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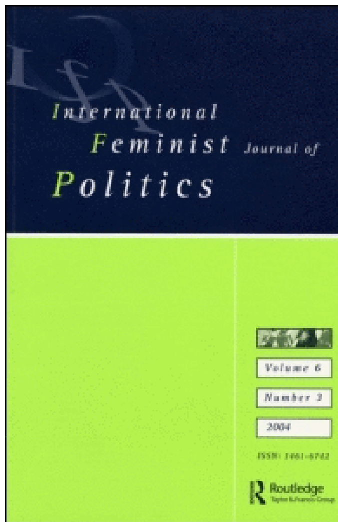

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Military Invasion and Women's Political Representation

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Military Invasion and Women's Political Representation

GENDER QUOTAS IN POST-CONFLICT AFGHANISTAN AND IRAQ

INTRODUCTION

Following the attacks on 11 September 2001, the United States military launched an invasion of Afghanistan in October 2001 and Iraq in March 2003. Both wars led to the overthrow of existing regimes and the writing of new constitutions in 2004 and 2005, respectively. One feature of both constitutions is the mandated participation of women in the new political system. In Afghanistan 27 per cent of the seats in the lower house of parliament are reserved for women, two seats in each of the thirty-four provinces. In Iraq, the electoral law requires that each party nominate at least one-third female candidates, distributed throughout the party lists. As a result of these policies, women form 27 per cent of members of parliament (MPs) in Afghanistan and 26 per cent in Iraq. These figures compare favorably with the proportion of women in the US lower house, 17 per cent, and are well above the world average of 18 per cent (Inter-Parliamentary Union 2009).

Several scholars seek to make sense of these developments by tracing how quotas reached the political agenda in both countries (Dahlerup and Nordlund 2004; Nordlund 2004; Ballington and Dahlerup 2006; Norris 2007). These studies provide initial insights that have been crucial for understanding these campaigns. Yet, there have been few efforts to draw on these events to generate theoretical insights for analyzing quotas more generally. In this research note, we reexamine these quota campaigns and find that, despite important similarities, processes of quota adoption diverge significantly across the two cases. While the reserved seats policy in Afghanistan was primarily driven by the top–down efforts of the United Nations (UN), the legislative quota in Iraq emerged mainly through the bottom–up mobilization of women's groups. We draw on these differences to elaborate the intuition that quotas may spread globally through multiple processes of diffusion.

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Although previous work emphasizes differences between early and later quota adopters (Bruhn 2003; Dahlerup and Freidenvall 2005), we argue that actors and strategies may also vary across countries where quotas reach the agenda around the same time and under similar circumstances. More specifically, while civil society, state and international and transnational actors tend to be present in all quota campaigns (Krook 2006, 2009), the relative balance and importance of these actors may take different forms across cases, yet still produce ostensibly similar outcomes. To develop this argument, we first illuminate continuities between Afghanistan and Iraq and other instances of quota reform. We review the key insights in the existing literature, especially as it relates to women in politics in post-conflict societies. We then turn to a more detailed examination of quota adoption in Afghanistan and Iraq respectively, drawing on scholarly research, news reports and documents from international and non-governmental organizations. We conclude that there are important theoretical and political reasons for distinguishing alternative processes of quota adoption.

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WOMEN IN POLITICS: TRENDS IN POST-CONFLICT SOCIETIES

In addition to appearing in Afghanistan and Iraq, electoral gender quota policies have been adopted by political parties and national legislatures in more than 100 countries worldwide, most within the last fifteen years. Research offers various accounts as to how and why these measures have been enacted. Most studies emphasize political dynamics at the domestic level: the mobilization of women's groups (Bruhn 2003; Kittilson 2006), the strategic incentives of political elites (Davidson-Schmich 2006) and the 'fit' between quotas and norms of equality and representation (Opello 2006; Dahlerup 2007). A growing number, however, also explore international and transnational influences on quota adoption, as in cases where international actors impose quotas on political elites (Lyth 2001), demonstration effects and information sharing across national borders inspire local groups to launch quota campaigns (Wisler 1999; Htun and Jones 2002), international actors and debates serve as catalysts to domestic debates already in progress (Araújo and García Quesada 2006) and international actors intervene to block quota adoption (Pires 2002). Together, this literature suggests that actors in civil society, the state and the supranational spheres are generally involved in quota debates, albeit in varying capacities and degrees of importance (Krook 2006, 2009).

