Norms and Violence Against Women in Ethiopia

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We Were Never Global

Edited by

Adam Moe Fejerskov

Senior Researcher, Danish Institute for International Studies, Denmark

Lars Engberg-Pedersen

Senior Researcher, Danish Institute for International Studies, Denmark

Meron Zeleke

Associate Professor, Addis Ababa University, Ethiopia

Dereje Feyissa

Associate Professor, Addis Ababa University, Ethiopia

Cheltenham, UK · Northampton, MA, USA

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Contributors

Helen Abelle, Addis Ababa University.

Lars Engberg-Pedersen, Danish Institute for International Studies.

Adam Moe Fejerskov, Danish Institute for International Studies.

Dereje Feyissa, Addis Ababa University.

Fana Gebresenbet, Addis Ababa University.

Anchinesh Shiferaw Mulu, Addis Ababa University.

Yitaktu Tibebu, Addis Ababa University.

Karmen Tornius, Danish Institute for International Studies.

Meron Zeleke, Addis Ababa University.

1. Towards a decolonizing multi-nodal understanding of norms

Lars Engberg-Pedersen, Adam Moe Fejerskov, Meron Zeleke and Dereje Feyissa

> Our government will diligently strive to enhance women's comprehensive participation and benefits. I kindly ask you to thank an Ethiopian mother who, when I was just a 7-year-old boy, believed that I would one day stand before you. She instilled in me a profound and intricate vision of leadership. My mother, like many other kind, hardworking Ethiopian mothers, played a crucial role in shaping my life. In expressing gratitude to her, I am also honoring all Ethiopian mothers. Their efforts in nurturing their children lay the groundwork for a brighter future. The seeds they plant today represent the most significant investment. I extend my heartfelt love, admiration, and gratitude, acknowledging their sacrifices with honor and dignity.[1]

> Those who claim to be committed to human rights; those who have a soft heart for the suffering in Tigray; you would not utter a word about the attack on ENDF. The Northern command was not merely attacked. It was humiliated. Tigrayan women were raped by men but our soldiers were stabbed by dagger. No one talks about this![2]

Both quotes opening this book belong to Ethiopian Prime Minister Abiy Ahmed: the first from his acceptance speech in April 2018, and the second from a parliamentary session in 2021 during the brutal war in the northern region of Tigray that started on the night of the US election in 2020 and that has since cost the lives of hundreds of thousands of Ethiopians. The first reflects the political liberalization his administration initiated, spearheaded by significant reforms on representation and gender equality. For the first time in Ethiopia's history, key positions such as the presidency, the Supreme Court, and the National Election Board were held entirely by women. This marked a new era of 'state feminism', acknowledging women's rights, including

[1] Abiy Ahmed Inaugural Address, 2 April 2018.

[2] Abiy Ahmed response to question about sexual violence during the Tigray war, Ethiopian Parliament, n.d. 2021.

protection from violence. Abiy has often characterized women as possessing 'greater emotional intelligence' and highlighted their sacrifices for their children's success, yet steadfast denying of audience requests from Ethiopian women's groups already in 2018 suggested a perception that women's rights are granted by the state as a benevolent act rather than a fundamental right, reflecting a vanguardism that manifests in different ways.

In stark contrast, the second quotation emerges from the chaotic context of the Tigray war, which lasted two years and drew severe international criticism for violations of women's rights, particularly gender-based violence. Allegations surfaced that the Ethiopian National Defense Force employed gender-based violence as a wartime strategy, with organizations like Human Rights Watch and Amnesty International documenting incidents of sexual enslavement and gang rape of Tigrayan women just as they did of Amhara women targeted by Tigrayan forces. During this crisis, Abiy addressed parliament and engaged two historically conflictual norms – military honour and women's rights. He passionately defended his administration amidst accusations of human rights violations, perhaps subconsciously invoking the martial norm of honour, prioritizing the humiliation suffered by Ethiopian National Defense Force members over the psychological, bodily, and social violations of Tigrayan women when claiming that Ethiopian soldiers were *raped by the sword*.

Abiy's shifting interactions with and interpretations of norms of gender equality and violence against women foregrounds a pertinent feature of understanding normative engagement: situations. As situations and contexts change, so too do the ways we engage norms. The different situations within which Abiy found himself in the two quotes above cannot only be understood from a point of lower or higher degree of acceptance of norms of gender equality – they must first and foremost be understood as a product of the different situations within which he found himself, prompting vastly differentiated engagements with norms because of the many contextual factors that make up and shape each situation. To the Ethiopian Prime Minister's Office there is a vast difference in normative engagement between a hopeful situation of assuming office and instigating a reform-friendly narrative that spurred an 'Abiy-mania' and a subsequent context of what was framed as – and proved to be – an existential crisis for the regime. In each situation, norms were contextually interpreted and variably signified, part of a muddled picture of local realities, international pressures, personal ambitions and histories, and the contingency that shapes all social and political life.

This book is about norms. Through multisided fieldwork from the northern Ethiopian region of Afar to New York, the volume explores how actors mediate the relationship between a diversity of norms in ways that enable or delay social change towards the elimination of violence against women. Combating violence against women (VAW) and improving gender equality are critical

societal challenges across the world. Gendered injustices prevent women and girls from participating equally with men and boys and have grave social, economic, and overall human consequences. They create insecurity both at home and in public spaces and, accordingly, limit the opportunities and aspirations of half of the world's population.

Here then, throughout the remainder of this chapter and the rest of the book, we seek to extend our ways of thinking about norms by foregrounding normative engagement in situations that should be thought of as nodes in an interconnected network. Theoretically, we propose a move from current 'earthquake' models of normative orders that see a strong epicentre and a gradually weakening periphery to a multi-nodal understanding in which normative orders are decentralized and situated. Instead of a hierarchized chain that renders some norms 'global' and some 'local', we propose a different heterarchical view to normative engagement, allowing for multiple/interminable normative orders in an ecology of horizontal positions. Such a relational view of social and normative realities questions and distributes privileges as opposed to seeing them only embedded in a central structure – thus also forming a potential decolonizing of norm thinking – while acknowledging the potential and partial connections between any and all nodes without some necessarily being more valuable or dominant than others. We suggest a more intimate approach to the *global* then, in the spirit of Homi Bhabha, that works with pluriversal or ontological multiplicity to show how all forms of normative engagement are idiographic and situated. Before we unfold the book's theoretical ambitions and the contributions from the remainder of the chapters, we discuss past work on norms with particular attention to diffusion and contestation as two overarching themes.

NORM DIFFUSION

The study of order in the society of world politics or international cooperation is not new (Bull 1977) but gained momentum in the 1990s with constructivism's focus on norms as the organizing principle for cooperation in the absence of a sovereign power. Since then, a remarkable amount of work has explored the emergence of a large variety of norms as well as their impact on politics and social affairs around the world. In this work, norms have generally been understood as 'a standard of appropriate behavior for actors with a given identity' (Finnemore and Sikkink 1998: 891). Some norms are constitutive and relate to the organization of international cooperation. Other norms are regulative or prescriptive, of which a large number concern how states and societies should be organized. These are the specific focus of norm diffusion theory, which we address here. One of the significant contributions of the focus on norms has been to illuminate why many diverse actors are keen to establish

international agreements about all sorts of issues even though these agreements do not include sanctions if disrespected. A whole industry of private and public actors has emerged assessing the performance of states on diverse indicators often related to international agreements with the purpose of putting pressure on the states through comparison (Kelley and Simmons 2020). Reputation and status are here central currencies that these performance assessments seek to establish in the hope that formal commitment will lead to actual compliance.

Two significant models of norm diffusion have been proposed (Bloomfield 2016). One is the norm life cycle consisting of three stages: norm emergence, norm cascade, and internalization (Finnemore and Sikkink 1998). In the first stage, norm entrepreneurs seek to convince decision makers to adopt a new idea. If they are successful and if an increasing number of states adopts the idea, a tipping point is reached following which the idea rapidly cascades to other states in the second stage. When widely shared, the idea is established as a norm through internalization in the third stage. Another model, called the spiral model, related to the diffusion of human rights, focuses on the country level and identifies five phases describing how states move from non-compliance to human rights compliant behaviour (Risse et al. 1999, 2013). Both models subscribe to a rather linear and progressive understanding of normative change that seems to reflect the positive Western view on the liberal world order of the 1990s. In a book revisiting the spiral model and arguing for the *persistent* power of human rights, it is stated how 'there is universal agreement that fundamental human rights constitute *ius cogens*, i.e. that part of international law to which states commit irrespective of whether or not they are party to individual treaties' (Risse et al. 2013: 9).

Risse et al.'s book is primarily concerned with the move from commitment to compliance and could be seen as identifying a lack of state capacity as a major barrier to the enjoyment of human rights everywhere. However, the horrified preface to Amnesty International's 2024 account of the state of human rights describes the current situation as 'a descent into a hell whose gates had been bolted closed in 1948 [… because] powerful actors have now gone further, demonstrating a willingness to put at risk the entirety of the 1948 rule-based order, stripping down the founding principles of common humanity and universality and thus stripping away our global capacity to prevent the very worst' (Amnesty International 2024). In this perspective, the challenge is not to establish compliance but merely to uphold international norms of human rights that, by supporting Israel's war in Gaza, are attacked by the very 'core group of developed democracies that adhered to human rights norms and could thus legitimately socialize norm-violating regimes to "proper" behavior' (Risse et al. 2013: 9) or the so-called community of 'civilized states' (Wiener 2004). In other words, the world has been turned upside down, and any linear progression of norm diffusion seems illusory.

A foundational argument in much norm diffusion theory is that transnational advocacy networks and epistemic communities help both the emergence of and the diffusion of norms (Haas 1992; Keck and Sikkink 1999). Networks of NGOs and professionals develop new ideas and, if windows of opportunity arise, slip them into official negotiations where state officials for a variety of reasons may table them. Once agreed upon, such networks also help diffuse them to country-level colleagues who together with the legitimization of supporting international agreements may convince national policy makers to adopt the ideas and turn them into policy and practice. Given the increasing consensus, the norms become taken for granted (Finnemore and Sikkink 1998). Thus, a combination of socialization and the desire for international legitimacy enables the diffusion of global norms according to mainstream views in norm diffusion theory.

While undoubtedly providing a significant step forward in the understanding of how ideas and norms may circulate and influence different contexts, norm diffusion theory has been criticized on a number of accounts. First, diffusion analyses typically regard norms as relatively fixed entities moving around unaffected by the social contexts where actors engage with them (Krook and True 2012). This has led to a focus on localization (Acharya 2004), vernacularization (Levitt and Merry 2009), and translation (Zwingel 2016) of global norms to study how they are changed to fit particular social contexts. Secondly, the unidirectional focus on norm diffusion from the global to the local has been challenged, highlighting that significant normative developments may take place at non-global levels prior to their adoption in international agreements and that the centre of diffusion can be located in different places (van der Vleuten and van Eerdewijk 2014). Thirdly, the relative neglect of agency in many accounts of norm diffusion has been raised as a significant and surprising characteristic in a theoretical tradition emphasizing the interplay between structure and agency. The widespread use of certain metaphors (life-cycle, boomerang effect, tipping point, etc.) and of syntax that turns norms into agents makes human actors vanish from the analyses (Bucher 2014). Fourthly, the politics and underlying power struggles of norm creation and diffusion have been overlooked. In particular, postcolonial perspectives have underscored the Eurocentric and Anglo-American tendencies towards universalizing particularistic views where global norms are treated as inherently good (Epstein 2017; Wiener 2018).

NORM CONTESTATION

Cutting across much of this criticism is an interest in contestation: How do actors in different contexts engage with global norms? To Antje Wiener, the meaning of norms is elaborated through interactive social processes that

develop 'structures of meaning-in-use' (Wiener 2004). Norms exhibit a dual quality of structuring and being constructed by action. They constitute both a framework for and an object of political action. In analyses emphasizing a 'logic of appropriateness', norms are social facts taken for granted and thus structuring behaviour (March and Olsen 1983; Wiener 2008: 40–43), while others who view norms as facts that can be disputed in particular situations, emphasize a 'logic of arguing' and conceptualize norms as constructed through action (Risse 2000; Wiener 2008: 43–5). The latter perspective introduces a possibility for norm contestation at least during norm construction. However, Wiener emphasizes that the dual quality of norms is ever-present and that norms are always contested. As meaning-in-use changes through context-dependent social practices, norms are not stable across situations: 'while in supranational contexts actors may agree on the validity of a particular norm, say for example human rights, that agreement may not be recognised outside these limited negotiating contexts' (Wiener 2007: 1). Wiener is particularly interested in the invisible constitution of politics and focuses on emotional, cultural, interpretive, or associative aspects in relation to political decisions (Wiener 2008). This means that there is ample opportunity for contestation given that contestation is 'a practice that is language-based and therefore constitutive for normativity' (Wiener 2014: 10). Norms can, accordingly, be assessed based on formal validity, social recognition, and cultural validation. The first two have been the concerns of most constructivist analyses addressing international agreements and subsequent socialization through epistemic communities and their particular social practices. Cultural validation takes place in nationally distinct settings and is likely to produce contestation of norms elaborated through international agreements. Cultural diversity is here central as 'contestations are often ignited by hidden diversity positions' (Wiener 2014: 40). This is not unlike other authors emphasizing the socio-cultural differences between so-called global and local contexts (Acharya 2004; Levitt and Merry 2009).

This leads to a distinction between two types of norm contestation, namely the one taking place in international negotiations as a consequence of the 'logic of arguing' and of the fact that such negotiations are undertaken by government representatives 'with different cultural origins' (Wiener 2008: 10). The other occurs when norms agreed internationally are supposed to be implemented in other social contexts than the one where they were adopted. The former concerns the formal validity of a norm, while the latter relates to cultural validation. Other approaches distinguish between contestations of norms' validity and their applicability (Deitelhoff and Zimmermann 2020; Sandholtz 2019). In the latter case, the norm itself is not disputed, only whether it is relevant in a particular situation, whereas validity contestations question widespread understandings of a norm. The distinction is not necessarily clearcut as

contesting the applicability of a norm may be an indirect critique of the norm's validity, but the distinction has been used to argue that norm robustness can be influenced by the kind of contestation exercised.

Wiener also distinguishes between three different types of international norms: fundamental norms, organizing principles, and standardized procedures (Wiener 2014: 35–9). The distinction is used to argue that fundamental norms as 'universal moral claims […] are highly likely to be agreed in principle' (Wiener 2014: 36). Based on fundamental norms, organizing principles, however, evolve in relation to concrete situations and are therefore more often being contested. Examples of such principles are 'common but differentiated responsibility' and the 'responsibility to protect'. Standardized procedures include specific provisions as they are adopted in international agreements, and they are, Wiener argues, often contested in different cultural contexts. This creates a legitimacy gap between type 1 and type 3 norms, which can be addressed through contestation and negotiation of type 2 norms, the organizing principles, that may help establishing cultural validation and a broader sense of appropriateness of international norms.

One may raise three questions about this kind of thinking. First, it seems that world politics has changed significantly and that the liberal world order that underpins 'universal moral claims' cannot be assumed any longer (if it ever could). Secondly, a conceptual question is whether contestation is adequately understood as active objection. Wiener notes, 'as a social practice contestation entails objection to specific issues that matter to people. In international relations contestation by and large involves the range of social practices, which discursively express disapproval of norms' (Wiener 2014: 1). However, neglect of certain norms and promotion of alternative normative ideas could also be understood as contestation. For instance, 32 countries, including the US and Russia, issued in 2020 a 'Geneva Consensus Declaration on Promoting Women's Health and Strengthening the Family' condemning abortion and praising the family and national sovereignty. This was an attempt to sideline women's human rights and to promote the privacy of the family (see also Goetz 2020). Thirdly, one may question whether international norms can be categorized as sharply as it is here proposed. While analytically appealing, the categorization and the associated degrees of contestedness seem to be based on a cultural understanding of norms according to which certain normative ideas are universally legitimate whereas others are not. This approach disregards other references for contestation, which is slightly surprising given that Wiener abandons what she calls the behaviourist approach operating with stable norms and pursues a reflexive understanding focusing on the meaning of norms. This should entail that actors are agents beyond mere 'cultural dopes'. Similar conclusions based on 'a grammatical reading' of Wiener's work have been reached elsewhere (Niemann and Schillinger 2016), challenging the

mainstream conceptualization of norms as 'shared understandings'. Norms cannot be defined as shared understandings and simultaneously be understood as contestable. To deal with this contradiction, prescriptive norms, such as those we are dealing with in this volume, have been conceptualized as 'acknowledged, but not necessarily accepted, understandings of collective ambitions' (Fejerskov et al. 2019: 7). This conceptualization takes a step away from constructivist approaches and the logic of appropriateness as decisive for norm engagement. It seeks to recognize the dual quality of norms as structuring and being constructed. It acknowledges that norms are embedded in social practices and demonstrate meaning-in-use while preserving analytical space for reflection and actors' agency.

Partly based on the concern with contestation, a literature has emerged criticizing the Western bias of much norm research (Epstein 2017; Kolmašová and Reboredo 2023; Mende et al. 2022; Wiener 2018). Too often a universalizing assumption about obviously 'good' global norms coming out of international institutions dominated by the West has characterized norm studies. This has led to a striving to decolonize the field by criticizing the power relations inherent in norm engagement and by focusing on 'situated knowledges' as they emerge out of 'the particular, the local, the historical and the affective' (Epstein 2017: 8). These authors promote a pluralist view of actors (Draude 2017) and 'affected stakeholders' (Wiener 2018) and criticize the implicit state centrism of much norm research. In addition, some have highlighted the ambivalences and ambiguities of norms (Mende et al. 2022) suggesting that norm engagement is no straightforward exercise, but highly context-dependent. This calls for a situated approach where norm engagement is examined as it unfolds in specific sites rather than either an uncomplicated activity subordinated to global agreements or a necessarily conflictual clash between different ideas.

TOWARDS A MULTI-NODAL UNDERSTANDING OF NORMATIVE ORDERS

With this edited volume, we introduce a 'multi-nodal' understanding of normative orders and analyse its implications for norm creation and change in a highly interconnected world. Instead of a hierarchized chain, with a top and a bottom, we propose to think about normative orders as a network of interconnected nodes. We know nodes from work on neural networks, from blockchain's architecture of digital ledgers where each computer forms part of the network and guarantees the validity of the ledger, or from mathematics where a node or a *vertex* is a point of intersection. That means things or rather people meet here, making nodes not passive distribution points, but sites of agency that are interrelated yet situated points of normative engagement (Fejerskov et al. 2019), forming a collective and interconnected topological grid. Here

then, we will focus on the two central questions: What are nodal points and how are they interrelated?

Nodal Points

Firmly grounded in situationist thought, we see nodes as event-spaces characterized by emergent properties of entangled human and non-human relations, uneven, relational, and dynamic as opposed to fixed or stable (Deleuze and Guattari, 1987). Nodes should be seen as particular situations inhabited by actors wherein normative engagements are neither epiphenomena of structures nor cut completely loose from them. All situations and localities are shaped by the past, present, and future, the histories and meaning constructions that came before and that are made in the moment. This foregrounds the localized normative construction and contestation that takes place at these different situations or nodes – seeing norm interaction as a social process inseparable from these very situated realities (see Fejerskov et al. 2019).

