



# Gender, poverty and violence: Transitional justice responses to converging processes of domination of women in eastern DRC, northern Uganda and Kenya<sup>☆</sup>

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## SYNOPSIS

Gender, poverty and violence readily intersect in women's lives with profound impacts for women entrenching cycles of violence, disadvantage and disempowerment across women's lives in private and public domains. These effects are exacerbated in situations of armed conflict and in post-conflict societies where women are often targeted for particular types of violence, forced to enter into exploitative or abusive relationships and are routinely under-represented in key political, legal and economic decision making structures. Drawing on extensive fieldwork material we examine the complex and mutually constitutive ways in which gender, poverty and violence interact to shape the lives of women living in three conflict and post-conflict societies; eastern Democratic Republic of Congo (DRC), northern Uganda and Kenya. Finally, we consider the role of transitional justice, arguing for a more holistic approach with greater attention to gendered social and economic structures and better integration of the various mechanisms of transitional processes.

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## Introduction

Gender, poverty and violence readily intersect in women's lives with profound impacts for women, entrenching cycles of violence, disadvantage and disempowerment across women's lives both in private and public domains. These effects are exacerbated in situations of armed conflict and in post-conflict societies where women are often targeted for particular types of violence, forced to enter into exploitative or abusive relationships and are routinely under- or not represented in key political, legal and economic decision making structures (Rehn & Sirleaf, 2002, pp. 1–19). In this paper we examine the complex and mutually constitutive ways in which gender, poverty and

violence interact to shape the lives of women living in three conflict and post-conflict societies; eastern Democratic Republic of Congo (DRC), northern Uganda and Kenya.

This paper arises from a current research project *Making Transitional Justice Work for Women: Rights, resilience and responses to violence against women in northern Uganda, Kenya and Democratic Republic of Congo*,<sup>3</sup> exploring women's experiences of justice following mass violence. The research is a qualitative study drawing on testimonies gathered from approximately 200 women affected by violence in multiple conflict affected sites in each country through in-depth semi-structured interviews. The project also involves interviews with key informants ranging from community and traditional justice leaders to experts working in justice and transitional justice fields including law, psychosocial services, health, development, policy and administration in each country and in the international community. This paper is a reflection of early thinking around how gender, poverty and violence have been discussed by the women we interviewed.

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While the focus of this paper is on violence in conflict and post-conflict settings, it is important to recognise that violence against women, both direct and structural, is better understood as a continuum of violence throughout women's lives in both conflict and peace. Many of the women in this research have talked about a continuity of violence throughout their lives, with the violence experienced during the conflict as one phase and domestic and civil violence described as ongoing. Approaches that distinguish conflict related violence against women as 'exceptional' tend to lead to justice responses which, at best, leave violence against women in peace untouched or, at worst, reinforce analytical and policy divisions making it even more difficult to reduce all types of violence against women (for more see Grewal, 2010; Chesterman, 1997; Annan & Brier, 2010).

Gender, poverty and violence interact in dynamic and productive ways which are exacerbated during conflict and continue after conflict in a manner that is highly relevant for designing transitional justice mechanisms that have potential for achieving greater gender justice. We first draw on four narratives to outline the ways in which gender, poverty and violence emerge as mutually constitutive forces in the lives of the women we interviewed through the use of four primary case studies, drawing on other women's testimonies to further explain the complexities, similarities and variations emerging in each research site. We then consider the implications of this framework for transitional justice processes and practices, arguing for a more holistic approach to women's needs with greater attention paid to gendered social and economic structures and better integration of the various mechanisms of transitional justice processes.

### **Exploring the intersections of gender, poverty and violence: the experiences of four women — Valerie, Hannah, Grace and Miriam**

Much scholarship has traced the ways in which violence is gendered: that women face particular types of violence and are more likely to face violence in relationships and sites that are, socially at least, understood as 'safe' (notably in familial relationships and in the home) (Bunch, 2008; Freedman & Jacobson, 2012; Polk, 1994; Shepherd, 2008). A key feminist project over the last half century or more has been to articulate the ways in which the social positioning of 'woman' both creates a structural susceptibility to particular types of violence and is obstructive of women's efforts to make law, policy and culture respond to such violence in effective and just ways (Brock-Utne, 1989; Mazurana & McKay, 2001). Additionally, the social construction of women as second class citizens or as 'naturally' belonging in the private sphere (with engagements in the public world mediated through male relatives) leads to their having less access to economic, political and other material resources, resulting in women being more likely to live in poverty (Amnesty International, 2005; Liebling-Kalifani et al., 2008). In this way, gender relations can be seen as causal in creating both poverty and violence for women (Amnesty International, 2009; Cagatay, 1998; McFerson, 2010, pp. 56–59).

Less predominant in the literature, but revealed with alarming clarity in the testimonies of women we interviewed, are the ways in which both poverty and violence contribute to and even help produce, unequal gender relations, exacerbating the already difficult position of being a woman in a patriarchal

society. We argue that poverty and violence create inequality not only in individual women's lives, but are causes (as well as consequences) of the unequal position of the social status that being a woman entails. Women who are kept busy each day seeking the means of survival (for themselves and their children or others in their care — orphans, elderly, sick, injured) or evading or recovering from violence, are the least able to engage in the political and social struggle which is absolutely necessary if the social meanings attributed to 'woman' are to be addressed. This element of the gender–poverty–violence cycle is especially important to understand as it has long term implications for moving beyond a life preoccupied with survival and towards a life which might aspire not only to greater safety and the meeting of basic needs, but also to one in which the existential and political aspects of life may become a possibility.

Gender, poverty and violence interact in dynamic and mutually constitutive ways to shape and delimit women's lives. Articulating the relationships between these phenomena in a way that meaningfully captures their fluidity and mutuality is difficult. The women who spoke with us however, conveyed the productive interaction between gender, poverty and violence powerfully through their story telling and we attempt to convey this here. It is through the stories of a small number of women that we trace these dynamics. We begin with gender as causal in violence, and as a social construct, rather than a pre-existing social fact. By beginning with gender we do not propose that gender is the starting point with violence and poverty subsequent and secondary effects. Rather, we emphasise the circularity and mutuality of all three phenomena, each producing and reproducing the others. Recognising the mutually interactive and constitutive nature of gender, poverty and violence, and the different sites at which their interconnectedness are commonly reinforced, is important in order to alert and direct the development of transitional justice mechanisms to such sites and enable targeted interventions. We begin, therefore, with the narratives of four women from the three countries under study.

#### *Valerie and Hannah, Eastern DRC*

The conflict in eastern DRC is highly complex, involving local self-determination struggles, conflict over access to resources, armed self-defence units and, destabilisation efforts from neighbouring Rwanda (Nangini, Jas, Fernandes, & Muggah, 2014).<sup>4</sup> There are currently 54 active militia groups operating in eastern DRC and the conflict has been marked by the widespread rape of women (Chaikel, 2011). A recent large-scale quantitative study estimated that there are 1150 rapes committed every day in DRC (Peterman, Palermo, & Bredenkamp, 2011, p. 1064).

Valerie<sup>5</sup> was preparing to return to her university studies in Goma at the end of a visit to her parents when rebels attacked their village. Valerie and her cousin were both taken to the forest by rebel soldiers 'to become their wives' (interviewed in Rutshuru, April 2014). Valerie escaped when her captors were engaged in battle with another rebel group and she managed to return to her family home. As a university student, Valerie had been enjoying significant privilege relative to most other women living in DRC where literacy rates among women sit at 52%, and where 77% of women work as subsistence farmers (Bartels et al., 2010, pp. 40, 42). Only 10.7% of adult women in

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