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INTERNATIONAL RELATIONS INSTITUTE

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Mainstreaming women in post-conflict development: a
case study of Liberia

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Mainstreaming women in post-conflict development: a
case study of Liberia

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Abstract

Post-Conflict development literature tends to overlook the importance of including women and gender policies in statebuilding process. I use the Liberian case as the main frame to analyze how gender development policies can enhance this process by tackling the roots of conflict. Through a qualitative analysis of Liberia's history, its gender and development policies, and its dual system of law, the dissertation exams president Sirleaf's policies and actions towards women. It demonstrates the constraints her government faced and the strategies used to overcome them. Using international institutions' data, ground research reports, government documents, it identifies that her government experienced certain challenges to address sexual and gender-based violence crimes. Since such felonies are part of violent infrastructure that deeply affects women and their capabilities of being fully integrated socially, economically, and politically to society. Therefore, this paper aims to shine a light on the contemporary debate on Gender and Development, as well as bring a feminist approach to statebuilding analysis.

Keywords: Gender and Development; Liberia; Sexual and Gender-Based Violence; Statebuilding.

Resumo

A literatura de desenvolvimento pós-conflito tende a dar pouca importância para inclusão de mulheres e de políticas de gênero no processo de reconstrução de Estado. Eu uso o caso liberiano como quadro principal para analisar como as políticas de gênero e desenvolvimento podem melhorar esse processo ao atacarem as causas do conflito. Através de uma análise qualitativa da história da Libéria, de suas políticas de gênero e desenvolvimento e do sistema duplo de leis, o artigo examina suas políticas e ações para mulheres. Assim demonstrando as dificuldades enfrentadas pelo governo da presidente Sirleaf e as estratégias usadas para superá-las. Ao analisar dados de instituições internacionais, relatórios de pesquisas de campo e documentos do governo, o artigo identificou que o governo dela experimentou alguns desafios ao enfrentar crimes de violência sexual e de gênero. Tendo em vista que tais tipos crimes estão inseridos numa estrutura violenta que afeta profundamente as mulheres e suas capacidades de se integrarem socialmente, economicamente e politicamente de forma plena as suas sociedades, o artigo busca colaborar com os debates sobre Gênero e Desenvolvimento, assim como trazer uma análise feminista ao processo de reconstrução de Estado.

Palavras-chave: Gênero e Desenvolvimento; Libéria; Violência de Gênero e Sexual; Reconstrução de Estado.

Introduction

In the 1960s, influenced by the second feminist wave, the international community started promoting more policies for women. Since the 1970s, there is a bigger international understanding that women should be active participants in the promotion of development. Particularly after the 1975 United Nations Women's Convention in Mexico City¹. In the 2000s, the United Nations Security Council through its 1325² resolution reaffirmed the importance of women's participation not only in decision-making position, but also in peace-building processes³. This article provides the case study of Liberia as an insightful example of how President Ellen Sirleaf incorporated the 1325 resolution in Liberian after the Civil War. It focus on her gender and development policies towards Sexual and Gender-based Violence (SGBV)⁴. Since post-conflict long-term development policies tends to overlook such violence, used as weapon of war, as a subject that must be addressed in order to promote a positive peace⁵.

According to Johan Galtung⁶ there are two types of peace: positive and negative. The former is when there is harmony, justice and equality in the society. It means that there is not structural violence. Whereas the negative peace is the absence of war, however there are still violent structures that do not promote equality, justice and harmony. The challenge for every country, especially the ones that have undergone through conflict, is to transition from negative to positive peace.

Johan Galtung argues that actors, regardless if they are states or individuals, should use the Transcend approach⁷. In which he argues about the need to find a middle ground between the parties through non-violent actions. Some of its steps are peace culture/structure, mediation, peacebuilding, nonviolence, conciliation and virtuous cycles. He strongly emphasizes the need of

¹ MOMSEN, Janet, Introduction: gender is a development issue, *in: Gender and Development*, New York: Routledge, 2010, p. 1–20.

² UN, United Nations, Resolution 1325 Security Counsel UN, 2000.

³ *Ibid.*

⁴ *“There is a need to define Gender Based violence as the terms “violence against women” and “gender-based violence” are often used interchangeably. “Gender-based violence” is defined as violence that is directed at an individual based on his or her biological sex, gender identity, or perceived adherence to socially defined norms of masculinity and femininity.”* GOVERNMENT UN GBV JOINT PROGRAM, Exploring Gender Based Violence Prevention in Liberia, 2013. Available at <<https://www.undp.org/content/dam/liberia/docs/docs/SGBV%20Prevention%20Strategies%202013.pdf>>. Accessed on 6/apr/2020.

⁵ GALTUNG, Johan, introduction: Peace by peaceful conflict transformation – the TRANSCEND approach, *in: Handbook of Peace and Conflict Studies*, London ; New York: Routledge, 2007, p. 14–34.

⁶ *Ibid.*

⁷ *Ibid.*

addressing the roots of violent conflict, depolarizing and humanizing the enemy. This means dismantling the social, economic, political, cultural structures that promote violence.

In this study, I do not address all the invaluable steps presented by Galtung. Instead, I focus on how gender and development policies can enhance the statebuilding process by tackling the roots of conflict. Because as Galtung argues to have peace, the actor/state needs to promote an infrastructure with equality, equity and reciprocity across faultlines⁸. I use the Liberian case as the main frame for this analysis. When President Ellen Johnson Sirleaf was elected after fourteen years of civil war, she established that one of her priorities was to use gender as a crosscutting issue in her policies. She understood that including women in the statebuilding process was essential to prevent the country from resuming hostilities⁹. She also comprehended the need of addressing the violent structures that most affect women. Because as O. Pala¹⁰ argues, women should not be included in development model, if its structures constrain them instead of improving their lives. Hence, in this study, I shine light on her policies towards sexual and gender based violence because this is one of the most pressing issues to Liberian women.

Countries in post-conflict situations face the challenge of rebuilding society in shambles, wounded, and with scarce resources. Usually, in this context, there is a peace agreement that secures the negative peace. Thus, countries need to promote policies and actions in order to avoid new hostilities. They should tackle three major fronts: human assistance, rehabilitation, and short-term development¹¹. The first consists of providing shelter, food, water, clothing, and medicine to victims of conflict. This is vital to secure people's lives in a scenario where the state cannot enforce the rule of law and democracy. The second, rehabilitation, concerns immediate actions after the end of hostilities. They are essential to restore the basic functions of the state and a primary sense of normality. They should also provide the physical infrastructure needed for refugees and displaced people can return to the land. The last, short-term development, are measures to

⁸ *Ibid.*

⁹ REHN, Elisabeth; JOHNSON-SIRLEAF, Ellen, **Women, war, peace: the independent experts' assessment on the impact of armed conflict on women and women's role in peace building**, New York, NY: UNIFEM, 2002. Available at < <https://www.unfpa.org/sites/default/files/pub-pdf/3F71081FF391653DC1256C69003170E9-unicef-WomenWarPeace.pdf>>. Accessed on 4/apr/2020.

¹⁰ O.PALA, Achola, Definitions of Women and Development: An African Perspective, *in: African Gender Studies: a reader*, Houndmills, Basingstoke, England ; New York: Palgrave MacMillan, 2005.

¹¹ GARIBA, EDWARD BANKA, Post-conflict development in Liberia, **The African Centre for the Constructive Resolution of Disputes (ACCORD) - African Journal of Conflict Resolution**, v. 11, n. 2, p. 105–132, 2011.

reconstruct the state, the administrative structures, and even in some cases, a new constitution. Another essential action is to promote social and economic reconciliation as detailed below.

Gariba¹² and Ero¹³ stress that only taking these initial policies is not enough to secure the state and effectively promote peace. Gariba¹⁴ argues that the other four approaches are vital to rebuilding the country: good governance, security reforms, a long-term development goal, and building local capacities. The first concerns addressing the root causes of the conflict and establishing inclusive governance. He defines democratic governance as a group of the following features: state principles, the guarantee of civil rights and society participation. By these, he means that the State should have rule of law, electoral legitimacy, accountability, development-oriented leadership, gender equality, transparency, decentralized power, voting, freedom of expression and association, a vigorous media, and a responsible and engaged civil society. The second, security reforms, encompasses regenerating the police, the army, and other security forces in cooperation with international institutions. Especially if there are peacekeeping missions deployed in the country¹⁵.

The third, long-term development (LTD) is an expansion of short-term development (STD). As exposed before, the post-conflict country needs to focus on the main two areas: social and economic reconciliation. The former starts as STD, with DDR (disarmament, demobilization, and rehabilitation) of ex-combatants, particularly of child-soldiers. These actions are necessary to reintegrate them into the civilian population and to bring forth transitional justice committees, and peace and reconciliation initiatives. In LTD, the government needs to focus on human security, thus providing jobs, health care, and education. Gariba¹⁶ and Ero¹⁷ defend that long-term policies must integrate development and security interchangeably. In order to do it effectively, post-conflict countries need international assistance. In the case of African countries, this means receiving support from the former metropolises, along with their interference in the process¹⁸.

The last, building capacities, requires countries to work in two spheres: national and local¹⁹. The former demands creating standards and regulations, providing the tools (political, economic,

¹² *Ibid.*

¹³ ERO, Comfort, *Peacebuilding Through Statebuilding in West Africa? The Cases of Sierra Leone and Liberia*, in: **Peacebuilding, Power, and Politics in Africa**, 1 edition. Athens: Ohio University Press, 2012, p. 232–252.

¹⁴ GARIBA, *Post-conflict development in Liberia*.

¹⁵ *Ibid.*

¹⁶ *Ibid.*

¹⁷ ERO, *Peacebuilding Through Statebuilding in West Africa? The Cases of Sierra Leone and Liberia*.

¹⁸ *Ibid.*

¹⁹ GARIBA, *Post-conflict development in Liberia*.

social, and technical) for institutions and organizations to empower themselves. This means building leadership capacity based on managerial skills, public service values, and ethics focused on the national interest.

Moreover, the government's institutions should create action plans and targets, as well as revise such plans to verify their efficiency. While the local capability requires involving individuals and societies to engage in policy formulation, implementation, and evaluation. In order to do this, the government should capacitate local leaderships with institutional and technical knowledge. In addition, the government should decentralize political, administrative, and financial structures. Hence allowing the communities to run their localities, to create revenues, and to have their local initiatives incorporated into the national development plan.

Numerous countries have experienced conflicts and needed to rebuild their states. This reality is particularly common in Africa, where there is the most prominent occurrence of fragile states in the world^{20 21}. According to Ero²² it is more difficult for African states to promote state-building actions and policies since the creation of states was an alien construction made by the Europeans. Jackson²³ defends that African countries are 'courtesy states' since they lack the characteristics of States. Moreover, their legitimacy and self-determination were not taken into account, neither in the colonization process nor in the decolonization one. Even countries such as Liberia, never colonized, bore the weight of having metropole-oriented elites²⁴. Which used the country's (natural) resources in their benefits, creating networks of power and influence, usually favoring some ethnic group.

This alien construction of the state was one of the roots for the two civil wars in Liberia. After the conflict, the country democratically elected its first female president Ellen Johnson-Sirleaf. She claimed that in the process of bringing back the country to its feet, she would also promote women's

²⁰ WORLD BANK, Low-Income Countries Under Stress 2006-2009. Available at <<http://pubdocs.worldbank.org/en/359521410886172040/FY6toFY9Fragile-States-List-formerly-LICUS.pdf>>. Accessed on 23/oct/2019.

²¹ THE FUND FOR PEACE, **Fragile States Index Story Map Series (2006-2018)**. Available at: <<https://www.arcgis.com/apps/MapSeries/index.html?appid=7e7947483f8342f8a31445cebce3754>>. Accessed on 23/oct/2019.

²² ERO, Peacebuilding Through Statebuilding in West Africa? The Cases of Sierra Leone and Liberia.

²³ JACKSON, Robert, Juridical Statehood in Sub-Saharan Africa, **Journal of International Affairs**, v. 46, n. 1, p. 1–16, 1992.

²⁴ ERO, Peacebuilding Through Statebuilding in West Africa? The Cases of Sierra Leone and Liberia.

development²⁵. By making gender a crosscutting issue in her policies²⁶. Therefore, promoting policies to address sexual and gender-based violence (SGBV) and tackling other issues such as national reconciliation.

According to the Overseas Development Institute²⁷, the peacekeeping processes tend to overlook the importance of dealing with sexual and gender-based violence (SGBV). They do not address properly the roots of this type of violence. The United Nations through its Security Council 1325 resolution aims to change this reality by incorporating women into peacebuilding efforts. Since more women in the peace process increases the probability of positive peace²⁸. Therefore, the Liberian case is essential for the statebuilding, and women and development literature. Because it demonstrates an attempt to prevent new conflicts, through a development project that took into account women. Since they had a meaningful engagement in peace negotiations during the country's civil war²⁹.

In 2006, Sirleaf counted on her political experience in the country - as former finance minister - and her international prestige - as she worked for Citibank, the Bank of Equator, and the United Nations - to assemble the economic, social and political means to restructure the country. One of her challenges was to rebuild a state with few resources due to the heavy burden of former loans the country took from international institutions. In addition, she needed to repair roads, schools, hospitals, reestablish the national police forces, and many other actions present in her 150-day plan of action³⁰. In this plan, the 2011 Nobel Peace Prize winner already set actions such as the creation of 'Women and Child Protection Units', a Women Legislative Caucus, among other women-oriented initiatives.

²⁵ SIRLEAF, Ellen, inaugural speech Ellen Johnson Sirleaf, 2016. Available at <https://emansion.gov.lr/doc/inaugural_add.pdf>. Accessed on 19/may/2018.

²⁶ *Ibid.*

²⁷ JONES, Nicola *et al*, The fallout of rape as a weapon of war, 2014. Available at <<https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/8990.pdf>>. Accessed on 28/nov/2019.

²⁸ GIZELIS, THEODORA-ISMENE, Gender Empowerment and United Nations Peacebuilding, **Journal of Peace Research**, v. 46, n. 4, p. 505–523, 2009.

²⁹ SÁ, Willian, **PERSPECTIVAS FEMINISTAS SOBRE UM CONFLITO: O PAPEL DAS MULHERES NA SEGUNDA GUERRA CIVIL DA LIBÉRIA (1999 – 2003)**, Monograph, Universidade Federal da Paraíba, João Pessoa, 2016.

³⁰ GOVERNMENT OF LIBERIA, First 150 Days Action Plan, 2006. Available at <<https://reliefweb.int/sites/reliefweb.int/files/resources/4B6D32CC99BB6DE785257154006EAEAE-govlbr-lbr-18apr.pdf>>. Accessed on 24/oct/2019.

Even though these short-term development policies are significant, this article focus on long-term ones. Since, as pointed out by Gariba³¹, they are essential for building effective governance for the country. This study investigates her policies and actions towards women, demonstrating the constraints faced by Sirleaf's government and the strategies used to overcome them.

Authors that study the Liberian case, such as Gariba³² and Massaquoi³³, focused their work on presenting their views about the development strategies Sirleaf should take. Even though, Massaquoi addresses gender issues, both analysis did not present conclusive results since the researches took into consideration only her first term (2006-2011). While Quimine³⁴ describes Sirleaf's two terms, his accounts are brief and not focused on women. Thus, this paper contributes to the gender and development literature by presenting and the intersection of gender and development theories with the local accounts that reveal the constraints and advancements made through the twelve years (2006-2018) of Sirleaf's mandate in Liberia.

The article has three sections. The first presents the gender and development approaches, describing how women become objects and agents of development policies through time. Providing an overview of development policies and their feminist influences. It provides the necessary background to understand the development policies made by Liberian presidents since the 1970s.

The second section provides an overview of Liberian history. It has three subsections. The first provides the origins of the country's identity struggle and the emergence of the dual-system of law. It also illustrates how these laws affect women. Thus, presenting the foundations for the violent structures that sponsored the two civil wars. The second subsection is a brief summary of the development policies made by Liberian presidents since the 1970s. It demonstrates the historical episodes that led to the two civil wars. The third provides an account of the roles women performed during the war. They were combatants, political actors and peacekeepers. This subsection also provides a discussion of women's stereotyped peaceful nature. As well as their actions to elect Ellen Sirleaf.

³¹ GARIBA, Post-conflict development in Liberia.

³² *Ibid.*

³³ MASSAQUOI, William N., **Women and Post-conflict Development: A Case Study on Liberia**, Submitted to the Department of Urban Studies and Planning in Partial Fulfillment of the Requirements for the Degree of Master in City Planning, MASSACHUSETTS INSTITUTE OF TECHNOLOGY, Cambridge, Massachusetts, 2007.

³⁴ QUIMINEE, Robert, Liberia's Economic Recovery Policies and Failures, 2018. Available at <<https://www.mediate.com/products/docs/Liberia'sEconomicRecoveryPoliciesandFailures.pdf>>. Accessed on 19/oct/2019.

The third section has six subdivisions. The first investigates how some concepts, as gender and patriarchy, are understood in Liberia's context. It questions the idea of universal gender concepts as well as other ideas presented on section 1. The second illustrates the scenario and the challenges Sirleaf faced when she rose to power. The first actions of her to promote development and the address Sexual and Gender-Based Violence (SGBV). It describes some of the consequences of this practice to the victims. It also provides an account of her short-development policy, the 150 day plan. The third describes her cooperation with other governments and organizations in order to establish her long-development strategies to tackle (SGBV). It summarizes her first term (2006-2011), presenting the positives and negatives aspects of it. The fourth presents how she implemented the policies described in the previous section. It shows the challenges her government faced in attempting to enforce politics that went against ethnic groups' believes. The fifth exams Ellen Sirleaf's policies towards women in her second term (2012-2018) and its backlashes, especially regarding infrastructure problems. The sixth provides a more in-depth analysis of one sort of SGBV, Female Genital Mutilation (FGM). After these sections, the article presents its conclusions.

1- Literature review of gender and development approaches

Several textbooks or articles state the women and development theories started in the post Second World War period^{35 36 37}. Most of them assert that this field started in the 1970s. Because the development theories prior to this period believed that economic policies equally affected men and women. However, the concept of development is broad and not consensual in the literature. Even though, this term became more used after 1945, I argue that this idea was already present before this landmark, and that development is broader than an economic approach.

For centuries, women have been demanding more rights and participation in public life. Jennifer Baumgardner³⁸ argues that since wave zero, women have fought for a non-patriarchal society. For instance, in the 14th century in territory that today is known as the United States (US),

³⁵ MOMSEN, Gender and development.

³⁶ RAI, Shirin M, Introduction, *in: Mainstreaming gender, democratizing the state? Institutional mechanisms for the advancement of women*, Manchester ; New York: Manchester University Press ; distributed exclusively in the USA by Palgrave, 2003, p. 1–12.

³⁷ PEARSON, Ruth; JACKSON, Cecile, Introduction: Interrogating development: feminism, gender and policy, *in: FEMINIST VISIONS OF DEVELOPMENT Gender, Analysis and Policy*, London ; New York: Routledge, 2005, p. 1–16.

³⁸ BAUMGARDNER, Jennifer, *F'em!*, Berkeley, CA: Seal Press, 2011. Pgs. 205-212.

some Iroquois' and Cherokee's women had a prominent role in their societies. They established who would be the leader in their clans. They made war plans and provided the same education for boys and girls. In these tribes, women also had control over their fertility and children. Another example took place in 1405 when a Parisian scholar Christine de Pisan published "*the book of the city of ladies in France*", in which she asserts that women through history have challenged the patriarchy in France and expressed their wishes to be treated as fully human³⁹.

The first wave of feminist movements (1840-1920) claimed for more citizenship rights, especially the right to vote⁴⁰. Also known as suffragists, they fought for the right to be part of the public life. They did not wish to remain as property of their fathers or husbands. They demanded the right to get divorced, to retain custody of their children, to inherit their family's goods and to have better access to education⁴¹. In Europe, some women inspired by liberal thought battled for political and judicial equality. In this context high or middle-class, women wished to have jobs. While the lower class sought for better working conditions and labor rights. Many of latter envisioned socialism as solution to gender and class inequality⁴².

In this context, for some women development was equal to civil and political rights, while for others it was economic and labor rights. Some important liberal feminists were Mary Wollstonecraft and Millicent Garrett Fawcett⁴³ and socialist feminists were Clara Zetkin, Rosa Luxemburg and Alexandra Kollontai. In the US, the women's movement grew from the abolitionist movement. Lucretia Mott, Elizabeth Stanton⁴⁴ among other feminists believed slaves' and women's rights should have the same rights as a white man. However as exposed by Sojourner Truth in her speech "*Ain't I A Woman?*"⁴⁵ some white feminists curtailed black women's advancement.

³⁹ *Ibid.*

⁴⁰ *Ibid.*

⁴¹ *Ibid.*

⁴² FRANCHINI, B. S, **O que são as ondas do feminismo?**, Revista QG. Available at: <<https://medium.com/qg-feminista/o-que-s%C3%A3o-as-ondas-do-feminismo-eeed092dae3a>>. Accessed on 14/sep/2019.

⁴³ MYERS, Rebecca, **International moves for women's suffrage**, The Independent. Available at: <<http://www.independent.co.uk/news/uk/home-news/international-moves-for-women-s-suffrage-8631718.html>>. Accessed on 14/sep/2019.

⁴⁴ NATIONAL WOMEN'S HISTORY MUSEUM, **The Woman Suffrage Movement**, National Women's History Museum. Available at: <<https://www.womenshistory.org/resources/general/woman-suffrage-movement>>. Accessed on: 15/sep/2019.

⁴⁵ HUMANITIES, National Endowment for the, Anti-slavery bugle. (New-Lisbon, Ohio) 1845-1861, June 21, 1851, Image 4, p. 160, 1851.

While part of the literature emphasizes this wave as a Euro-American movement, it also took place in other parts of the globe. For instance, in Brazil, Bertha Lutz and Nísia Floresta founded The Brazilian Federation for Feminist Progress. They fought for the right of women to work without husband's consent and for their suffrage,⁴⁶ which they only attained in 1932. New Zealand was the first self-governing country in the world to promote women's suffrage in 1893. Even though they could not stand for the commonwealth parliament⁴⁷. Suffragists such as Kate Sheppard were responsible for doing this achievement even before the United Kingdom (UK)⁴⁸. In 1895, women of the colony and indigenous men could vote in South Australia, while aboriginal women were only able to vote in 1962⁴⁹.

After the First World War, several women organizations lobbied and petitioned to be part of the Paris Peace Conference meetings⁵⁰. In which, they could only speak in what the committee believed were women issues. They fought back and presented 'The Women's Charter'. In which they requested that women could have the same labor rights as men; that women could have their nationality declared independent of her husband; the banishment of women and girls' trafficking. Later, this Conference gave origin to the League of Nations and many of these women started working there.

Some of these women's organizations such as the Women's International League for Peace and Freedom, the International Women's Suffrage Alliance, and the International Council of Women pressured the League for more women to work in the organization and in positions with the same status as men. The feminists had several demands. For example, Constance Drexel wrote, in *The Times*, that women should be represented in the League because there were more women after the war. She also stated: "[Women] will see more clearly than men the relation between international politics and daily human life, and they will more readily grasp the fact that a League of Nations cannot but improve human conditions of life."⁵¹ Her speech clearly shows the need of

⁴⁶ RIBEIRO, Djamilia, *As diversas ondas do feminismo acadêmico*. Published on 25/nov/2014. Available at <<https://www.geledes.org.br/diversas-ondas-feminismo-academico/>>. Accessed on 15/sep/2019.