The privileging of site-specific norm processes that lies in a multi-nodal understanding of normative orders accentuates a host of concerns that shape normative engagement at these nodes. We will accentuate three here, for the sake of explanation: actors, space, and time. At nodal points, *actors* engage with norms in diverse ways, influenced by social positions, individual preferences, motivations, and the specific social environments they inhabit. They do not simply follow norms based on pre-existing standards; instead, their actions shape and redefine what is considered appropriate, depending on the context of the nodal point and those involved.

Social positions play a key role in shaping how actors interact with norms, affecting their interpretations and their influence on others. These positions also shape social relations, where certain interpretations of norms can shape the visions of others in an actor's network. Actors importantly exist within multiple social environments, such as workplaces and families, that simultaneously influence and shape how they understand and relate to different norms. These positions and environments are obviously balanced against actors' own individual preferences, motivations, and histories, with self-identity formation being crucial to how actors resonate with or resist different interpretations of norms.

What actors do at nodal points, of course, is engage in different forms of normative negotiation and contestation, underscoring the intersubjective nature of norms. Actors are entangled in webs of meaning (Emirbayer and Mische 1998), continually making sense of their intersubjective experiences and (social) actions in different situations, and they interpret norms accordingly. As such, actors do not respond passively to such norms through a logic of appropriateness, but continuously interpret and influence norms as they

address them, though often in contingent ways (Hofferberth and Weber 2015; Sending 2002). Actors are not just carriers of norms but competent and reflexive, actively helping to reproduce, transform, or neglect norms at the different nodal points they find themselves in. They are neither cultural nor material dopes but will always interpret and shape norms and their meanings within a given node.

As situations, nodes are inherently *spaces*, shaped by institutions and norms, influencing the normative engagements that occur within them. This helps us to understand how the material, social, or economic affordances of any space shape the social interactions that take place within its porous boundaries. Spaces are significant because they are linked to human activities and conceptions of legitimacy. Organizations are key spaces for promoting normative change and political goals, but so too are local community gatherings or national protest sites. All spaces may produce shared understandings that help present and interpret action, but such understandings may also be heterogeneous given the diversity of actors who are there with different purposes, different experiences and different expectations about legitimate action and discourse. Like space, *time* too is important in understanding normative engagement at different nodal points. Emirbayer and Mische (1998) argue that the agentic dimension of social action can only be captured in its full complexity if it is situated within the flow of time. Agency is informed by the past (habitual aspects), the present (contextualizing past habits and future projects within the moment), and the future (capacity to imagine alternative possibilities). During normative engagement at nodal points then, actors may simultaneously reactivate past patterns of thought and action, routines, or other 'stable' conceptions about themselves and the social world, try to imagine future trajectories or imageries, and do so while confronted with the dilemmas, demands, or ambiguities of the present moment. These different temporalities can come into play at various strengths, just as they may not always easily co-form but push against each other, given that each actor has her or his own relationship to the three temporalities, shaping their actions.

A multi-nodal understanding of normative orders seeks to identify the open-ended, multi-directional, indeterminate, and sometimes contested interactions between different site-specific norm processes without privileging some above others – hence the book's subtitle 'We Were Never Global', taken as a challenge to conceptions that favour normative frameworks emanating out of Western-centric policy processes. This centres attention on the importance of power relations and dynamics *within* each nodal point (where such matters are crucially defining for understanding norm engagement). Even so, the ensuing question of how nodes relate to each other is a critical part of understanding why a multi-nodal understanding of normative engagement brings a decolonial or de-Westernized challenge to established ways of seeing normative orders.

Multi-Nodal Networks of Normative Engagement

Instead of a hierarchized chain, we propose to think about normative orders as networks of interconnected nodes. Nodal points entertain particular but not static, social, political, and economic relations with others enabling powerful nodes to exercise influence that may be met by contestation depending on how legitimate or useful the influence is perceived to be. Seeing multiple normative orders in an ecology of horizontal positions makes our view of normative orders fundamentally heterarchical. Whereas a hierarchy sees nodes connected in a 'parent' and 'child' structure, a heterarchical view employs a perspective that flattens these relations and acknowledges potential connections between any and all nodes. The nodal points are not alike in terms of legitimacy, geographical outreach, or political influence, but that does not result in normative subordination. Rather, it permits the legitimate appreciation of knowledges, ideas, practices, and thus norms, in multiple forms without a priori privileging one over the other in a particular order. Such an approach follows Homi Bhabha's, and many others', call for a more intimate approach to the global, wherein post-Westphalian concepts of 'the transnational' and 'the global' are riven by a critical consciousness composed of spatial displacements, temporal disjunctions, and relational networks.

This relational view of social and normative realities questions and distributes privileges as opposed to seeing them only embedded in a central structure – thus also forming a potential decolonizing of norm thinking – and sees normative assemblages as socio-material outcomes of shifting dynamics between material, narrative, social, and geographic elements given the particularities of the specific nodal point. That means we stress a view of nodes that is pluriversal or subscribes to an ontological multiplicity, building on thoughts developed over the past decades across disciplines: science and technology studies (Bruno Latour, Isabelle Stengers), critical geography and political ontology (Mario Blaser), cultural anthropology (Marisol de la Cadena, Arturo Escobar, Eduardo Viveiros de Castro), decolonial thought (Walter Mignolo), or posthuman feminism (Donna Haraway). Relational ontologies thus stress realities that are historical, contextual, and – deriving from our own (see Fejerskov et al. 2019) and many others' (e.g. Adesina 2002) argument that all knowledge production is idiographic – situated. Hence our focus on nodes or nodal points.

As noted above, different nodal points are not alike, and some may be better able than others to influence norm processes elsewhere. This influence is never absolute and should be the object of historically specific analysis. When norm processes relate in particular ways to dominant socio-economic discourses that tend to be accepted by many actors (e.g., human rights, market economy, self-determination, or democracy), this is likely to provide certain nodes with influence on norm processes elsewhere. Pluriversal thought argues

for not just many worlds, but many kinds of worlds that include ways of seeing and knowing (Querejazu 2016), worlds that exist on their own and in their own right, but that are also interrelated. This view thus also starts from its disagreements with perceptions of universality or *one-worldism*, fuelled by the Western-centric form and reading of world history (Acharya & Buzan, 2017), marginalizing or neglecting other ontologies. In the same way Mignolo (2000) declared Western modernity a local history with a global claim, Chakrabarty (2000) made calls to *provincialize* Europe, while Deleuze and Guattari (1987) saw the Global North or West as a 'machine', both capable of and mainly concerning itself with the destruction of both politics and other ontologies, with peace as no form of option. The *one-world* myth of modernity inherent in the Western chronotope is typically characterized by at least three assumptions: the deliberate separation between nature and society, anthropocentrism, and the linearity of (a single) time (Blaser 2013). It is performed and reproduced by a form of caricatured narration basing itself in positivism's premises that a reality is *out there*, that it is *defined*, and that it is *singular* (Querejazu, 2016). This science of reductionism and generalization is what produces a form of epistemic violence that is in essence an expression of domination – dominating reality by eliminating relativism and instead fixing facts and forms in time and space. And intellectually clearly staking out what ideas or theories are considered worthy and which ones are not.

The basic tenet of a pluriversal view – more recently not least coming out of anthropology's ontological turn (De Castro 1998; De la Cadena 2010; Henare et al. 2007) – is that 'there are worlds out there (and always have been) that have historically been marginalized and suppressed by a Western cosmology and universalizing tendency that claimed a superior position for itself vis-à-vis those "other" worlds' (Oslender, 2019). Instead of seeing a singular reality (reality here constituted by space, time, truth, subjectivity/objectivity, etc.) onto which multiple interpretations or perspectives are applied (which would make the claim epistemological), ontological multiplicity or pluriverse is about recognizing and defending other ways of being in the world. Gender, for example, or violence in the many forms we will meet it here in the book, cannot be seen as a singular thing upon which different groups apply differing interpretations. Rather, it means different things to different people, constructed perhaps as Blaser (2016) would formulate it, through material-semiotic assemblages.

Based on insights from the different literatures and thinkers we have leaned on thus far, we propose that different ontologies in specific nodal points are central to explore. This can be done through concepts such as normative frameworks and social practices. Normative frameworks constitute broader discourses used to justify specific prescriptive norms and represent what actors suppose everybody can agree on. Social practices are regular, common actions in particular situations and they reflect what actors believe is appropriate,

expected of them, and correct. Accordingly, analysing social practices provides insights into underlying ontologies. As most nodal points of norm engagement are characterized by different ontologies, contestation and conflict may often be part of how actors deal with norms. This is in line with the literature on norm translation, localization, and resonance. Yet, there is more to it.

Ontologies do not exclude change, uncertainty, accidents, reflection, etc. This calls for analyses of meanings-in-use, processes, events, and norm histories. Meanings-in-use are here meant to signify actors' understanding of issues and norms in concrete situations. In the concrete abstract an actor is likely to phrase a norm somewhat differently from how she understands it in a concrete situation. Having engaged with the norm in several different situations, actors may often express the norm in a new way, partly due to the experience gained with meanings-in-use in concrete situations, partly to justify their own actions. Meanings-in-use are interesting to study because they provide insights into how norms evolve over time and through actors' engagement with them. Processes are important because when actors engage with norms reflexively, they often do so in time-limited sequences organized in specific ways and where the beginning and the end of the process influence the engagement. Thus, the way processes are or happen to be organized is likely to at least temporarily frame the outcome of the engagement. Who are allowed to participate, in which institutional settings does it take place, how is the purpose of the process framed, etc.?

Events are a broad category and can be organized as well as accidental. They often constitute reference points for discussions and may sometimes totally change widespread ideas and understandings with implications for diverse norms. Events do not necessarily address the particular field of a norm, but may direct attention to other issues thereby undermining, postponing, or reframing norm engagement. Finally, norm histories tend to shape norm engagement. Experience from earlier cases where the specific or similar norms have been addressed, has a bearing on how actors take up the issue later. Perceived success or failure of earlier engagement processes may be critical for whether new processes are initiated.

Analyses of nodal points along these lines will demonstrate the subtle nature and situatedness of norm engagement, and they will reveal the inadequacy of focusing on diffusion, translation, or contestation as the decisive concepts for understanding how actors relate to global norms. The existence of different ontologies within nodal points is likely to stimulate disagreement, conflict, and contestation, but contingencies, conjunctures, and norm-specific, historical legacies may be as important, sometimes producing contestation, sometimes dissolving it.

Normative engagement then, is best seen as engagement from different worlds rather than different ways of viewing the same world, and what we

suggest then, is a different ontological view to what norms are and how they are engaged with, deprivileging perspectives that see themselves as dismissing other worlds. At its core, this is not about creating a meta-ontology that portrays a more accurate picture of norms, but a way of stressing how different situations, across time and space, enact different realities that are equally important to listen to and to try to understand and that are not connected in hierarchical form but find their individual situated legitimacy and have individual internal logics that relate to other nodes in dynamic and non-linear ways. Nodes or nodal points, in this way, are never fully interrelated, yet they are not fully separated either. They share partial connections as Marilyn Strathern (1990) would formulate it.

OUTLINE OF THE BOOK'S CHAPTERS

Our overarching argument of heterarchical normative orders is informed by a series of empirical chapters showing the diversity of normative engagement at different nodal points. The purpose is partly to document that norm engagement and change take place in very different ways depending on the context, partly to develop an understanding of how different nodal points may influence each other with respect to norm development. At these different *nodes* or *nodal points*, we ask questions such as what (gender) norms are present, how are they presented and represented by different actors, and what are their bases for legitimacy? What are the contextual factors shaping norm engagement and interaction, and what do they look like and entail, politically, economically, socially? How do different relations and dynamics of power, influence, ideas, resources etc. shape norm engagement and the way different norms interact or *meet* at a specific nodal point of normative engagement? What produces norm change at the particular site, if norms change at all, and how do particular *nodes* relate to each other?

Opening up the rest of the book in Chapter 2, Feyissa critiques vanguardism and examines the limitations of state feminism in advancing women's rights. A recurring issue in Ethiopia's gender reforms is the way ruling parties often position women's rights as secondary to broader national priorities. A recent example of this dynamic is the Abiy administration's gender reforms since 2018, creating the illusion of a 'feminist Ethiopia'. These reforms quickly lost momentum and Feyissa argues that the solution lies in the creation of a robust women's rights movement that actively defends these issues, rather than relying on the state to bestow them.

Next, Chapter 3 on the adjudication of intimate partner violence, Abelle examines how courts navigate between global norms and local practices. Ethiopia's Constitution integrates ratified international human rights instruments into domestic law, mandating their enforcement to combat human rights

violations, including intimate partner violence against women (IPVAW). Alongside this recognition of global norms, the Constitution also acknowledges the validity of local practices. This makes courts a nodal point where global norms and local practices interact. The chapter investigates the extent to which global norms influence court decisions and whether courts seek to reconcile them with local practices. The findings reveal a noticeable lack of attention paid to global norms on IPVAW.

In Chapter 4, Zeleke critically examines marital rape in Ethiopia, focusing on the country's legal frameworks, societal attitudes, and cultural norms. While marital rape is prevalent, it remains largely unaddressed in the Ethiopian Criminal Code, with no legal recognition of it as a crime. Zeleke explores the competing arguments for and against criminalizing marital rape, considering both political and cultural resistance. Drawing on ethnographic research conducted in the Afar region, the chapter highlights how local cultural, religious, and societal beliefs rationalize and perpetuate marital rape. The chapter calls for a more nuanced approach to tackling marital rape – one that considers local perspectives and engages communities in promoting the concept of consent within the framework of Ethiopian traditions and values.

In Chapter 5, Tibebu explores the different intermediaries that play a crucial role of negotiating global and local norms of women's rights in many nodal points. The chapter sheds light on the contribution of intergovernmental, national and local translators by exploring how these actors aspire to prevent child marriage among girls at two research sites where the norm is highly prevalent, in the Amhara Regional State of Ethiopia. Tibebu argues that efforts to prevent child marriage among girls are primarily led by intergovernmental organizations, with local institutional actors left in roles of secret informants on behalf of local governments with few stakes in eliminating child marriage.

In Chapter 6, Engberg-Pedersen and Shiferaw Mulu explore the evolution of Ethiopian policies on violence against women (VAW), focusing on how global norms have influenced these policies while also considering changes of the country's unique socio-political and economic context. While there is notable alignment with global norms on the elimination of VAW, the chapter argues that the nodal point of policy making is as influenced by conjunctural events, the specific actors involved in the process, norm histories, and salient ideas dominating political thinking in Ethiopia. The analysis spans several key policy documents from 1993 to 2024, highlighting the shifting focus from harmful traditional practices to broader gender-based violence.

Next, in Chapter 7, Gebresenbet and Shiferaw Mulu critically examine the role of Addis Ababa University (AAU) in shaping gender norms, particularly around gender-based violence (GBV) and gender equality. They argue that AAU predominantly promotes Eurocentric, global gender frameworks, while overlooking local knowledge and cultural values. The chapter highlights the

university's failure to integrate Ethiopian cultural practices, such as Sinkee and Ikub, which could offer more effective solutions to GBV. Analysing graduate theses, they demonstrate how Ethiopian women are often depicted as passive victims.

In Chapter 8, Tornius examines the African Union (AU) as a key 'node' for pan-African and regional engagement, where governments, experts, and civil society negotiate gender equality priorities. Specifically, she critiques the AU's positive masculinity approach – encouraging men to embody behaviours that benefit the community in efforts to combat violence against women. Tornius argues that this approach overlooks the harmful effects of 'toxic' masculinity, which is shaped by societal pressures and unrealistic expectations. Tornius also raises concerns about centring powerful men in the discourse, arguing that this positions them as 'gatekeepers', diminishing women's agency and undermining efforts for true gender equality.

In Chapter 9 on the Commission on the Status of Women, Engberg-Pedersen analyses a specific session of the Commission as a nodal point of norm engagement. He argues that attention to contingency is necessary for understanding the norm creation taking place in the Commission. Two such contingencies – entrenched conflicts and sudden outbursts of vaguely related national interests – are analysed and speak to the point that norm creation is a situational undertaking that may take different directions.

In Chapter 10, Fejerskov explores the third instalment of the Social and Behavior Change Communication Summit or SBCC as a nodal point for understanding the meeting between different normative realities. The chapter explores competing visions and imaginaries of gender, norms, and social change as they are currently negotiated within the movement to push social and behavioural change in poor communities. Through the figurative use of the summit as a nodal point of normative engagement, the chapter shows the interpretive struggles around what constitutes gender, how gender and social norms may be changed by way of intervention, and the power dynamics that underpin such meetings of differences of opinion, influence, and ideas.

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2. Vanguardism: the limits of Ethiopia's state feminism in combating violence against women

Dereje Feyissa

VIOLENCE AGAINST WOMEN IN ETHIOPIA: A POLITICAL AND STRUCTURAL ANALYSIS

Violence against women (VAW) remains one of the most pervasive human rights violations globally. In Ethiopia, VAW is widespread and often normalized rather than challenged. A 2005 WHO study found that 71 per cent of Ethiopian women had experienced physical or sexual violence. Similarly, the 2016 Demographic Health Survey (DHS) reported that one in three women aged 15–49 had experienced such violence, with domestic abuse being the most common form. Ethiopia also has one of the highest rates of female genital mutilation (FGM), with over 23.8 million women affected, and ranks among the top countries for child marriage.

Despite a progressive Constitution and several gender-sensitive legal frameworks, including the 2000 Revised Family Code and the 2004 Criminal Code (Federal Democratic Republic of Ethiopia, 2004), the impact on reducing VAW remains limited. The Constitution guarantees gender equality and protection from harmful practices, but implementation remains weak. Institutional efforts – such as special police units, courts, and national strategies – have not translated into meaningful change. Ethiopia's gender policy, while aligned with global norms, often serves more as symbolic compliance than as a basis for transformative action.

This gap between progressive policy and persistent violence is rooted in the political approach to gender reform that shows the meeting between different understandings of gendered rights and norms. Successive governments have viewed women's rights through an instrumentalist lens – as a means to support broader development goals or secure political legitimacy – rather than treating women as political subjects with rights. Gender has rarely been a standalone national priority, consistently overshadowed by dominant state agendas

centred on class, ethnicity, or political consolidation. The legacy of vanguardism, inspired by Leninist ideology and embedded in Ethiopia's revolutionary past – from the student movement to the Derg and the EPRDF – has shaped this top-down approach. Gender reforms have often been initiated by elites or ruling parties as part of state-building efforts, rather than through grassroots mobilization or sustained political will.

Under Prime Minister Abiy Ahmed, this pattern continues, as stressed in the opening of this book. Despite appointing women to high political office and launching ambitious gender reform initiatives, these efforts appear to serve a symbolic or legitimacy-seeking purpose amid political transition and economic crisis. The Prime Minister's framing of women's rights – often personal, spiritual, or sentimental – has not translated into structural change. Notably, the government has avoided direct engagement with women's groups, and controversial public statements have downplayed sexual violence during conflict, further eroding trust.

VAW has worsened in the context of war, particularly in Tigray, where sexual violence has surged. The militarization of masculinity has deepened gender-based violence, undermining any progress made under 'state feminism'. Thus, Ethiopia's failure to meaningfully address VAW reflects not just a lack of political will, but a deeper issue: gender has never been a core national priority. Women's rights have persistently existed in the shadow of more dominant political narratives – patriarchy, class struggle, ethnic federalism, or regime legitimacy. The following sections delve into how this structural marginalization limits the effectiveness of state feminism in Ethiopia and shows the nodal points of normative engagement we find at the levels of state politics.