Recognizing that the dynamics of quota adoption may be diverse requires an analytical frame sensitive to causal heterogeneity, or the possibility that similar factors may play different roles across contexts, at the same time that different conditions may produce similar results (cf. Ragin 2000). Although the countries that adopt quotas share little in terms of their social, economic, political and cultural characteristics, there are some patterns in

how these measures reach the political agenda. A key stimulus in some cases has been the end of violent conflict: several post-conflict societies appear high on the list of countries with large numbers of women in parliament. While quotas exist in other contexts, the relationship between the end of war and women's increased access to political office has been documented by a growing body of case studies (Antić and Lokar 2006; Ballington and Dahlerup 2006; Bauer and Britton 2006) and statistical analyses (Tripp 2007; Hughes 2009). Crucially, this link holds only for countries whose conflicts ended after 1986 (Tripp 2007), as new international norms promoting women in politics, combined with greater possibilities of transnational learning, have strengthened calls for gender quotas (Krook 2006). In Afghanistan and Iraq, international actors, transitional governments and women's groups have played a key role in the passage of quota reforms, albeit in strikingly different ways. Processes of quota adoption are thus diverse and multi-faceted, involving more than a straightforward example of policy diffusion.

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PRESSURE FROM ABOVE: RESERVED SEATS IN AFGHANISTAN

In Afghanistan, the new constitution approved in 2004 reserved 27 per cent of seats for women in the lower house as well as 17 per cent of seats for women in the upper house. To fill the former, the Electoral Commission allocated reserved seats to each province based on the size of its population until the total number of female representatives mirrored the constitutional mandate. Both male and female candidates ran for the general seats in the elections in 2005, and in cases where the minimum number of women did not win outright, the female candidates who received the most votes in each province were placed in the reserved seats. In contrast, different rules regulate selection to the upper house: of the one-third of members appointed by the president, 50 per cent must be women (Norris 2007). The origin of these measures can be traced back to the US military invasion, which strongly politicized the status of women under the Taliban regime (Hunt 2002; Eisenstein 2007). As a result, women's rights were firmly entrenched on the agenda of international actors, who strongly advocated the inclusion of women throughout the transition. Women themselves, however, were divided on the question of quotas: some viewed them as necessary and desirable, while others felt that they were unrealizable and even dangerous.

International Actors

The UN has long been an advocate of women's political representation and has cited gender quotas as one of the chief methods through which to promote the inclusion of women in government (United Nations 2005). The organization reiterated this commitment in UN Resolution 1325, which was passed by the

Security Council in October 2000, urging member states to ensure women's participation in post-conflict regimes. The UN also has a history of involvement in Afghanistan, having established the UN Special Mission to Afghanistan (UNSMA) in December 1993. After the initial American attacks, the UN thus assumed a central role in promoting a dialogue between Afghan parties. Most importantly, it sponsored the initial meeting of Afghan political leaders in Bonn in November 2001 that led to the establishment of the Afghan Interim Authority, thereby reaffirming its role in the reconstruction of the Afghan state.