⁴⁷ NATIONAL ARCHIVES OF AUSTRALIA, **Documenting Democracy**. Available at: <<https://www.foundingdocs.gov.au/item-sdid-88.html>>. Accessed on 20/sep/2019.

⁴⁸ NEW ZEALAND MINISTRY OF CULTURE AND HERITAGE, **Stories of women's activism - Suffrage 125**, Available at <<https://nzhistory.govt.nz/culture/suffrage125/three-waves-of-womens-activism>>. Accessed on 15/sep/2019.

⁴⁹ NATIONAL ARCHIVES OF AUSTRALIA, **Documenting Democracy**.

⁵⁰ VUKOTIC, Stefan, **Research Guides: Women and Global Diplomacy: From Peace Movements to the United Nations: The League of Nations**. Available at <[/libraryresources.unog.ch/womendiplomacy/leagueofnations](https://libraryresources.unog.ch/womendiplomacy/leagueofnations)>. Accessed on 3/apr/2020.

⁵¹ *Ibid.*

women's inclusion in international forums. For them, development was equal to political, national, participatory, social and economic rights.

In 1945, in the San Francisco Conference that gave origin to the United Nations (UN), women such as Minerva Bernardino, Bertha Lutz, and Jessie Street fought to secure women's rights. They were responsible for the inclusion of article 8, which established that would not be restrictions to women's participation in position in the UN. In 1946, the UN created a Commission on the Status of Women to promote women's political, economic, civil, social and educational rights through reports to the Economic and Social Council and recommendation in other women's pressing issues⁵². Despite of that, women are still underrepresented in the UN. Even in the 21st century, they have less and lower positions in the institution.⁵³

In this post-war context, the UN and the United states sponsored economic programs as well as the idea of economic development in order to rebuild destroyed nations and to engage other countries or colonies into capitalism. This Welfare Approach (WA) viewed women as wives and mothers, and it was concerned with child health and reducing fertility. It believed that trickle-down policies would increase families' income, therefore ultimately benefiting women⁵⁴. WA reinforced the idea of women being men's property and the sexual division of labor.

In the Cold War context started the second feminist wave. It came along with the counter-culture and social-justice movements in the 1960s and lasted until the ends of the 1980s. In the US, people fought for black-Americans', gay's, women's rights, for peace and freedom of speech⁵⁵. Radical feminists believed in a full-scale revolution to dismantle a patriarchal and androcentric structure and build a new one. In order to deconstruct the vision of what is to be a woman, some feminists asserted '*personal is political*', breaking the dichotomy of public-private subjects⁵⁶. They burned bras, let their body hair grow and challenge many other aspects. For example, what is to be a wife, and why women are responsible for child caring. A prominent feminist in this period was Simone de Beauvoir.

⁵² MOMSEN, Gender and development.

⁵³ REHN; JOHNSON-SIRLEAF, **Women, war, peace**.

⁵⁴ MOMSEN, Gender and development.

⁵⁵ BAUMGARDNER, **F'em!**

⁵⁶ EVANS, Elizabeth; CHAMBERLAIN, Prudence, Critical Waves: Exploring Feminist Identity, Discourse and Praxis in Western Feminism, **Social Movement Studies**, v. 14, n. 4, p. 396–409, 2015.

In the 1970s, Ester Boserup criticized WA in her book *Women's Role in Economic Development*⁵⁷. She demonstrated that the Welfare Approach's view of women was mistaken and that an improvement of the husband's income would not necessarily benefit the wife. In fact, it would increase women's economic and social marginalization and its outcomes in the sexual division of labor⁵⁸. Thus, Boserup's Equity Approach concluded that to change this scenario, the development process should fully incorporate women into it, particularly in the Third World. As a result, new theories that took into account women's roles and needs in development started emerging. Such as Women in Development (WID), Gender and Development (GAD), and Women and Development (WAD). All of the perspectives flourished in the context of the United Nations Women's Decade (1976-1985), which started in 1975 with the United Nations International Year for Women in Mexico City and finished in 1985 in the Nairobi Conference.

In the 1970s, Women in Development (WID) scholars argued that development policies should focus on providing means for women to have their income⁵⁹. Inspired by the modernization theory and liberal feminism, WID believed that if women were part of the productive work force, they would be incorporated into public society⁶⁰. In other words, if women had money, social relations would change and society (men) would consider them as equals. However, this anti-poverty approach failed (in Momsen's view) because it did not take into account the double or triple journeys experienced by women. Who are usually responsible for taking care of children (reproductive work) or the elderly (community management)⁶¹.

WID also ignored regional aspects of women's actual and potential contribution,⁶² as well as, their difficulties to access education and other spheres of society⁶³. It failed to recognize Dependency Theory and Neo-Marxists contributions to development⁶⁴. Despite the critics, this perspective sponsored the creation of NGO (Non-profitable Organizations), and Women's ministries or agencies that institutionalized WID's policies in governments⁶⁵.

⁵⁷ MOMSEN, Gender and development.

⁵⁸ MASSAQUOI, **Women and Post-conflict Development: A Case Study on Liberia**.

⁵⁹ MOMSEN, Gender and development.

⁶⁰ RATHGEBER, Eva M., WID, WAD, GAD: Trends in Research and Practice, **The Journal of Developing Areas**, v. 24, n. 4, p. 489–502, 1990.

⁶¹ MASSAQUOI, **Women and Post-conflict Development: A Case Study on Liberia**.

⁶² MOMSEN, Janet, **Gender and Development**, 2. ed. New York: Routledge, 2010.

⁶³ RATHGEBER, WID, WAD, GAD: Trends in Research and Practice.

⁶⁴ *Ibid.*

⁶⁵ MOMSEN, Gender and development.

The second wave also evidenced that women are not a homogenous group. As they experience development, rights and womanhood differently⁶⁶. The Southern feminists, who rejected white Northern Women's views of development, gender, and equality, fostered the Women and Development (WAD) perspective, in the mid-1970s. Many scholars, such as Achola Okello Pala, inspired by the Dependency Theory (post-colonial) and Neo-Marxism,⁶⁷ argued WID disregarded developing countries' perspectives and that overcoming the effects of poverty and colonialism was more important for them than equality⁶⁸. Because they understood that women were already important economic actors, inside and outside their homes, serving an unequal structure⁶⁹. Thus, they were more concerned in addressing the center-periphery relation than in changing internal relations of subordination. However, according to Rathgeber⁷⁰ WAD did few actions to change this reality.

Gender and Development (GAD) studies started as criticism by British scholars⁷¹ and socialist feminist⁷² to WID. In the international conference on 'The Continuing Subordination of Women' held in 1978, the Subordination of Women collective (SOW)⁷³ sponsored the idea that development policies could reshape gender power relation⁷⁴. They disapproved the idea of women homogenization made by WID. Therefore, these scholars emphasized the prominence of different aspects such as class, age, marital status, religion, and ethnicity, or race on development

⁶⁶ BAUMGARDNER, F'em!

⁶⁷ RATHGEBER, WID, WAD, GAD: Trends in Research and Practice.

⁶⁸ MOMSEN, **Gender and development**.

⁶⁹ RATHGEBER, WID, WAD, GAD: Trends in Research and Practice.

⁷⁰ *Ibid.*

⁷¹ PEARSON; JACKSON, Introduction: Interrogating development: feminism, gender and policy.

⁷² RATHGEBER, WID, WAD, GAD: Trends in Research and Practice.

⁷³ PEARSON; JACKSON, Introduction: Interrogating development: feminism, gender and policy.

⁷⁴ "**Gender** (the socially acquired notions of masculinity and femininity by which women and men are identified) is a widely used and often misunderstood the term. It is sometimes mistakenly conflated with sex or used to refer only to women. **Gender identities**, because they are socially acquired, are flexible and not simple binary constructions. Today there is greater awareness of multiple sexualities and transgender individuals (...). **Gender relations** (the socially constructed form of relations between women and men) have been interrogated in terms of the way development policies change the balance of power between women and men. **Gender roles** (the household tasks and types of employment socially assigned to women and men) are not fixed and globally consistent and indeed become more flexible with the changes brought about by economic development. Everywhere gender is crosscut by differences in class, race, ethnicity, religion, and age (...) Feminists have often seen women as socially constituted as a homogeneous group on the basis of shared oppression. But in order to understand these gender relations, we must interpret them within specific societies and on the basis of historical and political practice, not a priori on gender terms alone. Different places and societies have different practices, and it is necessary to be cognizant of this heterogeneity within a certain global homogeneity of gender roles. At the same time, we need to be aware of different voices and to give them agency. The subaltern voice is hard to hear, but by presenting experiences from fieldwork, I have tried to incorporate it (...)". KINNAIRD; MOMSEN, 1993 *apud* MOMSEN, 2010, p 2-3

outcomes⁷⁵. They wanted to understand why women were usually left in secondary positions⁷⁶. Their focus was not in women per se, but in the gender relations, i.e. the social relations of power.

GAD shone light on influence of structure in the public-private roles women and men play⁷⁷. They argued that the state should be responsible for some social services women usually do, such as daycare. However, GAD believed that women were agents of change and should not passively wait for state support⁷⁸. While some of GAD's theorists supported that women should do actions to promote 'practical' gender interests. Which would improve women's lives within their existing roles, i.e. without changing the structure. For example, a woman becoming a CEO. Others endorsed that women should foster 'strategic' gender interests that would help to increase their ability to take on new roles and to empower themselves, by changing the structure. For instance, legalizing abortion⁷⁹.

WID, GAD, WAD started in a context where the state was the biggest sponsor of policies for women. Due to the understanding that the state should be the provider of social policies, and there was plenty of money available in the market. Many International Financial Institutions (IFI), such as the World Bank (WB), provided generous loans, particularly to the so-called 'Third World' countries, with almost no conditionality⁸⁰. They believed, in the post-Second World war context, Keynesian measures such as promoting jobs, stimulating demand, and cultivating social stability were necessary to restrain the spread of communism. Liberia used this as a prerogative to request for investments and to reinforce its tie with the United States⁸¹.

This state-centered perception changed, especially after the oil crises of 1973 and 1979. The Washington Consensus' context brought forth neoliberal reforms and the Efficiency Approach. IFIs, such as the WB and International Monetary Fund (IMF), conditioned new loans and the payment of countries' debt to the promotion of Structural Adjustment Programs (SAP's). It meant that the state was no longer able to be the leading provider of actions to sponsor development. Thus, it should cut subsidies, control prices, privatize public assets, implement a monetary policy

⁷⁵ MOMSEN, **Gender and development**.

⁷⁶ RATHGEBER, WID, WAD, GAD: Trends in Research and Practice.

⁷⁷ *Ibid.*

⁷⁸ *Ibid.*

⁷⁹ MOMSEN, **Gender and development**.

⁸⁰ HICKEL, Jason, The 'girl effect': liberalism, empowerment and the contradictions of development, **Third World Quarterly**, v. 35, n. 8, p. 1355–1373, 2014.

⁸¹ ERO, Comfort, *Peacebuilding through Statebuilding in West Africa? The Cases of Sierra Leone and Liberia*, in **Peacebuilding, Power, and Politics in Africa**, 1 edition. Athens: Ohio University Press, 2012.

focused on low inflation, and reduce spending in social services⁸². Such actions reallocated the responsibilities towards welfare from the public sphere to the private one. Thus profoundly affecting women by cutting off services, such as public daycares⁸³.

According to the IFIs, the SAPs would promote economic prosperity. With women incorporation into the job market, the economy would become more efficient and equitable. However, it proved to be erroneous⁸⁴. Moreover, the IFI advocated for family planning, female education, and employment as necessary measures to reduce high fertility and maternal mortality rates.

The Third wave emerged at the end of the 1980s. It focused on being more inclusive, especially with minorities. Kimberlé Crenshaw⁸⁵ exposed through her intersectional theory the effects policies made for (and by) white women had on black women⁸⁶. She illustrated the invisibility and struggles non-white heterosexual women suffer. While Judith Butler brought to the debate the Queer theory. She shone light on gender's, Trans people's, androgynous individuals' issues, and the dominant sexist culture⁸⁷. Their work, inspired scholars to use new lenses and variables to understand how development affected women differently.

The third wave also embraced pop culture and new forms of representation. According to Baumgardner, it was a portable wave in a sense '*every time I move, I make a women's movement*'⁸⁸. In this neoliberal context, many NGOs emerged as a response from civil society, who already criticized the role of the state as the promoter of development⁸⁹. They supported the Empowerment Approach (EA), which sponsored women's liberation. It envisioned breaking with the 'pre-modern' kinship that (in their view) 'trapped' women in patriarchal and polygynous relations⁹⁰. In the 1980s, EA became a synonym of a 'weapon for the weak,' especially for grassroots⁹¹. In the 1990s, IFI and Development Agencies adopted policies to 'empower' women, as mean to enhance

⁸² HICKEL, The 'girl effect'.

⁸³ *Ibid.*

⁸⁴ MASSAQUOI, **Women and Post-conflict Development: A Case Study on Liberia.**

⁸⁵ CRENSHAW, Kimberlé Williams, Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color, *in: The Public Nature of Private Violence*, New York: Taylor & Francis/Routledge, Inc, 1994, p. 93–118.

⁸⁶ EVANS; CHAMBERLAIN, *Critical Waves*.

⁸⁷ BAUMGARDNER, **F'em!**

⁸⁸ *Ibid.* Pg 210.

⁸⁹ PEARSON; JACKSON, Introduction: Interrogating development: feminism, gender and policy.

⁹⁰ HICKEL, The 'girl effect'.

⁹¹ *Ibid.*

efficiency and productivity without changing the status quo⁹². For example, they fostered the girl-effect idea. In which, labor and wage would promote women's liberation, and this would be their passport for 'modern' kinship⁹³. However, it did not take into consideration the work's condition and low wages.

Amartya Sen's book "*Development as Freedom*" inspired the capability approach. In this study, he advocates in favor of changing the focus from economic measures (such as GDP) to basic needs⁹⁴. At the end of the 1990s, the World Bank started including other issues, such as sustainability, HIV/AIDS, health care, crime and violence, freedom of choice, among others in its development policies⁹⁵. This represented a shift in the Bank's policy. Which previously focused only on economic development, and at this moment, started taking into account social, environmental, and political development. Sen's book influenced this shift by fostering the idea that policies interfered in human relatedness. Therefore, the state should provide provisions for health care, education, and other basic needs, set up affirmative actions and reform policies to uphold more opportunities for women⁹⁶.

In the 2000 World Development Report⁹⁷, the World Bank (WB) asserts that kinship rules, community norms, legal systems, and public provision are factors that uphold women's institutional subordination. Therefore, it proposed the following strategies to end this: reform institutions, promote a rights-based approach, and take active measures to tackle long-lasting inequalities⁹⁸. Considering this, the empowerment approach focused on what not only grassroots and NGOs could do but also what kind of actions the state could do to empower civil society.

In this context, the UN created the Millennium Development Goals⁹⁹ establishing goals for states. Its third goal was to eliminate gender disparities. It aimed to close gender gaps in education at all levels, to increase women's share of wage employment in the non-agricultural sector and to enhance the proportion of seats held by women in national parliaments. The objective was to

⁹² MOMSEN, Gender and development.

⁹³ HICKEL, The 'girl effect'.

⁹⁴ HICKEL, The 'girl effect.'

⁹⁵ BEDFORD, Kate, WORKING WOMEN, CARING MEN, AND THE FAMILY BANK Ideal Gender Relations after the Washington Consensus, *in: Developing Partnerships- Gender, Sexuality, and the Reformed World Bank*, Minneapolis; London: University of Minnesota Press, 2009, p. 1–34.

⁹⁶ MASSAQUOI, *Women and Post-conflict Development: A Case Study on Liberia*.

⁹⁷ World Bank, *World Development Report 2000/2001: Attacking Poverty*. New York: Oxford University Press. Available at <<https://openknowledge.worldbank.org/handle/10986/11856>>. Accessed on 2/jun/2019. *Apud Ibid.*

⁹⁸ *Ibid.*

⁹⁹ UN, United Nations, *United Nations Millennium Development Goals*. Available at: <<https://www.un.org/millenniumgoals/gender.shtml>>. Accessed on 2/jun/2019.

empower women by giving them resources that would improve their lives and sociability, as well as make them agents of change¹⁰⁰.

Normative and international policy frameworks constitute the rights-based approach¹⁰¹, which attempts to secure rights for women and to promote their development. Some of these institutions and frameworks are: the United Nations Commission on the Status of Women (1946); the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1980); the Beijing Platform for Action (1995); the UN Security Council adopted Resolution 1325 (2000); the OECD Development Assistance Committee (DAC) (1997); the African Union Solemn Declaration on Gender Equality (2004); among others. Although this approach attempts to be more inclusive it usually promotes mainstream policies. This means that some of them are unable to address the particular needs of women, as we are not a homogenous group.

The fourth wave that started approximately in the 2010s emphasizes the importance of discourse, activism, particularly in social media¹⁰². Baumgardner¹⁰³ argues it mixes the third and the second wave with technology and sophistication. It talks about transgenderism, male feminism, and complex relationships. However, few policies reflect this wave's idea, since many of them are taboo in several societies. Thus, there is not a consolidated international understanding regarding this. For example, the fifth goal of the United Nations Sustainable Development Goal is gender equality. In its targets, the UN uses the term 'all women'. Even though the UN attempts to be inclusive it does not mention or address other gender issues. For example, it does not have a goal for the inclusion of more LGBT people in top positions in the organization.

In this section, through the feminist waves I presented an overview of women, gender and development theories. The idea was to present an evolution of women's struggle. Since it is not feasible nor the objective of this study to talk about all women's issues. In the next section, I describe Liberia's history. I show the country's background, its development policies, the roots for the civil war, and Ellen Johnson-Sirleaf's ascension to power. Which is the necessary background to understand gender and development policies in Liberia that will be described in section 3.

¹⁰⁰ KABEER, Gender equality and women's empowerment: A critical analysis of the third-millennium development goal 1.

¹⁰¹ MASSAQUOI, **Women and Post-conflict Development: A Case Study on Liberia.**

¹⁰² EVANS; CHAMBERLAIN, Critical Waves.

¹⁰³ BAUMGARDNER, **F'em!**

2 – Customary Law, Development Policies, and Liberia’s history.

2.1 – Identity struggle and the customary law

Liberia is an outlier case in Africa. Differently from other countries, it was never officially colonized. Despite of that, it has fostered deep relations with the United States¹⁰⁴. This relationship started when the American Colonization Society (ACS)¹⁰⁵ took freed Afro-American slaves, regardless of their origins, to land by the time known as Sierra Leone¹⁰⁶. Where several ethnic groups lived. Mainly these former slaves declared the independence of Liberia after two battles in 1847¹⁰⁷. They constituted the institutions and laws of this new country, based on values and principles used on the other side of the Atlantic^{108 109}. This milestone was the genesis of the identity battle between Native Liberians or African-Liberians¹¹⁰ and American-Liberians¹¹¹.

The former slaves institutionalized this cleavage through a dual system of law: statutory law governed by a formal State to American-Liberians and codified customary law for Native ones ruled by local governance¹¹². Although the American-Liberians have always been a minority, they

¹⁰⁴ ERO, Peacebuilding Through Statebuilding in West Africa? The Cases of Sierra Leone and Liberia.

¹⁰⁵ OFFICE OF THE HISTORIAN, **Milestones: 1830–1860 - Liberia**. Available at: <<https://history.state.gov/milestones/1830-1860/liberia>>. Accessed on 10/sep/2018 (Office of the Historian, Bureau of Public Affairs United States Department of State).

¹⁰⁶ *Ibid.*

¹⁰⁷ QUIMINEE, Liberia’s Economic Recovery Policies and Failures.

¹⁰⁸ ERO, Peacebuilding Through Statebuilding in West Africa? The Cases of Sierra Leone and Liberia.

¹⁰⁹ MASSAQUOI, **Women and Post-conflict Development: A Case Study on Liberia**.

¹¹⁰ The native Liberians are several ethnic groups; each of them has different values and practices. According to the 2008 census, the Kpelle were 20.3% of the Liberian population, Bassa 13.4%, Grebo 10%, Gio 8%, Mano 7.9%, Kru 6%, Lorma 5.1%, Kissi 4.8%, Gola 4.4%, other 20.1%. Available at <https://www.lisgis.net/pg_img/NPHC%202008%20Final%20Report.pdf>. Accessed on 10/sep/2018.

¹¹¹ Mulattoes were Americo-Liberians, highly educated that established the ‘True Liberian Party’, a pro-administration party. Liberia’s first president Joseph Jenkins Robert was a mulatto. While the dark-skinned, another group of Americo-Liberians created the ‘Whig Party’, later ‘True Whig Party’ an anti-administration party. Both parties’ policies focused on delegitimizing the opponent, instead of being concerned with the new country’s needs, such as reforms to undermine inequality or to promote progress to all Liberians. The Mulattoes suppressed the dark-skinned for 30 years. The first dark-skinned president was Edwin Roye in 1870. He came to power after a coalition of his group with the Congo people. They were Africans that, instead of being trafficked to Europe, were returned to Africa. But not to their origin, in 1845. Thus, they created a settlement known today as Congo Town. Even though Americo-Liberians did not welcome them, the Congolese gained expressive economic power and by the 1860’s served as mediators of this group and Native Liberians. QUIMINEE, Liberia’s Economic Recovery Policies and Failures.

¹¹² “*The Liberian justice system is a combination of statutory law (derived mostly from the U.S.) and common law, state-sponsored African customary law, in which chiefs and local administrators exercise judicial powers. There is also an African customary law that operates within Poro and Sande associations, councils of elders, and other forms of dispute resolution, including familial ones that are outside of state power. The statutory law system includes a supreme court, circuit courts, magistrates’ courts, and justices of the peace courts (JPC). There are also specialized courts, including probate, debt, traffic, taxation, labor, etc. The statutory law system operates mainly in urban and major population centers in rural areas*”. MASSAQUOI, **Women and Post-conflict Development: A Case Study on Liberia**.

have ruled and settled regimes and laws to favor them. They even enslaved the native ones and created a plantation system in the 19th century¹¹³.

Even though the constitution states that “*all men are born equally free and independent and have certain natural, inherent and inalienable rights*”¹¹⁴ ‘*all men*’ meant only American-Liberian men¹¹⁵ (excluding women). Hence, they established the logic of center-periphery that subordinated politically and economically, the great majority of the population, the African Liberians¹¹⁶. Until 1946, they had their right of suffrage denied. In 1951, women and indigenous propriety owners voted in the presidential elections for the first time¹¹⁷. The Native Liberians received little investment, and American-Liberians excluded them from the ‘civilized’ society and mainstream politics, business, and education¹¹⁸. Only in 1958, the constitution outlawed racial discrimination¹¹⁹. Due to this system of exclusion, the Native Liberians mainly used customary law.

Even in the 21st century, despite Liberian government and international institutions’ encouragement for Liberians to use statutory law, they choose, on a daily basis, between the two systems according to their needs, beliefs, wealth, and knowledge.¹²⁰ The Native Liberians usually preferred the customary law, as illustrated in Graphic 1. First, because it is unique for each region and ethnic group, so it respects the community system, organization, values, and culture of each ethnicity. Some of these customs are: (1) levirate¹²¹; (2) polygyny; (3) to take by force dowry from the bride’s family; (4) the possessions owned by the bride before or after the wedding should be run by the husband; (5) the parents should choose their daughter’s husband; (6) in case of divorce the wife does not have the right to children’s custody; (7) Female Genital Mutilation (FGM)¹²².

¹¹³ Ibid 8.

¹¹⁴ LIBERIAN CONGRESS, Senate and House of Representatives of the Republic of Liberia, Constitution of Liberia 1986, 1986. Available at <<http://www.liberlii.org/lr/legis/const/col1986235/>>. Accessed on 01/mar/2018.

