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LOOKING AT PEACE THROUGH WOMEN'S EYES: GENDER-BASED DISCRIMINATION IN THE SALVADORAN PEACE PROCESS¹

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An assessment of international legal norms on the rights of women and men to equal treatment reveals that the Salvadoran Peace Accords discriminate based on gender, promoting inequality between women and men. Five different sets of factors create barriers to women's full and equal enjoyment of El Salvador's peace: ideological, legal, structural, participatory, and budgetary. By excluding women from education, technological assistance, land, and agricultural credit, the Peace Accords have far-reaching financial, political, legal, and psychological implications that affect women and their dependents. El Salvador's cautionary lesson makes it clear that gender-related issues must be addressed explicitly at an early stage of *any* peace process. Remedies for gender-based discrimination need not be created in a void. Over the last half-century, international legal norms have buttressed the case for gender equality. Future peace accords should incorporate these norms, and reduce the obstacles preventing women from enjoying peace.

INTRODUCTION

The Salvadoran peace process has been praised as the "jewel of peace efforts" (Tamayo 1997, A43) and the "great reconciliation success story (Robertson 1997, A1)." Former United Nations Secretary-General Boutros

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Boutros-Ghali has claimed that the process allows the Salvadoran people to “realize their own potential in freedom (United Nations 1995b, 7).” In addition, the parties to the conflict, the Salvadoran Government and the rebel coalition *Farabundo Marti National Liberation Front* (FMLN), have asserted that the accords are being “implemented fully and urgently for the benefit of *all* Salvadorans (United Nations 1994, 4).” Paradoxically, feminists and women activists criticize the same peace process for excluding 52.9 percent of the Salvadoran population (Murguialday 1996), for not “reflecting the reality of Salvadoran women,” (Connexions 1993, 28) and of representing a “betrayal” of women by the FMLN (Cosgrove and Morgan 1994, 20).

While the peace accords signed on January 16, 1992 ended 12 years of bloody civil war and began a transition to democracy, the accords failed to address many social problems, including those related to gender relations. In contrast to the stipulations on political and security issues, the accords’ social and economic agreements are couched in legalistic, often imprecise and ambiguous language. Feminist critics have noted that the peace agreement does not address poverty, environmental degradation, existing gender relations, and the inequitable distribution of wealth. Nevertheless, no scholarly evaluation has detailed whether the Peace Accords meet the accepted definition of gender equality based on international legal norms. A systematic review of the Peace Accords is necessary to determine whether the critique from women’s movements is legitimate.

An assessment of international legal norms reveals that the Salvadoran Peace Accords discriminate based on gender. This gender discrimination has been operating ever since the Peace Accords were signed to bar women from fully participating in the peace process. Their exclusion has had particularly severe implications for land transfer programs and for programs designed to reintegrate ex-combatants into Salvadoran society. Discriminatory formulations have impacted both loan access and technical assistance.

Reversing discriminatory practices and strengthening women’s position in the post-war Salvadoran transitional process depends on the adaptation and implementation of peace-building policies in compliance with international legal norms. Such an approach will help overcome the legal, ideological, and structural barriers that exclude women. The situation also demands that peace-building efforts draw on the experience of all affected sectors of society, for the participation of civil society is crucial in the formulation of any new peace-building policies. Moreover, an explanation of gender-based discrimination in El Salvador’s peace process will

help avoid similar practices in other peace efforts that might be undertaken outside the Salvadoran context.

To develop this argument, this paper first describes the fundamental features of the Salvadoran Peace Accords and explores the various ramifications of its gender bias for the peace process as a whole and for Salvadoran women and their dependents in particular. On this basis, the sections of the Peace Accords most criticized by women's movements are compared to legal norms governing gender discrimination as established in international conventions and other international instruments. Finally, the paper speculates about the causes of discrimination and describes alternative approaches to gender and peace-building.