Although few women were present at this meeting, the resulting Bonn Agreement – in accordance with UN policies on women's rights – pledged to foster women's political participation in the interim government and the Loya Jirga Commission (Human Rights Watch 2005). The first manifestation of this commitment was the inclusion of two women as ministers in the interim administration (Bauer 2002) and three women in the Loya Jirga Commission (Dahlerup and Nordlund 2004). In contrast to the UN, which actively pursued the issue of women's representation in the years preceding the adoption of the new Afghan constitution (Annan 2002; UNIFEM 2004), the US government did not directly advocate the adoption of gender quotas. Instead, it offered indirect support through the implementation of more than 200 projects aimed at lessening the plight of Afghan women. Nevertheless, while it did not explicitly support reserved seats, the US government clearly considered women's rights in Afghanistan to be of significant concern. Indeed, the State Department cites the presence of a gender quota in the Constitutional Loya Jirga (CLJ) as an illustration of its commitment to Afghani women (Office of the Senior Coordinator of International Women's Issues 2006).

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Transitional Government

While there were no quotas to ensure that women would be represented in the transitional government, women were present in significant numbers both in the interim administration and on the committees charged with drafting the new constitution. For example, more than 200 of the 1500 delegates to the emergency Loya Jirga were women (Parekh 2002). Similarly, there were 103 women among the 502 delegates to the CLJ (Grenfell 2004). The nine-member Drafting Committee of the Constitutional Commission included two women, and later in the process, the thirty-five member Constitutional Review Commission had seven female representatives (Office of International Women's Issues 2003).

Although some work attributes the inclusion of women in these various bodies to the eventual adoption of reserved seats for women (Dahlerup and Nordlund 2004; Ballington and Dahlerup 2006), other evidence suggests that their presence was significant mainly insofar as it created an expectation of women's descriptive representation (*Pak Tribune* 2003; Roy 2003). In spite

of their numerical representation, opportunities for women's substantive representation were limited. The emergency Loya Jirga was dominated by warlords and marred by a 'general sense of chaos and poor management' throughout its proceedings (Human Rights Watch 2003). The situation for female representatives was especially grim, as many women were not permitted to speak and others reported their microphones being silenced (Human Rights Watch 2004a). The conditions of female delegates improved marginally in the CLJ, but many women reported being threatened and harassed during this period, claiming they felt that they could not offer significant contributions due to fear of retaliation. As a consequence, statements emerging from the transitional government on women's issues appear to demonstrate an appeasement of the international community rather than a sincerely held attachment to the advancement women's rights (ReliefWeb 2004).

Women's Movement

While international norms greatly influenced the adoption of gender quotas in Afghanistan, several scholars argue that indigenous women's movements provided a catalyst for these debates (Dahlerup and Nordlund 2004; Nordlund 2004; Ballington and Dahlerup 2006). Shortly following the collapse of the Taliban regime, several women's organizations engaged in initiatives to improve the status of women. However, despite claims that groups such as the Afghan Women's Network, the Afghan Women's Mission and the Revolutionary Association of Afghan Women advanced a 'quota demand' (Nordlund 2004), the nature and strength of this demand remains unclear. Although these organizations clearly favored increased female representation, a brief survey of their platforms does not indicate that they perceived the inclusion of a reserved seats provision in the constitution as central to their agenda, nor is there evidence that they actively campaigned for the quota.

Within the country, security restrictions also hampered women's capacity for organizing. Conservative interpretations of Islam persist as the principal source of political legitimacy, and the government has largely failed to displace widely held beliefs of female inferiority (Riphenburg 2004). Women's groups face threats that restrict their ability to meet, and the continued presence of warlords and religious fundamentalists has made women all but invisible outside of Kabul (Human Rights Watch 2004a). Field interviews by journalist Antje Bauer (2002) in Afghanistan and Pakistan in 2002 highlight this dilemma. She found that while women in exile demanded mechanisms of positive discrimination in order to ensure female representation in the new regime, security and freedom from violence were viewed as the principal goals for women living in Afghanistan. Indeed, few voiced open support for reserved seats and the majority were surprised that one might call for such a

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quota. They doubted that there were enough qualified women and expressed concerns that such a policy would be unfeasible and potentially dangerous.