¹¹⁵ DIVON, Shai A.; SAYNDEE, T. Debey; BØÅS, Morten. **Gender-Based Violence and Access to Justice: the case of Ganta, Liberia**. Norwegian Institute of International Affairs. 2016. Pg 3. Available at <https://www.nupi.no/en/Publications/CRIStin-Pub/Gender-Based-Violence-and-Access-to-Justice-the-Case-of-ganta-Liberia>. Accessed on 05/jul/2018.

¹¹⁶ ERO, Peacebuilding Through Statebuilding in West Africa? The Cases of Sierra Leone and Liberia.

¹¹⁷ BBC, Liberia profile, 2014. Available at <<https://www.bbc.com/news/world-africa-13729506>>. Accessed on 17/nov/2018.

¹¹⁸ MASSAQUOI, **Women and Post-conflict Development: A Case Study on Liberia**.

¹¹⁹ BBC, Liberia profile.

¹²⁰ VINCK, Patrick; PHAM, Phuong; KREUTZER, Tino, Talking Peace: A Population-Based Survey on Attitudes About Security, Dispute Resolution, and Post-Conflict Reconstruction in Liberia, **SSRN Electronic Journal**, 2011.

¹²¹ The practice of a brother marrying a childless widow of his deceased brother to maintain his line.

¹²² WILLIAMS, Susan, Democracy, Gender Equality, and Customary Law: Constitutionalizing Internal Cultural Disruption, **18 Indiana Journal of Global Legal Studies** 65 (2011), v. 18, n. 1, 2011.

It is essential to notice that there are written and living customary laws. The former institutionalized some of the latter. Turning the customary laws of some groups as the only law recognized by the government. For instance, The Equal Rights of the Customary Marriage Law (ERCML)¹²³ standardized several living customary marriage's laws as one. However, each community experiences some customs not codified by the law differently. For example, customarily, Mandingo men can marry women from other ethnicities, while Mandingo women are not allowed the same.¹²⁴

Second, customary law is economically affordable. The statutory requires the plaintiff to assume high expenses, including process fees, lawyer fees, and his/her accommodation in another city to follow the case, transportation of the defendant to jail¹²⁵ or any other extra cost due to the lack of infrastructure of the region where the crime took place. Besides that, Liberians consider the backlogged statutory system inefficient, making people skeptical towards it¹²⁶. Liberia is one of the poorest countries in the world. In 2017, Liberian GDP per capita was approximately 694 thousand US dollars, while the low-income countries' average was 785 thousand US dollars¹²⁷. Thus, nor the population neither the government has had money to afford the lawsuits or expansion of the judiciary system. Section 3 describes Sirleaf's attempts to address this scenario.

Third, usually, when there is a crime or a dispute, rural Liberians take the matter to traditional chiefs or 'the elders'¹²⁸. Who, in order to promote peace and reconciliation, may request the parties to admit their guilt, to apologize, to pay fines, or to conduct sacrificial ceremonies¹²⁹. The objective

¹²³ LIBERIAN CONGRESS, Senate and House of Representatives of the Republic of Liberia, EQUAL RIGHTS OF THE CUSTOMARY MARRIAGE LAW OF 1998, 1998. Available at <<https://www.refworld.org/pdfid/44868b524.pdf>>. Accessed on 17/feb/2019.

¹²⁴ The Mandingos are usually Muslims; they are considered outsiders in Liberian society because allegedly they are from Guinea and were only considered Liberians by president Doe in 1985. AMMANN, Carole; KAUFMANN, Andrea, Politics of ethnicity in Monrovia, Liberia and Kankan, Guinea - A comparative analysis, **Journal of the Mande Studies Association**, 2014.

¹²⁵ This was reported to happen in Ganta because the police did not possess a car (the last one that was working, was destroyed in a riot) or when it does, there is no gas available. Furthermore, there are only 40 unarmed police officers to patrol a 20-km² area. Therefore, the police do not have the capability to respond to crimes, to mobilize to arrest offenders or to transport them to court or prison. DIVON; SAYNDEE; BØÅS, Gender-Based Violence and Access to Justice Ganta.

¹²⁶ *Ibid.*

¹²⁷ WORLD BANK, GDP per capita (current US\$) | Data. Available at: <<https://data.worldbank.org/indicator/NY.GDP.PCAP.CD?contextual=aggregate&end=2017&locations=LR&start=1997>>. Accessed on 17/02/2019.

¹²⁸ "The term depends on the context; it can mean parents, age, or various forms of leadership such as school principal, cultural positions, religious leadership, belonging to a ruling lineage etc." DIVON; SAYNDEE; BØÅS, Gender-Based Violence and Access to Justice Ganta.

¹²⁹ Currently, customary law does not inflict severe and violent punishments. 'Sassywood' trials are rare and discouraged. They are most used by secret societies such as Poro (for men) and Sande (for women). *Ibid.*

is to reform relationships, as well as to educate about correct or acceptable behaviors. The community appreciates this because it promotes a sense of peace and harmony. Moreover, if one does not follow the elder or village chief advice, it may be alienated from the community¹³⁰. This idea of peaceful conflict resolution was present in many pre-colonial African societies¹³¹. However, it was partly lost in the colonization process in some countries. Since Liberia was never formally colonized, ethnic groups were less constraints to abandon ancient traditions.

Fourth, most women are economically dependent. Most of them are housewives and men are usually the breadwinners. Hence, if a wife charges her husband for a crime in statutory law and he does not have the means to pay the fine, he will be arrested. Thus, most women prefer customary law even if it does not fully bring her justice.¹³²

Another issue is the language. Many Liberians, especially from rural areas, have poor English, low literacy and little knowledge about the statutory system¹³³. Therefore, they usually rely on radio, family members, and local leaders as primary sources of information¹³⁴. While in rural villages, customary law is more prevalent than in Greater Monrovia, where the levels of education, infrastructure are higher than in other counties¹³⁵. In the capital, citizens usually prefer the court system¹³⁶. Despite that, more than 60% of Liberians state that they have little or no knowledge of how the court system works¹³⁷. As clarified in Graphic 1, proximity, fairness, quality, and trust are the main reasons for choosing customary law. Moreover, during the civil war, Liberians broadly used the customary law since the statutory system was almost inexistent¹³⁸.

Graphic 1 – General Dispute Resolution Mechanism ¹³⁹

¹³⁰ *Ibid.*

¹³¹ ISIKE, Christopher; OKEKE-UZODIKE, Ufo, Towards an indigenous model of conflict resolution: Reinventing women's roles as traditional peacebuilders in neo-colonial Africa, **African Journal on Conflict Resolution**, v. 11, n. ACCORD, p. 32–58, 2011.

¹³² DIVON; SAYNDEE; BØÅS, Gender Based Violence and Access to Justice Ganta.

¹³³ DIVON; SAYNDEE; BØÅS, Gender Based Violence and Access to Justice Ganta.

¹³⁴ VINCK; PHAM; KREUTZER, Talking Peace.

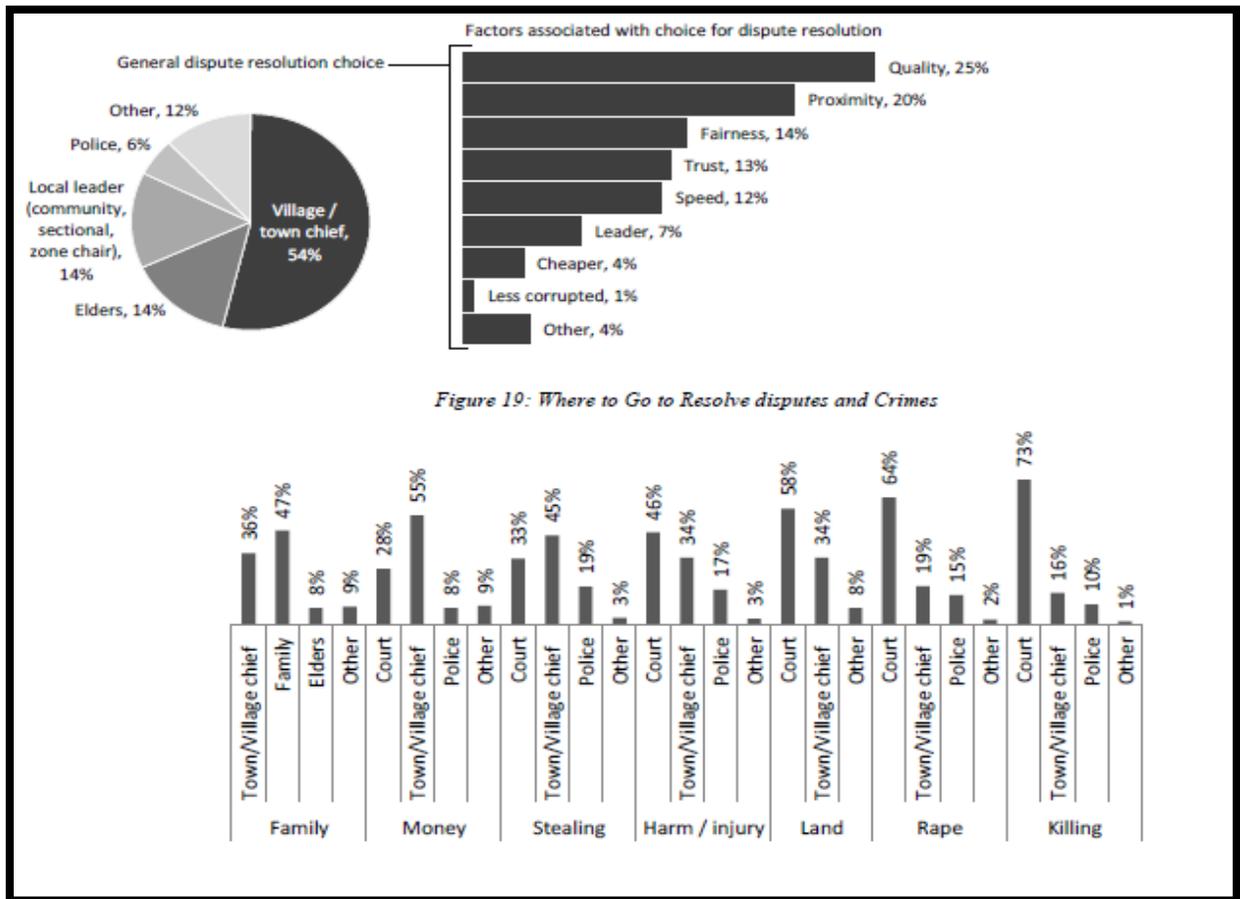
¹³⁵ This is the district where the capital Monrovia is located. Since it presents different characteristics from the rest of its county, Montserrado, it is being considered as separate territorial unity; therefore, the rest of this county is being called Rural Montserrado. *Ibid.*

¹³⁶ *Ibid.*

¹³⁷ *Ibid.*

¹³⁸ DIVON; SAYNDEE; BØÅS, Gender-Based Violence and Access to Justice Ganta.

¹³⁹ VINCK; PHAM; KREUTZER, Talking Peace. Available at http://www.peacebuildingdata.org/sites/m/pdf/Liberia_2011_Talking_Peace.pdf. Accessed on 16/feb/2019.



Vinck *et al.* (2011)

As illustrated in Graphic 1, Liberians take matters related to family and money, mainly to the village chief. While they carry out stealing, harm/ injury and land disputes to the court and village chief. The court is preferred in rape and killing cases. The article focus on rape cases since women are the most affected by it. Cultural beliefs that are intrinsic in traditional societies support Sexual and Gender-Based Violence (SGBV)¹⁴⁰. According to the Liberian Government and UN Joint program SGBV is:

“There is a need to define Gender Based violence as the terms “violence against women” and “gender-based violence” are often used interchangeably. “Gender-based violence” is defined as violence that is directed at an individual based on his or her biological sex, gender identity, or perceived adherence to socially defined norms of masculinity and femininity. It includes physical, sexual, and psychological abuse; threats; coercion; arbitrary deprivation of liberty; and economic deprivation, whether occurring in public or private life. Gender-based violence takes on many forms and can occur throughout the life cycle. Types of gender-based violence can include female infanticide; child sexual abuse; sex trafficking and forced labor; sexual coercion and abuse; neglect;

¹⁴⁰ JONES *et al.*, The fallout of rape as a weapon of war.

*domestic violence; elder abuse; and harmful traditional practices such as early and forced marriage; “honor” killings; and, female genital mutilation/cutting. Women and girls are the most at risk and most affected by gender-based violence. However, boys and men can also experience gender-based violence, as can sexual and gender minorities. Regardless of the target, gender-based violence is rooted in structural inequalities between men and women and is characterized by the use and abuse of physical, emotional, or financial power and control.”*¹⁴¹

Men usually prefer to use customary law in SGBV cases. Some of them do not consider sexual harassment an offense nor non-consensual sexual relations between adults. Especially if the woman in question ‘confused’ him, for instance, by wearing a short dress or by her behavior¹⁴². The exception is when the victim is a ‘child’,¹⁴³ and the crime is rape.¹⁴⁴ While women prefer statutory law when they are the ones raped or a child, in other cases, such as stealing, they favor customary law. However, men and women prefer statutory law if a foreigner or a stranger committed SGBV crime to a member of the community. Another common practice is ‘sex for grades’. Even though it is widely known, many principals ignore it¹⁴⁵. Actions are usually only taken, through customary law, when students or parents have proof of the crime.

The dual system of law is not only used as a criminal code for crimes, it also regulates several other issues. Moreover, it reinforces unequal gender relations, in many cases. For example, the statutory law does not allow women to transmit citizenship to their children. Even though the Constitution of 1986, on Chapter III, states: “*All persons are equal before the law and are therefore entitled to the equal protection of the law.*”¹⁴⁶ According to the Aliens and Nationality Law of 1973:

*“The following shall be citizens of Liberia at birth: A person who is a Negro, or of Negro descent, born in Liberia and subject to the jurisdiction. A person born outside Liberia whose father (i) was born a citizen of Liberia; (ii) was a citizen of Liberia at the time of the birth of such child, and (iii) had resided in Liberia prior to the birth of such child.”*¹⁴⁷

¹⁴¹ GOVERNMENT UN GBV JOINT PROGRAM, Exploring Gender Based Violence Prevention in Liberia. P.5.

¹⁴² DIVON; SAYNDEE; BØÅS, Gender Based Violence and Access to Justice Ganta.

¹⁴³ ‘Child’ is a reference to a female who is not mature to have sexual relations; it does not specify age. DIVON; SAYNDEE; BØÅS, Gender-Based Violence and Access to Justice Ganta.

¹⁴⁴ *Ibid.*

¹⁴⁵ *Ibid.*

¹⁴⁶ AFELL, ASSOCIATION OF FEMALE LAWYERS OF LIBERIA, Desk review of laws discriminating against women, 2018. Available at <mptf.undp.org/document/download/20855>. Accessed on 17/feb/2019.

¹⁴⁷ *Ibid.*

Therefore, statutory law disqualifies women as equal citizens since they cannot transmit their nationality to their children.

The dual system also downgrades LGBT people. Regarding marriage, the Domestic Relations Law (DRL) of 1973 states: “*marriage is a civil contract between a male and female.*”¹⁴⁸ The law does not recognize gay marriage, even though, in Section 2.3, ‘who may not marry’ states:

“No marriage shall be contracted between persons one or both of whom have a spouse still living¹⁴⁹; not between an ancestor and a descendant, a brother and sister of either the whole or the half-blood, an uncle and niece or an aunt and nephew, or first cousins and this prohibition shall apply whether the prescribed relatives are legitimate or illegitimate.”¹⁵⁰

The DRL also recognizes that the legal age for marriage is different for men and women, allowing child marriage¹⁵¹ as long there is parents or guardian consent. Usually, men need to be 21 years old and women 18 to contract marriage. However, if legal responsible allows it, both can marry at the age of sixteen¹⁵². Even though the DRL declares that marriage should be consensual between the bride and groom, which is reinforced by The Equal Rights of the Customary Marriage Law (1998) (ERCML)^{153 154}, in practice, many parents force their children to do it¹⁵⁵. It is essential to notice not only that tradition but also by economic needs may influence such action. Since a married woman has more rights and protection of the law than a single one¹⁵⁶. In living customary law, women receive a smaller share of her parents’ land because when they get married, they leave

¹⁴⁸ LIBERIAN CONGRESS, Senate and House of Representatives of the Republic of Liberia, **Domestic Relations Law - Title 9 - Liberian Code of Laws Revised.pdf**. Available at <<https://bcswwwstorage.blob.core.windows.net/media/Default/Adoption/International%20Adoption%20Documents/Domestic%20Relations%20Law%20-%20Title%209%20-%20Liberian%20Code%20of%20Laws%20Revised.pdf>>. Accessed on 17/feb/2019.

¹⁴⁹ Customary law allows polygyny while statutory does not. Islamism influences the former, while Christianity the latter.

¹⁵⁰ LIBERIAN CONGRESS, **Domestic Relations Law - Title 9 - Liberian Code of Laws Revised.pdf**.

¹⁵¹ According to UNICEF “*Child marriage, defined as a formal marriage or informal union before age 18, is a reality for both boys and girls, although girls are disproportionately the most affected*”. UNICEF, **Child Marriage**. Available at <<https://www.unicef.org/protection/58008.html>>. Accessed on 4/mar/2019.

¹⁵² LIBERIAN CONGRESS, **Domestic Relations Law - Title 9 - Liberian Code of Laws Revised.pdf**.

¹⁵³ The Domestic Relations Law (DRL), 1973 regulates statutory law, while **The EQUAL RIGHTS OF THE CUSTOMARY MARRIAGE LAW OF 1998** rules customary law.

¹⁵⁴ LIBERIAN CONGRESS, **EQUAL RIGHTS OF THE CUSTOMARY MARRIAGE LAW OF 1998**.

¹⁵⁵ AFELL, Desk review of laws discriminating against women.

¹⁵⁶ FAO, Food and Agriculture Organization of the United Nations, **Customary law | Gender and Land Rights Database**. Available at <http://www.fao.org/gender-landrights-database/country-profiles/countries-list/customary-law/en/?country_iso3=LBR>. Accessed on 17/feb/2019.

their family's land to live in her husband's land. Therefore, her brothers usually control her parents' land¹⁵⁷.

In the matter of property, statutory and customary wives have different rights since the latter needs her husband's consent. The DRL, Chapter 3, states "*Powers as though unmarried. A married woman has all the rights in respect to the property, real or personal, and the acquisition, use.*"¹⁵⁸ While the ERCML, Section 2, declares:

"The property acquired or owned by a customary woman either before or during [the]marriage, belongs to her exclusive of her husband, and she is, therefore, free to do any lawful business in her own name, including the right to contract with third parties but to the full knowledge and consent of her husband.¹⁵⁹" (...) "*All customary marriages shall be legal within this Republic, and the rights, duties, and liabilities of the statutory wife shall likewise be accorded to all customary wives, (...).*¹⁶⁰"

Regarding divorce, the DRL, chapter 8, declares that when the wife as plaintiff prevails in action to obtain the divorce, the judge may grant her not less than one-fifth and no more than one-third of husband's property¹⁶¹. The law also states that husband and wife are joint natural guardians during the marriage. In case of divorce, the father is paramount. This means that children should live in his custody. On the other hand, there is no mention of customary divorce in the ERCML¹⁶². Thus, usually, customary wives leave their husband's land and come back to their families' communities. Although she may require public land, it is usual for her to petition her brothers to share their land. However, her children cannot inherit it¹⁶³.

In the subject of inheritance, the ERCML states that women have right only to one-third, and this should be divided among wives¹⁶⁴. Thus, customary wives have fewer resources than statutory wives do, since the former recognizes polygyny while the latter does not. Moreover, if customary wives remarry, they lose such inheritance, statutory do not.

This subsection presented the origin of Liberian society. It displayed some of the roots of the Liberian Civil Wars, such as the identity struggle and the unequal relations between ethnic groups. Detailing the structure that supports this rivalry, the dual-system of law. It also illustrated

¹⁵⁷ *Ibid.*

¹⁵⁸ LIBERIAN CONGRESS, **Domestic Relations Law - Title 9 - Liberian Code of Laws Revised.pdf**.

¹⁵⁹ LIBERIAN CONGRESS, EQUAL RIGHTS OF THE CUSTOMARY MARRIAGE LAW OF 1998.

¹⁶⁰ *Ibid.*

¹⁶¹ LIBERIAN CONGRESS, **Domestic Relations Law - Title 9 - Liberian Code of Laws Revised.pdf**.

¹⁶² LIBERIAN CONGRESS, EQUAL RIGHTS OF THE CUSTOMARY MARRIAGE LAW OF 1998.

¹⁶³ FAO, **Customary law | Gender and Land Rights Database**.

¹⁶⁴ LIBERIAN CONGRESS, EQUAL RIGHTS OF THE CUSTOMARY MARRIAGE LAW OF 1998.

how statutory law and customary law address some issues that deeply affect women. It is possible to notice that both systems of law tend to downgrade them. The next subsection provides an overview of Liberia's recent history, demonstrating the context in which some of these statutory and customary laws emerged. Moreover, it shows the origins of the two civil wars.

2.2- Overview of Liberia's history

During Liberian history, presidents promoted few actions to change the American-Liberian supremacy and the system of privileges for this group. For instance, President William Tolbert Jr. (term 1971 – 1980) exceptionally attempted to promote 'humanist capitalism'¹⁶⁵, to establish new diplomatic relations, particularly with the Soviet Union and China. He also negotiated new concession agreements, to become closer to Native Liberians, even speaking one ethical language¹⁶⁶.

However, in an attempt to recognize the importance of customary law and to standardize it, Tolbert sponsored several laws that fostered unequal gender relations¹⁶⁷. Some of these were: (1) the Aliens and Nationality Law (1973),¹⁶⁸ which prevents a Liberian mother from passing citizenship to children born abroad; (2) the Domestic Relations Law (1973),¹⁶⁹ which allows child marriage with or without the bride consent; (3) the Decedents Estates Law (1972),¹⁷⁰ which describes the inheritance rights of the surviving spouse(s) and the children.

He also brought forth other popular policies such as 'From mat to mattress'¹⁷¹. He envisioned that Liberians would start sleeping in beds with mattress, instead of doing it in floor mats, as did numerous people in the hinterland¹⁷². Thus, Tolbert provided low-income housing in Monrovia at reasonable rates. However, these policies for the poor were rhetorical. He kept the structures that

¹⁶⁵ Humanist capitalism makes reference to the revision and re-negotiation of the concessions agreements that granted foreign investors superior benefits and other privileges. VAN DER KRAAIJ, Fred P.M., President William R. Tolbert, Jr. (1971-1980) The preacher-President. Available at <<http://www.liberiapastandpresent.org/WilliamTolbert.htm>>. Accessed on 19/oct/2019.

¹⁶⁶ DENNIS, Peter, **A Brief History of Liberia**, International Center for Transitional Justice. Available at: <<https://www.ictj.org/publication/brief-history-liberia>>. Accessed on 11/oct/2019.

¹⁶⁷ AFELL, Desk review of laws discriminating against women.

¹⁶⁸ LIBERIAN CONGRESS, Alien and national Law, 1973.

¹⁶⁹ LIBERIAN CONGRESS, **Domestic Relations Law - Title 9 - Liberian Code of Laws Revised.pdf**.

¹⁷⁰ LIBERIAN CONGRESS, Decedents Estates Law - Title 8, 1972.

¹⁷¹ MASSAQUOI, **Women and Post-conflict Development: A Case Study on Liberia**.