RAMIFICATIONS FOR WOMEN AND THEIR DEPENDENTS

The Peace Accords were developed through a series of six principal agreements, addressing a wide range of issues, including: significant reductions in the size and powers of the armed forces; the creation of a new national civil police; judicial and electoral reforms; economic and social development; political participation by the FMLN; cessation of the armed conflict; and United Nations verification (El Salvador Agreements 1992). The women's movement has criticized Chapter V, which outlines the agreements on economic and social development, for ignoring gender concerns. The chapter encompasses six areas central to the consolidation phase of the peace process: unequal land distribution, agricultural credits, measures to alleviate the social costs of structural adjustment programs, international cooperation for community development, the Forum for Economic and Social Consultation, and the National Reconstruction Plan (El Salvador Agreements 1992). The chapter has become a delicate matter, causing the FMLN and the Government to accuse each other of violating provisions related to land rights, credit, and repatriation. Indeed, all major stipulations have been the subject of controversies over interpretation and complaints of non-compliance (Vickers 1992).

Reintegration of War-affected Groups into Civilian Life

Civil wars disrupt the lives of all citizens, but hurt some groups disproportionately (Ball and Halevy 1996). Particularly disadvantaged are combatants and their dependents and uprooted populations that have been forced to leave their homes. In the case of El Salvador, the International Conference on Central American Refugees (CIREFCA) distinguishes among three categories of uprooted populations. The repatriated population includes groups that sought refuge in other Central American

countries and returned to the Salvadoran conflict-zones before the end of the war and refugees who remain abroad. The displaced population, amounting to half a million people—or one out of every ten Salvadorans—comprises people living in other areas of the country as a consequence of the conflict (INCEP 1989). A 1991 census of the uprooted population reveals that it encompasses predominantly women and children. Approximately 60 percent are female, nearly 60 percent are children, and roughly 80 percent of the heads of household are women (Aguilar Zinser 1991).

The uprooted populations and former combatants have similar needs, and reintegration programs ideally should be linked with community-based rehabilitation and reconstruction efforts (Ball and Halevy 1996). The reintegration efforts outlined in Chapter V of the Salvadoran Peace Accords, however, predominantly target ex-combatants; uprooted women and their dependents are not mentioned at all. Starting with the definition of the target groups for credit, Chapter V stipulates “an increase in loans by the commercial banks to small *businessmen*” (El Salvador Agreements 1992, §5A), but makes no reference to the needs of any especially vulnerable groups. Likewise, the definition of beneficiaries for technical assistance makes no mention of the most disadvantaged groups, but simply states that “peasant farmers and smallholders” (El Salvador Agreements 1992, §5C) should be targeted. Although this definition does not explicitly exclude women, the norm in El Salvador is to interpret both peasants and smallholders as meaning men. Statistics from the 1985 Home Survey indicate the extent to which ideological factors operate to underestimate and render invisible the agricultural labor of Salvadoran women. Only 11.9 percent of the women surveyed indicated that they worked in agriculture, whereas the corresponding figure for men was 45 percent, or nearly all men in rural areas (FUDEM 1992). This data stands in sharp contrast to the general estimate among social scientists that roughly half of Salvadoran women are engaged in agricultural activities (ARIAS 1992). Clearly, many women engaged in agricultural activities do not perceive themselves as legitimate contributors in the agricultural sphere. Similarly, even if women are engaged in extensive farming activities, they are rarely registered as landowners. The few exceptions are women who inherited the land in families where there are no men (ARIAS 1992). It follows that the term “smallholder” has a strong male connotation.

In addition, the section describing the measures to be taken to alleviate the social costs of structural adjustment programs (SAPs) makes no

reference to women and their dependents—even though this group has been found in multiple studies to suffer disproportionately from the implementation of such programs.² While not explicitly stating that women are excluded, the restriction of actions to be taken to the strengthening of “existing social welfare programs” (El Salvador Agreements 1992, §6C) does not allow for the creation of new programs targeted at previously disadvantaged groups.

Similarly, when outlining the procedures for direct external cooperation for community development and assistance projects, the target group is defined as “former combatants of both parties” (El Salvador Agreements 1992, §7). To interpret who is eligible based on this criterion, the norm has been to use FMLN’s definition of ex-combatant, which defines beneficiaries in a way that only includes the “male head of household (Murguialday 1996, 48).” Women who are married or living with a partner are directly excluded, which must be regarded as highly discriminatory against women. Even if the word “male” were dropped, the term “head of household” would still serve to exclude many women. This is true, not because there are few *de facto* women-headed households, but because there are strong cultural and ideological constraints impeding most Salvadoran women from registering as *de jure* heads of household. As a result, only approximately one fifth of *de jure* heads of households are women (García and Gomáriz 1989). Little information is available on the number of *de facto* women-headed households, but it is generally assumed to be well above the proportion of those that have *de jure* status. Among uprooted populations, for example, CIREFCA estimates that 80 per cent of the households are *de facto* headed by women (ARIAS 1992). Women members of the FAES were generally engaged in supportive and caretaking functions (Murguialday 1996). Hence, from the perspective of the Salvadoran government, the group “former combatants” does not encompass women.

