts it, ‘No claims are

- made about the origins of the differences described or their distribution in a wider population, across cultures, or through time' (Gilligan, 1982, pp. 1–2).
10. According to John Stuart Mill, 'that each is the only safe guardian of his own rights and interests . . . is one of those elementary maxims of prudence, which every person, capable of conducting his own affairs, implicitly acts upon, wherever he himself is interested' (Mill, 1991 [1861], p. 245).
 11. For a more general discussion, see Kymlicka (1995, pp. 107–130).
 12. Or as Phillips pithily puts it, that 'some women do not bear children does not make pregnancy a gender-neutral event' (Phillips, 1995, p. 68).
 13. See also Williams (1998) and Mansbridge (1999). Although many feminists refer to the work of Hanna Pitkin when discussing this idea, Pitkin herself was ambivalent about (what she referred to as) 'descriptive representation' (Pitkin, 1972 [1967], p. 81).
 14. Ian O'Flynn (2007) distinguishes three possible dimensions along which women may seek to engage politically in a deeply divided society—as women in their own right, as women with a gendered interest in social (or non-ethnic) issues, or as women with a gendered perspective on ethnicity.

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