¹⁷² FAHN-WEEDOR, Elizabeth, Tubman and Tolbert, *in: Out of the Ashes - my journey from tragedy to redemption*, United States of America: WestBow Press, 2014, p. 137–148.

benefited the rich¹⁷³. Tolbert faced the opposition of his own True Whig Party, with accusations of nepotism and corruption.

The relative economic stability Liberia sustained until the middle of the 1970s started to ruin with the international oil crisis of 1973¹⁷⁴. International financial institutions (IFI) reduced their loans with little conditionality, and while commodities prices plummeted, prices of imported supplies soared. Thus Liberia severely lost revenues of profitable products such as timber, rubber, and ore and had to spend more to import food, especially rice, an essential part of Liberians' diet, that the country lacks self-sufficiency. As previously mention, such IFI policies usually have greater impact on women. In this case, it jeopardized their food security and revenues. In 1979, Tolbert lost his credibility with Liberians, when he proposed a reduction on rice imports¹⁷⁵ and a raise on its price, which gave rise to social upheavals, known as the 'Rice Riots'¹⁷⁶. In the following year, Sergeant Samuel Doe led a military coup that murdered Tolbert¹⁷⁷.

During Tolbert's government, Ellen Johnson-Sirleaf worked in the Finance Ministry. She even became a Deputy Finance Minister and was the first one to achieve such a position¹⁷⁸. Sirleaf is a daughter of Native Liberians. Her father was from Gola ethnicity and her mother Kru-German. She got married very young and soon became the mother of four boys. After suffering domestic-violence, she got divorced and lost custody of her children and her status in society,¹⁷⁹ which she regained by working in Tolbert's government. After his death, she left the country and went to the United States, where she studied public administration at Harvard University and worked for Citibank, the World Bank, and the Bank of Equator.

President Samuel Doe (term 1980-1990) was the first Native Liberian president. He was from the Kran ethnic group, which he favored during his term. His ascension to power marked the end of an era of Americo-Liberian political domination¹⁸⁰. He assumed the government along with a

¹⁷³ MASSAQUOI, **Women and Post-conflict Development: A Case Study on Liberia.**

¹⁷⁴ ALAGA, Ecoma, Security sector reform and the women's peace activism nexus in Liberia, *in: Women and Security Governance in Africa*, Cape Town; Dakar; Oxford: Pambazuka Press, 2011, p. 68–88. *Apud* SÁ, Willian, **PERSPECTIVAS FEMINISTAS SOBRE UM CONFLITO: O PAPEL DAS MULHERES NA SEGUNDA GUERRA CIVIL DA LIBÉRIA (1999 – 2003)**, Monograph, Universidade Federal da Paraíba, João Pessoa, 2016

¹⁷⁵ QUIMINEE, Liberia's Economic Recovery Policies and Failures.

¹⁷⁶ MASSAQUOI, **Women and Post-conflict Development: A Case Study on Liberia.**

¹⁷⁷ DENNIS, **A Brief History of Liberia.**

¹⁷⁸ BBC, Profile: Liberia's Ellen Johnson Sirleaf, **Profile: Liberia's Ellen Johnson Sirleaf**, 2011. Available at <<https://www.bbc.com/news/world-africa-15212382>>. Accessed on 17/nov/2018.

¹⁷⁹ WORLD BANK, **Ellen Johnson Sirleaf**, World Bank Live. Available at <<https://live.worldbank.org/experts/ellen-johnson-sirleaf>>. Accessed on 19/nov/2018.

¹⁸⁰ MASSAQUOI, **Women and Post-conflict Development: A Case Study on Liberia.**

junta and formed the People's Redemption Council (PRC). Other leaders that participated in the coup were Sergeant Thomas Weh-Syen, Vice Head of State; Sergeant Thomas Quiwonkpa, the Commanding General of the Armed Forces of Liberia (AFL) and 'strongman of the revolution'¹⁸¹; Charles Taylor, the Head of the General Service Agency; and Prince Yormie Johnson, an aide to Quiwonkpa¹⁸². After a few years, Doe became more dictatorial and killed some of PRC members¹⁸³ or exiled others who attempted to overthrow him, such as Quiwonkpa¹⁸⁴. He suspended the constitution, banned all political parties, and assumed all executive and legislative powers¹⁸⁵.

By replicating an international model developed by the American agronomist Norman Borlaug, a Nobel Peace Prize Winner in 1970, Doe launched his own 'Green Revolution Policy' (GRP)¹⁸⁶. He sponsored rural communities and urban dwellers to produce more food in order to provide food security for the country. He aimed to create farm-to-market roads and highways connecting all county capitals to each other and to Monrovia, the country's capital. This was a significant policy after Tolbert's 'Rice Riot.' Nevertheless, he did not provide the infrastructure needed to support the GRP in the long term. Instead, he invested in military expenditures¹⁸⁷.

In 1985, pressured by the international community, he called for elections. This year, Sirleaf returned to Liberia, and she considered running for the presidency¹⁸⁸. Instead, she became a senator. Doe arrested her for questioning his regime, later she escaped from prison. After this, she worked for the UN in the United Nations Development Program, in which she became the first woman to coordinate the program's branch for Africa¹⁸⁹. Not only Sirleaf but also the international community and the Liberians questioned the 1985's election. In the following years, the government grew its repression against its opponents, as well as the regime's corruption, through benefits for the Kran group, together with human rights abuses¹⁹⁰.

In November 1985, Thomas Quiwonkpa invaded Liberia and nearly provoked Doe's downfall¹⁹¹. However, the AFL obstructed the coup and killed Quiwonkpa in Monrovia, exposing

¹⁸¹ *Ibid.*

¹⁸² DENNIS, **A Brief History of Liberia.**

¹⁸³ *Ibid.*

¹⁸⁴ MASSAQUOI, **Women and Post-conflict Development: A Case Study on Liberia.**

¹⁸⁵ *Ibid.*

¹⁸⁶ QUIMINEE, Liberia's Economic Recovery Policies and Failures.

¹⁸⁷ *Ibid.*

¹⁸⁸ ACADEMY OF ACHIEVEMENT, **Ellen Johnson Sirleaf Biography**, Academy of Achievement. Available at <<http://www.achievement.org/achiever/ellen-johnson-sirleaf/>>. Accessed on 19/11/2018.

¹⁸⁹ *Ibid.*

¹⁹⁰ MASSAQUOI, **Women and Post-conflict Development: A Case Study on Liberia.**

¹⁹¹ *Ibid.*

the treatment the government would give to any opposition. Doe persecuted the Gio and Mano ethnic groups from Quiwonkpa's Nimba County, almost promoting the genocide of these populations in retaliation to the coup¹⁹². These actions would not even be consistent with the country's constitution of 1986, which established in its Article 11c, "*All persons are equal before the law and are therefore entitled to the equal protection of the law.*"¹⁹³

In 1989, Charles Taylor led the National Patriotic Front of Liberia (NPFL) in a revolt against the government¹⁹⁴. He faced opposition from the AFL, giving rise to the First Liberian Civil War (1989-1996). In 1990, the Economic Community of West African States (ECOWAS) sent its peacekeeping tropes, ECOMOG, into the country to promote a cease-fire and a peace deal¹⁹⁵. It was the first ECOWAS' peace mission. However, the NPFL did not participate in the peace agreement, thus continuing its attempt to overtake power and in the process of killing the Kran and the Mandingo populations. The NPFL and the ECOMOG, whose corrupt members aligned with the rebels, executed Samuel Doe in 1990¹⁹⁶. In 1993, the UN sent its peacekeeping mission, UNOMIL, to finish the hostilities and sponsor new elections. It was also unable to fulfill its mission. Only in 1996, with the Second Abuja's Agreement, the First Liberian Civil War ended¹⁹⁷.

After a transitional government, in which Ruth Perry was one of the interim Chairman of the Council of State of Liberia (term 1996-1997), there was a presidential election in 1997. Ellen Sirleaf disputed the position with Charles Taylor. During part of the civil war, Sirleaf supported Taylor. However, after learning about his tactics, she broke off relations with him¹⁹⁸. Taylor (term 1997- 2003) eventually won the ballot. He intended to promote 'Vision 2024'¹⁹⁹ an economic reform focus on self-sustainability and food security. The idea was to strengthen the Liberian internal production sector, with more 'made in Liberia' products. Firestone, a multinational Tire and Rubber Company, present in Liberia since 1924²⁰⁰, saw this plan as a threat due to Taylor's declarations. In which he expressed his intentions to start the national production of tires and even

¹⁹² *Ibid.*

¹⁹³ LIBERIAN CONGRESS, Constitution of Liberia 1986.

¹⁹⁴ THEOBALD, Anne, **The Role of Women in Making and Building Peace in Liberia: Gender Sensitivity Versus Masculinity**, Stuttgart: Ibidem Press, 2012. *Apud* SA, Willian, **PERSPECTIVAS FEMINISTAS SOBRE UM CONFLITO: O PAPEL DAS MULHERES NA SEGUNDA GUERRA CIVIL DA LIBÉRIA (1999 – 2003)**, Monograph, Universidade Federal da Paraíba, João Pessoa, 2016.

¹⁹⁵ *Ibid.*

¹⁹⁶ *Ibid.*

¹⁹⁷ *Ibid.*

¹⁹⁸ BBC, Profile.

¹⁹⁹ QUIMINEE, Liberia's Economic Recovery Policies and Failures.

²⁰⁰ BBC, Liberia profile.

of cars in a distant future²⁰¹. However, instead of rebuilding the country and fulfilling the peace agreement terms, Taylor censored the press and his opposition, which restarted the conflicts in 1999²⁰².

2.3 – Women’s role in the conflict and Sirleaf’s rise to power

War changes people. However, it affects men and women differently. Women usually have to play their ‘female’ roles and add some of the ‘men’s’ tasks²⁰³. They need to provide for their families, perform the productive and reproductive work, in a violent environment and with scarce resources. They need to handle the traumas of war and assist their family in this process. Many do not receive state, NGOs or peace mission donations or support. They are the ones most affected by sexual and gender based violence. Even though, women are more susceptible to the negative impacts of conflict and poverty, men usually left them out of peace process and the reconstruction of the country. The international community aims to change this reality. As expressed in United Nations Documents such as the 1995 Beijing Declaration Plan of Action and the 2000 UN Security Council Resolution 1325. The UN believes that women can effectively enhance the peace process²⁰⁴.

There many stereotypes regarding women in conflict. One is that they (helpless) victims that need men’s (heroes) assistance. Another is the notion that women have a peaceful nature that allows them to be better conflict mediators.²⁰⁵ However, are women peaceful? According to Isike and Okeke-Uzodike²⁰⁶ pre-colonial African societies perceived women as natural peacemakers. They envisioned women as models of morality, sacredness, goodness and tenderness. Such societies believed that their peaceful behavior was connected to their motherhood. It was also part of their tolerant, collaborative and non-violent ‘nature’. Even if they were combatants or did not dissuade their families in engaging in combat. According Shulika²⁰⁷ African women were usually the

²⁰¹ QUIMINEE, Liberia’s Economic Recovery Policies and Failures.

²⁰² THEOBALD, **The Role of Women in Making and Building Peace in Liberia**. *Apud* SÁ, Willian, **PERSPECTIVAS FEMINISTAS SOBRE UM CONFLITO: O PAPEL DAS MULHERES NA SEGUNDA GUERRA CIVIL DA LIBÉRIA (1999 – 2003)**, Monograph, Universidade Federal da Paraíba, João Pessoa, 2016.

²⁰³ REHN; JOHNSON-SIRLEAF, **Women, war, peace**.

²⁰⁴ GIZELIS, Gender Empowerment and United Nations Peacebuilding.

²⁰⁵ GALTUNG, introduction: Peace by peaceful conflict transformation – the TRANSCEND approach.

²⁰⁶ ISIKE, Christopher; OKEKE-UZODIKE, Ufo, Towards an indigenous model of conflict resolution: Reinventing women’s roles as traditional peacebuilders in neo-colonial Africa, **African Journal on Conflict Resolution**, v. 11, n.2 ACCORD, p. 32–58, 2011.

²⁰⁷ SHULIKA, Lukong Stella, Women and Peace building: From Historical to Contemporary African Perspectives, v. 5, n. 1, p. 25, 2016.

flagship of the family in the private sphere. However, in some societies this prominent role was not as frequent in the public realm. Their power come from their abilities to persuade their husbands or sons. While in other societies, as the Sande in Liberia, women were the authorities that control the group.

Isike and Okeke-Uzodike state that this perception of sacredness changed in post-colonial period and women started suffering more sexual and gender based violence²⁰⁸. This was due to women's political, social and economic exclusion as well as new patriarchal relations brought by colonizers²⁰⁹ that changed masculinities in Africa²¹⁰. The authors argue that the loss of traditional values that promoted peace and respected women is one of the reasons for conflicts in Africa. Despite of that, they show that women's power was not only based on matriarchy, but also in their capability to co-exist with imperialist patriarchy. This 'harmonious dualism' was a 'fluid' demarcation', which "*embodied two oppositional or contesting systems, the balance tilting and changing all the time*"²¹¹. There was a gender fluidity. The same roles played by men and women could be divided or integrated. This meant society (influenced by women) could establish functions or roles for men or women, or could integrate these roles or even change this dynamic. For example in some systems, women had a central economic role in relation to men, while men believed in women's sacredness as mothers.

Isike and Okeke-Uzodike argue that rescuing human values, such as the ones held by ancient Ubuntu people, could prevent hostilities and restore women sacredness. Because, they assert that if women regain their prominence as peace leaders, it would dismantle the violent structures that sponsor war. However, as these structures are present in Liberian society and gender relations are not the same as ancient times, women played different roles during the Civil Wars. Such as combatants in insurgent armies, politically engaged and peacemakers.

²⁰⁸ ISIKE; OKEKE-UZODIKE, Towards an indigenous model of conflict resolution: Reinventing women's roles as traditional peacebuilders in neo-colonial Africa.

²⁰⁹ "*Islamic patriarchy in Africa was followed by European imperialism and finally the present subjugation of African societies and people under European-imposed nation-states. It has introduced a new gender politics, favouring men and undermining the traditional system of balance of power politics between African men and women.*" AMADIUME, Ifi, **Re-Inventing Africa Matriarchy, Religion and Culture**, New York, NY: Zed Books Ltd, 1998. P 14. *Apud* ISIKE; OKEKE-UZODIKE, Towards an indigenous model of conflict resolution: Reinventing women's roles as traditional peacebuilders in neo-colonial Africa.

²¹⁰ ISIKE; OKEKE-UZODIKE, Towards an indigenous model of conflict resolution: Reinventing women's roles as traditional peacebuilders in neo-colonial Africa.

²¹¹ AMADIUME, **Re-Inventing Africa Matriarchy, Religion and Culture**. *Apud* ISIKE; OKEKE-UZODIKE, Towards an indigenous model of conflict resolution: Reinventing women's roles as traditional peacebuilders in neo-colonial Africa. Pgs. 93-44

Many girls and women decided to become combatants. In Liberian second civil war there were between 30% or 40% of the combatants during the war (25.000 up to 30.000 women)²¹². One of the most prominent participation of women in conflicts around the world. Many of them chose to engage in the war because this was a way for them to make ends meet and avoid their and their families' starvation. Others saw this as a manner to empower themselves, to be seen as someone respectable or feared. They also wanted to protect their families against the violence of war, or to avenge their death, or the violence they suffered, as many of these girls had been raped.

Liberia is an outlier case²¹³. Because no other countries in the region had such elite of well-educated and professional women, who played different roles in the country's politics. For instance, Ruth Perry was interim Chairman of the Council of State of Liberian during transition government between 1996 and 1997. Another was Mary Sherman, the first president of an African National University. Ellen Sirleaf was also part of this elite group. Despite being able to secure for themselves top positions, these women also marginalized in the public spaces due to the gender relations of power that favored men²¹⁴.

Liberian women paramount role was as promoters of peace. They performed several actions through peaceful means. They worked as conflict mediation. They assisted in DDR (disarmament, demobilization, and reintegration) process of former combatants and child soldiers. They promoted awareness about the war consequences and need of peace actions. They provided support for SGBV victims and refugees²¹⁵. For example, The Mano River Women Peace Network (MARWOPNET), founded in 2000, aimed to promote cooperation and conversations for peace resolution between some of the Mano River countries (Liberia, Sierra Leone, and Guinea). Since the civil conflicts spilled over the region borders and the Mano River's chiefs of states refused to meet. After many attempts, they brought forth a meeting between foreign ministers and later one with presidents, from which they were excluded.

²¹² THEOBALD, *The Role of Women in Making and Building Peace in Liberia*. *apud* SÁ, **PERSPECTIVAS FEMINISTAS SOBRE UM CONFLITO: O PAPEL DAS MULHERES NA SEGUNDA GUERRA CIVIL DA LIBÉRIA (1999 – 2003)**.

²¹³ MORAN, Mary H.; PITCHER, M. Anne, The "Basket Case" and the "Poster Child": Explaining the End of Civil Conflicts in Liberia and Mozambique, *Third World Quarterly*, v. 25, n. 3, p. 501–519, 2004. *Apud* SÁ, **PERSPECTIVAS FEMINISTAS SOBRE UM CONFLITO: O PAPEL DAS MULHERES NA SEGUNDA GUERRA CIVIL DA LIBÉRIA (1999 – 2003)**.

²¹⁴ THEOBALD, *The Role of Women in Making and Building Peace in Liberia*. *Apud* SÁ, **PERSPECTIVAS FEMINISTAS SOBRE UM CONFLITO: O PAPEL DAS MULHERES NA SEGUNDA GUERRA CIVIL DA LIBÉRIA (1999 – 2003)**.

²¹⁵ SÁ, **PERSPECTIVAS FEMINISTAS SOBRE UM CONFLITO: O PAPEL DAS MULHERES NA SEGUNDA GUERRA CIVIL DA LIBÉRIA (1999 – 2003)**.

The Women for Liberian Cause (WLC) sponsored several meetings with women that lived in areas controlled by different factions²¹⁶. WLC encouraged these women to mobilize for the peace cause. They also assisted in the DDR process, and because of it, ECOWAS invited them to participate in the Abuja agreements in 1995. In which they exposed the abuses women suffered, their misery and their lack of opportunity.

Another initiative was the Women of Liberia Mass Action for Peace (WIPNET)²¹⁷, which combined women from different social backgrounds, ethnic groups, and religions. Through grassroots' mass actions, they strove to attract international attention and support in the civil war peace negotiations. Some of their actions included dressing in white and promoting sit-ins, or doing sex-strikes, in order to engage their husbands to end the conflict. They used their roles as wives to change the course of war, reinforcing the ancient tradition of women sacredness.

WIPNET managed to meet Charles Taylor and obtained his promise to attend to Peace negotiation talks in Accra. In order to follow this process and make sure the president would keep his word, a delegation flew to Ghana to accompany it²¹⁸. The human rights activist Leymah Gwoobe was one of the leaders of this group. The Nobel Prize Committee awarded her and Ellen Sirleaf the 2011 Nobel Peace Prize, for their work as peace promoters²¹⁹. After being part of the transition government, Sirleaf was the first democratically elected female president of Liberia and in Africa, in 2006.

According to Tripp²²⁰ Sirleaf's election is part of an unexpected trend in which women achieve high positions after conflicts. The scholar argues that during the conflict, women gained people's trust, not only for their work as mediators and negotiators of peace but also for being promoters of DDR. Furthermore, the population perceived them as outsiders of the political scenario that brought war upon them. Since before the conflict, most of them did not occupy essential positions in

²¹⁶ *Ibid.*

²¹⁷ *Ibid*

²¹⁸ *Ibid.*

²¹⁹ JAGLAND, Thorbjørn, **The Nobel Peace Prize 2011 - Presentation Speech**, NobelPrize.org. Available at: <<https://www.nobelprize.org/prizes/peace/2011/ceremony-speech/>>. Accessed on 10/sep/2018.

²²⁰ TRIPP, Aili Mari, **Where do African women have more power? Surprise — in countries emerging from war.**, Washington Post. Published on 15/jul/2016 Available at <<https://www.washingtonpost.com/news/monkey-cage/wp/2016/07/15/womens-rights-in-africa-grow-stronger-after-conflicts-heres-why/?noredirect...>>. Accessed on 14/dec/2018.

politics. Jalalzai²²¹ argues that women are seen as ‘healers’ after periods of political repressions, their community perceives them as conciliatory figures that on behalf of the ‘national family’.

Moreover, during the conflicts, most men were deployed in combat. Therefore, women usually need to start working to make ends meet and become breadwinners²²². This change in the sexual labor division made women feel more empowered and willing to explore and to assume new positions in society. Even in the face of severe constraints such as customary law.

Liberian women were able to use their figures as mothers, wives, sisters, efficiently ending the conflict. They understood that values, traditions, and cultural beliefs are not set in stone and that they could reimagine their views and traditional practices^{223 224}.

However, challenging the hegemonic group or set of ideas has consequences such as social exclusion and even death. That is why, according to Williams²²⁵, the state has a crucial role in providing the means and the structure so women can thrive. The author understands that the State could take practical and feasible measures to promote visibility, economic support, education access to women in partnership with local leaders.

Hence, it is paramount to study Sirleaf’s term, since she was part of this women uprising during the Civil War. Given her internationally recognized background and history of women empowerment, Liberians, particularly the women, mobilized to elect her, hoping she would incorporate those actions in her future policies. During her campaign, Sirleaf pledged:

*“Gender empowerment is my final word on economic recovery. In Liberia, as in the rest of Africa, women produce some 60 to 80 percent of the region’s food but account for 10 percent of the income and 1 percent of the assets. Unity Party with a woman leader will ensure that the role of women is enhanced in every aspect of our national endeavor, paying particular attention to the education of girls and the improvement of market conditions for our sisters in the informal sector.”*²²⁶

²²¹ JALALZAI, Farida, Madam President: Gender, Power, and the Comparative Presidency, **Journal of Women, Politics & Policy**, v. 31, n. 2, p. 132–165, 2010.

²²² TRIPP, Where do African women have more power? Surprise — in countries emerging from war.

²²³ AMOAH, Jewel Dee Afua, **CONSTRUCTING EQUALITY DEVELOPING AN intersectionality analysis to achieve equality for the girl child subject to south African customary law**, Thesis presented for the Degree of DOCTOR OF PHILOSOPHY in the Department of Public Law Faculty of Law UNIVERSITY OF CAPE TOWN, UNIVERSITY OF CAPE TOWN, Cape Town, 2016.

²²⁴ LIBERIAN GOVERNMENT, Liberia Poverty Reduction Strategy Paper, **IMF Staff Country Reports**, v. 08, n. 219, p. 1, 2008. Available at < [http://elibrary.imf.org/view/IMF002/09441-9781451822984/09441-9781451822984.xml](http://elibrary.imf.org/view/IMF002/09441-9781451822984/09441-9781451822984/09441-9781451822984.xml)>. Accessed on 30/oct/2019.

²²⁵ WILLIAMS, Democracy, Gender Equality, and Customary Law.