THE ETHIOPIAN STUDENT MOVEMENT: SEEDS OF VANGUARDISM

For over half a century, Ethiopian politics has been deeply influenced by Marxist ideas, particularly Leninism. This ideological framework has dominated political discourse, prompting parties and leaders to vie for legitimacy as authentic socialists – a struggle rooted in the student movements of the 1960s and 1970s. The primary concern of these leaders was to mobilize students for an anti-feudal and anti-imperialist struggle, with Marxist–Leninist writings providing a compelling rationale for their militant opposition. The Ethiopian Student Movement (ESM) played a pivotal role in integrating Marxist thought into Ethiopian politics, influencing key events such as the 1974 revolution.[1]

[1] https://jacobin.com/2019/12/ethiopian-student-movement-bahru-zewde-abiy-ahmed-1974-revolution.

Women's engagement in Ethiopian politics also traces back to the ESM, which began addressing the 'women question' during this period. While women began entering higher education in the 1950s, their activism primarily focused on broader political issues until the Ethiopian Student Union (ESU) abroad advocated for the formation of women's organizations, inspired by socialist models from other countries. This led to the emergence of Ethiopia's first wave of women's movements. Within the ESM, the 'women question' was discussed alongside issues of class, nationality, and religion. Key essays, such as Wallelign Mekonnen's 'On the Question of Nationalities in Ethiopia' (1969), placed ethnicity at the forefront of political discourse, often overshadowing gender concerns. Women's emancipation was seen as a byproduct of class and ethnic liberation, and discussions tended to be theoretical, focusing on Marxist–Leninist ideology rather than the socio-cultural realities faced by women. Throughout the political debates of the 1960s and 1970s, issues were framed within a class–ethnicity binary, often obscuring other forms of oppression, such as those based on gender or religion. Despite some integration of women's issues into political discussions, women remained largely excluded from leadership roles, and the 'women question' was subsumed under broader struggles.

The ESM defined the 'women question' as secondary to class struggle, illustrating how global Marxist norms shaped national priorities. Marxist theory, which poorly developed the 'women question', viewed women's engagement in public life as primarily to combat capitalism. This perspective, modelled after the former USSR, posited that women's problems stemmed from domestic relegation, and the Ethiopian revolutionary slogan 'ke majet wede adebabay' ('women from domestic to the public realm') reflected this approach. As the ESU fractured into two leftist parties – the Ethiopian People's Revolutionary Party (EPRP) and Meison – the 'women question' was co-opted for political leverage, becoming a tool in a 'socialist beauty contest'. All emerging political parties and ethno-nationalist movements, including the Derg, were influenced by Marxism–Leninism, sharing a commitment to the 'women question' but with varying interpretations (Guidi, 2024).

Activism for women's emancipation and rights began to take shape in Ethiopia following the 1974 revolution, which saw the rise of the military socialist government known as the Derg. This era marked a critical juncture in women's demands for gender equality and political rights, which persisted across subsequent political regimes. The Derg attempted to address the 'women question', initially recognizing the intersectionality of women's oppression as both workers and women. However, by 1977, its approach shifted, framing gender oppression primarily as a subset of class oppression, influenced by Russian ideological interpretations. In 1989, the Derg disbanded existing women's associations – mostly focused on socio-economic self-help

– and established the Revolutionary Ethiopian Women's Association (REWA). While REWA was ostensibly created to promote women's rights, it primarily served to advance the Derg's political agenda. The regime co-opted the cause of women's equality, mobilizing women to support its military endeavours in conflicts such as those in Eritrea and Somalia. Despite this, the Derg was credited with opening up opportunities for women, enabling them to step outside traditional domestic roles and engage in organized activities. This was a groundbreaking shift in Ethiopia's historical context, challenging long-standing norms that confined women to the home. The 1987 Derg Constitution, for the first time, enshrined women's rights and guaranteed legal equality with men, though these rights were largely symbolic and unenforced. However, the Derg used women's associations as tools of control, restricting women's rights to align with the regime's political ideology (Biseswar, 2008).

In contrast, the Tigray People's Liberation Front (TPLF), also emerging from the ESM in 1975, initially approached women's rights with a more proactive stance. While hesitant to recruit female fighters at first, the TPLF's 1976 manifesto recognized women's emancipation as integral to class struggle. By 1977, it began recruiting women as combatants and established a code of conduct for gender equality within its ranks. TPLF's manifesto included provisions for women's rights, aiming to eliminate social inequalities through revolutionary struggle. It formed the Women Fighters Association of Tigray (WFAT) to mobilize women for liberation and promised that their rights would be addressed after the regime's overthrow (Berhe 2009). Nevertheless, once the TPLF gained power in 1991, the momentum for women's rights diminished, with many legal guarantees remaining unfulfilled. Despite some initial reforms, the TPLF continued to prioritize revolutionary goals over gender equality. It maintained a Marxist framework that subsumed women's rights within broader class struggles, often relegating gender issues to a secondary concern. The emphasis on vanguardism meant that autonomous social movements, including women's organizations, were controlled by the party, limiting their capacity to advocate for women's specific needs (Asfaw 2011).

EPRDF'S VANGUARDISM: DEVELOPMENTALISM AND ETHNIC FEDERALISM

After overthrowing the Derg in 1991, the Ethiopian People's Revolutionary Democratic Front (EPRDF), led by the TPLF, retained its Marxist–Leninist roots while pivoting to developmentalism. Despite constitutional reforms and policies promoting gender equality, women's rights remained subordinated to the EPRDF's broader political goals. Gender empowerment was framed through economic integration rather than addressing structural or cultural

inequality. VAW, for instance, was treated as a secondary issue, with economic empowerment seen as the precondition for broader rights.

The ideological framework surrounding the EPRDF significantly shaped its approach to VAW, particularly through a Marxist lens that prioritizes economic empowerment over immediate rights advocacy. As Engels famously noted, true emancipation for women cannot be achieved while they remain confined to domestic labour.[2] He argued that women's liberation is contingent upon their participation in large-scale social production, suggesting that economic inclusion is paramount. This is a classic example of an integrationist gender policy with an emphasis on economic inclusion. In this Marxist framing of the women question, socio-economic empowerment takes precedence over VAW, which is construed as a form of superstructure.

This Marxist perspective manifested in EPRDF's policy documents, where socio-economic empowerment is positioned as a prerequisite for addressing VAW. For example, the National Policy on Ethiopian Women (NPEW) outlines a sequential approach to women's rights, beginning with economic empowerment and access to basic social services before tackling VAW and political representation, as the following excerpt indicates:

> facilitating conditions conducive to the speeding-up of equality between men and women so that women can participate in the political, social and economic life of their country on equal terms with men and ensuring that their right to own property, as well as their other human rights are respected and that they are not excluded from the enjoyment of the fruits of their labor or from performing public functions and being decision-makers.

This is to be followed by,

> facilitating the necessary condition whereby rural women can have access to basic social services and to ways and means of lightening their work-load.

And finally,

> eliminating, step by step, prejudices as well as customary and other practices that are based on the idea of male supremacy and enabling women to hold public office and to participate in the decision-making process at all levels. (The Transitional Government of Ethiopia 1993: 25–6)

This sequential prioritization is further echoed in the EPRDF's document 'The Ethiopian Human Rights Landscape in the Context of a Rights-Based

[2] https://peoplesdemocracy.in/2020/1129_pd/engels-and-womens-emancipation.

Approach to Development' (FDRE Government Communication Affairs Office 2015), which asserts that addressing traditional practices harmful to women and children should come after fostering economic growth and public awareness. The government promotes a narrative that ties social progress to economic development, suggesting that as Ethiopia strives to become a middle-income nation, democratic values and human rights will naturally proliferate. This contains an implicit critique of the immediacy and comprehensive gender reform called by global gender norms about women's rights; a non-Western articulation of human rights invoking, albeit in a subtle manner, the Marxist ghost of 'It is the economy, stupid.'

This sequential approach was evident in key policy documents like the National Policy on Ethiopian Women (The Transitional Government of Ethiopia 1993), which prioritized women's access to property and basic services before confronting harmful traditional practices. The EPRDF also framed women's rights within a state-led development narrative, treating gender inclusion as a tool for economic growth rather than an end. Following its shift from socialism to a developmental capitalist model in 2001, the EPRDF emphasized state-directed growth. This further depoliticized gender issues, limiting the transformative potential of women's activism. Women's rights were integrated into state structures, but with limited space for independent advocacy or deep cultural reform.[3]

Ethiopia's ethnic federalism – another legacy of Marxist ideology – centred ethnic groups as sovereign units of the state. The 1995 Constitution defined the country as a federation of 'Nations, Nationalities, and Peoples' (NNPs), granting them rights including self-determination and secession. However, this system privileged ethnic identity over other forms of diversity, including gender. Women were defined primarily through their ethnic affiliations, and their individual rights were often subordinated to the collective rights of their communities. Ethnic federalism reinforced patriarchal customs by granting legitimacy to customary and religious laws, where women often lack voice and agency. Even progressive laws like the Family Code (2000) saw fragmented application across regions. Some states resisted reforms like banning polygamy or FGM, citing cultural autonomy. The result was a legal pluralism that institutionalized discrimination and made exiting patriarchal structures difficult for women, especially in rural areas.

The government's reservations to the Maputo Protocol – particularly regarding marital rape and polygamy – highlight the tension between global gender norms and national cultural priorities. Bride wealth traditions and the treatment of women as property further complicated gender equality efforts.

[3] Interview with a gender activist, Addis Ababa, 23 November 2022.

Critics, including feminist scholars, argue that Ethiopia's ethno-federal system is patriarchal at its core, marginalizing women in the name of cultural preservation. Recent feminist analyses describe this as a 'masculinist' interpretation of heritage and identity, where women's historical and political roles are erased or minimized (Hussen & Alebachew Sete 2022; Hussen et al. 2023). Efforts to reform must confront both the corporatist conception of group rights and the absence of robust human rights mechanisms within customary courts. Legal scholar Ayelet Shachar's (2001) concept of 'joint governance' offers a path forward: shared accountability between state and cultural institutions could ensure that women are protected both as citizens and community members. Fifty years after Walelign Mekonnen's landmark essay on ethnic identity, the 'nationality question' continues to overshadow issues like gender justice. At a recent academic conference, scholars criticized this narrow focus and called for a broader framework of social justice that includes women's voices, experiences, and rights.

GENDER REFORM UNDER THE PROSPERITY PARTY: TOWARDS PERSONAL VANGUARDISM

Ethiopia under Prime Minister Abiy has been going through a profound process of political reform since April 2018, which has shaken EPRDF's governance structure to its core, ultimately leading to its dissolution at the end of 2019 by a new party, the Prosperity Party (PP). PP distanced itself from the revolutionary democracy and vanguardism of the EPRDF and its Marxist legacy. Instead, PP has searched for a new basis of political legitimacy. Its (neo)liberal economic policy and the focus on prosperity is very different from EPRDF's developmental state with pro-poor policies. PP has also signalled to its intention to radically restructure the institutional design of Ethiopia's federalism, most likely in favour of geographic federalism. However, ethnicity is still a hegemonic frame defining national priority and political spaces given its political entrenchment in the last three decades.

Women's rights featured prominently in Abiy's acceptance speech in April 2018, as the following statements indicate:

> Dear Women of Ethiopia, in the face of immense challenges, you have built our nation, shaped its history, and inspired generations. Your struggles have involved significant sacrifices, all aimed at creating a better country for us all. Your fight is just, dignified, and deeply respected – truly, your struggle is our struggle. While the government has made strides to ensure that women receive recognition and benefits for their invaluable contributions to our nation's progress, we acknowledge that much remains to be done. Looking ahead, I am hopeful that the women of our country will harness the talents you have been blessed with to continue playing a vital role in our nation's growth and political success. Our national identity is

> incomplete without your active participation. Failing to recognize the contributions of the women who have built and sustained our nation hinders the possibility of true national renaissance. We understand that a nation that neglects or marginalizes half of its population cannot thrive. Therefore, our government is dedicated to enhancing women's participation and ensuring that you reap the benefits of our shared progress. Together, we will build a brighter future for all.

A little while later Abiy went very personal, weaving together his affection for his mother, who whispered in his ear at the age of seven that he would be the seventh king of Ethiopia, with the women's rights agenda, in which his mother emerged as a model for Ethiopian mothers in general:

> In a manner that is not accustomed to by this House, I would like to politely ask you to thank one Ethiopian mother who, while I was still a 7-year-old boy, knew that I would someday stand before you and who planted this distant and deep and elaborately sophisticated vision in me, who raised me, and brought me to fruition. My mother is counted among the many kind, innocent, and hardworking Ethiopian mothers. She did not have a lot of material wealth and worldly knowledge. In thanking my mother, I consider it equivalent to extending thanks to all Ethiopian mothers. I want to honor her with many thanks. By recognizing the role of other Ethiopian mothers in shaping their children's vision for tomorrow, for the good fruits that they will harvest tomorrow, I want to emphasize that the seed they plant today is the main investment.[4]

An aspect of political reform in Ethiopia under Prime Minister Abiy has in fact been the widely acclaimed gender reform, most glaring of which was gender rebalancing in political representation. Abiy's initial cabinet of 28 ministers (including the prime minister and deputy prime minister) included five women (Abiye 2018). This improved women's representation in the cabinet. Under the EPRDF, there were never more than two or three female ministers in cabinets that ranged from 21 to 31 members and women never exceeded 13 per cent of the cabinet. More importantly, the high-profile positions women occupied – from the appointment of the first woman head of state in the country's modern history, a woman chairperson of the National Election Board, and the former head of the most vocal women's rights activist organization (the Ethiopian Women's Lawyer Association) as the president of the country's Supreme Court – gave the impression of a 'feminist Ethiopia'.[5] Justifying these measures, Abiy called the reforms, as can be inferred from the above statements, a kind of 'thanksgiving' for the contributions women have made to society:

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[4] Full acceptance speech by the newly elected Prime Minister of Ethiopia, Abiy Ahmed. https://www.youtube.com//watch?v=-rhwbOIbTGw.

[5] https://eu.boell.org/en/2019/11/14/feminist-ethiopia-whats-really-behind-countrys-recent-reforms.

'Our women ministers will disprove the old adage that women can't lead […]. This is to show respect to the women for all the contribution they have made to the country'.[6] It appears that gender reform is one of the criteria used to award Abiy with the highest honour a leader can aspire to, namely the Nobel Peace Prize in 2019.

Despite these apparently fundamental changes in the country's gender landscape, there is still a long way to go before women rights enshrined in the country's Constitution and the various laws and policies are enforced. Critics argue that tackling the historically entrenched and culturally embedded inequalities of gender goes beyond the will of any prime minister. As Zemdena Abebe remarks (2019), 'the remaking of Ethiopia can't be a one-man show'. Other critics have argued that dictators undertake high-profile gender reforms such as these to improve their country's image, hoping investors and lenders will look more favourably on a 'modernizing autocrat'.[7] Some women activists criticize Abiy's gender reform for being personally driven, one that is conceived as 'an act of charity or benevolence', as the following extract from an interview with a prominent member of the women's right movement indicates:

> The participation of women in politics and public decision making is important but I would like to qualify it by adding the importance of effective, meaningful and equal participation. The mere representation and equal representation would not do much to women in general. As such, effective and meaningful participation is as important. We need to ensure that inclusion should be broad, reflecting intersectionality, women from different backgrounds, perspectives and political orientations. Speaking about Abiy's gender reform, there is a quick regression at the Ministerial level. We also hoped a cascading effect would not happen yet and it is not likely that it will happen unless other measures are put in place. As of now what we are going through is very hard to ask for rights because they are given as an act of charity and benevolence by one person [the PM], or any one leadership for that matter. Women's right issues are about the system, not about the person who gives or withholds rights. It is about fighting patriarchy and sexism, and this is a much more difficult terrain to navigate; one that entails continuous renegotiation of power. It should not be construed as charity or benevolence but issues which need to be addressed through policy and legal systems for women to fight regression.[8]

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[6] https://www.csmonitor.com/World/Africa/2019/0205/Autocrats-push-for-women-in-government-Window-dressing-or-real-change.

[7] https://www.washingtonpost.com/opinions/the-myth-of-the-modernizing-dictator/2018/10/19/5f4bef0c-d30a-11e8-b2d2-f397227b43f0_story.html?utm_term=.0e85b3e0116e&itid=lk_inline_manual_5.

[8] Interview with Hilina Birhanu, co-founder of the Yellow Movement. Addis Ababa, 29 June 2022.

The quick regression mentioned in the aforementioned interview is the cabinet reshuffle in 2021 that reduced female representation to 36.3 per cent, with far less scrutiny or accountability: 2024 saw further erosion of the political representation of women when the heads of the national Election Board and the Supreme Court resigned while the president was replaced by a male successor, apparently grudgingly. This indicates that 'gender equality in Ethiopia is not considered a priority. Without thorough measures that create the conditions for real change, the aspiration of having a gender-balanced cabinet will always be challenging to translate into lasting equal representation'.[9]

Others suggest a different explanation for dramatic gender reforms, situating them within a particular breed of authoritarianism, a dominant party system in which these reforms can also bolster domestic political stability: 'unlike countries governed by a military junta or a monarch, which rely on a small elite for political survival, countries governed by parties need broader support in society to survive. Certain kinds of autocracies more actively invest in gender reforms – because by doing so, they win a larger base of support that helps them stay in power […]. Supporting gender equality – or at least seeming to – can help the party win women's support'.[10]

Concurring with the political imperatives of gender reforms, a recent study indicates that indeed Abiy's gender reform is more driven by the dire needs of domestic political legitimacy and international economic aid in the uncertain early years of transition (Breuning and Okundaye 2021). For leaders who come to power during uncertain times (as was the case with Prime Minister Abiy Ahmed in Ethiopia during 2018–19 when most of the gender reforms were carried out), it is especially important to choose cabinet members carefully. Changes in the cabinet can signal efforts to mediate political upheaval and indicate a new direction. At the same time, new leaders are untested and their survival is not ensured; therefore, much depends on their ability to secure the cooperation of others. Abiy's gender reform appears to be situated within the broader search for discursive resources to bolster political legitimacy, as indicated by the fast-paced political liberalization, the toning down of ethnicity, and the new politics of national unity amidst a hyper HR discourse that even redefines the state as terrorist and individuals and groups defined by EPRDF terrorists as freedom fighters.

During these uncertain times, Abiy was vulnerable to TPLF's subversive power. Although outmanoeuvred by Abiy and unceremonially ejected from

[9] https://www.chathamhouse.org/publications/the-world-today/2022-08/why-ethiopia-must-close-its-political-gender-gap.

[10] https://www.washingtonpost.com/news/monkey-cage/wp/2018/11/23/sometimes-autocrats-strengthen-their-power-by-expanding-womens-rights-heres-how-that-works/.

power, TPLF caved in Meqele, its regional constituency, still wielding formidable power, both financially and militarily. There was, in fact, a dire need for Abiy to make up for the power imbalance by reaching out to various sections of the Ethiopian society in which populism figured as a discursive resource. Abiy even mentioned later how he felt like 'a palace prisoner' in the early period of his assumption of state power when TPLF still had a stronger grip over the security structures.

In mid-October, half a year after entering office, Abiy announced a major change to his cabinet. He reduced the number of portfolios to 20 and appointed an equal number of female and male ministers. The October 2018 cabinet not only included 50 per cent women but also distributed them evenly among the various portfolios in terms of the gender and prestige of the positions. The Gender Parity Score (GPS) for the October 2018 cabinet is 3.01, which indicates parity (Krook and O'Brien 2012). The October 2018 cabinet represented a rather radical shift from the previous cabinet, which included five women among its ministers. Not only was the proportion of female ministers low, but their portfolios were more gendered. The GPS score for the October 2018 cabinet suggests that Abiy did seek to achieve gender parity – not just in terms of the proportion of female ministers, but also in the type of portfolios they held.