Because Chapter V failed to provide a gender-sensitive peace building approach, it is hardly surprising that the reintegration efforts undertaken since the signing of the Peace Accords have “largely left out” (Saint-Germain 1997, 87) women. Although no comprehensive gender-based evaluation is available on the reintegration programs, a review of the goals and objectives of the principal efforts in this area reveals a dominant focus on male ex-combatants.³ When resources are scarce, women have been excluded from the reintegration programs based on the rationale that “it would not be enough . . . if women were included (Saint-Germain 1997, 88–9).” Moreover, although no complete set of data is available on the

relative size of the credit provided, the generally accepted notion is that when women do benefit from credit schemes they receive below average sized loans. In addition, the limited number of women with access to training and credit have been prepared for traditional “women’s work” that can be carried out within the domestic sphere, such as embroidery and dairy farming.⁴ As one women-activist puts it, “Reintegration programs for ex-combatants have not prevented the reintegration of female ex-guerrilla members back into the home (Murguialday 1996, 48).”

Women’s Access to Land and Agricultural Resources

Among the economically active population in El Salvador, 54.6 percent are engaged in agricultural activities (Cañas 1992a). As indicated above, the official estimate of the proportion of women engaged in agricultural activities—below 12 per cent—is arguably well below the mark. Probably closer to the truth and to the consensus among social scientists is the estimate that the large majority of the rural female population—half of Salvadoran women—is engaged in agricultural activities.

The invisibility of women in agriculture became all the more apparent during the land reform implementation in the early 1980s, which sought to lessen the social tension generated by inequitable land distribution. Eighty-seven percent of the producers controlled less than a fifth of the agricultural land, while 2.7 percent controlled over half the territory (Montoya 1991a). Nevertheless, a 1991 evaluation of the reform indicates that it benefited only around 3 per cent of the men and never encompassed the most disenfranchised, including women (ARIAS 1992). Women also were excluded from access to other productive resources, such as credit and other support services. In the words of a representative of the Arias Foundation, “The land reform benefited very few men and ignored or marginalized the women (ARIAS 1992, 55).”

Chapter V of the Accords gave the pretense of following up on the agrarian reform of the 1980s, guaranteeing the fulfillment of Articles 105 and 267 of the Salvadoran Constitution, which restrict the land controlled by one individual to 245 acres. In addition, the Government agreed to sell all state-owned lands not part of natural reserves. The state land and any other land voluntarily offered for sale by their owners will be distributed under different transfer programs. Not only are women not mentioned in the section outlining the provisions for the land transfer program, but by defining the target group as landless “former combatants from both Parties” and “the beneficiaries of the agrarian reform” (El Salvador Agreements 1992, V, 2B) of the 1980s, it effectively excludes women.

Women's Participation in Institution Building

Much recent debate about peace building emphasizes the contribution of non-state civil society actors to promote conflict resolution and peace processes. Drawing on the experiences of ordinary members of civil society and seeking to enhance their contributions to peace building is regarded as vital for sustaining the agreements reached at the political level, and also works to strengthen the role and activities of the state in the long run.⁵ Yet women had no part in the last two sections of Chapter V of the Salvadoran Peace Accords, which establish the Forum for Economic and Social Consultation and create the National Reconstruction Plan.

The Forum for Economic and Social Consultation seeks to establish consensus on economic policies. "The most representative labor and business organizations" (El Salvador Agreements 1992, §8Ca) are singled out as participants and, in addition, "the Forum may invite other sectors and political sectors," but only "as observers (El Salvador Agreements 1992, §8Cb)." Although in theory this terminology does not completely bar women and women's organizations, in practice women's organizations have not been invited. Hence, these groups regard themselves as "excluded from the Forum (Murguialday 1996, 48)." Moreover, the absence of women's representatives from this political mechanism has important policy implications. As an example, it has prevented the women's movement from effectively advocating the "incorporation into the labor code of wage equality, job security for pregnant women, and sanctions against sexual harassment at work (Murguialday 1996, 48)."