²²⁶ SIRLEAF, Ellen, Ellen Outlines Unity Party’s Vision For A Better Liberia. Available at < <https://www.theperspective.org/articles/0921200501.html>>. Accessed on 21/may/2019. Emphasis added

Liberian women supported her during the campaign; many of them sang: “*We tried all the men. No Way! Now is the woman’s time*”²²⁷. They represented more than half of Liberia’s registered voters and were a central element to Sirleaf’s victory in the 2005 election. She later declared “*My own personal passion is that I am going to do something for market women, who[m] I met traveling around the country on my campaign*”²²⁸ “*My being at the top seat is the first big hope for them because now there is a women (sic) who understands their issues.*”²²⁹

Ellen Johnson-Sirleaf became president after fourteen years of Civil wars (term 2006-2018). With the end of the Second Civil War, Liberians expected that the new government would provide political stability, combat corruption, promote economic balance, rebuild the country’s infrastructure, reinforce statutory law and promote gender equality. In her inaugural speech, she stated:

*“And now I would like to talk to the women, the women of Liberia, the women of Africa – and the women of the world. Until a few decades ago, Liberian women endured the injustice of being treated as second class citizens. During the years of our civil war, they bore the brunt of inhumanity and terror. They were conscripted into war, gang-raped at will, forced into domestic slavery. Yet, it is the women, notably those who established themselves as the Mano River Women Network for Peace, who labored and advocated for peace throughout our region. It is therefore not surprising that during the period of our elections, Liberian women were galvanized – and demonstrated unmatched passion, enthusiasm, and support for my candidacy. They stood with me; they defended me; they prayed for me. The same can be said for the women throughout Africa. I want to here and now, gratefully acknowledge the powerful voice of women of all walks of life whose votes significantly contributed to my victory. My Administration shall thus endeavor to give Liberian women prominence in all affairs of our country. My Administration shall empower Liberian women in all areas of our national life. We will support and increase the writ of laws that restore their dignities and deal drastically with crimes that dehumanize them. We will enforce without fear or favor the law against rape recently passed by the National Transitional Legislature. We shall encourage families to educate all children, particularly the girl child. We shall also try to provide economic programs that enable Liberian women to assume their proper place in our economic revitalization process.”*²³⁰

The next section analyses how Sirleaf attempted to fulfill these promises, the strategies her government used, and the constraints they had to overcome. It focuses on gender and development

²²⁷ FICKLING, David, Johnson-Sirleaf declared Liberian president, **The Guardian**, 2005. Available at < <https://www.theguardian.com/world/2005/nov/23/davidfickling>>. Accessed on 19/05/2019.

²²⁸ *Ibid.*

²²⁹ *Ibid.*

²³⁰ SIRLEAF, inaugural speech Ellen Johnson Sirleaf. Available at < https://emansion.gov.lr/doc/inaugural_add.pdf>. Accessed on 19/may/2019. Emphasis added.

policies, particularly the ones for Sexual and Gender-based Violence (SGBV). As this sort of violence prevents women from getting jobs, going to school, or doing other activities.

3 – Gender and Development in Sirleaf’s government (2006-2017)

3.1 – Gender in Liberia

This section reviews how development approaches discussed in section 1 were incorporated, or not, into Liberia, particularly during Ellen Sirleaf's term. First, it is important to note that some concepts discussed in that section turned out to embody a different meaning or not fully apply to Liberia’s reality. Namely, the understanding of what is to be a woman, her role in society and patriarchy, which are different from the liberal North’s perspective. According to Nzegwu²³¹ and Oyěwùmí²³² gender and patriarchy are Western epistemologies, which do not adequately represent African women. Oyěwùmí²³³ disputes the use of gender as an efficient analytical category and its biased agenda on women’s identities and roles and on African knowledge production.

Filomina Steady²³⁴ agrees with Oyěwùmí, for her gender is a creation of Western second-wave feminists (that influenced Gender and Development (GAD) theorists). For the authors, gender carries different meanings since it reflects the social-cultural context in which it is constructed. In Steady’s perspective, gender is myopic, inventive and obscures the racial, class, ethnicity, sexual, and other differences, particularly between Westerns and non-Westerns.

For example, in 2001, the Liberian Government created the Ministry of Gender and Development²³⁵ (MoGD) to promote gender equality²³⁶, women’s advancement, and children’s welfare. However, when the government uses the term ‘gender’ in its policies, it refers to women.

²³¹ NZEGWU, Nkiru, Gender Equality in Dual-Sex System: The Case of Onitsha, **Jenda: A Journal of Culture and African Women Studies**, v. 1, n. 1, 2001. *Apud* MASSAQUOI, **Women and Post-conflict Development: A Case Study on Liberia**.

²³² OYĚWÙMÍ, Oyèrónké, Visualizing the Body: Western Theories and African Subjects, *in: African gender studies: a reader*, Houndmills, Basingstoke, England ; New York: Palgrave MacMillan, 2015, p. 3–22.

²³³ *Ibid.*

²³⁴ STEADY, Filomina Chioma, An Investigative Framework for Gender Research in Africa in the New Millennium, *in: African Gender studies: a Reader*, Houndmills, Basingstoke, England ; New York: Palgrave MacMillan, 2005, p. 313–332.

²³⁵ MINISTRY OF GENDER AND DEVELOPMENT, The Liberia National Gender Policy, 2009.

²³⁶ “Gender equality means the equal access to opportunities, including resources, by women and men, as well as girls and boys.” The term excludes LGBT people from the government perspective. *Ibid.*

Gays and Lesbians are seen as deviants and usually do not disclose their sexual orientation in public since they started being persecuted during Charles Taylor's term (1997-2003)²³⁷.

The LGBT (Lesbian, Gay, Bisexual, and Transgender) community suffers social oppression and religious alienation, as well as death threats. According to Horton²³⁸, there are groups such as the National Movement Against Same-Sex Marriage in Liberia (NAMASSEM) and the Indigenous Movement of Liberia that make statements like the following:

*“Homosexuality is ungodly and against Liberia's cultural tradition. Gay rights advocates, including Archie Ponpon, must not take their campaign to the indigenous people who strongly believe in their tradition, the Holy Bible and Holy Koran. The Indigenous Movement is about to launch a nationwide anti-gay campaign to avoid what happened to Sodom and Gomorrah, during the days of Old.”*²³⁹

Moreover, LGBT people can be prosecuted under the Penal Law of 1978, chapter 4, which states: “A person who engages in deviate sexual intercourse under circumstance not stated in Section 14.72 or 14.73 has committed a first-degree misdemeanor.”²⁴⁰ Under that law, so-called ‘LGBT behavior’ can be punished by up to one year in prison. Congress has also proposed two new bills that target homosexuality with severe sanctions²⁴¹.

In an interview with the Guardian, Sirleaf stated, “We like ourselves just the way we are... We have got certain traditional values in our society that we would like to preserve.”²⁴² She also declared that she would not revise the current law, nor she would sign the proposed ones. Which means that she would not act in benefit nor detriment of the LGBT rights, even after Hillary Clinton, US secretary of state at the time, threaten to condition US aid to the promotion of gay rights²⁴³.

The international discourses and actions towards gay rights have worsened the Liberian public opinion on the subject. According to Ford and Allen,²⁴⁴ before Clinton's statement, this taboo issue

²³⁷ HORTON, C., *Sexuality, Identity and LGBT Rights in Liberia: Illegal and Invisible*, 2012. Available at <<https://africanarguments.org/2012/01/31/illegal-and-invisible-sexuality-identity-and-lgbt-rights-in-liberia-by-stephanie-c-horton/>>. Accessed on 18/mar/2018.

²³⁸ *Ibid.*

²³⁹ *Ibid.*

²⁴⁰ LIBERIAN CONGRESS, Senate and House of Representatives of the Republic of Liberia, **Penal Law - Title 26 - Liberian Code of Laws Revised**. Available at <<http://www.liberlii.org/lr/legis/codes/pl26lcolr367/>>. Accessed on 18/feb/2019.

²⁴¹ FORD, Tamasin; ALLEN, Bonnie, **Nobel peace prize winner defends law criminalising homosexuality in Liberia**, The Guardian. Available at: <<https://www.theguardian.com/world/2012/mar/19/nobel-peace-prize-law-homosexuality>>. Accessed on 18/nov/2018.

²⁴² *Ibid.*

²⁴³ *Ibid.*

²⁴⁴ *Ibid.*

was not in the public debate. Gays and lesbians lived in secret and, in ‘relative peace.’ Thus, the former US secretary of state’s declaration reinforces some Liberians’ perspective that LGBT rights are a foreigner’s imposition. However, initiatives such as the Liberian Initiative for the Promotion of Rights, Identity, and Equality (LIPRIDE) attempted to oppose this view. They actively engage and dialogue with the government in order to promote concrete actions for supporting human rights²⁴⁵.

Another concept Steady criticizes is the idea of patriarchy in the African context²⁴⁶. She argues that the patriarchal myth enables alliances between men that supposed to be enemies in the East/West, North/South, White/Non-White division. It is a concept that sustains the globalization of men privilege and used by Western researches and institutions, who attempt to fit African reality into their frameworks.

In Steady’s view²⁴⁷, other concepts that are unevenly used to portrait African societies are women’s subordination, indigenous culture, and the separation of the public-private sphere as a gendered one. Thus, she emphasizes that indigenous women can provide mechanisms and instruments to more sustainable development projects. She also stresses cultural values can enable women to govern their own lives. Many women perceive motherhood and child caring as part of their identity and not as a burden. Contradicting the ideas that indigenous culture is archaic, that women are subservient to men, and that they are the only ones who have access to the public sphere.

Massaquoi²⁴⁸ asserts that this idea of women as mothers and healers is present in Liberian society. Because, even after having considerable political leverage in the post-civil war context, for their work in the peace promoters, many women decided not to run for formal political offices. They preferred to continue their influence in societal transformation in other projects, more connected to daily struggles.

For instance, there are the ‘Palaver’ Huts²⁴⁹, a traditional conflict resolution council held by men that works in rural areas, even before the war. Thus, even though women were half of the

²⁴⁵ IMMIGRATION AND REFUGEE BOARD OF CANADA, **Refworld | Liberia: Information on the Liberian Initiative for the Promotion of Rights, Identity and Equality (LIPRIDE) and the Liberia Women Empowerment Network (LIWEN), including objectives; treatment of members by society and authorities (2014-January 2017)**, Refworld. Available at <<https://www.refworld.org/docid/59b248b04.html>>. Accessed on 05/mar/2019.

²⁴⁶ STEADY, *An Investigative Framework for Gender Research in Africa in the New Millennium*.

²⁴⁷ *Ibid.*

²⁴⁸ MASSAQUOI, **Women and Post-conflict Development: A Case Study on Liberia**.

²⁴⁹ RIGHTS AND RICE FOUNDATION, **Women Peace Huts**. Available at: <<http://rightsrice Liberia.com/program/conflict/peace-huts>>. Accessed on 21/oct/2019.

population, they did not have access to them. However, the Truth and Reconciliation Committee established in 2006 after Sirleaf's election advised in its final report, in 2009,²⁵⁰ that this sort of council should be used to promote national reconciliation, to address community conflicts, and to bring justice, especially to victims. Therefore, Liberians created the Peace Huts,²⁵¹ which are community-driven spaces. Women's organizations that led peace movements during the war ran some of these huts. They served to promote women empowerment, to solve conflicts, and to address sexual and gender-based violence (SGBV). Many men in the communities listen to them because they argued that these women would not leave them in peace until they fulfilled the decision reached by the council.²⁵² Along with other male leaders, the Peace Huts were seen as a means for promoting justice and security in the community.

The next subsection analyzes Ellen Sirleaf's short and medium-term gender and development policies and investigates the actions she took concerning SGBV. Providing an account of the first challenges the President had to address.

3.2 – Understanding the Problem

During Sirleaf's term, the development policies included gender as a significant issue, albeit always with the term 'gender' as exclusively referring to women²⁵³. Just after becoming a president, Sirleaf launched a short-term development policy, named First 150 days Action Plan²⁵⁴. This plan already presented some of the measures her government intended to do to include women in development policies. For example, the creation of 'Women and Child Protection Units', a Women Legislative Caucus, among other women-oriented initiatives. The Ministry of Gender and Development (MoGD), in partnership with other ministries, would coordinate these initiatives.

The MoGD, created by Taylor's government in 2001, became more prominent in Sirleaf's term. It was responsible for formulating policies, planning, legislation, and gathering resources and efforts from the government to foster gender equality, children's development, and women's

²⁵⁰ UNITED STATES INSTITUTE OF PEACE, **Truth Commission: Liberia**. Available at: <<https://www.usip.org/publications/2006/02/truth-commission-liberia>>. Accessed on 11/nov/2019.

²⁵¹ RIGHTS AND RICE FOUNDATION, **Women Peace Huts**.

²⁵² UN WOMEN, **Liberia: Tackling the Legacy of Violence against Women**, Liberia. 2011. Video Producer: UNTV, UN Women; Date of Release: July 2011. Available at <<https://www.youtube.com/watch?v=QvtFELZPuXQ>>. Accessed on 20/oct/2019.

²⁵³ Even though LGBT rights are a paramount issue, this article will focus on the policies to women.

²⁵⁴ GOVERNMENT OF LIBERIA, First 150 Days Action Plan.

empowerment. Due to the civil war, the ministry had a little action in its first years, with the election of a woman; Liberians expected that this scenario would now change.

In 2006, the government launched a medium-term development policy: the National Plan of Action for the Prevention and Management of Gender-Based Violence in Liberia (GBV-POA)²⁵⁵. The MoGD consulted stakeholders and promoted some assessments to comprehend the gaps the plan needed to redress. It emphasized the need for policies and actions, in partnership with the communities that supported the victims of Sexual and Gender-Based Violence (SGBV) crimes and sponsored their economic empowerment. The Ministry of Gender and Development coordinated the actions of the GBV-POA taskforce composed by other ministries, NGOs, and international organizations, such as the UN.

The plan, which aimed to reduce SGBV cases in 30% by 2011, established five pillars of actions: (1) psychosocial, including economic empowerment for women and girls; (2) medical; (3) legal; (4) security and protection; (5) coordination²⁵⁶. Some of the actions comprised: identifying, constructing, training staff and equipping safe homes in each of the fifteen counties; providing vocational training to vulnerable women and groups; promoting small business management training; sponsoring adult literacy program; creating a credit union savings and kits for micro business²⁵⁷.

The GBV-POA²⁵⁸ asserted that SGBV is a major human rights issue all over the world. Unstable countries have a higher probability of escalating this sort of violence, particularly post-conflict ones, like Liberia²⁵⁹. A survey²⁶⁰ conducted in the country's ten most populous counties demonstrated that over 90% of Liberian women and girls had undergone at least one form of SGBV, especially during the civil war. Because the war amplifies, the unequal gender and violent structures already present before the war²⁶¹. Some ethnic groups impregnate women from other

²⁵⁵ GENDER-BASED VIOLENCE INTERAGENCY TASKFORCE, Liberia National Gender-Based Violence Plan of Action 2006, 2006. Available at < <http://evaw-global-database.unwomen.org/-/media/files/un%20women/vaw/full%20text/africa/liberia%20national%20gbv%20plan%20of%20action%202006.pdf?vs=4252>>. Accessed on 28/oct/2019.

²⁵⁶ *Ibid.*

²⁵⁷ *Ibid.*

²⁵⁸ *Ibid.*

²⁵⁹ JONES *et al*, The fallout of rape as a weapon of war.

²⁶⁰ Study conducted by World Health Organization on SGBV 2005. WORLD HEALTH ORGANIZATION, The World Health Report 2004 - changing history, 2010. Available at <https://www.who.int/whr/2004/en/report04_en.pdf>. Accessed on 27/nov/2019. *Apud* GENDER BASED VIOLENCE INTERAGENCY TASKFORCE, Liberia National Gender Based Violence Plan of Action 2006.

²⁶¹ SHULIKA, Women and Peace building: From Historical to Contemporary African Perspectives.

groups to show they are stronger and to spread their lineage²⁶². In some occasions, they do the opposite. They injure pregnant women from other groups to force miscarriage. Even after the conflict, many cases still have occurred. This happens for several reasons. One is that the violent structures are still present²⁶³. Another is that men traumatized by the war rape their spouses or daughters. SGBV experience affects not only the victims but also their families and communities, provoking physical and psychological debilitations. The survey also revealed that:

“(1) 90.8% of the sample (1628 women) were subjected to one or multiple acts of abuse and/or sexual violence. (2) 75% were raped - most of them gang-raped. (3) 25% of GBV survivors had objects such as corn sticks, wood, the barrel of a gun, raw cassava root, flashlight batteries, ants, hot pepper, mortar pestle, etc. brutally penetrated into the vagina or anus. (4) As a result of the above atrocity, 15.5% and 8.5% of the survivors suffered from vesicovaginal and recto-vaginal fistula, respectively, whereas many did not survive. (5) 16.8% of women became pregnant after being raped. (6) 48.5% of survivors of GBV were abducted into forced cohabitation, as sex workers and forced labor from one day to 4 years. (7) 13.6% of the total sample was age 15. (8) In a village where communities took refuge, rebels from both factions raped every female person young and old, and it was reported that half of them were forced to watch the assailants physically and sexually assault and/or kill their family members. (9) Sexual exploitation of girls due to poverty is leading to an extremely high number of teenage pregnancy, school dropouts, and an increased vulnerability to HIV and AIDS.”²⁶⁴

One of the challenges in a post-conflict country is to promote a sense of justice, especially on SGBV crimes. Which insurgent groups and armed forces had used as a war weapon. Nonetheless some peacekeepers also rape or sponsor prostitution²⁶⁵. Many SGBV victims have never reported these crimes. One of the reasons was the mistrust in the police. Liberians perceived them as corrupt, predacious, inefficient, and not prepared to receive reports of SGBV, such as child abuse, domestic abuse, and sexual assault. The police would even suggest that the victim provoked the attack, traumatizing the survivor, even more²⁶⁶. The police’s low technical capability and poor infrastructure, as well as a backlogged and inefficient justice system, aggravated this scenario²⁶⁷.

²⁶² REHN; JOHNSON-SIRLEAF, **Women, war, peace**.

²⁶³ *Ibid.*

²⁶⁴ *Ibid p.9.*

²⁶⁵ REHN; JOHNSON-SIRLEAF, **Women, war, peace**.

²⁶⁶ BACON, Laura, Liberia’s Gender-Sensitive Police Reform: Improving Representation and Responsiveness in a Post-Conflict Setting, **International Peacekeeping**, v. 22, n. 4, p. 372–397, 2015.

²⁶⁷ UNIMIL HUMAN RIGHTS AND PROTECTION SERVICE, Addressing Impunity for Rape in Liberia, 2016. Available at < https://www.ohchr.org/Documents/Countries/LR/SGBV_ReportLiberia_October2016.docx>. Accessed on 28/oct/2019.

Furthermore, the population, especially in rural areas, had little knowledge about the statutory system of law, which inhibited them from using this system²⁶⁸.

In order to promote a sense of justice and address SGBV crimes, the Liberian legislature enacted a Rape Law, in 2005. It amended the definition of rape²⁶⁹ established in the Penal Code, setting stricter penalties for sexual assault. Therefore, if the court understands that someone committed rape, this person might be convicted of the first-degree felony, which could lead to life imprisonment²⁷⁰. Nevertheless, for the enforcement of this law, the police also needed to change in practice.

The Liberian Government, supported by the United Nations Mission in Liberia (UNMIL), understood that it was paramount to have more female participation and representation in the police. Their intention was change the general feeling of distrust in that authority, to empower them and to create proximity with Liberian women²⁷¹. In 2006, President Johnson Sirleaf assigned Beatrice Munah Sieh as Liberia's first female inspector-general, the uppermost position in the LNP (Liberian National Police). In 2007, she appointed Asatu Bah-Kenneth as the LNP's deputy inspector general²⁷². These appointments were a significant step for women's inclusion in the force. Before 2007, only 2% of LNP were women, and in 2007 they were 5%.²⁷³ Despite UNMIL's and government's benchmark was 20%²⁷⁴. It was also lower than the 30% quota Sirleaf asserted governments should adopted, when she worked in the UN²⁷⁵.

²⁶⁸ VINCK; PHAM; KREUTZER, Talking Peace.

²⁶⁹ "A person who has sexual intercourse with another person (male or female) has committed rape if: (i) He intentionally penetrates the vagina, anus, mouth or any other opening of another person (male or female) with his penis, without the victim's consent; (ii) He/ She intentionally penetrates the vagina or anus of another person with a foreign object or with any other part of the body (other than the penis), without the victim's consent. (b) The victim is less than eighteen years old, provided the actor is eighteen years of age or older. Gang Rape is a first-degree felony if: He or she purposely promotes or facilitates rape or agrees with one or more persons to engage in or cause the performance of conduct which shall constitute Rape." LIBERIAN CONGRESS, RAPE LAW 2005 - AN ACT TO AMEND THE NEW PENAL CODE CHAPTER 14 SECTIONS 14,70 AND 14,71 AND TO PROVIDE FOR GANG RAPE, 2005. Available at <<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/85440/95667/F367499794/LBR85440.pdf>>. Accessed on 17/oct/2019.

²⁷⁰ AGALI, The Adolescent Girls' Advocacy and Leadership Initiative, **Policy Brief Rape Law**. Available at <https://riseuptogether.org/wp-content/uploads/2018/05/AGALI_Policy_Brief_Rape_Law_-_Liberia-1.pdf>. Accessed on 24/feb/2019.

²⁷¹ BACON, Liberia's Gender-Sensitive Police Reform.

²⁷² *Ibid.*

²⁷³ *Ibid.*

²⁷⁴ By 2013, the number of women in LNP was 767, which means 17,4%. *Ibid.*

²⁷⁵ REHN; JOHNSON-SIRLEAF, **Women, war, peace**.

One of the hurdles to enhance the number of women was the lack of qualified applicants since women have less access to education²⁷⁶. Hence, the government promoted the Education Support Program (ESP) that would enable women between the ages of 18 and 35 who had completed at least ninth grade to earn the equivalent of a high-school degree and enter police training. Some Liberians and the international community praised the program for promoting opportunities for women. On the other hand, some Liberians, particularly men, criticized it for being concerned about increasing the number of women in the force, regardless of their abilities and competence.

Furthermore, the same critics remarked that the ESP did not provide the same support to men, who also had their access to education compromised by the war²⁷⁷. Some of these evaluations illustrate a male's view that discredits women's achievements and expresses their view of gender equality policies. Another hurdle was to convince women to be part of LPN since many Liberians saw its personnel as perpetrators of the war crimes. They did not want to represent the institution that committed several war crimes.

In 2005, during the transitional government, in which Sirleaf was part of, the LNP created a special unit, the Women and Children's Protection Section (WACPS)²⁷⁸. Dedicated to responding to reports of domestic violence, sexual assault, and crimes against children. Some of its squads were the Sexual Assault Unit, Juvenile Unit, and Domestic Violence Unit. The Norwegian government sponsored the program, and the UNDP (United Nations Development Program) managed it. Along with some UN agencies, especially UNMIL, the WACPS promoted awareness campaigns about rape. They posted billboards throughout Monrovia (Liberia's capital) with messages such as "*Rape is a crime*" and "*Against my will is against the law*"²⁷⁹. In other campaigns, they explained to the citizens that there were no fees to report, the importance of pressing charges, and the penalties for SGBV crimes. Changing cultural norms was a significant responsibility for WACPS.

The most used mean of communication in these campaigns was the radio since it is one the most preferred by the citizens²⁸⁰. This initiative was essential to change people's ideas about this

²⁷⁶ BACON, Liberia's Gender-Sensitive Police Reform.

²⁷⁷ *Ibid.*

²⁷⁸ *Ibid.*

²⁷⁹ *Ibid.*

²⁸⁰ Due to high illiteracy rates and difficult of access to other means of communication, people used radio, friends and family to get informed. VINCK; PHAM; KREUTZER, Talking Peace.

type of crime and to foster them to report. As expressed by some displeased zone leaders, who were losing their prominence:

“In Gender-Based Violence prosecution, the statutory law outweighs the customary law” (...) *“Our customs, they are gradually being taken away. Not all actions were good, but there were solutions. Now they [the government] say that no rape cases are to be tried in your community, but if it happens, it is your responsibility.” (...)* *“The government has made GBV so grave and fearful like Ebola that no one wants to handle it.”²⁸¹*

In 2007, Liberia’s government, along with the United Nations, launched an anti-rape campaign called ‘*Stop rape – it could be your mother, your daughter, your sister, your niece*’²⁸². One of its actions was an event at the sports stadium, with music, skits, and speeches by Liberian leaders and public figures²⁸³.