Abiy was widely quoted as stating, 'our women ministers will disprove the old adage that women can't lead' (Meseret 2018). His words suggest he sought to enhance the state's reputation. He stated, '[t]his decision is the first in the history of Ethiopia and probably in Africa' (Gedamu 2018). Abiy is also adept in donor-speak, as can be gleaned from his acceptance speech: 'The government duly realizes that a nation that neglects and marginalizes half of its population absolutely cannot have a full and complete body and cannot move forward' (Gedamu 2018).

This is music to the ears of Western governments who have increasingly adopted a feminist foreign policy. In fact, a recent study suggests Abiy's gender reform is informed by a strategic rent-seeking behaviour as it relates to international development aid. The International Monetary Fund (IMF) repeatedly notes that the analysis conducted by UN Women emphasizes that 'reducing gender disparities would yield large economic benefits over time'. The report was published in December 2018 but is based on consultations between IMF staff and the Ethiopian government that ended in September. This suggests that the cabinet reshuffle of October 2018 could be informed by those consultations. The IMF report subsequently lauds the Ethiopian government for its political leadership, including the appointment of a gender-balanced cabinet. To explain why gender suddenly appeared to be a national priority by the new Abiy administration, Breuning and Okundaye (2021) stated:

> A response to the rising inter-ethnic tensions [in Ethiopia in 2018–19] seemed far more urgent domestically than gender parity. We argue that the focus on gender parity was motivated by external cues. The leaders of aid-dependent regimes in the global south must balance domestic and external pressures in the selection of ministers.

In fact, Abiy himself attributed generous financial support by the Bretton Woods institutions to his reforms and vowed to continue his efforts to transform the country (Mail & Guardian 2018). The IMF (2018: 14) perceived the new cabinet as 'epitomizing the authorities' commitment to foster gender equality'. Abiy's rhetoric underscored that international issues influenced his selection of ministers: 'the data also show that responsiveness to international cues does not prevent responsiveness to domestic representational criteria. Prime minister Abiy Ahmed sought to satisfy both, although his public rhetoric emphasized the international cues' (Breuning and Okundaye 2021). Other African countries followed suit. Just two days after the announcement of Abiy's 50 per cent women cabinet, Rwanda too announced a gender-balanced cabinet, and in May 2019, South Africa did as well (BBC 2018).

While welcoming the much-enhanced political representation of women, women-led organizations expected 'the reform should go beyond ticking the gender box and move to "other things", as if it were business as usual'.

> The gender balance is limited to high-level federal positions […]. There is little evidence that the high-level appointments carry an impact beyond inspiring the young girls and women of Ethiopia. The representation of women in the legislative, executive and judiciary wings of the federal government leaves much to be desired. This proves that the supposed regard for women as political subjects with rights to political representation is superficial. This recurring problem is a result of the lack of critical reflection on the historical and political past, specifically on the treatment of women and the lack of space given to deliberate the women question.[11]

Others indicate Abiy's 'shallow' and 'superficial understanding' of complex social problems such as the women question:

> Abiy Ahmed doesn't seem to engage deeply with the women question or broader gender issues. For him, simply working closely with women and having good relationships with female colleagues appears to suffice. In a context dominated by conflict and a wartime mentality, masculinity is prioritized, and social issues like gender equality are sidelined or postponed. Abiy's understanding of complex social matters is often superficial, as shown in his problematic comparisons – such as between American Jews and African Americans – which suggest a tendency to

[11] Interview with Sihin, executive director of the Setaweet feminist organization. *Ethiopia's gender revolution: The road towards equality: The 51%* (france24.com).

> blame victims rather than analyze structural issues. His view of women as nurturing or emotionally intelligent is reductive and patronizing, reflecting a shallow grasp of gender dynamics.[12]

Another women respondent situates Abiy's gender reform within his overarching spirituality; a reference to his messianic self-understanding as the elect of God destined to lift Ethiopia out of its deep political crisis towards 'a prosperous future':

> Abiy Ahmed's gender reform appears deeply influenced by his evangelical spirituality rather than academic or policy-driven motives. As a devout believer in prosperity gospel and metaphysical thinking, he views leadership as a divine calling, where bold, overnight transformations are signs of being chosen by God. His actions – like appointing women to high positions, initiating massive projects, and beautifying the capital – reflect a belief in 'seeding' the future through symbolic and literal acts. Abiy sees himself as a visionary and dreamer, someone who manifests change by imagining it first. His personal narrative, including childhood fantasies of power and success, reinforces this spiritual mindset and his belief in the generative power of faith. Gender reform, then, becomes part of his broader divine mission to reshape Ethiopia according to a God-inspired vision.[13]

The reference to Abiy's gender reform as a 'benevolent act' in the previous narrative by a respondent neatly ties with Abiy's self-understanding as the God-sanctioned patron of the Ethiopian nation, including addressing and delivering on the women question. The depth of Abiy's gender reform has been put to the test in various ways. First, he never showed interest, unlike other sections of society and his numerous town hall meetings across the country, to talk to women's groups. The efforts by a consortium of women's organizations to get an audience with him never materialized, although they set up an ad hoc group meeting to organize the meeting with him through various access points. Towards that end, they identified four key issues. These were: a comprehensive gender-based violence policy that is supported by a coordinated response; increasing the number of women in leadership; investment to strengthen and reform the gender machinery from the Ministry of Women and Children's Affairs to gender offices in all administrative offices; and amending the charities and societies law to create an enabling environment for civil societies.[14] This apathy to meet women's groups who had a clear set of ideas

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[12] See https://www.newyorker.com/magazine/2022/10/03/did-a-nobel-peace-laureate-stoke-a-civil-war.

[13] Online interview with Lidet Tadesse, associate director of ECDPM's peaceful societies and accountable governance.

[14] Four key asks to the PM. Minutes of the women's group to meet PM Abiy Ahmed, 2018.

on how to enhance the women's rights agenda indicates Abiy's vanguardist attitude towards rights issues more broadly. In that he is in good company with his predecessors; however, they represent a variation of the same theme. For successive Ethiopian governments across political regimes, rights are to be issued by the state; this is not an agenda to be pushed and owned by societal interest groups.

Yet another test case was the government response to the spike in VAW incidents. There have been numerous high-profile VAW incidents in Addis Ababa and in the regions, which the government has not responded to with severe measures and a sense of urgency. On a broader scale, the war in Tigray and insurgencies in the Oromia and Amhara regions have created high incidences of gender-based violence. War mobilizations and violent contexts have the tendency to revive masculine ethos. In fact, war and violent conflicts are enabled by a strategic deployment of masculinity. The mutual accusation between the government and the TPLF during the Tigray war regarding sexual violence was reduced to who has raped how many instead of condemning the act of rape wherever it occurs and whoever commits it. In fact, rape in the context of war is considered something normal. This was expressed when Abiy was on record saying the following during a parliamentary Q&A regarding the conduct of the war in Tigray and the related issue of sexual violence:

> Those human right activists have a soft heart for the attacks in Tigray but they would not utter a word about the attack on ENDF. The Northern command was not merely attacked. It was humiliated. [Tigrean] women were raped by men, but ENDF was raped by sword (with emotional agitation). No one talks about this![15]

Such problematic statements normalize sexual assault and reinforce harmful gender stereotypes. Similarly, during a meeting of security personnel after the fall of Mekelle to federal forces, broadcast on Ethiopian state TV, a military official spoke about the continuation of rape in the city even after it was captured by federal forces and became relatively peaceful:

> I was angry yesterday. Why does a woman get raped in Mekelle city? It wouldn't be shocking if it happened during the war. But women were raped yesterday and today while the local police and federal police are around. It wouldn't be shocking had it happened during the war, which is expected. But it is unacceptable that it is happening at peace time, while the federal and regional police forces are back in town.[16]

Various international and national human rights organizations have documented and exposed the use of sexual violence as 'a weapon of war' by all

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15 https://www.facebook.com//abelzeki/posts/3945956512129030.

16 Ethiopian Forces Admitting Rape in the Tigray Capital, Mekele. YouTube.

parties involved in the Tigray war and during its spread into the neighbouring Amhara and Afar regions. In the context of war being increasingly talked about in existential terms and defined as a national priority, sexual violence and VAW more broadly is put on the back burner, with some indications that any mention of it or a call for an end to the war is securitized. A peace rally by women-led organizations based in Addis Ababa in September 2022 was met with strong government criticism insinuating a possible infiltration by a 'terrorist group'. The Tigray war and violent conflicts in many parts of the country not only further sidelined the women question but also put women and girls at the receiving end of the impact of war and violence more broadly. The peace rally of women is cognizant of this gendered impact of conflicts.[17]

NEW CONTOURS OF GENDER ACTIVISM BY WOMEN-LED ORGANIZATIONS

Under the Abiy administration, political reform has significantly expanded civil space. The previous EPRDF's restrictive Civil Society Proclamation, which limited activism in human rights, gender, and peacebuilding, has been replaced by more enabling legislation. Although civic space has contracted in recent years due to ongoing conflicts and insurgencies, there remains an opportunity for activism, particularly in gender advocacy. Women-led organizations have intensified their efforts to advocate for women's rights, especially in combating violence against women, which has paradoxically increased despite the touted gender reforms.

The advocacy work surrounding the tragic case of seven-year-old Heaven Awot, who was brutally raped and murdered in Bahir Dar in 2023, is a case in point. This incident has ignited a wave of national outrage and public grief throughout Ethiopia. Heaven was attacked and killed by her landlord and neighbour, who was also a father of three children. This tragic and disturbing story has sent shockwaves throughout the Ethiopian community, from Bahir Dar, Addis Ababa to the Ethiopian diaspora around the world. Her horrific death has become a focal point for discussions surrounding justice and the protection of vulnerable populations, particularly women and children.

[17] The peace rally was organized by the Network of Ethiopian Women's Associations (the Strategic Initiative for Women in the Horn of Africa (SIHA) Network, and Timran). Some of the messages in the banners read: 'No disagreement has ever found solution through war', 'Women's body is not a battlefield', and 'War is not an instrument of development but of death, hunger, migration and destruction'. https://newaethiopia.org/womens-peace-rally-that-organized-by-timran-and-network-of-ethiopian-women-associations-newa-took-place-on-september-08-2022/.

The man convicted of this heinous crime was sentenced to only 25 years in prison – a verdict that many view as shockingly lenient given the brutality of his actions and the profound impact on Heaven's family and community. Heaven's case has not only highlighted the deficiencies in Ethiopia's legal system but also brought to light the broader issue of violence against women and children across the country. In response to the tragedy, a petition initiated by the Ethiopian feminist organization Article 35 has gained significant traction, amassing over 244,000 signatures demanding that the criminal's sentence be reassessed to reflect the severity of his actions.[18] This petition calls for the maximum penalty allowed under Ethiopian law and emphasizes the urgent need for 'robust legal protection' for Heaven's grieving mother, who has faced threats for her pursuit of justice for her daughter. This is followed by the hashtag #JusticeForHeaven, which has gained traction on social media as people express their frustration and heartbreak over the situation.

The incident has highlighted the ongoing struggle for justice and the need for systemic change in how cases of violence against women and children are handled in Ethiopia. What has sparked further outrage is the fact that the criminal has appealed his sentence. Adding to the controversy, the mother of his three children and other family members have come forward to proclaim his innocence and have even resorted to intimidating the victim's mother and attempting to bribe individuals involved in the case. In the wake of these events and the intense advocacy work surrounding it, senior government officials, including the Minister for Women and Social Affairs, have condemned the crime as 'inhumane' and have committed to pursuing justice for Heaven and her family. In a gesture of solidarity, the Mayor of Addis Ababa has offered Heaven's mother a condominium at no cost, signalling a collective effort to support her during this devastating time. This response reflects a growing recognition of the urgent need to address gender-based violence and ensure that victims and their families receive the protection and justice they deserve. The mobilization of public sentiment and governmental support surrounding this case illustrates a critical moment for advocacy and reform in Ethiopia, pushing for systemic changes that prioritize the safety and rights of the most vulnerable members of society. On the other hand, the fact that police forcefully interrupted a candlelight vigil organized by civil society organizations in memory of Heaven, probably reflecting the broader security concern related to insurgencies making use of public gatherings, indicates VAW is yet to garner the attention of the government as a national priority.

[18] The organization is named after Article 35, the only constitutional provision that acknowledges women's rights. Otherwise, the Constitution lacks a frame as to how these rights of women can be realized in a system where ethnicity is the central organizing factor for the structure of the state and institutions of government.

The new political space afforded by the national dialogue process and the gender activism connected to that has also kindled hope for the women's rights movement in Ethiopia challenging and going beyond state feminism. Ethiopia passed a law to establish a National Dialogue Commission (NDC) in December 2021 to address the country's ever-deepening political crisis. Concerned that the women question might be sidelined, women-led organizations formed a women's coalition for national dialogue. The coalition vainly attempted to increase women's representation in the NDC. This suggests the risk of tokenism in the much celebrated gender reform of the Abiy administration.[19] On the other hand, the gender insensitivity of the NDC, and the government more broadly, might inadvertently create a new space by default for gender activism by women's groups beyond state feminism and the vanguardism of governments across political regimes. A notable initiative led by TIMRAN has united key networks and organizations like NEWA, EWLA, and Setaweet to coordinate efforts. Since the establishment of the NDC, there has been increased interest from civil society to understand and participate in the dialogue process. Women's groups are actively seeking to influence the nomination process for commission members, though they face frustrations due to limited opportunities for involvement.

In response, various women's organizations have come together to formulate a cohesive women's agenda that outlines shared positions and proposals for the National Dialogue. Called Women's Voice in the National Dialogue, this coalition has been engaged in activities since the beginning of the consultative process by incorporating more than 50 organizations. It has successfully submitted women's top ten agenda to the NDC. One of these top ten agenda issues is 'the increment of violence and harmful traditional practices against women and children and lack of justice'.[20]

While these initial efforts are promising, their success will depend on sustained advocacy. Comparative experiences from South Sudan to Cameroon demonstrate that collective organization can enhance women's influence in dialogue processes. The coalition are now promoting their Women's Agenda, outlining their proposals and contributions to the National Dialogue. The impact of these ideas remains uncertain, but the unity and determination of women activists signal a positive outlook for their leadership and influence in this process and beyond.[21]

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19 Online interview with Alexander Shoebridg, Head of Peace Process Support, Inclusive Peace (IP). 28 September 2022. IP is actively supporting the Women's Coalition for National Dialogue.

20 Interview with TIMRAN.

21 Interview with Eyerusalem, Chairperson, TIMRAN, October 2023.

While the NDC has made strides in gender inclusion, it has also faced criticism. Positively, the NDC's commitment to inclusion has led to women being recognized as a distinct constituency with a minimum 20 per cent quota in other constituencies. The Joint Council for Women Political Party Members is working to create mechanisms for women's inclusion across political lines, and the NDC has facilitated capacity-building for high-level female executives to promote grassroots impact. However, criticisms focus on the disconnect between the national peace process and local initiatives, particularly in enforcing inclusion and politicizing the quota system. Critics argue that the NDC's strategies hinder local legitimacy and that women are often selected based on political affiliation rather than merit. Many potential contributors, especially in rural areas, remain unaware of the initiative. Consequently, the NDC-led process has become a competitive arena for opposing political parties, sidelining local communities and excluding women who could significantly advance peace and human rights.

The Ethiopian National Dialogue process is ongoing, with increasing efforts to involve diverse voices, including women, in agenda setting. Recently, there has been heightened engagement from women's organizations and civil society groups advocating for a robust representation of women's issues in the dialogue from formation of coalitions to increased visibility. Women are being recognized not just as a marginalized group but as essential stakeholders in shaping national conversations. Initiatives are underway to highlight women's perspectives on key issues such as peace, security, and governance. Despite these positive strides, challenges remain. Women often face barriers to participation due to political affiliations, and there are concerns about the adequacy of the opportunities provided for meaningful engagement. Women's groups continue to advocate for their inclusion in decision-making processes, pushing back against any politicization of the quota system and emphasizing the need for genuine representation rather than tokenism. Overall, while the participation of women in the Ethiopian National Dialogue process is improving, ongoing efforts are crucial to ensure their voices are not only heard but significantly shape the agenda.

CONCLUSION

The discussion across the various sections has illustrated how Ethiopia's leaders have navigated global gender norms in alignment with the national priorities they establish. Successive governments, regardless of their political ideologies, have made attempts to address women's rights issues; however, these efforts have consistently fallen short of their targets. A critical factor in the gender reform initiatives of these administrations is the prevailing norm of vanguardism and the accompanying state feminism. This political ideology,

which traces its roots to the ESM, has often relegated women's rights to a secondary status, viewed as less urgent than other social issues deemed to be national priorities.

Under Prime Minister Abiy Ahmed, Ethiopia's state feminism reflects the limitations of previous regimes, albeit with a distinct emphasis on rights framed as benevolent gestures from the government. This approach aligns with a broader trend of emerging personal rule centred on the Prime Minister's office. While the appointment of women to high-ranking political positions may create an illusion of progress and indicate a commitment to gender equity, the reality is that deeply entrenched patriarchal norms and inadequate enforcement of existing laws continue to obstruct meaningful advancements in women's rights. The alarming persistence of violence against women – exacerbated by political instability and prevailing societal attitudes – highlights the troubling fact that gender issues remain marginalized within the national discourse.

This chapter highlights the urgent need for genuinely transformative approaches to gender policy – ones that empower women as active agents of change rather than merely integrating them into existing development frameworks. Such transformative strategies would involve a critical reassessment of national priorities to ensure that gender equity is treated as a fundamental objective rather than a peripheral concern. Moreover, the rise of grassroots activism spearheaded by women-led organizations presents a vital opportunity for reorienting the narrative surrounding women's rights in Ethiopia. These groups are increasingly mobilizing to fill the gaps left by state feminism, advocating for systemic changes and challenging the prevailing patriarchal structures. By amplifying their voices and addressing the shortcomings of state-led initiatives, these activists are essential to fostering a more inclusive and equitable society, ultimately pushing for a political environment where women's rights are recognized as integral to national progress.

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3. Global norms vs. local practices: the adjudication of intimate partner violence cases in Addis Ababa

Helen Abelle

INTRODUCTION

The treaty bodies overseeing international human rights treaties increasingly emphasize states' obligations to address violence against women (VAW). Under the principle of due diligence, states are required to implement comprehensive measures to prevent, investigate, prosecute, and punish gender-based violence against women (GBVAW) perpetrated by non-state actors, while also ensuring survivors receive reparations. A state's failure to act when it is aware – or reasonably should be aware – of risks, or hold perpetrators accountable and support survivors, tacitly permits such violence. These omissions constitute human rights violations (CEDAW General Recommendation No. 35, Paragraph 24). In this context, the judiciary, as an arm of the state, bears responsibility for upholding human rights in cases of violations. Courts safeguard individuals from harm inflicted by others by holding perpetrators accountable through the adjudication of cases in accordance with relevant legal frameworks. By fulfilling this mandate, they play a pivotal role in protecting survivors' rights, dismantling impunity, and reinforcing justice (Regassa 2009: 328).