The stated goals of the National Reconstruction Plan are "integrated development of zones affected by the conflict, satisfaction of the most immediate needs of the population hardest hit by the conflict and former combatants of both Parties, and the reconstruction of damaged infrastructure (El Salvador Agreements 1992, V, 9)." With the exception of the problem described above related to the definition of ex-combatants, these target groups and areas certainly leave room for the design of a gender inclusive Reconstruction Plan. Nevertheless, a review of the Plan reveals that the failure to make explicit reference to women and their dependents led in practice to their almost complete exclusion from the Plan (MIPLAN 1992). In contrast, more emphasis was placed in the Plan, as well as in its subsequent implementation (Ball and Halevy 1996), on the needs of male ex-combatants. A conceivable explanation is that the needs of this latter group had been outlined in greater detail in the Peace Accords, including "fellowships, employment and pension programs, housing programs and programs for starting up businesses (El Salvador Agreements 1992, V, 9)."

INTERNATIONAL LEGAL NORMS AND THE SALVADORAN PEACE PROCESS

The above discussion raises the question whether the observed gender differences violate international legal norms for discrimination. In addressing this question, this section first explores the relevant legal norms on the rights of women and men to equal treatment, developed during the last five decades by the international community. These norms concern discrimination based on gender in the determination of legal status, the access to government services, and the right to own land. On this basis, through a comparative analysis of international legal norms and the observed gender differences in the Salvadoran peace process, this section assesses the prevalence of gender-based discrimination.

International Standards and Legal Norms

In 1945, the Charter of the United Nations set out the basic framework for eliminating gender-based discrimination. The Preamble begins “We the peoples of the United Nations,” and reaffirms not only “faith in fundamental human rights,” but also “the equal rights of men and women.” In addition, three Articles of the Charter specifically proclaim the equality of rights. Most important is Article 1, paragraph 3, stating as one of the purposes of the United Nations the promotion and encouragement of “respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion.” Article 55 further emphasizes the United Nations’ role in promoting these same rights and freedoms, and in Article 56 all member states pledge themselves “to take joint and separate action in cooperating with the Organization for the achievement of the purposes set forth in Article 55.” The failure of the FMLN and the Salvadoran Government to promote and encourage the equal rights for women and men in the Peace Accords violates all three articles.

In the years following the adoption of the United Nations Charter, the organization has been instrumental in elaborating on these articles through the design and adoption of a number of international conventions, platforms, and guidelines. One of the more important instruments is the 1948 Universal Declaration of Human Rights, which in Article 2 proclaims that the rights and freedoms set forth in the document shall be enjoyed by everyone “without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion.” Another significant instrument is the 1967 Declaration on the Elimination of Discrimination against Women, which, for the first time, sets out the principle that

discrimination against women is fundamentally unjust and constitutes an offense against human dignity. It also labels gender-discrimination a practice incompatible with the welfare of the family and society.

The most comprehensive document on gender-based discrimination is the 1979 Convention on the Elimination of all Forms of Discrimination against Women (CEDAW). The legally binding Convention, which is sometimes also referred to as the “women’s human rights bill,” commits governments to take all appropriate measures to ensure the full development and advancement of women. Over 160 countries are party to the Convention (United Nations 1997), including El Salvador, which ratified it in 1981 (United Nations 1991). The convention was the first international legal instrument to define gender-based discrimination, which in Article 1 is described 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 the basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”

It follows that the Salvadoran Peace Accords gender-exclusive definitions of “combatant,” “peasant farmer,” and “businessmen,” are discriminatory. Under Article 2, states party to the convention “condemn discrimination against women in all its forms” and “agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women.” Under Article 3, parties promise to “take in all fields . . . all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on the basis of equality with men.” The convention goes on to list specific areas for elimination of discrimination, including the areas covered by the Salvadoran Peace Accords: education, technical assistance, training, employment, credit, and development. These articles reveal that the exclusion of women from Chapter V of the Salvadoran Peace Accords violates a wide range of CEDAW legal principles, all of which the Salvadoran Government ratified.