Possible evidence for the role of women's groups in facilitating quota adoption, as various researchers point out (Dahlerup and Nordlund 2004; Nordlund 2004), are two conferences held in March and September 2003 in which Afghani women's organizations demanded the inclusion of gender quotas in the draft constitution. Yet, there is reason to question the extent to which these demands arose from the Afghan women's movement. At the March conference, women's groups called for representation in the drafting of the new constitution and 25 per cent female representation in the Loya Jirga. However, this conference was coordinated by the Ministry of Women's Affairs, an organization created and financed by the UN. The September conference casts doubt on the degree to which local women's groups continued to lobby in favor of female participation. While the 'Afghan Women's Bill of Rights' that emerged from this meeting did demand 'equal representation of women in the Loya Jirga and Parliament', it did not give primary emphasis to this goal or invoke the terms 'reserved seats' or 'gender quotas'.

More in-depth research is necessary to elucidate the precise role of women's groups in ensuring the inclusion of reserved seats in the Afghan constitution. However it appears that their influence may be conflated with that of international organizations committed to supporting female political participation. Although some previous research suggests that the UN did not actively promote quotas in Afghanistan (Nordlund 2004), documents provided by the United Nations Development Fund for Women (UNIFEM) indicate its commitment to the adoption of mechanisms guaranteeing female participation (UNIFEM 2004). In addition to exerting pressure on the transitional government, UNIFEM facilitated the creation of the Gender and Law Working Group, which made recommendations for revisions to the draft constitution that were in turn submitted to the president, the Constitutional Commission and the media. With technical support from UNIFEM, female delegates worked together to gather the required 150 signatures to amend Article 83, thereby ensuring the reserved seats provision.

MOBILIZATION FROM BELOW: LEGISLATIVE QUOTAS IN IRAQ

In Iraq, the new constitution adopted in 2005 formalized the 25 per cent target that had previously been implemented for elections to the transitional National Assembly. To achieve this goal, the electoral law passed later that year stated that each party list must be comprised of one-third female candidates with placement mechanisms ensuring their distribution throughout the list (Norris 2007). The policy has its roots in the US invasion, but unlike in Afghanistan, women's rights figured little – if at all – in the rhetoric justifying military intervention. Further, US officials explicitly distanced themselves from quotas as a measure to ensure women's representation in the new regime. In

contrast, Iraqi women were highly active in mobilizing for guaranteed representation in both the transition government and the new constitution.

International Actors

As in Afghanistan, the UN advocated provisions ensuring women's participation in the newly formed Iraqi government. Similarly, international agencies provided input into the process of constitutional design (Norris 2007). However, in contrast to Afghanistan, the rebuilding of Iraq following the invasion was spearheaded not by the UN but by the US-led Coalition Provisional Authority (CPA). Although the British government, a key coalition partner, supported quotas, the US government was not in favor of such a measure (Ballington and Dahlerup 2006). The Bush administration's Middle East Partnership Initiative explicitly aims to 'increase the level of women's participation in building democratic pluralistic societies, through both political representation and civil society strengthening' (US Department of State 2006). Yet, only four women were present at the first political meeting following US intervention and very few women were invited to attend a conference of future Iraqi leaders held in Baghdad in April 2003 (Brown and Meehan 2003). The CPA, further, explicitly rejected quotas because it considered quota adoption to be an internal Iraqi issue (Khalil 2004), viewed such a policy as a contradiction of anti-affirmative action policy at home (Hunt and Posa 2004) and believed that women could best be supported through 'women's organizations, democracy trainings, and involving them in the political process' (Ciezadlo 2003).

The position of the US on the quota policy may in part be attributed to the absence of prior commitments to women's rights in Iraq. Whereas the plight of Afghani women received significant international attention in the years preceding the US invasion, criticisms of Saddam Hussein's regime focused on abuses of human rights rather than specifically gendered concerns. Coupled with the fact that the US is one of the few countries where electoral gender quotas are not on the political agenda (Krook 2006), it is not surprising that women's electoral representation was not of immediate interest to American forces. Without pressure from international actors, the future of women's legislative representation remained uncertain after the appointment of the Iraqi transitional government. This situation in turn heightened the influence of the transitional authority and the women's movement in establishing the current quota policy.