Intimate partner violence against women or IPVAW, a pervasive form of interpersonal violence, is defined as any act of violence committed by an intimate partner against another (WHO 2012: 1). IPVAW infringes upon women's fundamental rights enshrined in human rights instruments, including the rights to life, health, security, freedom from cruel, inhuman, and degrading treatment, dignity, and bodily integrity. Ethiopia has taken significant steps to safeguard women's rights by ratifying key human rights instruments focused on gender equality, including the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa

(Maputo Protocol). Additionally, Article 9(4) of Ethiopia's Constitution incorporates ratified international agreements into domestic law.

Although the CEDAW does not explicitly address VAW, the Maputo Protocol (e.g., Article 4) and other general human rights instruments that Ethiopia has ratified contain provisions relevant to IPVAW (e.g., Articles 6 and 7 of the International Covenant on Civil and Political Rights (ICCPR) and Article 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR)). By ratifying these instruments, Ethiopia has committed to enforcing them at the national level to combat IPVAW. However, despite this formal commitment, their implementation in Ethiopian courts remains limited (Alemu 2010).

In addition to global norms, Ethiopia's Constitution, under Article 34(5), recognizes the validity of local practices. This provision allows customary or religious laws to govern disputes related to personal and family matters, provided all parties involved consent. While these frameworks are officially restricted to civil matters involving personal and family law, they are frequently applied in practice to resolve criminal cases, ranging from minor offenses to serious crimes (Lijalem 2014: 139).

One of the most common forms of customary dispute resolution mechanisms used to address IPVAW cases in the study area is mediation, locally known as *Shimgilina*. However, the impact of mediation on the adjudication of IPVAW cases within the formal criminal justice system and its implications for women's rights remains significantly under-researched. By positioning courts as nodal points of norm engagement, this chapter examines how divergent approaches – specifically, global norms on VAW and local practices such as mediation – intersect within the judicial context, thereby shaping the adjudication of IPVAW cases. Through this lens, the chapter evaluates the relative influence of global norms compared to local norms in IPVAW adjudication, investigating whether courts harmonize these frameworks or prioritize one over the other.

The chapter also identifies discrepancies between the legal framework governing these norms and their practical implementation. Additionally, it examines systemic challenges that may hinder effective norm engagement within courts. Furthermore, the chapter investigates the perspective of key actors – including police, prosecutors, and the judiciary – as well as survivors, regarding the application or omission of these norms in IPVAW adjudication.

This research forms part of a broader research project on the role of the judiciary in protecting women from violence, conducted in Addis Ababa. Data were collected from five purposively selected city court divisions, five first instance courts, and one high court division within five sub-cities of Addis

Ababa City Administration.[1] A qualitative research approach was adopted, engaging 33 survivors of IPVAW and 72 key actors, including judges, prosecutors, police officers, defense attorneys, experts from shelters, one-stop centers, Addis Ababa City Administration Bureau of Women, Children, and Social Affairs, Ethiopian Women Lawyers Association (EWLA), family elders, and religious leaders. Primary data were gathered through semi-structured in-depth interviews, focus group discussions (four sessions of six participants each – two with judges, one with prosecutors, and one with survivors), courtroom observations, and court case analysis (97 closed IPVAW case files adjudicated between 2013 and 2023, which were purposively selected based on the type of violence and the nature of the judgment rendered, were reviewed). Data collection occurred in two phases – June 1 to November 14, 2022, and January 25 to March 24, 2023 – with informed consent obtained from all participants prior to commencement. Secondary data were drawn from published and unpublished literature, official reports, and websites. To ensure credibility, diverse data sources were triangulated.

The rest of the chapter is organized into four sections to explore the interplay between international human rights instruments, mediation/*Shimgilina*, and the formal court system in adjudicating IPVAW cases. After the introduction, the second section assesses the status of international human rights instruments within Ethiopia's legal framework, while the third examines the level of implementation of these instruments in courts when handling IPVAW cases and identifies challenges undermining their effective application. The fourth section investigates the use of out-of-court survivor–offender mediation in IPVAW cases and explores its alignment as well as conflict with global norms. Finally, the fifth section provides conclusions.

THE STATUS OF GLOBAL NORMS IN THE ETHIOPIAN LEGAL FRAMEWORK

For survivors seeking redress for violations of their internationally recognized rights, one pathway is to petition domestic courts. However, the extent to which courts recognize and enforce these claims largely depends on how international instruments are incorporated into national law (Sousa Gant 2002: 12). Under international law, treaties – including human rights instruments – become legally binding on states through formal processes of accession or signature, followed by ratification (Sousa Gant 2002: 12). For these instruments to be implemented within a country's legal system, they need to be incorporated

[1] Arada, Bole, Kolfe-Keranio, Lideta, and Nifas-Silk sub-cities were purposively selected based on the number of VAW cases adjudicated in 2021.

into domestic law. Traditionally, states have adopted two primary approaches for this incorporation: monism and dualism (European Commission for Democracy through Law 2014: 6).

The monist approach treats international instruments as directly applicable within a state's legal system, eliminating the need for the domestication of treaties or conventions. Upon ratification, these instruments become part of a state's law without requiring transposition by means of national legal instruments. Some states adopt the monist approach through either direct application or by explicitly stating in their Constitutions that international law is a source and part of domestic law. This approach removes the distinction between domestic and international law, presuming no conflict between them as they are considered part of the same legal system. However, in rare instances of contradiction, international law prevails (European Commission for Democracy through Law 2014: 7, 9; Mutubwa 2019: 27).

In contrast, the dualist approach regards national and international laws as distinct legal systems with different legal subjects and sources (European Commission for Democracy through Law 2014: 9). Unlike monism, it limits the influence of international law to the international sphere (Shale 2019: 197). In a dualist system, international treaties must be transformed into domestic law through specific legal instruments before they can take effect. This approach partly reflects the principle of separation of powers, a common feature of state governance. This principle dictates that parliaments enact laws, while the executive branch typically implements them. Many dualist constitutions, based on this separation, require the domestication of international instruments through parliamentary legislation. Proponents further argue that dualism safeguards legitimacy, as non-self-executing treaties often require legislative adaptation to reflect local contexts and values (Mutubwa 2019: 28).

Critics, however, challenge dualism's rigid separation of legal systems. They argue that while traditional interpretations of state sovereignty frame international law as governing inter-state relations alone, this view fails to account for contemporary realities. Today, human rights are no longer purely domestic concerns, rendering the strict separation of domestic and international law increasingly untenable (Soboka 2009: 136–7).

The distinction between monism and dualism has become less rigid over time (Soboka 2009: 137). Many countries now exhibit characteristics of both systems, blurring the lines between the two traditional models (European Commission for Democracy through Law 2014: 10). Ethiopia is no different. Acknowledging the separation of powers, the treaty ratification process in Ethiopia involves collaboration between multiple branches of government. The Ministry of Foreign Affairs negotiates and signs treaties after consulting relevant bodies (Proclamation No. 1263/2021, Article 39(1.c)). Once a treaty is signed, the Ministry handles the formalities of ratification. However,

Article 55(12) of the Ethiopian Constitution mandates that treaties signed by the Executive must be submitted to the House of People's Representatives for ratification.

From a hierarchical perspective, the Constitution appears to favor a monist approach. In most monistic countries, ratified treaties are accorded higher legal status than domestic legislation (Soboka 2009: 135). It is stipulated under Article 13(2) of the Constitution that the fundamental rights and freedoms stated under chapter three of the Constitution shall be interpreted in accordance with the principles of the Universal Declaration of Human Rights (UDHR), international human rights covenants, and other instruments adopted by Ethiopia. This suggests that international human rights conventions ratified by Ethiopia occupy a higher, or at least equal, position, to chapter three of the Constitution (Kassie 2011: 47).

However, the picture is not entirely clear-cut. Article 9(1) of the Constitution establishes its supremacy and nullifies any conflicting laws. Additionally, Article 13(2) requires interpreting Ethiopia's Bill of Rights using 'principles' rather than specific 'provisions' of international human rights instruments. These could be interpreted as placing ratified agreements subordinate to the Constitution (Kassie 2011: 48).

Some scholars argue that ratified treaties hold equal weight with domestic proclamations because both originate from the House of People's Representatives. Nevertheless, this view suggests later domestic laws cannot supersede ratified treaties, and conflicting domestic laws must yield to their international counterpart (Soboka 2009: 138). This aligns with Article 27 of the Vienna Convention on the Law of Treaties, which prohibits states from invoking domestic law to justify treaty violation.

Ethiopia's Federal *Negarit Gazette* Establishment Proclamation No. 3/1995 requires the publication of all federal laws in the Federal *Negarit Gazette* and mandates that all federal or regional legislative, executive, and judicial bodies, as well as any natural or juridical persons, take judicial notice of laws published in the *Gazette*. However, Ethiopia has not translated and published major human rights treaties in the *Gazette* (Metiku 2014: 9). Ratification proclamations[2] typically contain only basic information, such as the treaty title, responsible bodies, ratification terms, reservations and declarations, and the effective date. As such, ratification proclamations lack the actual ratified treaty text and translations.

[2] For example, see Proclamation to Ratify the Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa, March 30, 2018, Proclamation No. 1082/2018. *Fed. Neg. Gaz.*, 24th Year, No. 33.

Therefore, currently, Ethiopia incorporates most international treaties through a simple ratification proclamation that adopts treaty provisions without transforming them into domestic law or translating them into local languages (Metiku 2014: 9). This practice aligns with a monist approach, where treaties take effect without further legislative action, provided they are published (Assefa 2009: 165). Nevertheless, considering the ratification process, legal hierarchy, publication requirement, and actual practice, Ethiopia's approach incorporates elements of both monism and dualism.

THE ROLE OF THE JUDICIARY IN IMPLEMENTING INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

In most legal systems, the judiciary serves as the principal avenue for survivors of human rights violations to seek formal redress. This is because the protection of human rights and freedoms is the core objective of all courts (Regassa 2009: 322). Article 79 of the FDRE Constitution grants exclusive judicial power to courts, entrusting them with the responsibility of interpreting legal provisions. Furthermore, since international human rights instruments ratified by Ethiopia are integral to the law of the land (FDRE Constitution, Article 9(4)), this interpretative role inherently compels courts to ensure that domestic laws comply with these international instruments.

While limited, there have been instances in which Ethiopian courts have incorporated principles of international human rights instruments in their decisions through indirect application (i.e., using international instruments to interpret domestic laws). For instance, the Cassation Division of the Federal Supreme Court applied the Convention on the Rights of the Child and the Constitution to interpret the Family Code differently than its wording suggested.[3] Although later repealed by the Supreme Court, the Federal High Court previously interpreted Proclamation No. 255/2001 in line with the ICCPR and the UDHR regarding freedom of expression and political participation.[4] In another case, the Federal High Court ruled that limitations on bail rights for corruption suspects under the Federal Anti-corruption Proclamation did not allow indefinite detention.[5] This decision recognized potential violations of Ethiopia's international human rights obligations under the ICCPR.

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[3] Tsedale Demese v. Kifle Demese, Federal Supreme Court Cassation Division, File No. 23632, 2000 EC.

[4] Dr Negasso Gidada v. HPR and the HOF, Federal High Court, File No. 41183, 1998 EC.

[5] Federal Police Criminal Investigation Department v. Naod Misale and others, Federal High Court, File No. 17705, 1995 EC.

These cases demonstrate that, though uncommon, Ethiopian courts have used international instruments to interpret domestic legal provisions. The Cassation Division's involvement, whose interpretations bind lower courts, further strengthens this practice. Therefore, Ethiopian courts have the potential to use international human rights instruments to interpret domestic legislation on IPVAW cases. Despite this potential, the present research revealed a concerning absence of references to international human rights instruments in judicial decisions concerning IPVAW. Out of the 97 closed IPVAW case files reviewed, none referenced international human rights instruments ratified by Ethiopia. Various actors have attributed this gap to different reasons.

A focus group discussion revealed that judges prioritize domestic legislation. As a result, prosecutors frame IPVAW charges based solely on provisions of the Criminal Code, and judges adjudicate these cases exclusively based on those provisions (FGD-2 10.11.2022). One interviewee explained that the existence of a clear Criminal Code removes the need to reference international instruments, provided there is no contradiction with global norms. The informant highlighted that judges focus on ensuring the Criminal Code's purpose is fulfilled. Another interviewee echoed this sentiment, emphasizing that compatibility between domestic laws and international instruments makes the latter unnecessary.

The research also identified concerns regarding judges' capacity to use international instruments. One interviewee noted a lack of familiarity and the necessary skills among judges for interpreting and applying these instruments. Additionally, he indicated that the lack of easy access to these instruments remains a significant challenge. One interviewee placed the blame more directly on the judiciary, suggesting negligence as the primary reason why international norms are not implemented in court. Another interviewee suggested that some judges lack passion for these issues, further hindering their application. Similarly, another interviewee believed that judges often approach IPVAW cases with indifference. Consequently, he argued, judges fail to properly apply even domestic provisions, let alone international instruments.

A major concern frequently mentioned by informants was the lack of publication of most ratified instruments in the *Negarit Gazette* and the absence of binding international instruments specifically addressing VAW. Two arguments were presented regarding the use of unpublished instruments.

The first argument posits that publication in the *Negarit Gazette* is a legal requirement. Proponents cite Article 71(2)[6] of the FDRE Constitution and

[6] Article 71(2) states: the president 'shall proclaim in the *Negarit Gazeta* laws and international agreements approved by the House of People's Representatives in accordance with the Constitution'.

Article 2(2 & 3) of Proclamation No. 3/1995[7] to support this claim (Assefa 2009: 167). Data from this research validate these concerns. The lack of translation and publication of key instruments, such as the CEDAW, may create confusion for judges when issuing decisions (FGD-2 10.11.2022). One interviewee argued that there is confusion regarding what is considered law when it comes to the implementation of international instruments. He argued that laws are those published in the *Negarit Gazette*. He believes that since most of the instruments are not published in the *Gazette*, judges refrain from implementing them, unsure of their status in domestic law. Another interviewee echoed this concern, noting judges only refer to published legislation. He argued that many ratified instruments remain unpublished and untranslated, leading judges to disregard them despite their recognition as part of Ethiopian law by the Constitution.

A counter-argument is raised by referring to Article 9(4) of the Constitution, which states that ratified international instruments are an integral part of the Ethiopian legal framework (Idris 2000: 124). This perspective contends that Article 71(2) of the Constitution simply mandates that the president fulfill the duties of his/her office (Assefa 2009: 168). It does not explicitly require the publication of ratified treaties in the *Gazette*. Furthermore, Assefa argues that the provisions of Proclamation No. 3/1995 cannot be used to challenge the Constitution. This view suggests that publication is a matter of practicality rather than legality (Idris 2000: 124). According to this perspective, the primary purpose of publishing these instruments, with translations into Amharic (the working language), is to enhance accessibility and expedite their application by judges.

Another explanation for the limited use of international instruments in IPVAW cases emerged in a focus group discussion. Participants emphasized the crucial role international instruments can play in addressing gaps in domestic IPVAW laws. However, they highlighted that the absence of binding instruments specifically targeting IPVAW remains a concern (FGD-3 23.03.2023).

This argument centered on a perceived 'normative gap' in international law. This view emerges from the argument that there is no binding human rights treaty that specifically recognizes GBVAW as a human rights violation in itself. Additionally, many existing standards and legal interpretations on the topic are considered 'soft law', lacking the enforcement power of international treaties or customary law (Manjoo 2019: 3–5).

[7] Article 2(2) states: 'All Laws of the Federal Government shall be published in the Federal *Negarit Gazeta*', while Article 2(3) states: 'All Federal or Regional legislative, executive and judicial organs as well as any natural or juridical person shall take judicial notice of Laws published in the Federal *Negarit Gazeta*.'

The CEDAW, a legally binding treaty, does not explicitly address VAW. It does not use the term 'violence' and has never been amended to include it (Manjoo 2019: 3). While CEDAW's General Recommendations and other outputs, along with the Vienna Declaration and Programme of Action, the Declaration on the Elimination of Violence Against Women, and the Beijing Declaration and Platform for Action, all mention eliminating VAW, they lack binding force. This has led some to advocate for a specific, binding legal instrument solely focused on VAW. They argue that without one, the articulation of the issues as human rights violations is hindered. Others have criticized the current situation, where VAW is only reflected in non-binding instruments, as 'normativity without legality' (Ziniakova 2021: 755).

However, having a binding human rights instrument might not guarantee its reference in court. The Maputo Protocol dedicates provisions to VAW, including domestic violence and marital rape. Article 4(2.b) of the Protocol obliges states to take action to protect women's dignity and prevent, punish, and eradicate VAW. Ethiopia, however, has made reservations and declarations on the Maputo Protocol for social, cultural, and procedural reasons.[8] One of such declarations concerns marital rape. This limits the application of the Protocol in Ethiopian courts for similar cases, hindering efforts to address the exemption of husbands from prosecution for marital rape. While the absence of a specific binding instrument might be used to justify neglecting human rights provisions in court, the Ethiopian courts' disregard for the Maputo Protocol, particularly its provisions on which Ethiopia has not made reservations/declarations, highlights a more general issue. Thus, despite the Constitution recognizing ratified international instruments and the Federal Courts Proclamation empowering federal courts to handle cases arising under them, these instruments were not applied in the courts selected for this research.

SURVIVOR–OFFENDER MEDIATION/*SHIMGILINA*

Conflict is an inherent and universal aspect of society. Communities develop conflict resolution mechanisms shaped by their unique philosophies, cultures, norms, and values (Oger-Gross & Obamuroh 2021). In the study area, various traditional dispute resolution mechanisms are commonly employed as informal tools to address both civil and criminal disputes. Among these, this

[8] Ethiopia has entered reservations on several provisions of the Protocol, including: Article 6(c & d) and Article 7(a). Additionally, the country has made declarations clarifying its implementation of certain provisions. For instance: Article 4 (2.a) of the Protocol, relating to the crime of rape, shall be applied in accordance with Article 620 of the Revised Criminal Code of Ethiopia.

research focuses on *Shimgilina*, a practice considered equivalent to mediation, often utilized to resolve issues related to IPV.

Traditionally, in mediation/*Shimgilina*, a respected elder, relative, neighbor, or religious leader acts as the mediator, facilitating an amicable settlement between spouses (Amsalu 2020: 166). The term *Shimgilina*, which translates to 'elderliness', reflects the high value placed on the wisdom and social standing of these individuals (Petros 2009: 123). The practice encompasses both normative and procedural aspects. The normative aspect refers to the long-standing system of beliefs, values, and norms guiding peaceful conflict resolution. The procedural aspect involves identifying the causes of conflict, facilitating discussion and understanding between parties, and ultimately restoring an amicable relationship between the disputants (Amsalu 2020: 167).

Informants interviewed for this research indicated that mediation could be initiated by either or both parties, their families, neighbors, friends, religious fathers, local elders, law enforcement officials (including police officers, prosecutors, and judges), and others. In the mediations observed, once both parties agreed to mediation, a date and location convenient for the parties and the chosen mediators were selected. These meetings took place at the couple's home (if they cohabited) or in the compound of a church or mosque (if they were separated). On the designated date, the mediators first met with the survivor and the accused separately to discuss the issue in detail. Following these individual meetings, a second meeting was convened to facilitate a joint discussion between the parties.[9]

POTENTIAL FOR MEDIATION IN COURTS-BASED IPVAW ADJUDICATION

Judges consider prescribed penalties along with aggravating and mitigating circumstances when sentencing offenders.[10] Article 82(1.e) of the Ethiopian Revised Criminal Code permits lighter sentences if an offender demonstrates sincere remorse, particularly by repairing, as far as possible, the injury caused by his offense. Although Article 82 does not include out-of-court mediation agreements as a mitigating factor, reviewed cases reveal a trend of convicted criminals seeking sentence reduction or probation based on reconciliation with survivors.