In addition to creating the legal instruments specified above, the UN General Assembly adopted in 1985 a vital document on gender discrimination: the Nairobi Forward Looking Strategies. The Strategies call for a series of measures for implementing equality at the national level. Specific measures include all the key areas addressed under Chapter V of the Salvadoran Peace Accords: employment, trade and commercial services, education, agriculture, credit, land tenure, political participation, and

social services. As indicated earlier, the Salvadoran Peace Accords do not promote gender-specific measures in any of these areas. Clearly relevant to the Salvadoran Peace Accords is the Nairobi document's proclamation that "peace requires the participation of all members of society, women and men alike (United Nations 1985, §251)." Specific guidelines are provided for national measures to enhance women's participation in efforts to promote peace, including, under paragraph 253, the encouragement at the national level of "women's equal role in decision-making with respect to peace and related issues." The absence of Salvadoran women from the Peace negotiations as well as from the Forum for Economic and Social Consultation is clearly not in line with these provisions. Moreover, in the Nairobi Document, for the first time violence against women is addressed as a problem related to peace. The increased gender violence in conflict situations is recognized, and paragraph 258 calls specifically for the establishment of national machinery "to deal with the question of violence against women within the family and society." It goes without saying that the gender-based violence—sexual harassment, domestic abuse, and rape—that invariably accompanies a climate of armed conflict is not addressed in the Salvadoran Peace Accords.

Although not in effect when the Salvadoran Peace Accords were drafted, the Vienna Declaration adopted by the World Conference on Human Rights in 1993 could be used as an instrument to lobby for a reassessment of the National Reconstruction Plan. The Vienna document stresses the importance of "the eradication of any conflicts that may arise between the rights of women and the harmful effects of certain traditional or customary practices, cultural prejudices and religious extremism (United Nations 1993, §38)." It thereby condemns denying women access to resources such as land and credit merely because of traditional practices. Likewise, the Platform for Action from the IV World Conference on Women, which was adopted by the General Assembly in 1995, provides important guidelines on how to make women's advancement and the protection of their human rights a high priority concern in the formulation of national policies. The signatories of the document, including the Salvadoran Government, agree to "take action to promote equal participation of women and equal opportunities for women to participate in all forums and peace activities at all levels, particularly at the decision-making level." Furthermore, the text calls for the integration of "a gender perspective in the resolution of armed and other conflicts (United Nations 1995a, §142)." These principles are pivotal, not only as weapons against continued gender-based discrimination in the Salvadoran peace process, but also as tools to promote a gender perspective in *any* future peace efforts.

Analysis of Gender-Based Discrimination in the Peace Process

In light of the above discussion, it is clear that the Salvadoran peace process is inconsistent with a wide range of international legal norms. As indicated in the table on the next page, the sources of these inconsistencies are of three types. First, the terminology used in Chapter V to define the target groups is gender exclusive, barring women to various degrees from programs. Secondly, the Peace Accords fail completely to address gender related concerns; the document is gender blind. Third, the Peace Accords do not cover certain areas, overlooking issues central to women such as gender-based violence.

As is illustrated in the table, the international legal norms that are violated encompass everything from violations of the UN Charter of 1945 to the inability to live up to the recommendations on access to education, land tenure, and loans established by the 1995 Nairobi Forward Looking Strategies. The table provides a far-from-complete list of available legal norms on gender and women's issues, encompassing only the principal documents outlined above.

POSSIBLE EXPLANATIONS FOR THE DISCRIMINATION

Why did neither the Peace Accords nor the restructuring plans directly address gender relations? Neither the Government nor the FMLN has provided an official explanation. Rationales, given by officers from both factions, tend to reveal a conservative view of the role of women as dependents and of men as heads of families. Men are by definition the breadwinners and intra-family interests are assumed to be gender neutral. It follows that these perceptions could be the reason behind the structuring of plans around families, rather than around individuals. Programs for families are assumed to implicitly benefit women.