This section reviewed the government's first efforts to address SGBV. The next illustrates the medium-term policies established by Sirleaf’s government. Which brought forth new strategies to address this sort of violence.

3.3 – Sirleaf’s long-development strategies to tackle SGBV

The Poverty Reduction Strategy (PRS) launched in 2008, after two interim versions and public consultations with Liberian people,²⁸⁴ established short, medium and long-development policies and goals. All of them focused on a poverty reduction approach that was sensitive to the needs of women, children, and persons with disabilities. As well as issues such as environmental degradation and the spread of AIDS. The objective was to promote the basis for a sustainable, inclusive, participatory, stable, and accountable government, able to rule for its people without the UN peacekeeping mission.

The PRS proposed a neoliberal development approach²⁸⁵. The state would provide the services that the private sector could not offer at an ‘appropriate’ price. Thus, the government would focus on maintaining safety, security, the rule of law, infrastructure and other public goods, essential

²⁸¹ SOLHJELL, Randi; SAYNDEE, T. Debey, *Gender-Based Violence and Access to Justice: Grand Bassa County, Liberia*, **30 p.**, 2016. Available at < <https://brage.bibsys.no/xmlui/handle/11250/2401880>>. Accessed on 08/mar/2018.

²⁸² UN NEWS, **UN helps launch nationwide anti-rape campaign in Liberia**. Available at: <<https://news.un.org/en/story/2007/12/241902-un-helps-launch-nationwide-anti-rape-campaign-liberia>>. Accessed on 2/nov/2019.

²⁸³ BACON, Liberia’s Gender-Sensitive Police Reform.

²⁸⁴ An act without precedent in the country’s history according to the PRS. LIBERIAN GOVERNMENT, Liberia. Available at <<http://elibrary.imf.org/view/IMF002/09441-9781451822984/09441-9781451822984/09441-9781451822984.xml>>. Accessed on 30/oct/2019.

²⁸⁵ *Ibid.*

services for the poor, environmental regulations and other long-term development issues. While the private sector (local and foreign enterprises, micro business, industrial companies, and extensive natural resources concessions) would be the economic growth sponsor, by investing in the country and creating new jobs. Moreover, the government aimed to strengthen the executive core capabilities (rebuilding human capability), to capacitate the Judiciary and Legislature (improving their supervision role), and progressively decentralize the government functions throughout the counties.

However, the government did not promote a classic form of neoliberal approach. It consulted the population to understand its people's needs. Between 2006 and 2007, the Poverty Reduction Strategy's core team made sessions in all counties and talked with legislative members, traditional leaders, farmers and business people, women, children and youth, persons with disabilities, local NGOs, and the general public²⁸⁶. Some meetings focused on specific issues, such as land use, or topics of interest, for example, women, children, and youth.

The outputs were county's and district's development agenda, later incorporated into the PRS. During the public consultations, some of the population's concerns regarding security were sexual violence and rape, drugs, and thefts.²⁸⁷ They also expressed dissatisfaction with the police and security apparatus, Liberians demonstrated a low level of trust due to the reduced number of qualified personnel and the incidence of police corruption.

As a response to Liberian's concerns, the PRS²⁸⁸ proposed some measures. First, to redress the police:

“(1) Establish a transparent and equitable recruitment process that reflects Liberia’s diversity (ethnic, gender, religious); (2) Admit only qualified personnel; (3) The promotion system should be based on merit and with appropriate wages for all categories; (4) Strategies to increase the number of women, at least 20% of the security forces

²⁸⁶ “The public consultations for the PRS included two-day working sessions in each of Liberia’s 15 counties, during which local participants formulated their respective County Development Agendas (CDAs), and then identified development-related concerns and priorities for the PRS. The CDAs themselves built on earlier district-level consultations and the preparation of District Development Agendas (DDAs). (...)The process enabled all citizens to contribute to the development of the PRS.(...) The outputs of all of these consultations included the identification of local problems and concerns, as well as recommended action plans. (...) The PRS Core Team subsequently distributed a draft of the PRS to the counties, with three regional outreach consultations undertaken to solicit feedback on the strategy as a whole and to ensure that issues raised at the county consultations had been incorporated into the PRS. The PRS Core Team undertook similar outreach consultations focused on the Legislature, civil society, and private sector actors with respect to the draft PRS. These consultations enabled these groups to provide further input into the PRS in addition to their participation in the broader public consultations, the SCC, and across the various working groups.”. *Ibid.* p. 45-46

²⁸⁷ *Ibid.*

²⁸⁸ *Ibid.*

*personnel to be women, at all levels in security sectors agencies, particularly in decision-making positions;(5) Reduce incidents of corruption; (6) Training curricula incorporate gender consideration and protection to women and children.”*²⁸⁹

Second, regarding security, it sponsored the development and adoption of:

*“(1) Policies on sexual harassment, gender-sensitive human resources, discrimination against HIV and AIDS; (2) Code of conduct for security agencies (and other agencies) with emphasis on domestic violence;(3) Gender-sensitive community policing, trained to solve problems and prevent crimes, particularly SGBV;(4) Mechanisms to disaggregate data by sex and age in the case management system; (5) Capacity building programs for Women and Children Protection unit”*²⁹⁰

Those guidelines sponsored the previously mentioned WACPS and SGBV units. Third, other actions that may contribute to security issues:

*“(1) Implement the GBA-POA; (2) Enhance the government’s efforts to promote a clear, transparent and secure chain for GBV survivors, since crime report until criminal’s conviction and punishment;(3) Create campaigns to promote awareness of legal and judicial actors and develop a national framework on customary practices; (4) Revise the school’s curriculum to include GBV, Sexual Exploitation and Abuse, and Human Rights and balance teaching staff, encouraging more women to become and remain as educators;(5) Create guidelines for gender-sensitive health care, training the staff to promote more humanistic care to women and children and SGBV victims; (6) Develop Social Welfare Policy (including psycho-social support) with specific services for SGBV survivors, orphans, people with HIV or vulnerable women and children; (7) Establish gender-sensitive protocols and procedures to respond appropriately to SGBV cases. Which includes post-exposure prophylaxis, medical services, and collect forensic evidence;”*²⁹¹

The PRS reflects some of Sirleaf’s campaign promises and commitments, Liberian demands, and the influence of some international institutions. In 2009, the government launched two essential documents. The National Action Plan for the Implementation of United Nations Security Council Resolution 1325 (NAP-UNSC1325) and the National Gender Policy (NGP).

The Liberian Government representatives, UN’s commissioners and NGOs developed the NAP-UNSC1325²⁹², in 2009. They did it through an inclusive, participatory and consultative bottom-up process. The plan focused on strengthening and developing preventive, responsible and protective policies, to establish procedures to assure women’s security and to foster women’s

²⁸⁹ *Ibid.*

²⁹⁰ *Ibid.*

²⁹¹ *Ibid.*

²⁹² LIBERIAN GOVERNMENT, Liberian National Action Plan for the Implementation of UNSC Resolution 1325, 2009. Available at <https://www.peacewomen.org/sites/default/files/liberia_nationalactionplanmarch2009.pdf>. Accessed on 31/oct/2019.

human rights. Moreover, it envisioned promoting, developing, and institutionalizing policies (economic, social, and political) to empower women. As well as to effectively engage in peacebuilding, reconstruction, recovery, development process, and decision making at all levels. Moreover, it would consolidate gender-mainstreaming activities by supporting activities to raise awareness towards UNSC 1325 and 1820 resolutions. The plan had short, medium and long-term goals for local and national actions and based on four pillars: Promotion, Protection, Prevention, and Participation. Most actions described in it are also present in the GBV-POA, PRS, and the NGP.

The MoGD launched the National Gender Policy (NGP)²⁹³ in 2009. The policy diagnosed that traditional and religious beliefs marginalize women in Liberia. It also stated that these customs are intrinsic in the ethnic groups who live in the country²⁹⁴. As exposed before, each of them has different values. However, the majority of them implies that men should subordinate women to their will, and regarded the latter as inferior. These practices have a profound influence on the socialization of boys and girls. Thus ascribing them into specific and rigid roles and responsibilities in society.

Consequently, these customs and roles affect labor division, women's access to education, healthcare, information, decision-making positions, and control over resources²⁹⁵. Promoting gender inequality, abuses to women's rights, women's lack of economic means making them men-dependable, over-burden of workload on women, sexual abuses to women, girls and teenagers, undesired pregnancies, school dropouts, gender-based violence (GBV). Therefore, the objective of this policy was to promote gender equality and equity by building and using the population potential to pursue national development goals. Foremost the NGP aimed to eradicate and eliminate all gender-related problems in the country.

The guidelines to the NGP²⁹⁶ are the Constitution of the Republic of Liberia and the treaties and conventions ratified by the country, such as (1) Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1984; (2) the Beijing Platform for Action, 1995; (3) African Union Solemn Declaration on Gender Equality, 2004; (4) the Millennium Declaration.

²⁹³ MINISTRY OF GENDER AND DEVELOPMENT, The Liberia National Gender Policy. Available at <http://www.africanchildforum.org/clar/policy%20per%20country/liberia/liberia_gender_2009_en.pdf>. Accessed on 28/nov/2019.

²⁹⁴ *Ibid.* P.5.

²⁹⁵ *Ibid.*

²⁹⁶ *Ibid.*

NGP uses the latter not only for the third Millennium Development Goal (MDG), ‘Achieving Gender Equality and Women’s Empowerment’, but also for all the other seven goals concerning poverty, education, health, environment and partnerships for development.

The government of Liberia understood that a broad and comprehensive team was necessary to promote the NGP²⁹⁷. Which included ministries, government agencies, stakeholders, non-governmental organizations and civil society, among others. Their actions focused on five thematic areas: (1) peace and national security, (2) livelihoods, (3) human rights, (4) governance, (5) economy. The NPG²⁹⁸ strategic actions towards peace and national security embodied the implementation of the National Plan of Action on 1325²⁹⁹ and other measures already described in the PRS, such as implementing gender-sensitive community policing and increasing the number of women at all levels.

The next subsection illustrates how the government implemented some of the plans described above. It focus on the creation of an apparatus to combat sexual and gender-based violence. As well as it presents Liberian’s perspective towards the Law system.

3.4 – Fighting SGBV and perceptions of the law system

According to the United Nations Police (UNPOL), there were 351 rape cases reported in 2006 and 425 in 2007³⁰⁰. An increase that could mean a positive response to the Liberian government’s and the UN’s efforts. However, the SGBV victims who reported the crimes, usually, did not receive justice. Because the state did not prosecute many perpetrators. Due to problems in the investigation and backlogs in the judiciary system.

In order to solve this old problem and to accelerate the prosecution of SGBV crimes, in 2009, Liberia’s Ministry of Justice, with support from the United Nations Population Fund (UNFPA) and funded by the Government of Denmark³⁰¹, established Criminal Court E in the Montserrado

²⁹⁷ LIBERIAN GOVERNMENT, Liberian National Action Plan for the Implementation of UNSC Resolution 1325.

²⁹⁸ *Ibid.*

²⁹⁹ “*The resolution established women’s role as more than merely passive victims and caretakers. The resolution clearly incorporates (a) a gender perspective in training and in peacekeeping operations, (b) it advocates the full participation of women in decision-making and in conflict resolution and peace processes, (c) it highlights the protection of human rights of women and girls, and (d) it promotes gender mainstreaming in the UN reporting systems as well as programmatic implementation mechanisms*”. SCHIA, Niels Nagelhus; DE CARVALHO, Benjamin, *Seeing like a Resolution?* p. 4, 2009. Available at < <https://brage.bibsys.no/xmlui/bitstream/handle/11250/194369/PB-02-de%20Carvaho-Schia.pdf?sequence=3&isAllowed=y>>. Accessed on 04/mar/2019.

³⁰⁰ UN NEWS, **UN helps launch nationwide anti-rape campaign in Liberia.**

³⁰¹ BACON, Liberia’s Gender-Sensitive Police Reform.

County. The constitution amendment that created the court also foresaw the development of 14 Sexual Crimes Divisions, one for each county³⁰². However, none of these left the scratch, according to the United Nations High Commissioner for Human Rights (UNHR)³⁰³. The special Court E has:

*“An exclusive original jurisdiction over the crimes of rape, gang rape, aggravated involuntary sodomy, involuntary sodomy, voluntary sodomy, corruption of minors, sexual abuse of wards and sexual assault (...) sexual abuse of wards and sexual assault, and such other crimes as may from time to time be added as Sexual Offences to the aforesaid Sub-Chapter D of Chapters 14 and 16 of the Penal Law as well as trafficking in persons insofar as it involves sexual servitude (hereinafter referred to as "Sexual Offences).”*³⁰⁴

In a way to preserve the victims, the court used in camera hearings, in which the victims or witnesses could testify without having to face the alleged offender³⁰⁵. Moreover, the Ministry of Justice brought forth a pilot project, the SGBV Crimes Unit (SGBVCU). The creation of this unit was also part of the Poverty Reduction Strategy³⁰⁶, the guidelines established by MoGD, as well as response to Liberian compromise with UNSC resolution 1325.

The SGBVCU would be an independent unity from the Ministry of Justice and the police headquarters to preserve the victims and their confidentiality³⁰⁷. Its focus was to counsel victims, to increase public awareness of SGBV crimes. As well as enhancing police officer’s capability of running investigations and of prosecutors to handle this sort of case. Furthermore, it needed to coordinate police officers and prosecutors and to work along with One-Stop Centers.

The GBV-POA also sponsored the development of One-Stop Center (OSC)^{308 309}. Which provided medical examination and treatment, psychological support, law enforcement, and legal

³⁰² LIBERIAN CONGRESS, Senate and House of Representatives of the Republic of Liberia, **Sexual Crimes Court, New Chapter 25 Establishing Criminal Court “E” - Title 17**. Available at: <<http://www.liberlii.org/lr/legis/codes/scnc25ecct17lcolr863/>>. Accessed on 25/mar/2018.

³⁰³ UNIMIL HUMAN RIGHTS AND PROTECTION SERVICE, Addressing Impunity for Rape in Liberia.

³⁰⁴ LIBERIAN CONGRESS, Senate and House of Representatives of the Republic of Liberia, **Sexual Crimes Court, New Chapter 25 Establishing Criminal Court “E” - Title 17**.

³⁰⁵ BACON, Liberia’s Gender-Sensitive Police Reform.

³⁰⁶ LIBERIAN GOVERNMENT, Liberia.

³⁰⁷ BACON, Liberia’s Gender-Sensitive Police Reform.

³⁰⁸ GOVERNMENT UN GBV JOINT PROGRAM, STANDARD OPERATING PROCEDURES FOR GBV SERVICES AT ‘ONE STOP CENTRE,’ 2013. Available at <<https://www.undp.org/content/dam/liberia/docs/docs/One%20Stop%20Centres%20for%20SGBV%20services%20final.pdf>>. Accessed on 03/nov/2019.

³⁰⁹ The OSC should not be confused with the One-stop services shop, which provides essential government services, such as birth certificate and driver's license. *“About 70% of those receiving birth certificates are women. Citizens, mainly women, are normally seen lined up with their children to obtain birth certificates”*. UNITED NATIONS DEVELOPMENT PROGRAM, **Decentralizing Liberia with one-stop service shops | UNDP in Liberia**, UNDP. Available at: <<https://www.lr.undp.org/content/liberia/en/home/stories/decentralizing-liberia-with-one-stop-service-shops.html>>. Accessed on 30/oct/2019.

advice in one place. All the OSC were inside hospitals in order for victims to access them discreetly³¹⁰. When the victims arrived in the center, they passed through medical checkups and proper treatment. On some occasions, agents took them to safe houses³¹¹. After they received psychological counseling. Which could extended to the family in some cases.

Following protocol, a WACPS police officer should take the victim's statement and collect information about the crime. Then, a legal counselor or prosecutor should inform the victim of all the legal aspects of the case and advise him/her to register the case in court. Furthermore, the law officer should take the case to an SGBVCU to build the case, prepare the victim to testify in court. However, frequently, police officers, nurses, or psychosocial counselors did not fulfill their jobs to interview the victims³¹². In 2016, there were 11 units, five in Montserrado County, and four in other counties. However, many survivors did not know they are free or have the means to go to a unit.

The Liberian Government and United Nations Gender-Based Violence Joint Program report of 2011 named '*Rape and the Revised Rape Law Perception, Knowledge and Realities on the ground*'³¹³ demonstrated that the population was starting to perceive what was rape. It was the begging of a process of changing their culture and addressing a taboo issue. Some Liberians believed rape only became a significant problem because of the war. They understood that poverty was the main contributor to it. Thus, some people, especially girls, prostitute themselves to afford their basic need^{314 315}. Moreover, in a post-conflict scenario, many people use drugs and alcohol as a way to forget the horrors of the war, his/her frustration, and conditions, which can lead to SGBV crimes.

The document³¹⁶ illustrated that there were still many misconceptions regarding the law. For example, the 2005 Rape Law established that 18 years-old was the age of consent. If one has

³¹⁰ "there has been a significant decrease inflow of patients to hospitals since the Ebola crisis due to a general mistrust in medical staff, which has also led to a decreased utilization and awareness of the services of one-stop centers." UNIMIL HUMAN RIGHTS AND PROTECTION SERVICE, Addressing Impunity for Rape in Liberia.

³¹¹ GOVERNMENT UN GBV JOINT PROGRAM, STANDARD OPERATING PROCEDURES FOR GBV SERVICES AT 'ONE STOP CENTRE.'

³¹² UNIMIL HUMAN RIGHTS AND PROTECTION SERVICE, Addressing Impunity for Rape in Liberia.

³¹³ GOVERNMENT UN GBV JOINT PROGRAM, *Rape and the Revised Rape Law Perception, Knowledge and Realities on the ground*, 2011. Available at <https://www.academia.edu/9359976/Rape_and_the_Revised_Rape_Law_Perceptions_Knowledge_and_realities_on_the_Ground>. Accessed on 1/nov/2019.

³¹⁴ *Ibid.*

³¹⁵ JONES *et al*, The fallout of rape as a weapon of war.

³¹⁶ GOVERNMENT UN GBV JOINT PROGRAM, *Rape and the Revised Rape Law Perception, Knowledge and Realities on the ground*.

intercourse with a minor, even if he/she consents, is rape. However, some Liberians understood that one could give consent when one is mature. Which in the case of girls would be after their first menstruation or around 15 years-old. Therefore, the report emphasized that the government should organize more campaigns to promote awareness regarding the consensual age and develop more programs for youth and children in order to educate them³¹⁷.

The report³¹⁸ asserted that the government needed to improve its awareness campaigns not only focusing on explaining the law, but also exposing the consequences of SGBV crimes to the victims. Moreover, it stressed the importance of having the government's personnel able to speak different dialects or local languages and to include this in the state's programs. The interviews also demonstrated dissatisfaction with the delays in the court system and some Liberians believed the law was not fair and very tough³¹⁹. Table 1 corroborates some of the points presented in the report and points to some Liberian misconceptions.

Table 1 - Knowledge and Perception of the Court System ³²⁰

Question	knowledge	Bomi	Bong	Gbarpolu	Gran Bassa	Grand Cape Mount	Grand Gedeh	Gran Kru	Lofa	Margibi
1	Can a woman inherit property according to Liberian formal Law?	84%	85%	86%	88%	78%	88%	85%	84%	92%
2	Does formal Liberian law say it is okay to do trial by <i>sassywood</i> ?	17%	11%	16%	12%	17%	22%	18%	10%	7%
3	According to Liberia's formal law, do you need to pay a fee to report a case to the police?	15%	17%	19%	19%	17%	22%	26%	21%	18%

³¹⁷ "In another study conducted in 2014 by a consortium of governmental and non-governmental agencies on education in Liberia, girls and boys surveyed expressed opinions that reflected larger societal attitudes in Liberia identified as drivers of SGBV. Of the 1,100 school-age boys and 758 school-age girls surveyed, 75 per cent of boys and 22 per cent of girls considered that "men are superior to women;" 46 percent of boys and 34 percent of girls agreed that sexual violence and abuse was "a normal part of a man-woman relationship;" and 39 percent of boys and 30 percent of girls agreed that sexual abuse and violence against women and girls was "a natural expression of male sexual urges." UNIMIL HUMAN RIGHTS AND PROTECTION SERVICE, Addressing Impunity for Rape in Liberia. Available at <https://www.ohchr.org/Documents/Countries/LR/SGBV_ReportLiberia_October2016.docx>. Accessed on 28/oct/2019.

³¹⁸ GOVERNMENT UN GBV JOINT PROGRAM, Rape and the Revised Rape Law Perception, Knowledge and Realities on the ground.

³¹⁹ *Ibid.*

³²⁰ The table was made by Coutinho, Beatriz A. with data from VINCK; PHAM; KREUTZER, Talking Peace. 2011. P 64.

4	According to Liberia's formal law, do you need to pay a fee to have a criminal case heard by a judge?	22%	26%	26%	27%	23%	22%	32%	26%	28%
5	According to Liberia formal law, does a man have to support his out-of-wedlock child?	86%	92%	87%	92%	87%	85%	87%	91%	90%
6	According to Liberia formal law, if a man forces his wife/woman to have sex is that rape?	87%	82%	71%	81%	85%	91%	84%	76%	79%
7	According to Liberia formal law, is beating one's wife/woman a crime?	86%	83%	76%	82%	76%	87%	84%	77%	79%
Perception (% agree)										
8	Liberians judge treat everyone equally	49%	27%	45%	35%	41%	34%	30%	29%	27%
9	Judgments are the same for everyone	40%	21%	35%	27%	39%	29%	23%	24%	23%
10	Going to Court is too expensive	83%	69%	70%	68%	83%	77%	73%	71%	76%
11	You trust the Liberian Court System	58%	32%	50%	41%	67%	39%	35%	39%	38%
12	You trust the Liberian judges	58%	25%	48%	35%	63%	33%	32%	32%	32%
13	Going to Court means that you have to bribe judges	40%	40%	37%	40%	34%	39%	47%	41%	48%
14	Liberian lawyers are able to do their work freely	52%	23%	45%	35%	51%	31%	28%	30%	28%

Question	knowledge	Maryland	Greater Monrovia	Nimba	River Gee	Rivercess	Rural Monteserrado	Sinoe	Total	
1	Can a woman inherit property according to Liberian formal Law?	85%	89%	89%	83%	87%	91%	87%	87%	
2	Does formal Liberian law say it is okay to do a trial by <i>sassywood</i> ?	18%	11%	21%	18%	16%	11%	16%	14%	
3	According to Liberia's formal law, do you need to pay a fee to report a case to the police?	28%	17%	22%	26%	30%	21%	18%	20%	
4	According to Liberia's formal law, do you need to pay a fee to have a criminal case heard by a judge?	26%	24%	28%	26%	35%	25%	17%	26%	
5	According to Liberia's formal law, does a man have to support his out-of-wedlock child?	92%	86%	88%	84%	85%	86%	86%	88%	
6	According to Liberia's formal law, if a man forces his wife/woman to have sex is that rape?	84%	90%	82%	87%	87%	83%	94%	84%	
7	According to Liberia formal law, is beating one's wife/woman a crime?	81%	88%	81%	80%	85%	83%	92%	83%	
Perception (% agree)										

8	Liberians judge treat everyone equally	26%	23%	25%	31%	32%	28%	29%	28%
9	Judgments are the same for everyone	18%	17%	22%	21%	25%	25%	21%	23%
10	Going to Court is to expensive	72%	78%	76%	79%	80%	81%	71%	75%
11	You trust the Liberian Court System	34%	32%	28%	39%	41%	34%	40%	36%
12	You trust the Liberian judges	28%	27%	24%	33%	35%	33%	36%	31%
13	Going to Court means that you have to bribe judges	52%	48%	39%	40%	48%	54%	46%	44%
14	Liberian lawyers are able to do their work freely	28%	29%	25%	31%	27%	31%	28%	30%

Vinck *et al.* (2011)

It seems that the perception of Liberians in some of the table 1 statements is not correct and requires clarification. According to Liberian laws, as reviewed in subsection 2.1, women can inherit property by formal law (question 1), and forcing one's wife to have sex is a form of rape (question 7) as correctly responded by 87% and 84% interviewees, respectively. They also rightly comprehended that a man must support his children out of wedlock child (question 5) (88%) and that domestic violence against one's wife is a crime (question 6) (83%). However, a minority incorrectly understands that Liberian law supports trial through *sassywood*³²¹ (question2) (14%), or that a payment is necessary to bring a case to the police (question 3) (16%) or the formal court (question 4) (20%)³²². The next subsection illustrates the government's actions to redress the issues presented in 3.4, particularly the ones stated in the 2011 Joint Program Report and table 1.