Transition Government

In contrast to the emphasis on women's participation in transitional bodies in Afghanistan, only three female delegates were appointed to the twenty-five member Iraqi Governing Council (IGC), and no women were included in the nine-member rotating presidential council or the committee working on

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constitutional reform (Women War Peace 2006). In the absence of female representatives, much of the framework emerging from the constitutional reform committee not only neglected to protect the rights of women but actually restricted existing legal freedoms. In 2004, for example, the IGC 'canceled' the relatively liberal preexisting family laws, choosing instead to place related concerns under the jurisdiction of Islamic legal doctrine (Constable 2004). The interim constitution also offered no explicit guarantees for women concerning marriage, divorce and inheritance (Human Rights Watch 2004b). Thus, the IGC demonstrated not only disinterest but also antipathy toward the constitutional embodiment of women's rights.

Despite the paucity of descriptive representation, the three women initially nominated to the IGC actively campaigned for quota implementation (Ballington and Dahlerup 2006). Their efforts may be attributed in part to their experiences serving as public figures: Aqila al-Hashimi was a former diplomat, Raja Habib al-Khuzaai was a British-educated southern tribal leader and Sondul Chapouk was a women's activist, engineer and teacher (BBC News International 2003). All three thus had the skills – and will – necessary to articulate their arguments in Iraq and to the international community. In December 2003, for example, Khuzaai and Chapouk coauthored an editorial published in the *New York Times* in which they urged the US to 'ensure that the Governing Council sets aside slots for women in all levels of government' (Khuzai and Chapouk 2003). Notably, the arguments presented in the piece reflect the women's significant familiarity with international quota debates, as they cite not only measures used in the Nordic countries but also more recent laws implemented in Argentina, India, Uganda and Rwanda.

Women's Movement

In addition to the women in the IGC, women in civil society played a vital role throughout the Iraqi quota debates. Following the US invasion, women's groups petitioned the CPA to include a quota in the Transitional Administrative Law (TAL). They also organized a series of conferences and workshops where they debated the merits of quota policies and the appropriate per centage of seats to designate for female candidates (Norris 2007). While the TAL included a 25 per cent target for women's representation, women continued to demand a 40 per cent quota for female representation in the constitutional committee and caucuses. The Iraqi Women's Higher Council extended this demand to a 40 per cent quota for female candidates in local and national elections (Caballero 2003).

Despite its opposition to quotas, the US government did provide support to the Iraqi women's movement. The CPA sponsored the Basra Southern Women's Conference, held in January 2004, which was attended by almost 220 women and included a petition campaign to collect signatures supporting women's demands for political representation. Approximately 150 women

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later participated in an all-Iraqi women's conference organized with financial support from the US Agency for International Development. While these conferences certainly assisted in mobilizing women, their politicization was primarily motivated by female actors operating outside of the framework established by the US. Following the invasion, the number of Iraqi women's organizations increased dramatically, and one of the central issues mobilizing women was the adoption of a quota for political representation. Although run mainly by elite women, some of these organizations established broad-based membership and branches across the country (Al-Ali 2005). Upon returning from exile, for example, Zainab Al-Suwaij and Ala Talabani worked at the grassroots level to encourage women to collect more than 50,000 signatures demanding a 40 per cent quota for women for positions in the national and local government. These women also lobbied members of the IGC and encouraged Salama al-Khufaji, the female representative who replaced Aqila al-Hashimi after her assassination, to press for the implementation of affirmative action to assist women (Caballero 2005).