In addition to this ideological explanation for the gender-based discrimination, there were most likely other mechanisms operating to exclude women from the peace process. Carmen Diana Deere suggests in her analysis of rural women and Latin American land reforms that, in addition to ideological barriers, there are also legal and structural barriers to women's access to land (Deere 1986). The most important structural barriers in the Salvadoran land reform of the 1980s were scarcity of arable land and rapid demographic growth (Montoya 1991b). Although these factors affected all members of society, it appears that the implications for women were particularly severe, since there was a tendency to reject women's demands for land based on such structural land scarcity arguments (Saint-Germain 1997). The legal barriers in El Salvador include the

Table: Gender-based Discrimination in the Salvadoran Peace Process

Source	Consequence	Legal Norm Violated
TARGET GROUP DEFINITIONS		
Beneficiaries of peace building programs defined in terms that, through customary practice, have male connotations, e.g., businessman, peasant farmer, and smallholder.	Women largely excluded from the land transfer and other reintegration programs, including agricultural and micro-enterprise loans, technical assistance, services, and training.	Preamble of the UN Charter; §38 of the Vienna Declaration; Art. 2 of the Universal Declaration of Human Rights; Art. 1 and 10 of the Declaration on the Elimination of Discrimination against Women; and Art. 1 of CEDAW.
FMLN's definition of ex-combatants as male heads of households.	Women largely excluded from the land transfer and reintegration programs for former combatants.	Preamble of the UN Charter; §38 of the Vienna Declaration; Art. 2 of the Universal Declaration of Human Rights; and Art. 1 and 10 of the Declaration on the Elimination of Discrimination against Women; and Art. 1 of CEDAW.
The beneficiaries of the agrarian reform of the 1980s as the target group for the land transfer program.	Women largely excluded from the land transfer program, i.e., women remain without legal access to land.	Preamble of the UN Charter; Art. 2 of the Universal Declaration of Human Rights; Art. 1 of the Declaration on the Elimination of Discrimination against Women; and Art. 1 of CEDAW.
The women's movement omitted from participation in the Forum for Economic and Social Consultation.	Women prevented from effectively advocating gender-related issues.	Preamble of the UN Charter; Art. 2 of the Universal Declaration of Human Rights; Art. 1 and 10 of the Declaration on the Elimination of Discrimination against Women; Art. 1 of CEDAW; §253 of the Nairobi Strategies; and §142 of the Beijing Platform for Action.
GENDER BLINDNESS		
Gender related needs not addressed in relation to any part of the Peace Accords.	Focus on the needs of families and former male combatants. Women largely excluded from the subsequent peace building initiatives.	Preamble of the UN Charter; Art. 2 of the Universal Declaration of Human Rights; Art. 1 and 10 of the Declaration on the Elimination of Discrimination against Women; and Art. 1, 2 and 3 of CEDAW.
OMITTED AREAS		
Several areas of particular importance to women are not addressed at all, including gender-based violence and health care.	Few efforts are made to meet gender specific needs of women.	Art. 2 and 3 of CEDAW; and a wide range issue specific paragraphs offering guidelines for government action, both in the Nairobi Forward Looking Strategies and in the Beijing Platform for Action.

interpretation of peasant farmers and smallholders as the beneficiaries of the land transfer.

Women suffer from a lack of representation in civil society in general, and the women's movement from a commensurate absence from the peace negotiations. This participatory barrier underlies the prevalent legal, ideological, and structural obstacles preventing women from sharing the benefits of the Accords. In November 1989, when the Salvadoran army finally agreed to meet the FMLN at the negotiating table, both sides regarded the women's movement as irrelevant to the decision-making sphere. As a result, the only women negotiators were two female commanders on the FMLN team; at the signing of the peace accords, all the signatories were male (El Salvador Agreements 1992). This experience is not unique to El Salvador. As Georgina Waylen has observed, in a global perspective relatively few women are involved in institutional transition politics. This is partly because democratization has not been accompanied by developments toward the wider social and economic equality that would enable broader female participation. In fact, it is fairly common for women's movements, organizing around practical gender interests, to become increasingly marginalized as the transition continues (Waylen 1994).

Finally, the budgetary barrier must be added to this set of constraints. Insufficient funding for addressing all of the country's urgent concerns has exacerbated the exclusion of women from the benefits of the peace programs. A justification sometimes given by government officials as well as by members of the FMLN is that budgetary pressures prevent inclusion such as the extension of credits to non-male heads of households. Women's issues will be addressed, it is argued, when other more urgent needs—the elections in 1994, the demobilization of ex-combatants, the implementation of the land transfer program, etc.—have been addressed (Cosgrove and Morgan 1994).