In sum, there were several changes in the first six years of Ellen Sirleaf's government. First, there was a clear plan for development, which included women as an essential group. Second, Liberians started seeing the government rebuilding the country's infrastructure³²³, and they felt a sense of hope and that life was starting to get better, even at a slow pace. They understood that the government had begun addressing significant issues such as SGBV crimes. Not only Liberians but also the international community supported Sirleaf's actions. In 2010, she was able to get a 4.6

³²¹ "For clarity, trial by ordeal (TBO) (*sassywood*) takes different forms, depending on the circumstances. It may be used on a person suspected of a crime to induce confession; on a suspect or witness to make sure that the person tells the truth (much like testifying under oath); or on a person suspected of being a witch as an interrogation technique or as a cure if he/she has already admitted to being one. The types of TBO carried out in Liberia span a range of acts (including drinking regular water or performing a simple task); painful exercises (for instance, dipping a hand in boiling oil or putting a hot metal object against the skin); and deadly acts (such as consuming dangerous poison)". MENKOR, Ishmael F., Chief Barlon Wants Reintroduction of Sassywood.

³²² VINCK; PHAM; KREUTZER, Talking Peace.

³²³ PAILEY, Robtel Neajai, From Lifting Liberia to Lifting Liberians: Second Term Challenges for Ellen Johnson Sirleaf. Available at <<https://www.e-ir.info/2012/01/31/from-lifting-liberia-to-lifting-liberians-second-term-challenges-for-ellen-johnson-sirleaf/>>. Accessed on 03/nov/2019.

billion US dollar debt relief from international creditors³²⁴, a significant achievement that would foster the country's reconstruction. Moreover, Sirleaf received the Nobel Peace Prize in 2011³²⁵. Despite the positive outcomes, corruption allegations³²⁶, high unemployment rates, and other issues, Liberians decided to trust in Sirleaf once more, and she was re-elected in 2011.

3.5 – Sirleaf's second term (2012-2018)

In November 2012, the MoGD launched '*16 Days of Activism against Gender Violence*' campaign, under the theme '*From Peace in the Home to Peace in the Nation, Let justice prevail to end violence against women and children*'³²⁷. Since 2001, the government sponsored this campaign. The ministry, along with other organizations, brought forth several events to promote awareness of the importance of reporting SGBV crimes. The 2013 Government UN GBV Joint Program report³²⁸ criticized the length of the project, emphasizing the need for campaigns and awareness measures throughout the year.

In 2012, the Liberian Government established a new 150 days action plan (150AP)³²⁹ as a prelude of the new long-development strategy An Agenda for Transformation through Actions 2012/2017 (AFT). The 2012 150AP short-development plan did not focus on women or had the word 'gender' writing in it. Nevertheless, it stated that the government was able to fulfill 80% of the goals established in the 2008 Poverty Reduction Strategy³³⁰. While the AFT³³¹ presented the following diagnosis of the PRS:

“Fully satisfactory’ outcomes, including the maintenance of macroeconomic stability with low inflation, the maintenance of a balanced budget, and the reduction of external debt. Outcomes were ‘partly satisfactory’ in the sectors of health, water and sanitation, the business and private sectors, and civil service

³²⁴ INTERNATIONAL MONETARY FUND, **IMF and World Bank Announce US\$4.6 Billion Debt Relief for Liberia**, IMF. Available at: <<https://www.imf.org/en/News/Articles/2015/09/14/01/49/pr10267>>. Accessed on 3/nov/2019.

³²⁵ JAGLAND, **The Nobel Peace Prize 2011 - Presentation Speech**.

³²⁶ PAILEY, *From Lifting Liberia to Lifting Liberians*.

³²⁷ UNMIL, **Violence against women and girls must stop – Message from Liberia at Launch of 16 Days of Activism**, UNMIL. Available at <<https://unmil.unmissions.org/violence-against-women-and-girls-must-stop-%E2%80%93-message-liberia-launch-16-days-activism>>. Accessed on 1/nov/2019.

³²⁸ GOVERNMENT UN GBV JOINT PROGRAM, *Exploring Gender-Based Violence Prevention in Liberia*, 2013.

³²⁹ LIBERIAN GOVERNMENT, *150 Day Action Plan Report*, 2012.

³³⁰ *Ibid.*

³³¹ MINISTRY OF PLANNING AND ECONOMIC AFFAIRS, REPUBLIC OF LIBERIA AGENDA FOR TRANSFORMATION: STEPS FOR LIBERIA RISING 2030, 2013. Available at <<https://www.undp.org/content/dam/liberia/docs/docs/Liberia%20Agenda%20for%20transformation.AfT.pdf>>. Accessed on 03/nov/2019.

*reform. There were also areas in which outcomes were ‘marginally positive’ including the transition of security to Liberian agencies, delivery of basic education; improvement of roads; environmental issues; labor protection; and crime prevention. These disappointing outcomes, despite the majority of deliverables completed, indicate a need to rethink strategy. Finally, in a few areas—electric power, prompt delivery of justice, and decentralization—outcomes were ‘unsatisfactory’ indicating the need for more attention and a revised strategy.”*³³²

Despite considering the delivery of justice as unsatisfactory, the AFT did not illustrate new policies regarding gender in the security sector. Even though the AFT was a middle-term development policy for Sirleaf’s second mandate, it was also the base for the long-term government policy ‘Rising 2030’. An ambitious plan to turn Liberia into a middle-income country by the third decade of the 21st century. Which in the Liberian government perspective would attract not only economic revenues but also political and social ones.³³³

In the same year, the Liberian government combined the Ministry of Gender and Development and the Ministry of Health and Social Welfare, forming the Ministry of Gender, Children, and Social Protection (MOGCSP)³³⁴. The new institution would not only promote the development of women, girls, and children³³⁵, but would also provide welfare and integration of impoverished people, disabled people, and of the excluded, vulnerable³³⁶, and disadvantaged ones. Some functions of the new ministry included formulating, coordinating, monitoring, and evaluating policies and strategies for gender, children, and social protection. Mainstreaming these policies as

³³² *Ibid.* P. 33.

³³³ *Ibid.*

³³⁴ LIBERIAN GOVERNANCE COMMISSION, THE MINISTRY OF GENDER, CHILDREN AND SOCIAL PROTECTION ACT of 2013, 2013. Available at <[http://governancecommissionlr.org/doc_download/AGR.compressed%20\(1\).pdf?a4705305cd27e04fb1f66830e7e0ef9d=Njk%3D](http://governancecommissionlr.org/doc_download/AGR.compressed%20(1).pdf?a4705305cd27e04fb1f66830e7e0ef9d=Njk%3D)>. Accessed on 10/sep/2018.

³³⁵ In the act “‘Child’ means a person less than 18 years of age, and ‘Adolescent’ means a person between the ages of 10 to 19 years of age”. *Ibid.*

³³⁶ “‘Vulnerable’ means capable of being physically or emotionally hurt or being exposed to danger.” Thus, the policy does not recognize LGBT as vulnerable, nor they are mentioned in the 2013 act. *Ibid.* Whereas the definition of vulnerable is more specific in the National Gender Policy “children, youth, the elderly, People Living with HIV and AIDS (PLWHA) and the People with Disabilities (PWD). The girl child and women in all these categories are worse off. The root of girls’ and women’s vulnerability is formed very early within the family, and the values are reinforced in schools, communities and institutions that support children and their families. Due to the low value attached to girls in society, their vulnerability extends to harmful practices such as FGM, GBV, sexual exploitation, and early marriages. They are more vulnerable to HIV and AIDS than male youth due to their inability to negotiate safe sex, early engagement in sex, and a higher risk of becoming a commercial sex worker as a result of lack of access to free education, school drop out, unemployment and lack of access to information.” MINISTRY OF GENDER AND DEVELOPMENT, The Liberia National Gender Policy.

a crosscutting issue for other national government policies, plans, programs, and budgets. Promoting training and reports. Regulating in partnership with the Ministry of Justice children's adoption, orphanages, and foster homes operations. Thus, women partially lost the prominence established in the NGP.

In 2013, Sirleaf signed the United Nations campaign '*UNITE to End Violence against Women*'³³⁷. In which governments publicly expressed their commitment and dedication to ending violence against women and girls. Furthermore, she stated:

*"I am committing Liberia to three pledges: adopt domestic violence legislation and ensure its implementation by relevant state authorities; ensure that funds are allocated in the National Budget for the implementation of the National Action Plan on Sexual and Gender-Based Violence; and upscale efforts with the Liberian Justice System to improve women and girls' access to justice and to end impunity for violence against women and girls."*³³⁸

However, in the same year, Liberian's hope with Court E capability started fading way as backlogs and delays persisted³³⁹. One of the reasons was the SGBV unit. According to Bacon:

*"From February 2009 to July 2011, the SGBV Crimes Unit was able to shepherd only 16 of approximately 200 cases through Criminal Court E, eight of which ended in convictions ranging from seven years to life imprisonment. By 2013, the court had tried 34 rape cases: 18 defendants were found guilty, 15 were found not guilty, and one verdict was not resolved due to a hung jury; 280 cases were dropped because of lack of sufficient evidence.85 Meanwhile, over 100 people accused of rape sat in prison waiting for trial, and accusers waited for their day in court."*³⁴⁰

Despite these pieces of evidence, the Liberian government³⁴¹ believed the SGBV Unit (SGBVCU) made significant progress over Sirleaf's first term. It took into account the high number

³³⁷ EXECUTIVE MANSION, **President Sirleaf Signs Pledge to End Violence against Women and Girls**. Available at <https://www.emansion.gov.lr/2press.php?news_id=2505&related=7&pg=sp>. Accessed on 11/mar/2019.

³³⁸ *Ibid.*

³³⁹ *"From its establishment in 2008 until mid-2015, Criminal Court E only had one of two mandated sitting judges and, at the time of writing this report, they could not hear cases concurrently due to space constraints. The court has, therefore, only been able to try a handful of cases every year. For example, in 2015, only three cases were tried while there were more than 137 cases on the docket at Criminal Court E. Between 2013 and early 2016, the court tried 18 cases. Between the same period, SGBVCU only employed four of six prosecutors mandated by law. Outside of Montserrado County, too few judicial and law enforcement personnel are sufficiently knowledgeable about the Rape Law; magistrates are not even necessarily qualified lawyers and often lack a solid understanding of the law. Moreover, the lack of public defenders and legal aid contributes to delays in case processing, as there is often no one to advocate on behalf of defendants to speed the process along. Defendants are often unaware they are entitled to legal counsel as a constitutional right. This also applies to victims who are generally not effectively represented by county attorneys and city solicitors"* UNIMIL HUMAN RIGHTS AND PROTECTION SERVICE, Addressing Impunity for Rape in Liberia.

³⁴⁰ BACON, Liberia's Gender-Sensitive Police Reform.

³⁴¹ LIBERIAN MINISTRY OF JUSTICE, **SGBV Units**. Available on: <<http://moj.gov.lr/administration/sgbv/>>. Accessed on 29/oct/2019.

of rape reports expressed in graphic 2 between 2011 and 2012. Thus, the government decided to expand the SGBVCU range of action by creating subunits as an attempt to decentralize the justice and security sector³⁴². The first established in 2013 was Gbarnga, HUB-1 (Bong, Lofa, and Nimba Counties). Later other units such as HUB-2 (Maryland, River-Gee and Grand Kru Counties) and HUB-3 (Grand Gedeh and Sinoe Counties) were developed. The government had conditioned the establishment of new SGBVCU to the replication of SGBV courts.

Nonetheless, the 2013 Government UN GBV Joint Program report³⁴³ demonstrated a different scenario. It affirmed that the Ministry of Justice did not provide adequate funding for the SGBVCU. Therefore, in 2014, there was not enough money to pay the Case Liaison Officers (CLOs), who was responsible for connecting the victims, police, and prosecutors. Moreover, the financial shortage curtailed SGBVCU's structure, thus their work and capability of action. There were no cars exclusively available for CLOs to visit victims and police depots, nor financial means to take a taxi or to buy telephone scratch cards. In 2016, the SGBVCU had only one car to share amongst all members of the unit.

In addition, the SGBV Crimes Unit's hotline service that collected allegations of sexual offenses was inoperable on several occasions³⁴⁴. Another issue was the coexistence or duplication of tracking systems of the unit with the Ministry of Justice's and MOGCSP since several documents were handmade and did not possess electronic copies. This overlapping system did not protect the case confidentially, exposing victims and witnesses. Which could have provoked delays, and justice obstruction, curtailing SGBVCU's accountability. Moreover, only in 2015, the Solicitor General started assigning cases to individual prosecutors, before all of them could attend the hearings or handle the cases. This lack of institutionalization delayed the process making it less efficient³⁴⁵.

Another backlash was that many WACPS personnel required transference to other units due to the lack of financial incentives and poor infrastructure. Furthermore, according to graphic 2, there was a decrease in the rates of GBV and rape crimes reported. In 2014³⁴⁶, the MOGCSP received 708 rape cases report, including gang rape. The UNMIL³⁴⁷ reported that Liberian courts

³⁴² UNMIL HUMAN RIGHTS AND PROTECTION SERVICE, Addressing Impunity for Rape in Liberia.

³⁴³ GOVERNMENT UN GBV JOINT PROGRAM, Exploring Gender-Based Violence Prevention in Liberia.

³⁴⁴ UNMIL HUMAN RIGHTS AND PROTECTION SERVICE, Addressing Impunity for Rape in Liberia.

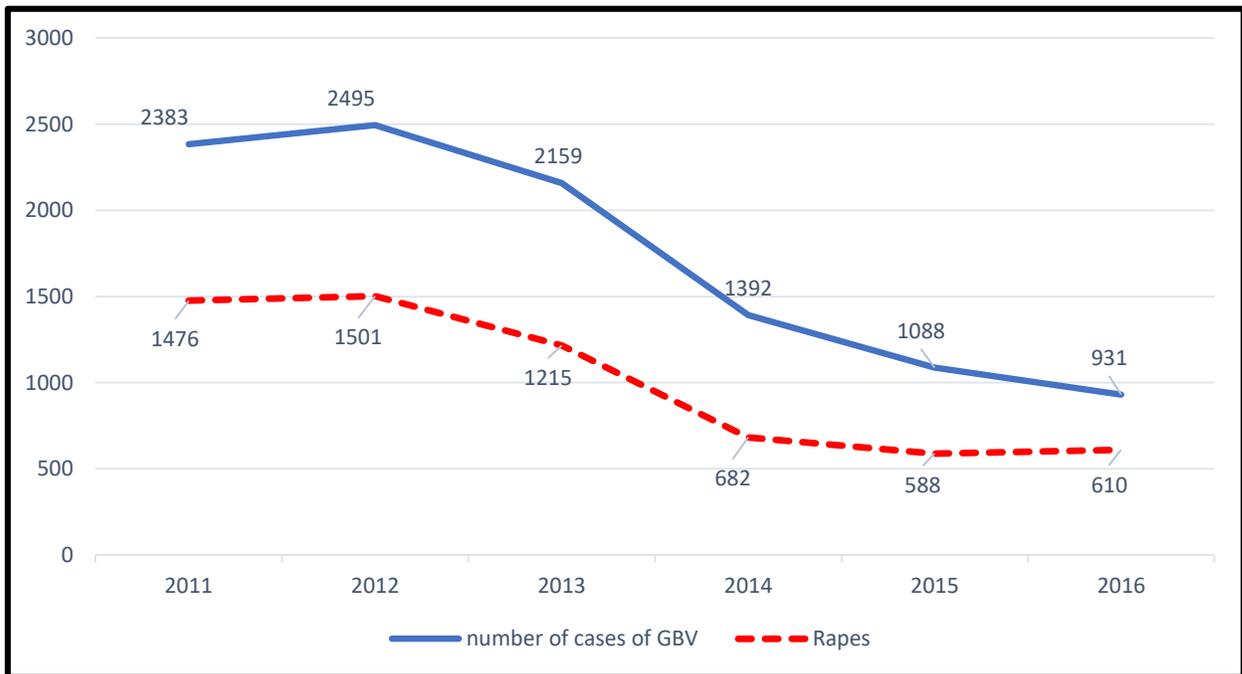
³⁴⁵ *Ibid.*

³⁴⁶ *Ibid.*

³⁴⁷ *Ibid.*

condemned 34 people for rape, during 2015. Despite the 803 reported cases in the same period. Many of the cases happened with minors. Of the 1511 cases between 2014 and 2015, the police only registered 836 and sent to court 259 cases.

Graphic 2 – Gender-Based Violence (GBV) and Rape cases reported ^{348 349}



Executive Mansion (2016)

According to the UNMIL Human Rights and Protection Service³⁵⁰, a culture of impunity for SGBV crimes was provoked not only by undermined infrastructure³⁵¹ and by delays in the justice

³⁴⁸ From the years 2011 to 2014, the rates were measured between January and December, while in 2015, it was between January and August, and in 2016 between January and September. EXECUTIVE MANSION, **President Sirleaf Launches 16 Days of Activism; Calls for Practical Actions Against Sexual and Gender-Based Violence**. Available at: <https://www.emansion.gov.lr/2press.php?news_id=3871&related=7&pg=sp>. Accessed on 10/mar/ 2019.

³⁴⁹ As exposed by UNHR's report, some of these rape cases rates may be incorrect. Liberian government considers homosexuality a crime; thus, consensual intercourse between gay people may be wrongly reported as rape. UNIMIL HUMAN RIGHTS AND PROTECTION SERVICE, Addressing Impunity for Rape in Liberia.

³⁵⁰ *Ibid.*

³⁵¹ “Particularly for people living in rural Liberia, the geographic remoteness of police stations and courts have posed a nearly insurmountable barrier to reporting crimes and offences. Survivors lack the financial means to obtain transportation to the nearest police depot, and due to general underfunding, the police lack the means to provide transport for victims or to pursue alleged perpetrators. Many police depots do not have a vehicle and/or adequate fuel. In January 2015, HRPS (Human Rights and Protection Service, United Nations Mission in Liberia) received a report concerning the death of a 14-year-old girl as a result of injuries sustained from being raped by a 19-year-old man, in Grand Kru County. In addition, WACPS officers in the area lacked transportation to the remote area in which the perpetrator was hiding and thus did not apprehend him. Due to such constraints, it is common practice for police in

system, but also by institutional and legal weakness, corruption,³⁵² lack of will of some government officials. As these problems accumulated, people's trust in the system, which was high in the beginning, started fading as well as the number of reports.³⁵³

Three other issues undermined the prosecution of SGBV crimes. First, many victims or their families 'compromise' the cases³⁵⁴. This means they drop the case because they are ashamed or prefer to solve the matter privately (in the traditional way) or in their community, or they (or the police) receive money from the perpetrator to withdraw the charge, especially if this one is wealthy or influential. For instance, in March 2015 in Grand Gedeh County, the family of a 16-year-old survivor, whom her 45-year-old uncle had raped four times in two months, 'settled' the case and stopped cooperating with LNP. Because they did not wish to broke relations with the main financial supporter of the family³⁵⁵. Second, many rape perpetrators tried to pass as if they were minors. Since traditional leaders or some law officers did not prosecute most juveniles due to cultural beliefs. Due to the understanding, they should not be held accountable for misinterpretation of the law.³⁵⁶

The third is the profound influence some secret societies had to 'compromise', especially in rural villages. For example, when Poro (men's secret society) members are out, conducting rituals, they 'advise' women to remain indoors³⁵⁷. In February 2015, in Bomi County, five men who belonged to Poro society raped a woman for allegedly disrespecting this curfew. The society also

Liberia to request the victims to pay a "fee" to cover transportation costs and other "expenses" to pursue an investigation. These financial and logistical constraints discourage survivors from reporting." Ibid.

³⁵² "In 2015, HRPS documented 10 cases of suspected or alleged corruption and other forms of criminal behavior or misconduct by the police that hindered the investigation of rape cases. In three cases, the police allegedly accepted a bribe to release the perpetrator so that the family could "compromise" the case, and in one case, the police attempted to reduce the perpetrator's age so that he would be released as a "non-prosecutable" juvenile. In another case reported in October 2015, the police allegedly refused to conduct a proper investigation and released the perpetrator. HRPS has also received reports of the alleged direct involvement of police officers in perpetrating sexual violence crimes, and of the refusal by the police to act upon these cases. For example, in a case reported to HRPS in December 2015 in Grand Gedeh County, the police allegedly refused to pursue an investigation because the alleged perpetrator was a fellow police officer. In two other cases, reported in January and May 2015, police officers reportedly witnessed or facilitated the alleged rapes." Ibid.

³⁵³ "In cases where the perpetrator is unknown to the victim, families may hesitate to pursue an investigation due to the perception that it would be a fruitless and time-consuming endeavor[u]r. For instance, in a case reported to HRPS in June 2015, in Margibi County, the father of a 17-year-old girl who had been abducted, bound, raped, and abandoned by the side of a road, informed HRPS that his family did not intend to report the rape to the police because the alleged perpetrator was a stranger, and they lacked confidence in the ability of law enforcement to identify and apprehend the suspect" Ibid.

³⁵⁴ Ibid.

³⁵⁵ Ibid.

³⁵⁶ Ibid.

³⁵⁷ Ibid.

fined her with 15,000 Liberian dollars (approximately 167 US dollars). After the crime, the police arrested one of the perpetrators. Nonetheless, the town Zoes (leaders of the secret societies) refused to give further information about their whereabouts. Instead, the Zoe fined the three men with 2,000 Liberian dollars (approximately 20 US dollars), and the ‘lead’ alleged perpetrator with 4,000 Liberian dollars (approximately 45 US dollars) and held them in custody until they paid the entire fine³⁵⁸. Later, the police arrested two of the perpetrators. However, they were released after Zoes negotiated with the court to settle the case traditionally.