There is growing interest in utilizing customary dispute resolution mechanisms in Ethiopia to advance restorative justice. This approach suggests that

[9] Three mediations were observed for this research on February 12, 2023, February 19, 2023, and March 21, 2023.

[10] The Criminal Procedure Code of Ethiopia, 1961, Proc. No. 185/1961, *Fed. Neg. Gaz.* 32nd Year. Article 149 (3 & 4).

these mechanisms may better serve the goal of criminal law. Legal professionals increasingly recognize their potential to reduce court backlogs in specific cases (Lijalem 2014: 127).

Article 13 of the Criminal Procedure Code grants the injured party discretion over offenses punishable upon complaint.[11] In such cases, the survivor can effectively cease prosecution by withdrawing the complaint before judgment.[12] Examples of minor offenses include assault and minor acts of violence, offenses against honor, offenses against decency and morality, petty theft, and malicious injury to another person's interests. While the country's current legal framework does not recognize mediation for resolving criminal matters – whether offenses punishable upon complaint or those punishable upon accusation – proponents argue that the use of mediation for offenses punishable upon complaint can not only clear court dockets for more serious crimes but also address underlying causes more effectively (Koman 2016: 175).

Several informants emphasized the use of mediation in IPVAW cases in the study area. They noted that for offenses punishable upon complaint, the Criminal Code does not explicitly prohibit case closure after mediation between the survivor and defendant. This is because these offenses are deemed private matters without broader societal implications. However, informants also highlighted differences in the treatment of offenses punishable upon accusation. These crimes, considered more severe, are prosecuted to protect society regardless of the survivor's wishes; as a result, even with mediation, the case will likely proceed. Despite this, the research identified instances where such cases were inappropriately closed through mediation, raising serious legal concerns.

For instance, in one case,[13] a husband was charged with causing willful injury under Article 556(2.a) of the Criminal Code after hitting his wife's nose with a bottle, causing it to bleed, and repeatedly striking her arm and shoulder, leaving bruises and pain. The accused presented a mediation agreement, and despite the severity of the violence, the judge closed the case based on Article 664. Notably, Article 664 is intended for property crimes, making its application to an IPVAW case legally inappropriate. Although the prosecution

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[11] In these types of crimes, no charge will be filed against the criminal unless the survivor or her legal representative files a complaint. See Article 212 of the Revised Criminal Code. On the other hand, for crimes punishable upon accusation, the survivor's consent is less relevant, and her reporting the crime is not a compulsory criterion for the police to initiate investigations. See Article 11 of the Criminal Procedure Code.

[12] This practice is in line with Article 221 of the 1957 Penal Code of Ethiopia.

[13] Prosecutor v. Dilu Desta, Federal First Instance Court, Kolfe Keranio Division, File No. 54310, 2008 EC.

expressed dissatisfaction with the decision and requested a copy of the file to appeal, in other similar cases,[14] prosecutors did not object to the misinterpretation or the case closure.

Offenses punishable upon accusation are classified as such because of their severity and societal impact. They are crimes against the state, and their prosecution does not depend on the survivor's perspective. Misapplying Article 664 in such cases effectively reclassifies these offenses as punishable upon complaint, undermining their intended legal framework. Furthermore, there are no Federal Cassation Bench decisions supporting the application of Article 664 to such cases.

Such decisions reveal a troubling trend of judges prioritizing mediation over survivors' human rights and state interests, even in instances of severe violence. This practice not only disregards the seriousness of these crimes but also weakens the justice system's role in protecting survivors of IPVAW. While the Revised Criminal Code has classified many forms of IPV as criminal offenses, such interpretations result in unpredictable judicial outcomes and foster a sense of impunity among perpetrators, potentially emboldening them to continue abusive behavior.

The research found that mediation resolved 34 percent of reviewed IPVAW cases and influenced sentencing in 20 percent. Despite this demonstrated role of mediation, Ethiopia's current legal framework lacks provisions authorizing police, prosecutors, or courts to refer cases to mediation. To address this gap, the Draft Criminal Law Procedure and Evidence Code of Ethiopia[15] outlines a process for 'reconciliation' under Article 165. This provision applies to crimes punishable upon complaint and misdemeanor offenses, mandating mutual consent between parties for reconciliation. The process may be initiated by parties, community leaders, courts, prosecutors, or investigating police.

Articles 162 and 164 of the draft code state that the purpose of diverting certain criminal cases to out-of-court mechanisms is to ensure community participation in the criminal justice system, truth-finding, permanently settling criminal cases in a peaceful, efficient, and cost-effective manner, reducing repeated crimes and overlapping charges, and ensuring peace by avoiding

[14] For example, see Prosecutor v. Kaza Kelele, Federal First Instance Court, Kolfe Keranio Division, File No. 58097, 2008 EC.

[15] The Draft Code was developed under the oversight of the Ministry of Justice. In 2020, the Legal, Justice, and Democracy Standing Committee of the Parliament organized consultations to gather stakeholder feedback. Following these discussions, stakeholders submitted additional written comments for review. The Code will enter into force only after incorporating the feedback received, securing parliamentary approval, and being published in the *Negarit Gazette*. In April 2025 (when this chapter was written), the Code had not yet been approved by Parliament.

conflict between the survivor and the accused or their families and community. Regarding the effect of the reconciliation agreement, according to Article 168, the prosecutor shall register the reconciliation document and close the case if it aligns with the law and morality. If a charge has been instituted, it will be withdrawn; if a court is adjudicating the case, after registering the conciliation document, the court closes the case, and the agreement bars future lawsuits or appeals.

Despite the current absence of legal authorization, the research reveals a widespread practice where police, prosecutors, and courts encourage mediation. According to the data collected for this research, various reasons were provided for encouraging mediation by actors. A considerable number of informants, particularly for cases punishable upon complaint, see mediation as a way to achieve a win–win situation for couples. They believe mediation is better suited for resolving conflicts within long-term relationships, especially when triggered by emotions. In these cases, informants consider court outcomes less desirable as one party is likely to be unhappy with the decision.

Informants also noted that mediation is often recommended for couples, especially those who are married or in informal unions, due to the potential for reconciliation. They acknowledge economic dependence and the presence of children as factors that may make continuing the relationship preferable. They believe mediation in these situations can help couples address the underlying issue and potentially salvage the relationship.

According to informants, in some instances, judges may advise mediation after sentencing for grave offenses, particularly if there is a chance for reconciliation. This aims to facilitate a smoother reintegration of the defendant into the family unit, assuming the relationship continues. While most informants claim actors (police, prosecutors, and judges) do not directly involve themselves in mediation or the couple's decision to try mediation, data suggests that, in some cases, some actors exert pressure on survivors. Survivors and some actors (including police, prosecutors, and judges) reported a tendency for courts to nudge couples towards mediation, particularly for women who have experienced IPVAW. Some informants acknowledged that judges might recommend mediation and potentially schedule repeated appointments if the parties seem receptive. Furthermore, in some reviewed cases, mediation agreements explicitly stated they were conducted due to court orders.[16]

[16] For example, see Public Prosecutor v. Fekadu Alemayehu, Federal First Instance Court, Lideta Division, File No. 20957, 2006 EC and Public Prosecutor v. Belaynew Simegn, Federal First Instance Court, Bole Division, File No. 93847, 2011 EC.

Alignment of Mediation with Global Norms in Addressing IPVAW Cases

Mediation presents a promising alternative for resolving IPVAW cases, potentially aligning better with human rights principles, and emphasizing survivor self-determination (Adnew et al. 2021: 300). Unlike adversarial court systems – which are centered on prosecutors and defendants – mediation positions survivors as active participants, empowering them to shape resolutions that address their unique needs without rigid legal constraints (Gooding 1997: 14; Warden 2022: 1418).

Mediation enables both parties to explore their needs and interests, collaboratively develop solutions to address the current situation, and build skills for navigating future conflicts (Gooding 1997: 14). This process allows for a wider range of mutually agreeable solutions tailored to the specific circumstances of each case. Since the parties actively participate in designing solutions, they are more likely to be invested in and committed to the outcome (Adnew et al. 2021: 300).

Moreover, mediation fosters a less confrontational environment compared to courtroom battles, reducing the win-or-lose mentality and promoting collaboration (Adnew et al. 2021: 300). This approach can benefit a variety of survivors, including those who may wish to maintain a positive, perhaps even romantic, relationship with their partner (Warden 2022: 1418). Additionally, it addresses emotional trauma often overlooked by retributive justice systems, creating space for healing and restoring agency ultimately contributing to a more holistic path towards healing and justice (Lijalem 2014: 127–8).

An interviewee emphasized that mediation can create win–win situations for resolving IPVAW cases. However, he highlighted the importance of tailoring the approach to the specific circumstance, considering the severity of the crime and the harm caused. Mediation might be suitable for some cases, while others might require the justice system intervention. The interviewee also noted mediation's potential to facilitate survivor compensation and consider social and economic factors. Similarly, another interviewee viewed mediation as an effective tool for resolving family issues but not for serious cases where punishment is necessary for deterrence and rehabilitation purposes.

Therefore, the proper use of mediation in IPVAW cases aligns with the principles enshrined in various international instruments ratified by Ethiopia, including the right to equality, agency, and bodily integrity. Mediation has the potential to empower participants by enabling them to actively shape the decision-making process and case outcomes. Furthermore, it can provide a platform for all voices to be heard and considered, fostering a safe and respectful environment where parties can express themselves freely without fear of retribution.

The Conflict between Mediation and Human Rights Norms in IPVAW Cases

Intimate partner violence is often downplayed as a private family matter. Consequently, society often views mediation as a desirable solution for resolving these conflicts (Gashaw et al. 2019: 7). However, this perception has significant drawbacks. Framing IPV as a family issue, rather than a crime, can be harmful to survivors, particularly women. Cases that progress through the criminal justice system towards mediation may reinforce this misconception (Loomis 1999: 355).

Despite the continued use of mediation in IPV cases worldwide, measures to prohibit it are recommended due to several concerns (CEDAW General Recommendation No. 33, paragraph 58.c). Rooted in patriarchal values, some mediation processes hinder women's access to proper judicial review and remedies, jeopardizing their safety and dignity. This can occur by pressuring them to relinquish their rights for perceived family harmony, minimizing the significance of the violence committed, and perpetuating discrimination (Thomas et al. 2011: 10). In such situations, mediation is conducted at the expense of a woman's health, safety, and dignity, and it is used as a tool for pressuring survivors to tolerate and accept abuse (Gashaw et al. 2019: 7).

The findings of this research revealed that 79 percent of participating survivors initially sought mediation before pursuing legal action. Among this group, half reported facing pressure from family members, religious leaders, or law enforcement to resolve their cases through mediation. This pressure often comes, despite the severity of the abuse, with threats used to force participation such as loss of child custody, economic hardship, social isolation, or others. For instance, a survivor interviewed described how her family pressured her to mediate due to their lower social standing compared to the abuser's family. Family members worried that refusing mediation would make their situation appear worse.

Survivors also reported that mediators sometimes use phrases like 'tolerate for the sake of your children' or *Yiqir Le Egziabeher* (forgiveness in the name of God) that minimize the survivor's suffering. An interviewee noted that mediators sometimes prioritize a quick resolution and pressure couples to mediate without properly addressing the underlying issue or finding a solution. She highlighted that this pressure can lead survivors to agree to unfavorable terms simply to appease the mediators, potentially creating further problems. A survivor stated that she felt compelled to reconcile because mediators fell on her feet and pleaded extensively, leaving her unable to refuse at that moment.

Furthermore, mediation agreements assessed in this research exhibited critical shortcomings. They often failed to explicitly address the violence, omitting any acknowledgment of the specific abuse the survivor endured. These

agreements minimized the severity of the violence and its consequences. While violence was the primary issue, mediators seemed more focused on reconciliation and the presence of children, potentially overlooking the survivor's safety and well-being.

A case[17] from August 12, 2020, highlights these issues: an individual, A, choked and bit his wife, B, causing her shoulder pain (a violation of Article 560(1) of the Criminal Code). Although the case was brought to court, the couple opted for mediation. The resulting agreement acknowledged their marriage and two children, focusing on preventing future conflict and preserving the family unit. The mediators advised peaceful communication from B, urging both parties to avoid instigating conflict. The agreement placed the responsibility on B to close the case by presenting the agreement to the court. Consequently, the mediation agreement was presented to the court adjudicating the case, leading to the case's dismissal.

In this case, the agreement neither mentioned the type or severity of the violence nor acknowledged the abuser's responsibility. Instead, it implied that the survivor shared blame and needed to improve her communication to avoid provoking further violence.

Similarly, in one of the mediation sessions observed for this research, the mediators primarily advised the couple to avoid dwelling on the past, focusing on preventing future disagreements. Notably, any mention of the violence was completely avoided. Furthermore, a survivor of physical IPV was ordered to apologize to the accused for provoking the disagreement by talking back to him and for the 'emotional harm' he allegedly suffered due to the public disclosure of a private matter. As one mediator stated, the survivor was at fault for 'blowing the matter out of proportion' by taking the case to formal institutions.[18]

The future-oriented nature of mediation can also lead to overlooking or downplaying past actions, undermining accountability (Gooding 1997: 34). By failing to assign blame or impose punishment on the abuser, the system forces the survivor to bargain away her right to live free from violence (Loomis 1999: 355). One survivor recounted being pressured into mediation despite suffering serious injuries. This lack of punishment left her living in fear, as the abuser might be emboldened to repeat the offense.

The influence of mediation on case outcome, potentially leading to offender impunity, was evident in the cases reviewed for this research. In one case,[19] a

[17] For example, see Public Prosecutor v. Eshetu Mebratu, Federal First Instance Court, Kolfe Keranio Division, File No. 115063, 2013 EC.

[18] Mediation observed in Arada sub-city on February 19, 2023.

[19] Public Prosecutor v. Solomon Desaledge Federal First Instance Court, Kolfe Keranio Division, File No. 102224, 2011 EC.

husband pushed his wife to the ground, choked her, and caused pain. He was charged with assault under Article 560 of the Criminal Code and convicted. There was no mediation agreement between the defendant and the survivor. The court considered the assault being committed against his wife as an aggravating circumstance but acknowledged his lack of criminal record as a mitigating factor, sentencing him to two months of simple imprisonment.

In contrast, another case[20] involved a husband who choked his wife, pulled her hair, forced her to the ground, and repeatedly kicked her. He was also charged under Article 560 of the Criminal Code. However, a mediation agreement was presented to the court, leading to the case's dismissal. While two cases cannot be identical and various factors influence courts' decisions in cases of IPVAW (Abelle 2024), it is clear that the presence of a mediation agreement affected the outcome of the case. Thus, despite the more severe violence in the latter case, mediation significantly impacted the likelihood of conviction.

Some informants highlighted that the dismissal of cases based on a mediation agreement can be problematic because if no judgment is reached, the abuser may not have a criminal record. This lack of a record can hinder efforts to obtain a harsher sentence (using a history of violence as an aggravating circumstance) in the event of future abuse.

The absence of a follow-up procedure to enforce agreements presented another challenge. Without a system to track enforcement, there is no clear evidence regarding how well these agreements work in preventing future violence. Furthermore, the research reveals that mediation often results in temporary solutions that fail to address the root causes of the abuse, leading to a cycle of renewed violence and further harm to survivors. Informants repeatedly reported that mediators sometimes failed to offer alternative solutions or adequately address the abuser's behavior. Abusers may apologize and agree to conditions during mediation but often revert to their abusive patterns later.

CONCLUSION

By positioning courts as nodal points where global and local norms on IPVAW intersect and compete for judicial validation, this chapter reveals a critical gap in Ethiopia's justice system. Despite ratifying key international human rights instruments to advance women's rights – and constitutional provisions incorporating these instruments into domestic law and the Federal Courts Proclamation empowering courts to adjudicate related cases – the research

[20] Public Prosecutor v. Seifedin Mohammod, Federal First Instance Court, Kolfe Keranio Division, File No. 51826, 2007 EC.

found that courts rarely reference international frameworks in IPVAW cases. This underscores a striking judicial disregard for international norms, suggesting that Ethiopian courts, as sites of normative engagement, remain weakly connected to global human rights frameworks.

The research identified several factors contributing to this disconnect. These include a prevailing assumption that domestic laws sufficiently address relevant issues, rendering international instruments redundant; limited accessibility of ratified international texts, compounded by the failure to translate and publish many of them in a local language in *Negarit Gazette*; negligence or lack of judicial awareness regarding the applicability of international norms; and the absence of binding international instruments explicitly addressing IPVAW.

In contrast, Ethiopian courts demonstrate a stronger alignment with local practices that prioritize communal harmony over women's rights. The Constitution itself recognizes the validity of customary laws, and recent years have seen a growing judicial interest in customary dispute resolution mechanisms, often framed as tools for restorative justice. Proponents argue that such mechanisms may better serve criminal justice objectives in certain contexts, and legal professionals increasingly endorse them as a means to alleviate court backlogs.

The research found that, despite the lack of a clear legal basis for using mediation in criminal cases like IPVAW, it is widely employed. While most informants claim that actors (police, prosecutors, and judges) do not pressure couples into mediation, findings suggest that some pressure might exist in certain instances. Additionally, courts frequently consider mediation reports during adjudication, though their influence on rulings varies depending on individual judges and case specifics.

In theory, mediation aligns with principles enshrined in international instruments ratified by Ethiopia, such as empowering participants to shape the outcomes of the case, fostering a safe and respectful environment, and addressing emotional trauma often overlooked by retributive justice systems. However, its effectiveness in IPVAW cases is challenged by several factors commonly present in mediation, including pressuring survivors into unfavorable agreements, trivializing the severity of violence, and perpetuating narratives of shared blame. Such practices reveal a tension between the aspirational goals of global norms and the realities of localized practices.

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4. Unrecognized or silenced offence? Unveiling grassroots perceptions of marital rape and Ethiopia's reluctance to criminalize marital rape

Meron Zeleke

INTRODUCTION: MARITAL RAPE IN ETHIOPIA AND METHODOLOGY

Prior studies describe marital rape as a prevalent type of gender-based violence in Ethiopia (Woldu 2017). According to the Ethiopian Demographic and Health Survey (EDHS), 69 per cent of married women aged 15 to 49 have reported experiencing sexual violence perpetrated by their husbands (Central Statistical Agency 2016). The EDHS also indicated that spouses or partners are frequently identified as the primary perpetrators of sexual violence in most instances (Central Statistical Agency 2016). Studies conducted over a period of time show the predominance of intimate partner violence (IPV), specifically marital rape in Ethiopia. One study states that approximately 33 per cent of women in Ethiopia have encountered marital rape at some point in their lives (Berhane 2004). The World Health Organization notes, 'nearly one third of Ethiopian women reported being physically forced by a partner to have sex against their will within the past 12 months' (WHO 2005: 279). The lifetime domestic physical violence by husband or intimate partner in Ethiopia ranges from 31 to 76.5 per cent, while domestic sexual violence by husband or intimate partner ranges from 19.2 to 59 per cent (Semahegn and Mengistie 2015).