In sum, it appears that five different sets of factors promoted gender-based inequality in the Salvadoran peace process: ideological, legal, structural, participatory, and budgetary barriers to women's full and equal enjoyment of the peace.

ALTERNATIVE APPROACHES TO GENDER AND PEACE PROCESSES

Given the five sets of impediments to women's benefiting from the peace on equal terms with men, this section outlines the resulting policy implications. During the initial stages of peace building, the emphasis is

necessarily on implementing the peace accords. In most cases this leaves little time and few resources to address activities outside of those stipulated by the accords but critical to the consolidation of peace (Ball and Halevy 1996). Consequently, gender-related issues must be addressed explicitly at an early stage of a peace process.

Remedies for gender-based discrimination need not be created in a void. Over the last half-century, international legal norms have emerged on the rights of women and men to equal treatment. As indicated earlier, these norms specifically address gender-based discrimination. If future peace processes ensure that peace accords do not violate these norms, the impact of ideological, legal, and structural barriers to women's full enjoyment of peace will be weaker. Such an approach will also alleviate the problems associated with gender blindness and the omission of important issues. In the case of El Salvador, there is an urgent need to amend the National Reconstruction Plan, thereby providing an opportunity to develop new peace-building strategies in accordance with prevailing international legal norms.

Guatemala's peace process, while far from perfect, provides an encouraging example of ways to overcome participatory constraints. Representatives from a Guatemalan Civil Society Assembly—consisting of a wide range of sectors, such as labor unions, the business sector, human rights organizations, the indigenous people's and the women's movements—were allowed to present their views to the negotiating parties. As one of many important consequences, gender considerations are directly addressed throughout the sections of Guatemala's Peace Accords that refer to social and economic development (URNG and the Government of Guatemala 1996). An apparent lesson to be drawn from the Salvadoran and Guatemalan experiences is the significance of participatory peace processes. Efforts to build peace must draw on the contribution of all affected sectors of society in order to achieve lasting success.

Finally, the budgetary impediments to change constitute a particularly weak justification for the prevalence of gender-based discrimination. While it is true that important budgetary constraints do exist, such justifications only relate to an increase in the actual assistance provided, not to an increase in numbers of people with the right to enjoy peace programs. The actual cost of eliminating the gender-based discrimination should be assessed in order to devise strategies to address resultant budgetary pressures. Such strategies will have to include the development of new needs-based eligibility criteria for a more equitable distribution of scarce resources.

CONCLUDING COMMENTS

To the degree that peace processes aim to develop the basis for democracy, they should not incorporate gender-based discrimination. In the Salvadoran peace process, such discrimination has ignored and marginalized a significant portion of the Salvadoran population, thereby preventing the peace process from achieving one of its underlying objectives: "To guarantee unrestricted respect for human rights and reunify Salvadorian society (El Salvador Agreements 1992, Preamble)."

Gender-based discrimination might appear to ease budgetary and structural pressures by depriving large segments of the population from the benefits of peace-building programs. However, the extent of the hardship caused by this discrimination is multi-faceted. By excluding women from education, technological assistance, land, and agricultural credit, the faulty Peace Accords have far-reaching financial, political, legal, and psychological implications on women and their dependents. A more holistic approach to peace-building, therefore, conceives of peace as a multi-faceted process, which provides new opportunities and challenges for reshaping and transforming the political, economic, and cultural bases of society. The development of such an approach is predicated on compliance with international legal norms as well as on the participation of civil society in general, and of the women's movement in particular.

Notes

¹The author expresses her appreciation to Professor Sara Curran for comments on previous drafts.

²See for example Lourdes Benería and Shelley Feldman eds. 1992. *Unequal Burden: Economic Crises, Persistent Poverty, and Women's Work*. Boulder: Westview Press.

³See for example MIPLAN. 1992. Plan de Reconstrucción Nacional de El Salvador.

⁴See for example United Nations Development Program. 1997. Working Document *Nota Estartégica para El Salvador 1997*.

⁵See for example Carlos M. Vilas. 1993. The Hour of Civil Society. *Report on the Americas*. Vol. XXVII, No. 2; and Palencia Prado, Tania and David Holiday. 1996. *Hacia un Nuevo Rol Ciudadano para Democratizar Guatemala*. Montreal: ICHRDD.

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