In November 2016, president Sirleaf launched the campaign ‘*16 Days of activism*’ against Sexual and Gender-based Violence (SGBV) urging Liberians to participate and to take practical actions in their homes, schools, communities, and associations to stop violence against girls and women³⁵⁹. She called on parents, religious leaders, and local chiefs to protect their children against violence. On the occasion, the Gender Minister Julia Duncan Cassell said they would launch the ‘*End Child Marriage Campaign*’ and a hotline (166) for reporting violence against children. However, the government was not able to protect the victims, as it did not provide enough resources to safe houses, used as temporary homes for SGBV survivors.³⁶⁰

In October 2017, there was a new backlash; the Liberian Senate voted to make rape a bailable offence since they considered life imprisonment excessive and unconstitutional.³⁶¹ The AFELL (Association of Female Lawyers of Liberia) stated that this change only took into account how the backlogged system of justice treats the accusers³⁶². In their opinion, the measure would not only privilege rapists, but also it would make the victims even more freighted about their future and the possibility of revenge. The AFELL argued that possibly the number of cases of SGBV would increase since rapists would not feel they would receive a harsh punishment for their actions.

³⁵⁸ *Ibid.*

³⁵⁹ EXECUTIVE MANSION, **President Sirleaf Launches 16 Days of Activism; Calls for Practical Actions Against Sexual and Gender-Based Violence.** 2016. Available at <https://www.emansion.gov.lr/2press.php?news_id=3871&related=7&pg=sp>. Accessed on 10/mar/2018.

³⁶⁰ UNIMIL HUMAN RIGHTS AND PROTECTION SERVICE, Addressing Impunity for Rape in Liberia.

³⁶¹ AZANGO, Mae, Liberia: Women March to Protest Against Amended Rape Law in Monrovia, **FrontPageAfrica (Monrovia)**, 2017. Available at <<https://allafrica.com/stories/201710110082.html>>. Accessed on 27/mar/2018.

³⁶² MBAYO, Bettie K. Johnson, Liberia: “Amendment of Rape Law Terrible” - Association of Female Lawyers, **FrontPageAfrica (Monrovia)**, 2017. Available at <<https://allafrica.com/stories/201710190668.html>>. Accessed on 27/mar/2018.

Furthermore, it would privilege the wealthiest rapists, including politicians connected to the government³⁶³.

Many women gathered in Monrovia to protest. They blocked the entrance of the National Legislature and held placards written: “*Respect my existence or expect resistance*”, “*Rape is war against women*”, “*Leave the rape law and fix the system*”, “*Your decision is an indirect violation of my rights*”, “*Women deserve state protection*”, “*Pay my school fees and not my bride price*”³⁶⁴. The protestors and the AFELL demanded changes in the system, establishing fast-tracked rape courts, increase the prosecutorial budget that would enable the purchase of rape kits^{365 366}. They claimed president Sirleaf to veto such measures in order to preserve the achievements made since 2005. However, the Senate only introduced the amendment. The discussion would happen in 2018 in the new (George Weah) government’s term. Despite that, women intended to continue protesting and doing sit-ins³⁶⁷.

3.6 – Female Genital Mutilation

Another very concerning issue regarding SGBV is female genital mutilation (FGM).³⁶⁸ According to the 2013 UN Children’s Emergency Fund (UNICEF) report,³⁶⁹ two-thirds of Liberian women have been submitted to this practice. The Overseas Development Institute’s 2014 report³⁷⁰ described rates of sexual and gender-based violence in Liberia as ‘extremely high,’ reinforcing the UNICEF’s conclusions. This practice is widespread in the country, especially in rural areas. In 2013, 64,8 % of females living in the countryside had been submitted to FGM, while 31,9% in urban Monrovia and 53,8% in other urban areas³⁷¹. In 2017, The Advocates for Human Rights

³⁶³ TUON, P. Nimely-Sie, Liberia Rape Law In the Female-led Government: How Did Liberian Women Benefit?, 2018. Available at < <http://theliberiandialogue.org/2018/01/11/liberia-rape-law-in-the-female-led-government-how-did-liberian-women-benefit/>>. Accessed on 27/mar/2018.

³⁶⁴ AZANGO, Liberia.

³⁶⁵ MBAYO, Liberia.

³⁶⁶ AZANGO, Liberia.

³⁶⁷ *Ibid.*

³⁶⁸ “*It is also known as female genital cutting or female circumcision, is the ritual removal of some or all of the external female genitalia/clitoris or any alteration consent of the person who is mutilated and is done to the female genital organs except for medical purposes.*” SIRLEAF, Ellen, executive order n°92 - domestic violence, 2018. Available at <<https://www.emansion.gov.lr/doc/sc.pdf>> Accessed on 11/mar/2018.

³⁶⁹ , FREEDOM HOUSE, **Freedom in the World Report 2016- Liberia**. Available at <<https://freedomhouse.org/report/freedom-world/2016/liberia>>. Accessed on 11/nov/2018.

³⁷⁰ JONES *et al*, The fallout of rape as a weapon of war.

³⁷¹ THE ADVOCATES FOR HUMAN RIGHTS, Liberia’s Compliance with the International Covenant on Civil & Political Rights: Harmful Practices and Violence against Women, 2018.

estimated that 200 million girls and women had undergone some form of FGM, from which 44 million were girls under 14 years-old³⁷².

FGM is a traditional ritual of initiation in Sande, a women's secret society³⁷³. They believe that this practice preserves virginity and marital faithfulness. In their perspective, it also prevents promiscuity or prostitution and teaches girls the appropriate sexual behavior. Some Liberians considered women who have not undergone as sinners and unclean, stigmatizing them³⁷⁴. Nfah-Abbenyi³⁷⁵ states this type of practices need to be understood in their context. Even though she understands the human rights rhetoric against it, she argues favorably about finding solutions that promote a multicultural dialogue. She stresses the need of comprehending why such measures are taken. This means, why societies believe this is good for women.

While some people are favorable to FGM practice, some parents or families try to prevent their daughters from suffering it. As many girls are kidnapped, forced, tortured, persecuted, and coerced into it. Several girls die or suffer long-term consequences. For example, some are no longer able to have children. Many women leave the country in an attempt to avoid this³⁷⁶.

People who try to report this Sande's practice to the police or warn others about it are persecuted, tortured, or killed^{377 378}. Many Liberians do not trust the police since some police officers ignore the reports or support the practice³⁷⁹. In order to prevent FGM, the Liberian government and several UN agencies launched a '*Shine the Light*' campaign in July 2014 to restrain such violence and reduce HIV transmission rates among women³⁸⁰.

In 2016, the government proposed the Domestic Violence Bill. Which would criminalize acts such as physical, sexual, economic, emotional and psychological abuse, violence between spouses, and violence between other forms of intimate partners³⁸¹. It also included a clause banning FGM

³⁷² *Ibid.*

³⁷³ *Ibid.*

³⁷⁴ *Ibid.*

³⁷⁵ NFAH-ABBENYI, Juliana M., Gender, Feminist Theory, and Post-Colonial (Women's) Writing, *in: African Gender Studies A Reader*, Houndmills, Basingstoke, England ; New York: Palgrave MacMillan, 2005, p. 259–274.

³⁷⁶ THE ADVOCATES FOR HUMAN RIGHTS, Liberia's Compliance with the International Covenant on Civil & Political Rights: Harmful Practices and Violence against Women.

³⁷⁷ GREENSLADE, Roy, Journalist who revealed genital mutilation in Liberia forced into hiding, **The Guardian**, 2012.

³⁷⁸ THE ADVOCATES FOR HUMAN RIGHTS, Liberia's Compliance with the International Covenant on Civil & Political Rights: Harmful Practices and Violence against Women.

³⁷⁹ *Ibid.*

³⁸⁰ FREEDOM HOUSE, **Freedom in the World Report 2016- Liberia**.

³⁸¹ THE ADVOCATES FOR HUMAN RIGHTS, Liberia's Compliance with the International Covenant on Civil & Political Rights: Harmful Practices and Violence against Women.

on minors without parent's consent and on adults without their consent. However, the parliament withdrew this last clause. They argued that FGM as part of their culture. Moreover, the Vice President of Liberia, Joseph Bokai, defended this traditional practice³⁸². Women's rights activists criticized the ban of this clause. They hoped Sirleaf would promote a law to prohibit FGM³⁸³.

In 2018, in her last week as President, Ellen Sirleaf signed an executive order³⁸⁴ criminalizing domestic violence³⁸⁵. The order defines domestic violence as:

“(1) there are threats to commit or committing acts of physical or sexual violence;(2) there are patterns causing emotional, verbal or psychological abuse;(3) there are threats to commit or committing acts constituting economic abuse; (4) the person is deliberately prevented from engaging in any legitimate profession occupation, business or activity; (5) the person is deprived of the right to use and enjoyment of conjugal property or property owned in common;(6)there are threats to deprived or depriving a person of a legal right; (7)Causing or attempting to cause a person to engage in any sexual activity which does not constitute rape by force, threat or intimidation;(8) Stalking or repeatedly following or pursuing or accosting in a person; (9) Harassment; (10) Female Gender Mutilation performed on a person under the age of eighteen years old or a person eighteen years old or over without their consent; (11) All other controlling and abusive behavior towards a person, where the conducts harm, or may cause imminent harm to the safety, health or wellbeing of the person in a domestic relationship including harmful traditions practices such as being forced to join a secret society prohibited or not prohibited by the government, or early or forced marriage, to being subjected to certain forms of cultural torture, prohibited sassywood as defined by local government rules and regulations or trial by ordeal;”³⁸⁶

The penalties established by the executive order varied from paying fines, assisting the victim financially, or serving time in jail³⁸⁷. Since President Sirleaf signed this executive order on the last days of her term, it was unsure whether the new government would give continuity to these initiatives. A group of women with support from Women Legislative Caucus of Liberia is trying to ensure that the domestic law act includes the FGM ban and the continuity of other policies that guarantee women's rights³⁸⁸.

³⁸² *Ibid.*

³⁸³ GUILBERT, Kieran, Lack of FGM ban in domestic violence law fails Liberia's girls, **Reuters**, 2016.

³⁸⁴ According to the 1974 Liberian Supreme Court ruling, executive orders are a binding law, but can only be enforced for a period of one year. THE ADVOCATES FOR HUMAN RIGHTS, Liberia's Compliance with the International Covenant on Civil & Political Rights: Harmful Practices and Violence against Women.

³⁸⁵ SIRLEAF, executive order n°92 - domestic violence.

³⁸⁶ *Ibid.*

³⁸⁷ *Ibid.*

³⁸⁸ KOINYENEH, Gerald C., Liberian Women Form United Front to Ensure Passage of Domestic Violence Bill, **FrontPageAfrica (Monrovia)**, 2018. Available at < <http://frontpageafricaonline.com/gender-issues/liberian-women-form-united-front-to-ensure-passage-of-domestic-violence-bill/>>. Accessed on 28/nov/2018.

It is possible to conclude that Sirleaf's government established the foundations to address SGBV by creating Especial Court E, SGBVCU, WACPS, One-Stop Centers, and by promoting several policies and campaigns. However, tackling a taboo issue that is part of the culture of several Liberians requires time, more investment and that other governments continue Sirleaf's policies. The next section provides a more in-depth analysis of her 12 years in power by examining the contribution of this case to Statebuilding and Gender and Development literature.

Conclusion

When Ellen Johnson-Sirleaf rose to power, she accepted the difficult challenge of redressing the roots of the war, in order to prevent new conflicts. Some of them were Liberia's identity struggle, the dual system of law, corruption, poverty, and customary culture. To understand her legacy, some remarks are necessary. First, she was able to sustain peace during her 12-year-old government and to start the process of the country's reconciliation. Which was a significant achievement, since previous governments were unable to do it, as illustrated in section 2.

Second, she stepped down at the end of her second term, following the constitution. She did not attempt to change it in order to rerun for other terms. She was able to secure a smooth transition to Geoge Weah. For stabilizing the country's democracy, she received the Ibrahim Prize for African Leadership³⁸⁹. Sirleaf intends to use the money to establish the Ellen Johnson Sirleaf Presidential Center for Women and Development that aims to support women as "*agents of change, makers of peace, and drivers of progress*"³⁹⁰.

Third, even though Sirleaf, during her 2005 campaign, asserted she would make corruption 'the enemy number one of the nation'³⁹¹, she left the government under alleged accusations of committing this crime and of favoring her family and practicing nepotism.³⁹² When interviewed about not being able to address the government's corruption, she answered: "*Because our system is like that*" (...) "*If you want to really understand Liberia, you need to dig a little bit deeper. You*

³⁸⁹ BBC, Liberia's Sirleaf wins \$5m leadership prize, **BBC News**, 2018. Available at <<https://www.bbc.com/news/world-africa-43027375>>. Accessed on 18/nov/2018.

³⁹⁰ FELEKE, Bethlehem, **Liberian ex-president Ellen Johnson Sirleaf dedicates \$5M prize to women empowerment**. Available at: <<https://edition.cnn.com/2018/04/28/africa/sirleaf-accepts-african-leadership-award/index.html>>. Accessed on 5/nov/2019.

³⁹¹ CHÊNE, Marie, **Overview of corruption and anti-corruption in Liberia**, U4 Anti-Corruption Resource Centre. Available at: <<https://www.u4.no/publications/overview-of-corruption-and-anti-corruption-in-liberia/>>. Accessed on 10/sep/2018.

³⁹² JIDEONWO, Chude, **Why Africa owes a debt of gratitude to Ellen Johnson Sirleaf**, CNN. Available at: <<https://www.cnn.com/2017/10/10/africa/africa-ellen-johnson-sirleaf-legacy/index.html>>. Accessed on 5/nov/2019.

*need to understand our culture, our values, our systems, and the way to tackle it. It is not always to just make a whole lot of noise about it*³⁹³. However, she contradicted herself. Because when she worked for the UN, she appointed in one of her reports how practicing such a crime jeopardized the statebuilding process³⁹⁴.

Regarding appointing her sons to top government positions, she asserted they were qualified for the positions, and she needed people with ‘specialized skills’. However, her son Charles Sirleaf, a deputy governor of Liberia’s Central Bank, was arrested in 2019 for unlawfully printing Liberian dollars. Moreover, her son Robert Sirleaf, a chairman of Liberia’s National Oil Company, was accused of causing the enterprise’s collapse³⁹⁵.

Fourth, despite her policies, poverty remains a concerning issue in Liberia. According to the United Nations, the unemployment rate among youngsters (60% of the population) is almost 90%³⁹⁶. The majority of Liberians still do not have access to electricity or the ones that do suffer from frequent power cuts³⁹⁷. During the 2014 Ebola outbreak, there were only 50 doctors to attend all Liberia³⁹⁸. This epidemic provoked some setbacks in her policies.

Although several aspects previously stated are significant to understand the efficiency of Sirleaf’s long-term development policy, this article focused on her policies for women. Particularly the ones to promote peace and security, emphasizing the SGBV crimes. Because redressing the violence, these women underwent was essential not only to promote justice, but also for the process of fully incorporating these women into Liberian society. Thus fostering a more inclusive and sustainable society.

In order to do this, Sirleaf needed to change the culture of several ethnic groups. Notoriously, modifying a culture is a long process. Since it is difficult to measure it in such a short period these transformations, this article only presents trends. As clarified in graphic 3, women in 2013 were less willing to believe that it is justifiable for their husbands to beat them up. Therefore, it is possible to conclude that they are gradually changing their perspective of naturalizing SGBV.

³⁹³ AL JAZEERA, **Ellen Johnson Sirleaf responds to allegations of nepotism**. Available at: <<https://www.aljazeera.com/programmes/upfront/2019/05/ellen-johnson-sirleaf-responds-allegations-nepotism-190524094426269.html>>. Accessed on 5/nov/2019.

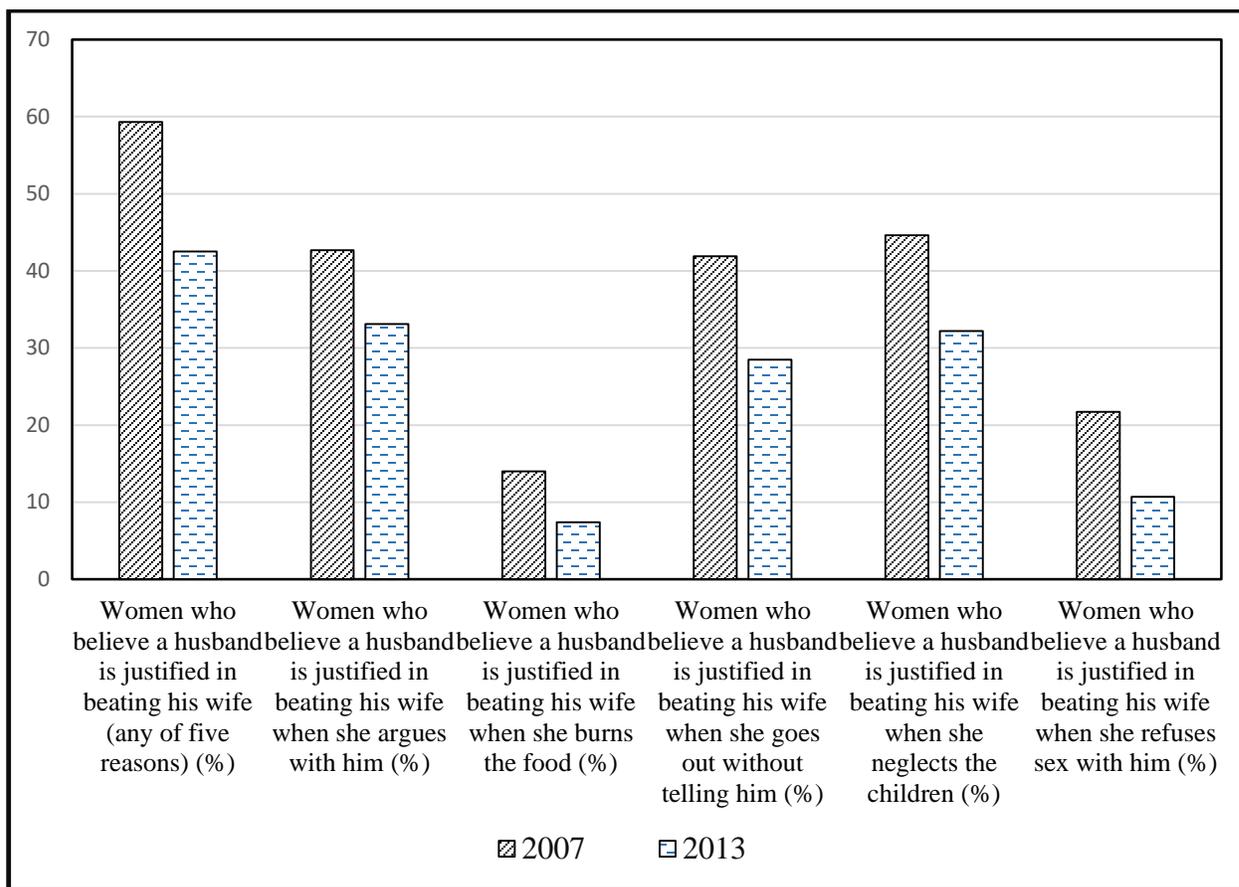
³⁹⁴ REHN; JOHNSON-SIRLEAF, **Women, war, peace**.

³⁹⁵ AL JAZEERA, **Ellen Johnson Sirleaf responds to allegations of nepotism**.

³⁹⁶ JIDEONWO, **Why Africa owes a debt of gratitude to Ellen Johnson Sirleaf, 2017**. Available at <<https://www.cnn.com/2017/10/10/africa/africa-ellen-johnson-sirleaf-legacy/index.html>>. Accessed on 05/nov/2019.

³⁹⁷ *Ibid.*

³⁹⁸ *Ibid.*

Graphic 3 – Women who believe it is justifiable to be beaten by their husbands.³⁹⁹

World Bank (2018)

However, as illustrated in section 3, if these policies and awareness campaigns do not receive adequate support and infrastructure from the state, there will be backlashes. People will feel restrained towards the state's actions, as shown in the WACPS case. Policies only by themselves do not shape social reality. Laws need to have 'teeth'. This means they should preview penalties, and the government must enforce them, as well as provide investment and the infrastructure required to do it. For example, the WACPS did not have cars to commute and to search for suspects, and many rape cases continued happening because the perpetrators felt they would not be caught. As investments in WACPS plummeted and court E backlogged, the reports of SGBV crimes decreased. Despite of being comprehensible that not all government sectors will receive all investment they need, especially in such a poor country like Liberia. Once more, Sirleaf contradicts

³⁹⁹ World Bank. Data are available at < <https://data.worldbank.org/country/liberia?view=chart>>. Accessed on 08/07/18.

the recommendations she did in the UNIFEM report⁴⁰⁰. Since in this document she strongly emphasized the importance of continuum investment.

People have agency. Thus, they can choose or not obey the law. They can also influence the process of law-making. For instance, some local leaders choose to report rape cases to statutory law, while others prefer to handle it in customary law. Culture is so vivid and present in people's lives that even Liberia's legislature did not support the FGM ban. Moreover, placing women in power positions does not guarantee that they will fight against SGBV because they may understand that this practice is part of being Liberian. For instance, Sirleaf nominated Counselor Serena F. Garlawolu to serve as the judge for Court E, despite her favorable perception of FGM practice⁴⁰¹.

Despite of that, it is possible to notice that Ellen Sirleaf promoted gender as an issue in the government's development policies. She nominated women for important positions in the LNP and promoted actions to enhance the number of women in the force. Thus promoting education, job opportunities, empowerment, and an example to young girls, as proposed by UNSC 1325 resolution. According to Thorbjørn Jagland, Chairman of the Norwegian Nobel Committee, "*Ellen Johnson Sirleaf's whole life can be seen as a realization of the intentions of Resolution 1325*"⁴⁰². Future researches could investigate how Sirleaf's case inspired other female leaders to embody this resolution into their policies, particularly in Africa. Since she was the first woman elected in the continent.

Moreover, she attempted to address some of the women's significant concerns as SGBV. This type of violence hampers women from getting jobs, going to school, receiving proper health care, and commuting. Even though she brought forth important policies as National Gender Policy, the Domestic Violence Executive Order, the Rape Law of 2005, they were not fully enforced due to budget, infrastructure, and cultural constraints. Therefore, it is possible to conclude that there were some advancements for women in her long-term post-conflict development. However, it is uncertain if these improvements will remain in the next government. New studies should investigate her legacy to Liberian women. Analyzing whether George Weah and Liberians kept it

⁴⁰⁰ REHN; JOHNSON-SIRLEAF, **Women, war, peace.**

⁴⁰¹ AKWEI, Ismail, **FGM not a violation of anyone's rights culturally - Liberian judicial nominee**, Africanews. Available at <<https://www.africanews.com/2017/05/27/fgm-not-a-violation-of-anyones-rights-culturally-liberian-judicial-nominee/>>. Accessed on 15/03/2019.

⁴⁰² JAGLAND, **The Nobel Peace Prize 2011 - Presentation Speech.**

or not. In order to comprehend the long-term implications of having a state-building policy that used gender as a cross-cutting issue.

Ellen Johnson-Sirleaf proposed a gender and development policy that combined neoliberal aspects with empowerment and a rights-based approach. She attempted to blend the knowledge she acquired working for international institutions with her vision for Liberia. Her policies also reflected the need for pleasing international partners, who would provide the financial support the country required. At the same time, she had to take into account several demands from her people. This dilemma reflected very clearly in the LGBT rights issue. On that occasion, she decided not to act. Neither did she submit to US pressure, nor did she support stricter laws.

In sum, Sirleaf's case contributes to Gender and Development literature for exposing the challenges of adapting mainstream theories to a post-conflict setting. It illustrates the need to not following 'one recipe for all' and of balancing international's and national's influence and demands in the inclusion of gender in the state-building process. Even though there were some backlashes during her government, Ellen Sirleaf's case should be used as a reference for governments that seek to be more women inclusive.