A multi-country study on Women's Health and Domestic Violence against Women conducted by CARE Ethiopia in four districts located at different regions of Ethiopia including a district within the Addis Ababa City Administration showed that 76.6 per cent of women consulted during the course of the study mentioned having experienced sexual violence by their partners or husband (CARE Ethiopia 2008). Likewise, a study conducted in the northwestern part of the country, specifically in Gondar, stated that more

than half of the women interviewed had experienced sexual abuse by their partners (Yigzaw et al. 2004). A similar study conducted in southwestern Ethiopia found that half of the women faced physical and sexual violence in their lifetime at the hands of their husbands or partners (Deribe et al. 2012). A systematic analysis and review of academic work published between 2000 and 2014 on the subject matter and the two consecutive national demographic and health survey results (2005 and 2011) stated that the overall trend in the lifetime prevalence of sexual violence against women (SVAW) offences women face from their husbands or intimate partners ranged from 19.2 to 59 per cent, with differences observed across research sites (Semahegn and Mengistie 2015).

The severity of the violence is most evident in the cases of clients served by EWLA who have received free legal aid from the association. For instance, there was a case of a victim who was repeatedly subjected to marital rape while undergoing treatment for ovarian cancer (Asfaw 2019). An interplay of various factors accounts for the prevalence of marital rape in Ethiopia. According to the national DHS, there exists an inverse correlation between intimate partner violence, levels of education, and social class. Educated women and women from wealthy backgrounds are said to be less likely to have ever experienced IPV (Central Statistical Agency 2016). Economic dependence is said to be one of the key factors accounting for marital rape in the Ethiopian context (Gelaw 2012).

The patriarchal social organization system is often identified as a leading factor contributing to structural gender inequality, gendered power relationship, and related male supremacy in Ethiopia (Zeleke and Geset 2020). The patriarchal system ingrains a gendered hierarchy in the society normalizing various acts of violence again women (VAW) including marital rape. A study indicated that 88 per cent of rural and 69 per cent of urban women believe in their husbands' entitlement to beat them (Semahegn and Mengistie 2015). A study conducted by EWLA showed one in two women in Addis Ababa believe that a husband is justified to beat his wife if she refuses to have sex with him (Ghiorgis et al. 2004).

The other factor positively contributing to the prevalence of marital rape is the practice of early marriage whereby young girls forced into arranged and early marriages often tend to have low or limited autonomy to make decisions on sexual matters (Tsunda Salihu 2024). A UNICEF study showed that physical, sexual, or emotional violence from intimate partners is common among young girls who got married at an early age (UNICEF 2018).

Despite the prevalence of the practice in most parts of the country, marital rape is often underreported or even not reported at all. Several factors account for the underreporting of marital rape in Ethiopia, ranging from socio-cultural factors to legal barriers (Asfaw 2019). The socio-cultural factor is best

reflected in the underlying societal belief that a husband is justified in disciplining a disobedient wife who refuses to have sex with him from fear of social ostracization (Asfaw 2019). There is a low turnout of reporting, which is associated with the gap in legal remedy and the underlying cultural bias and stereotype related to reporting (Asfaw 2019). Previous studies accentuate that the existing gap in the Criminal Code discourages conducting investigations and taking actions (Woldu 2017).

As a way of gaining an insight into the ambiguity in the incorporation of certain global norms on VAW, this chapter reflects on the trifling efforts made to criminalize marital rape in Ethiopia, outlining the rationales for the marital rape immunity in the country. This contribution additionally illuminates grassroots perspectives on marital rape and its criminalization, drawing on a study conducted in the Afar regional state of Ethiopia. By doing so, this chapter aims to dissect the complex tapestry of cultural rationalizations for marital rape, elucidating the underlying socio-cultural factors that sustain its prevalence.

The empirical source of the data is an extended study the author conducted on gender-based violence in the Afar region. In addition to the longitudinal study the author conducted in the research area, an ethnographic study was conducted in selected sites in Afar regional state, specifically Asayita, Logiya, and Semera. The study adopted a qualitative approach, utilizing a combination of textual analysis, case studies, and in-depth interviews. Thirty informants were selected from various demographic groups, including local married women, community leaders, religious authorities, legal experts, and social activists. The local community members were interviewed to elucidate the local community's perceptions of marital rape and their perspectives on why marital rape cannot and should not be criminalized. Furthermore, two focus group discussions were held with a group of six married women (a total of 12 participants) between the ages of 23 and 45 residing in Asayita and Semera, to uncover shared beliefs and cultural narratives regarding marital rape. The chapter is structured in five sections. Following this introductory section, the second section presents a concise review of literature on the debates surrounding spousal immunity, introducing the general analytical framework. The third section presents a brief overview of the contours of marital rape reform in Ethiopia. The fourth section presents the analysis of the empirical material collected from Afar. While analysing the empirical data, this section presents the cultural context, which is key to understanding the local resistance to criminalization of marital rape. The final section presents concluding remarks.

MAJOR DEBATES SURROUNDING MARITAL RAPE AND SPOUSAL IMMUNITY

Marital rape represents one facet of VAW that occurs within domestic settings. Various terms are employed as substitutes for marital rape, encompassing concepts such as marital sexual aggression, forced marital intercourse, marital sexual assault, and forced sexual activity in marriage (Woolley 2007). Additionally, in certain contexts, the term 'wife rape' is utilized to emphasize the gender-specific nature of the offence, disproportionately impacting married women globally (Bennice and Reisick 2003). Widely acknowledged as both a consequence and a factor of gender inequality, marital rape is recognized as a form of VAW under international human rights frameworks. The enduring global discourse regarding the criminalization of marital rape has continued for a considerable duration. The literature surrounding marital rape encompasses a diverse array of disciplines and perspectives, reflecting the multifaceted nature of this phenomenon. Studies within sociology and anthropology have highlighted the role of cultural norms and values in shaping attitudes towards gender and sexuality, with patriarchal ideologies often reinforcing unequal power dynamics within marriages (Torres 2016; Yllö and Torres 2016). Religious doctrines and traditional belief systems further compound these dynamics, with interpretations of sacred texts and cultural practices sometimes sanctioning or trivializing marital rape (Piggott 2021). Legal analyses have underscored the historical context and legislative evolution regarding the criminalization of marital rape, revealing the ongoing challenges in implementing and enforcing laws to protect survivors.

Supporters of marital rape exemption or spousal immunity put forward a variety of arguments. Wada (2012: 216) notes, 'The reasons for maintaining this exception were premised on different theories that reflect the moral values of different societies, which are undoubtedly discriminatory against women.' The theory of implied consent or the Hale doctrine of the seventeenth century accentuated the view that through marriage a woman commits herself to irrevocable sexual consent (Finkelhor and Yllo 1987). Another school of thought, called the 'unities theory' or the 'theory of unity of person', posited that upon marriage, the couple becomes a singular entity, rendering marital rape inconceivable. Under such consideration, discussion surrounding marital rape would be comparable to 'self-rape' (Fus 2006). Others argue in defence of it, citing the lower degree of harm inflicted by spouses compared to the physical and psychological impacts caused by rape perpetrated by a stranger (Bennice and Resick 2003). The theory of property posits that within marriage, the legal status of the wife is suspended, leading to the perception of women as the 'property' or 'chattel' of their husbands (Russell 1983). Another argument put

forward by some proponents of marital rape exemption is the safeguarding of marriage as an institution. According to this perspective, criminalizing marital rape could potentially harm marriages and hinder reconciliation between spouses (Mahoney and Williams 1998).

Such underlying assumptions in favour of marital rape exemption have for long informed Western legal philosophy until challenged by the second wave of feminism in the 1970s. Advocates for the criminalization of marital rape emphasize how the act violates fundamental human rights. It is argued that excessive attention on the sexual aspect of marital rape detracts from acknowledging women's inherent individuality and independence (Randall 2008). Hence, advocates for the criminalization of marital rape point to the fundamental rights infringed by marital rape such as the right to human dignity, and the right not to be subjected to cruel, inhuman, and degrading treatment. The Vienna Declaration and Programme of Action clearly stipulates that an act of gender-based violence violates the rights of dignity and worth of individuals. Therefore, marital rape is depicted as an infringement upon women's right to self-determination regarding their own bodies, violating their right to bodily integrity (Koenig et al. 2003). Wada (2012) argues that marital rape infringes upon a woman's bodily integrity and her right to choose with whom she shares her body.

Some contend that exempting marital rape establishes double standards and creates an illogical differentiation between the protection of married and single women, contradicting the principles of equality for all individuals as outlined in international human rights norms (West 1996). Thus, the extension of legal protection to women assaulted by strangers is criticized for creating a double standard by denying equal legal protection to women assaulted by their partners, which contradicts the fundamental protection guaranteed to all women under international human rights law. Others challenge the exemption of marital rape on the grounds that such an act promotes a culture of impunity, reinforcing existing gender inequalities and gender stereotypes. Furthermore, the categorization of marital rape is another contentious topic, as some question whether it should be grouped under domestic violence or acknowledged as a distinct entity (Bergen 1999).

CONTOURS OF RAPE LAW REFORM IN ETHIOPIA

The Federal Democratic Republic of Ethiopia (FDRE) Constitution stipulates that all international instruments ratified by Ethiopia are an integral part of the law of the land. Furthermore, it states that fundamental rights incorporated in the FDRE Constitution are to be interpreted in light of the Universal Declaration of Human Rights and international human right instruments the country adopted. Even though Ethiopia consented to international human rights

instruments condemning VAW, it did not criminalize marital rape. As a state party to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Declaration on the Elimination of Violence Against Women (DEVAW), Ethiopia is obliged to modify its laws in line with the requirements of these and more international and regional legal instruments protecting the rights of women. There is an observable gap of clear definition of VAW in the FDRE Constitution, the Revised Family Code of Ethiopia (RFC), and the Ethiopian Criminal Code. Furthermore, Ethiopia has no single, consolidated law on gender-based violence in general or VAW in particular.

The laws governing rape in Ethiopia have their roots in the first codified law, the Fetha Negest, which influenced the 1930 Penal Code of Ethiopia. In the 1930 penal code, rape committed against under-aged girls and against married women was criminalized in Article 387 and Article 395 of the Penal Code respectively. Furthermore, Article 398 of the 1930 Penal Code criminalized sexual intercourse between a teacher and his student or a man with a girl he is raising. The 1930 Penal Code was later replaced by the 1957 Penal Code. The 1957 Penal Code, like its predecessor, did not criminalize marital rape. Article 589 of the 1957(1) Penal Code stated:

> Whoever compels a woman to submit to sexual intercourse *outside wedlock*, whether by the use of violence or grave intimidation, or after having rendered her unconscious or, incapable of resistance, is punishable with rigorous imprisonment not exceeding ten years. Rigorous imprisonment shall not exceed fifteen years where the rape is committed.

Under the 1957 Penal Code, a rape committed 'outside wedlock' is the single punishable type of rape. This provision of used the term 'rape' for the first time. Furthermore, the 1957 Penal Code was progressive in defining sexual offence under the heading of Sexual Outrages. Part of the major progress made in the 1957 Penal Code includes eliminating the different types of punishments set for victims or offenders coming from different social classes and instead introducing a uniform penalty across class. The other progressive element of the 1957 Penal Code was addressing the relationship between the victim's physical or mental disability and lack of consent. The 1957 Penal Code clearly stipulated the age of consent stating that having sex with someone under the age of 15 would be an offence. Moreover, the 1957 Penal Code addressed the need to pay attention to forcible contexts suggesting lack of consent, such as abuse of power. Article 599 of the 1957 Penal Code clearly stated that a rapist would be exempted of a penalty on the condition that he marries the girl he raped: 'Where the victim of rape, indecent assault or seduction, or abuse of her state of distress or dependence upon another, freely contracts a marriage

with the offender, and where such marriage is not declared null and void, no prosecution shall follow.'

The current and the active criminal law governing rape in Ethiopia is part of the Revised Criminal Code (RCC) enacted on 9 May 2005. The Criminal Code is praised for the progressive steps made regarding the protection of rights of women on issues pertaining to different forms of VAW such as abduction, child marriage, female genital mutilation (FGM), sexual harassment, and women trafficking. The RCC, however, did not in any way change the underlying definition of rape stipulated under the 1957 Penal Code. Article 620 of the Revised Criminal Code stipulates:

> Whoever compels a woman to submit to sexual intercourse *outside wedlock*, whether by the use of violence or grave intimidation, or after having rendered her unconscious or incapable of resistance[,] is punishable with rigorous imprisonment from five years to fifteen years.[1]

Elements of sexual offences stated under the RCC are described as 'verbatim copies' of the 1957 Penal Code (Wada 2012: 16). According to Article 620, an act would only be considered rape if it involved compulsion and an underlying intention for sexual intercourse. Hence, under the Ethiopian criminal law, the legal requirements involve both proof of compulsion and proof of resistance. The different types of compulsion might include use of violence, grave intimidation, victim's unconscious state, and victim's incapability to resist. This requirement in the Ethiopian law contradicts the predominant global trend observed in countries where rape is defined on the basis of lack of consent instead of proof of compulsion and resistance.

One of the criticisms pertaining to the revised rape law in Ethiopia relates to the underlying gender bias. As per the definition offered in Article 620 above, even though the word *whoever* has a gender-neutral connotation, implying the possibility of having a female as perpetrator, the word *her* in the same Article shows the assumption that the victim is female. The other ambiguity surrounding criminalization of marital rape in Ethiopia partly relates to the double standards existing in the Revised Criminal Code whereby the RCC indirectly criminalized marital rape committed by women.[2] Article 621 outlaws this as, 'A woman who compels a man to sexual intercourse with herself, is punishable with rigorous imprisonment not exceeding five years.' Unlike Article 620, this type of sexual offence labelled as compelling a man to sexual intercourse did not specify the domain as being limited to outside of wedlock. This implies that

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[1] See the Criminal Code of the Federal Republic of Ethiopia, Proclamation no. 414/2004, article 620.

[2] The Revised Criminal Code, Article 621.

the law does not take into consideration the marital tie between the offender and the victim in those circumstances when a female commits the rape.

The exemption of marital rape in a de jure marriage while being criminalized in an 'irregular union' is another element that indicates the fallibility of the law. This relates to the provision criminalizing the forcible rape committed by a man against his partner who is in a de facto marriage or irregular union. Such irregular union is recognized in the Revised Family Code as a factual institution, like a de jure marriage. Article 98 of the Revised Family Code states: 'An irregular union is the state of fact which is created when a man and a woman live together as husband and wife without having concluded a valid marriage.' Article 103 of the RCC further states that an irregular union that existed for three years will have the same status as de jure marriage including the same retrospective effects on the property of the spouses. The ambiguity and double standard in the marital rape exemption can be seen from the underlying logic that a man cohabiting with a woman in a de facto marriage unlike a man in wedlock or in a de jure marriage cannot rape his partner.

During the amendment process of the criminal code, one of the leading civil society organizations, the Ethiopian Women Lawyers Association (EWLA), called for a broader definition of rape and an inclusion of marital rape. This was framed as being part of a broader human rights discourse of protecting rights of women and accenting the point that forced sexual intercourse in marriage is as unlawful as an act committed outside of marriage. However, this call by EWLA was rejected by the legislature. Part of the issues raised by the advocates calling for the criminalization of marital rape include the prevalence of the practice, and a health-related argument framed on medical grounds accenting how forced rape in and outside of marriage exposes women to various sexually transmitted diseases including HIV/AIDS and unwanted pregnancies (Asfaw 2019). Meaza Ashenafi, the founder and director of the EWLA and the former president of the Supreme Court of Ethiopia, proposed reproductive autonomy as being central to the issue of women's equality and full participation in society. She further noted that it is 'a key to women's ability to exercise all other fundamental rights' (Ashenafi 2004: 80). Thus, criminalizing marital rape is described as an important first step in protecting women's reproductive autonomy and rights.

The aforementioned call for criminalization of marital rape was rejected on several grounds. One of the arguments raised for exemption of marital rape was the right to privacy, arguing that the process of criminalizing marital rape would entail invading the personal affairs of married couples (Mesay 2019). The other line in defending marital rape exemption was through undermining and questioning the very existence of the practice (Asfaw 2019). Gelaw describes how the very existence of marital rape is questioned due to the underlying assumption that upon marriage couples are believed to consent to

having sexual intercourse (Gelaw 2012). This line of argument resonates with the tenets of the Hale doctrine discussed above.

Professor Wada, who was a member of the drafting committee of the RCC, attended a number of workshops organized to gather public opinion for revision of the 1957 Penal Code and had the chance to read and compile the recommendations submitted by different bodies, such as NGOs advocating for women's rights. Wada later critically reflected on the entire process, revealing that the civil society organizations were not passionate enough to stimulate public support and push the agenda of marital rape as they did for other crimes such as abortion (Wada 2012). Reflecting on the different workshops, Wada further noted that the general mood of participants inclined towards the feeling that removing the marital rape exemption would be contradictory generally to the culture, further posing a threat to the spousal bond. The link between rape and culture is often related to a patriarchal setting like Ethiopia's where masculine control over women is accepted and ingrained in gendered socialization patterns.

Reports by the CEDAW committee express concerns about some state parties' failure to introduce domestic legislation conforming with international obligations they entered into and for failing to introduce legal provisions dealing with domestic violence and marital rape. The committee has urged state parties to adopt a comprehensive legislation and revise their penal code to criminalize marital rape. Likewise, the CEDAW committee expressed its reservation about Ethiopia's failure to criminalize marital rape and urged Ethiopia in 2019 to adopt a national strategy for limiting VAW. The CEDAW committee's reports from 2011 and from 2019 stated its concern about the absence of law addressing all forms of gender-based violence such as marital rape and domestic violence. The Ethiopian delegation to the CEDAW review committee in February 2019 explained the reservations to the Maputo Protocol on the criminalization of marital rape in cultural terms by stating doing so would be a violation of the strong traditional norms and the sanctity of the family, and that it would be hard to prove. The cultural reasoning in defence of the marital rape exclusion explains how conflicting rights play out in the Ethiopian constitutional order and practices with regard to cultural and women's rights issues. In some circumstances the cultural rights – i.e., human rights that aim at assuring the enjoyment of culture and its components in conditions of equality, human dignity, and non-discrimination are conflicting with women's rights such as the right to live free from violence and discrimination.

The early draft of the revised family law put forward for public discussions and debates by the legislation recognized marital rape as a crime (Asfaw 2019). However, as in the case of the criminal code during the ensuing debates, one of the key arguments put forward against criminalizing marital rape was that it would create animosity between spouses and would ultimately affect

marital harmony. Furthermore, procedural and evidentiary concerns pertaining to potential difficulty in producing and collecting evidence for cases of marital rape were raised as another impeding factor. In its concluding observation on Ethiopia, the CEDAW committee has further noted the major legal gaps relating to the family code. Hence, even though marital rape is not yet criminalized in Ethiopia, there were some fragmented efforts made during the revision of the national family law and criminal code.

LOCAL PERCEPTIONS OF MARITAL RAPE AND GRASSROOTS RESISTANCE TO CRIMINALIZE THE PRACTICE

This chapter argues that any attempt to grasp the multiple factors accounting for the resistance to criminalizing marital rape needs to start from understanding the local-level perceptions about the phenomenon and the different local contestations surrounding it. As the analysis of the data collected from Afar regional state to be discussed in this section clearly shows, there are a range of factors in overt justifications grounded in traditional gender norms, religious interpretations, and societal expectations.

The data collected during the ethnographic study show the numerous grounds on which the local informants and the local community describe the concept of marital rape as being problematic as discussed below.