The grassroots support generated by women's groups may be a consequence of the status of Iraqi women preceding the US invasion. There is no doubt that the Hussein regime brutally oppressed both male and female dissidents during the 1980s, and that the living conditions of Iraqi women diminished dramatically following the UN sanctions imposed in 1990. However, there are also indications that some of the initial gains made by women under the Ba'ath regime may have survived these brutal conditions. The 2002 Arab Human Development Report included a measure of female participation in economic, professional and political activities based on data collected in 1995. While Arab nations had uniformly low scores, Iraq ranked highest in terms of women's empowerment and earned the same scores as Cyprus and Guatemala (United Nations Development Programme 2002). Therefore, while Iraqi girls born within the past fifteen years are typically less educated than their mothers, the women's movement may have been able to generate grassroots support from the older generation.

CONCLUSIONS

There are many parallels in the regime changes that took place in Afghanistan and Iraq after 11 September 2001. Despite similarities in the policies adopted to ensure women's representation, however, a closer analysis reveals very different trajectories leading up to these constitutional reforms. In Afghanistan, international actors played a central role, while members of the interim government and women's groups were disinterested if not hostile to the idea of reserved seats for women. In Iraq, in contrast, international actors largely opposed gender quotas, but women in the transitional government and grassroots women's organizations were strong advocates of measures to guarantee women's participation. Thus, while similar actors were involved in both quota

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debates, their particular configurations were distinct. This finding is crucial for several reasons. First, it highlights the differences across cases which otherwise appear similar. Recognizing this diversity is important in all groups of countries, but is especially crucial in order to combat tendencies to over generalize across the Arab region. Second, it provides a template for theorizing how actors and motivations might combine in various quota campaigns. Third, the lack of a 'magic formula' offers a vital insight for groups interested in pursuing quotas by presenting multiple possibilities for developing strategies for quota adoption.

The question of the broader impact of these measures remains, however. Both Afghanistan and Iraq have experienced only one election since the adoption of their respective quota policies, and it is still too early to draw conclusions regarding their consequences in either country. Preliminary analysis suggests that differences in the structure of these quota policies may have long-term implications for the legitimacy and status of women as political actors. While the reserved seats provision in Afghanistan guarantees the election of a minimum proportion of women, as opposed to the policy in Iraq which governs only the selection of female candidates, Afghan women are usually elected to office with far fewer votes than their male competitors, opening up the possibility for questions concerning the fairness of the policy (Norris 2007). Top–down versus bottom–up paths to quota adoption may also affect the potential for substantive representation of women's concerns. In particular, the implementation of quotas from above may make continued application of these measures more tenuous and reduce the ability of female MPs to freely articulate their own policy agendas (cf. Tamale 1999; Tinker 2004).

In Afghanistan, it appears improbable that the current quota policy will be revoked in the near future, especially given its support within the international community. Yet, doubts linger as to whether reserved seats can truly empower women. There is little evidence of women's continued mobilization in favor of reserved seats. Further, with the inclusion of religious fundamentalists in the assembly, female MPs have encountered ambivalence at best and violent threats at worst, with one outspoken female legislator even being suspended for three years by her colleagues (Human Rights Watch 2005; Wordsworth 2007). Thus, in the absence of sustained support from international actors and the cultivation of a female constituency within the provinces, reserved seats in Afghanistan may guarantee descriptive representation but fail to produce substantive representation.

With regard to Iraq, it is more difficult to make predictions concerning the degree to which quotas will lead to enduring gains in women's descriptive and substantive representation. Although the quota appears to have emerged from a grassroots movement, male politicians do not consider female representation to be a significant concern. The quota's success will therefore depend on the extent to which women's groups exert pressure for continued implementation. It is also crucial to recognize that while women mobilized successfully for the quota, they were less successful in ensuring that the new constitution upheld

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women's rights more generally. This in turn casts doubt on the extent to which female legislators can and will choose to advocate for more progressive women's rights policies. Nevertheless, it is clear that the process of campaigning for the quota facilitated the political mobilization of Iraqi women and lent a sense of legitimacy to the quota policy that was eventually adopted. This broad-based mobilization may encourage increased attention to the political demands of women and enable women to lobby for additional gains. More definitive insights on these points, however, demand further research in order to provide a more nuanced understanding of the role of women in politics in post-conflict societies.

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