Perceiving Marriage as Contractual Consent

Marriage among the local community is seen as a contract that entails automatic consent for sexual intimacy. According to informants, marriage implies an ongoing consent to sexual relations between spouses. One informant states:

> Sexual intimacy is an inherent part of the marital contract. Once a person consents to marriage, she has that consciousness that her partner has unlimited right to sexual intercourse. Sex is something that is driven by emotion and not a programme as what the women's affairs office is trying to preach now. The very idea of labelling a natural phenomenon happening between spouses as a criminal case is a great crime by itself. (Fetiha, 03.08.2023, Logiya)

According to this local perspective, being in marriage implies an agreement to engage in sexual activity, which goes against the tenets of marital rape that cannot be considered within the confines of marriage.

During female focus group discussions (FGDs) this issue of marriage as a contract was raised, showing the consensus among the FGD participants:

> The day I agreed to be his wife is the day I gave him unlimited access to my body. Once I consented for it, there is no way that I can stop him from having sex with me. Isn't my body his? Then why am I in a marriage in the first place? (FGD, 11.07.2023, Asayita)

This first line of local argument resonates with the theory of implied consent or the Hale doctrine of the seventeenth century, stating that through marriage a woman is committing herself to unalterable sexual consent (Plaxton 2015).

An Act Committed by Strangers

Locally, rape is considered an act committed by a stranger, i.e. someone who has no acquaintance with the victim. There is a shared view among informants that rape is solely an act committed by an unknown assailant. During FGDs conducted at Semera participants were asked to reflect on what the terms 'marital rape' and 'rape' mean to them:

> The very concept of rape implies use of force, committing a sexual act against one's will. Then there is no way that it can be committed by people who have an affair let alone those who are living under the same roof. It is only a [stranger] that can have the guts to harm someone and that is why we say, *Sinamu umane bahtu dudam dibuk qibanytu* (It is only a stranger who can harm a person). (FGD, Semera, 06.06.2024)

Cultural Incompatibility

Those arguing along the lines of cultural frames are against the idea of universalizing laws against marital rape without being sensitive to local realities and cultural sensitivity. Some informants stated their reservation towards the very idea of marital rape by stating that the attempt to think about marital rape in the Ethiopian context is an attempt to impose Western notions of consent on societies with different value systems:

> If we attempt to adopt everything from the West, I truly believe we risk losing our cultural identity. Look at how Western societies are advocating for same-sex marriage, which contradicts both Islamic teachings and Christian values. They argue for the right to choose sexual partners regardless of gender. Discussing marital rape feels akin to promoting same-sex marriage – both are concepts that are unimaginable in our society. As a nation, we must be cautious about the values we choose to adopt from others. While there are constructive aspects of Western culture that we can embrace, such as their respect for time and technological advancements, adopting norms that contradict our values will likely do more harm than good. I notice the ring on your finger and hope you would never consider accusing your husband of such a thing. (Shemsedin, 16.05.2024, Semera)

A women's rights activist interviewed during the course of the study also shared her deep-rooted doubt and hesitancy towards the notion of marital rape:

> I am an advocate for women's rights and I am up for the fight against FGM, early marriage, intimate partner violence, you name it. But when I hear about marital rape, it just confuses me as this is just a foreign concept to which I can hardly relate. For us marriage is a holy union. Everything that is happening within the domain of marriage is something based on full consent of husband and wife. Then how can this be defined as a rape. This is totally against our *addaa* [culture]. (Nebili, 12.08.2023, Semera)

There were informants who argued that a move towards criminalizing marital rape is an aspect of cultural imperialism, where the imposition of Western values and legal frameworks can undermine local customs and beliefs.

Local Conceptualization of Rape as Age and Marital Status Bound Act

The local perception of rape is that it is an age and marital status conscious act whereby the victims of rape in most circumstances are believed to be unmarried young girls, though this is not always the case.

> In our society married women are respected and *digbite bara Cadi le* [married women are sacred]. Raping a married woman is unimaginable in our society. Even though the incidents are rare and uncommon as in the case of other parts of Ethiopia, there are a few reported cases of rape in our region of unmarried young girls. (FGD, 14.06.2024, Asayita)

Married women are described by local informants as *Qaffar Inna* (mother of the Afar) and hence the rape of a married woman by a stranger let alone her husband is described as an immoral act violating the norms of the society.

Religious Argument

Some informants, especially elderly religious figures consulted during the research, brought up a scriptural argument to reject the validity of the notion of marital rape, as the account of one informant here shows:

> I do not get how you dare to talk about marital rape. In the holy book in *sura al-Baqarah*: 223, this issue is clearly stated. It states wives are the land where you grow crops, it says, 'Come to the land where you cultivate it.' You see this does not say cultivate it twice or three times a week or a month, it does not also say ask your wives' consent to do so. (Sheikh Zeyid, 12.07.2023, Semera)

Such religious justification upholds the idea that wives are duty-bound to fulfil their husbands' sexual desires, regardless of their own wishes.

During FGD sessions held with women, the participants had divided outlooks on the religious justifications. Of the twelve participants of FGD held with two groups, nine mentioned that the holy Quran gives men unlimited right over their wives' body while the other three were sceptical about this. When asked to provide evidence on where such unlimited sexual rights are stated, all mentioned that this is what they have been hearing since childhood and that they don't question the validity of the point though they cannot refer to a specific holy book.

However, it is important to note the contestations surrounding the religious argument. There was one religious leader who framed the issue in reference to circumstances that might qualify an act as a marital rape. The only circumstance where one can think about marital rape is when a man asks his wife to have sexual intercourse during her menstrual period or during fasting hours in Ramadan.

The notion that a man's sexual entitlement within marriage is unquestionable often stems from these patriarchal structures. In this context, women are expected to fulfil their roles as wives and mothers without agency or autonomy, particularly when it comes to sexual relations. One perceived justification for a man not honouring his responsibilities towards his wife when he violates her sexually is the idea that men are the primary authority in the family and, by extension, their sexual desires are paramount. This logic is frequently bolstered by religious teachings that prioritize male authority, framing the husband as the head of the household and the wife's duty as one of obedience and submission. In some cultures, marital rape is not seen as a violation of the sanctity of the marriage because sex is viewed as a marital obligation rather than a mutual, consensual act. Violence and intimidation, in this view, may be dismissed or even accepted as part of the natural order, wherein a woman's submission to her husband is considered essential to maintaining marital harmony. This cultural normalization of male dominance, underpinned by interpretations of religious doctrine, allows many to overlook or dismiss the harm of marital rape, perpetuating a cycle of silence and injustice.

Invading Privacy

As participants of the study argued during FGD and in-depth interviews, any attempt to criminalize marital rape would be an act of encroachment on the autonomy of married couples and their intimate matters:

> A sexual interaction between spouses is a very private issue that is not up for public discussion and hence it should be treated as such. Any attempt to criminalize it and

> allowing the law enforcement to intervene in such private matter is like violating the basic rights and privacy. (Nebilat, 23.7.2023)

Such intimate matters are rather supposed to be exclusively kept to the discretion of the couples involved. During FGDs, informants argued that as sexual affairs are a private issue the state and law enforcement should not intrude into the private realm of marital relationships.

This aspect of framing marital rape as an issue of privacy highlights the tension between individual autonomy and societal norms regarding marriage.

Posing a Threat to Family Unity

While stating their resentment towards the criminalization of marital rape, informants argued that allegations against a partner on sexual grounds and prosecuting such cases could undermine family cohesion and stability:

> If we talk about criminalization, we are thinking of enforcing mechanisms, penalties, etc. So basically, we are saying that a wife accuses her husband of raping her and this has to incorporate to the criminal code which is nonsense. How do we expect the relationship to end after such accusations? If a wife labels her husband as a criminal, then there is no chance to save that relationship. So introducing such a rule will do more harm than good to the marriage. *(*Ali, 12.06.2024, Asaita)

Some informants contend that marital sexual violence is something that should be dealt with within the confines of the family unit rather than through external actors such as legal intervention in order to preserve marital harmony:

> We all know of cases whereby a married couple has some issues regarding their intimate sexual life. There are instances when the woman or the man is dissatisfied with their sex lives. Under such circumstances it should be their close family members, their best men or women or the religious figure who was involved in their nikha ceremony (engagement) that should intervene if at all. The goal is not to accuse the person who has issues, it is rather to find a solution. This approach is mainly focused towards reconciliation and finding a solution while the criminalization is rather centered on calling for separation and divorce. It endangers the relationship. (Ekram, 13.08.2023, Logiya)

This line of argument by local informants in Afar resonates with the point raised by proponents of marital rape exemption, framed as the safeguarding of marriage as an institution.

The Burden of Proof

Informants consulted from the justice sector, on the other hand, raise a practical reason stating the point that as rape is a criminal case, the burden of proof in criminal matters is the responsibility of the prosecutor to prove evidence that the accused committed the crime beyond reasonable doubt. Some informants stated their reservations with regard to the criminalization of marital rape, by accentuating their deep-seated concern on the feasibility of verification and proving non-consensual sex within a marital relationship:

> Even if we agree on the very idea of criminalizing the act, practically there will be a challenge. The victim may struggle to provide evidence that the rape took place. Unlike other types of violence, such as physical assault, there are often no visible signs of abuse or injury. Furthermore, another obstacle in establishing the burden of proof in marital rape cases is the absence of witnesses. Unlike instances of rape by a stranger, there may be no one present to observe the assaults. (Lawyer, 20.07.2024, Semera)

For most informants, proving marital rape is regarded as a very challenging endeavour. The absence of physical evidence or witnesses is believed to make the task very difficult. Furthermore, during expert interviews, the informants from the judiciary highlighted the very subjective nature of consent, making adjudication of marital cases complicated.

CONCLUSION

Even though there were numerous legal reform initiatives after 2018 in Ethiopia including the political parties law, the anti-terrorism law, and the charities and societies establishment law, the theme of marital rape has not yet received the attention it deserves.

The analysis of the evolution of marital rape legislation in Ethiopia reveals that the RCC of the FDRE largely upholds previous classifications of sexual offences and continues the exemption of marital rape. Key deficiencies in the RCC regarding rape encompass its lack of a gender-neutral definition of rape and its failure to categorize forcible rape and sexual assault as acts involving lack of consent. Under global and regional standards addressing VAW, the Ethiopian government is mandated to formulate domestic legislation and legal penalties to address the challenges women encounter, particularly concerning marital rape.

As the discussion above clearly shows, failing to criminalize marital rape not only falls short of international obligations but also undermines the fundamental principle of gender equality in marriage, outlined in Article 35 of the FDRE. A substantial overhaul of rape laws should involve removing the

emphasis on force and resistance as defining factors in rape cases, eliminating the exemption for marital rape, and broadening the definition of rape to encompass any non-consensual sexual act.

This chapter further underscores the imperative of examining local resistance towards criminalization of marital rape as a critical step towards addressing this pervasive form of gender-based violence. The discussion surrounding the exemption of marital rape in Ethiopia by prior studies paid more attention to the national resistance by political elites and technocrats without paying much attention to the local grassroots levels of resistance. The analysis of the multilayered local argument for the exemption of marital rape presented in this chapter – ranging from religious arguments, cultural incompatibility, and cultural imperialism, to invading privacy – all showcase how promotion of ideas like marital rape as a criminal offence can be seen as a challenge to existing cultural norms that define marriage and consent differently. This often leads to resistance from communities that view these concepts as foreign and incompatible with their traditions as the case of Afar discussed in this material clearly shows. The chapter advocates for a more nuanced approach to social norms that considers the socio-cultural and political contexts surrounding the globalization of gender-based violence norms. The often-cited socio-cultural factor of considering marriage as an institution bound to consent to sexual intimacy, a common phenomenon observed in Afar's social norms, is highly intertwined with the place women have in society and its patriarchal norms. Efforts to criminalize marital rape must take into account local resistance framed in cultural terms. Communities may view such initiatives as threats to traditional values or social structures, leading to pushback against legal reforms. Hence any attempt to criminalize marital rape and to effectively address it as an issue, needs an engagement with local perspectives and facilitating open dialogues that highlight the importance of consent and individual rights within the cultural context.

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5. The role of local and global institutional actors in combating child marriage among girls at Quarit *Woreda*

Yitaktu Tibebu

INTRODUCTION

In Ethiopia, the prevalence of child marriage has continued (Emirie et al. 2021; Jones et al. 2020) despite legal reforms that are aligned with international and regional human rights instruments[1] and a legal framework that is 'geared' towards the elimination of the practice (Chow & Vivalt 2022: 185), denouncing child marriage as 'harmful'. When the Revised Family Code came into force in 2000, the discriminatory (see Article 581(1) of the Civil Code) minimum marriageable age of girls was raised from 15 to 18, and child marriage was specified as voidable; the practice was criminalized under Article 648. Article 7(1) of the Amhara Regional Family Code similarly sets 18 years as the minimum marriageable age. The country committed to end the practice five years ahead of the specific Sustainable Development Goal by creating a national enabling environment, one component of which is a National Costed Roadmap with designed strategies aiming to accelerate efforts to end the practice of child marriage by 2025 (see MoWCY 2019). Ethiopia has not met its national target and is now aiming to achieve the international goal of eliminating the practice by 2030, with an expected progress rate six times faster. Even so, data on the prevalence rate of child marriage rank Ethiopia first in

[1] Ethiopia signed the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) on 8 July 1980 and ratified CEDAW on 10 September 1981; ratified the Convention on the Rights of the Child (CRC) on 14 May 1991; ratified the African Charter on Human and People's Rights (ACRWC) on 15 June 1998; ratified the African Charter on the Rights and Welfare of the Child on 2 October 2002; and ratified the Maputo Protocol on 18 July 2018.

Eastern and Southern Africa (UNICEF 2022: 8), and globally, the country is positioned as eleventh on prevalence rate and fourth on the highest absolute number of women married or in a union before the age of 18 years (Girls Not Brides 2024).

Child marriage persists as a deeply ingrained and harmful socio-cultural practice (Kohno et al. 2019), defying legal reforms (Batyra & Pesando 2021; Presler-Marshall et al. 2021) that are aligned with international human rights instruments. The ongoing debate on how to realize child marriage laws at the grassroots level stresses the need to closely examine the local context of how these laws are framed and implemented (Vandenhole 2012: 80; 2018: 78). Accordingly, this chapter particularly looks to the roles of the institutional actors in global–local interplay of child marriage law implementation in the targeted research areas. The chapter offers a fresh look at critically assessing the roles of the local government, as well as its collaborative efforts with grassroots women and youth associations and global partners that are active in the fight against child marriage. It also invites a conversation on existing power dynamics and effectiveness of the actors involved.

The chapter builds on and expands upon discussions of vernacularization, and particularly the role of intermediaries or translators, as a contribution to the volume's focus on situated norm engagement (Merry 2006: 39; 2017: 5). Goodale and Merry (2007) show how the practice of human rights necessitates carefully examining the intricate relationship between global norms and local practices. Merry (2017: 4) further argues that the precondition for acceptance of women's human rights lies in its adaptation to existing 'local cultural categories, symbols, and ideologies: they need to be made to fit in with what is already there'. In complete contrast to norm life-cycle understandings (Finnemore & Sikkink 1998: 895–904), the reality of child marriage seems to run counter to any universal minimum marriageable age of 18 as an 'inflexible legal standard' (Bunting 2005: 34), closer to what Bunting (2005) refers to as 'facile universalism' and 'facile relativism', in between which a mediation between claims of universalism and cultural specificity may ultimately encourage effective and constructive dialogue.

The chapter consists of five sections. Following this introduction, the chapter briefly presents methodological considerations, including research sites and sources of data. It then offers an overview of the interaction and collaboration between the different actors, both international and local. The subsequent section examines the local government's institutional response to preventing child marriage in the targeted research sites with a focus on the roles of the Bureau of Women and Social Affairs, the Justice System, and the Education Sector. It then identifies the existing challenges in the efforts to eliminate the practice at the targeted research sites. The fourth and fifth sections deal with the analysis of the role of grassroots women/youth associations followed by a review of

the role of international global organizations (IGOs) respectively. Finally, the chapter concludes on its main arguments and contributions on the meeting between global and local norms on child marriage in Ethiopia.

METHODOLOGY: RESEARCH SITES AND DATA SOURCES

Empirical data were collected from Quarit *Woreda*, West Gojjam, Amhara region. Two specific target communities were selected in consultation with the Quarit *Woreda* Women Mobilization Office, i.e. Asheti Leba Gedel and Zambit Zeguda. According to the 2016 Ethiopia Demographic and Health Survey (EDHS), Quarit *Woreda* has a total population of 114,771 (56,767 men and 58,004 women) and covers an area of 602.99 square kilometers. Only 4,750, or 4.14 percent, live in urban areas (CSA & ICF, 2016). The data were collected from multiple sources. Semi-structured interviews (n=45, 6F) were conducted with Committees to Eradicate Harmful Practices (HPs). To triangulate the findings, in-depth interviews (n=62) and focus group discussions (FGDs) (n=104) were conducted with community members (63M, 41F) involving adolescent girls, female parents, male parents, religious fathers (priests), elders, and adolescent boys. Additionally, the study conducted interviews with key informants (n=12, 4F) consisting of health/extension workers (HEW), health center head (HCH), school principals/vice principals (SD), gender club focal female teachers (GCFFT) and women/youth grassroots association representatives. Due to the high prevalence of child marriage (CSA & ICF, 2016; MoWCY 2019), the Quarit *Woreda* is identified for implementing the UNICEF–UNFPA Global Programme to Accelerate Action to End Child Marriage. Accordingly, two focal persons from global actors also took part in the study.

THE ROLE OF NATIONAL ACTORS AND THE NATIONAL ROADMAP

Child marriage is a global deeply ingrained harmful gender-based practice (Deane 2021; Zaman & Koski 2020). At the first Global Girls Summit held in London in 2014, the entire international community received a call to join hands and combat the practice. It was at this summit that Ethiopia made a commitment to end the practice by 2025 (MoWCY, 2019). In line with this, the country put in place the 'National Costed Roadmap to End Child Marriage (2020–2024)' in 2019, setting out a plan for how local government collaborates with local and global actors. This joint collaboration is further strengthened with the establishment of the National Alliance to End Child Marriage (and

FGM).[2] The IGOs participate actively on a national basis, wherein UNICEF co-leads the National Alliance (interview with AD3, 16 May 2022, Addis Ababa). Two actors are important to follow here: the Ministry of Women and Social Affairs, and the Justice System.

The National Roadmap confers the Ministry of Women and Social Affairs (MoWSA) the mandate to lead and facilitate the enforcement of child marriage initiatives. MoWSA operates at different administrative levels. It has Regional, Zonal, and *Woreda* offices that report to the federal office. Accordingly, MoWSA at the national level and its bureaus at the regional level manage the overall National Costed Roadmap. It is MoWSA that has a mandate to lead and conduct monitoring regularly to ensure that all actors follow the plan, implement it, and report on the progress. In line with this, the Bureau of Women and Social Affairs (BoWSA) leads the Amhara region's initiatives to fight child marriage among girls. Consequently, BoWSA leads the Amhara Regional Alliance to End Child Marriage (and FGM) initiatives.[3] The Alliance provides a platform for coordinating the efforts of state[4] and non-state[5] actors to address the issue of child marriage in the region. The Alliance is also significant in uniting efforts, sharing experiences, and avoiding duplication of efforts to prevent and respond to child marriage among girls.

The Justice System, on the other hand, is given a mandate to prevent and prosecute. One of the primary responsibilities of the Justice Office in the fight against child marriage is prevention. Discharging its prevention responsibility necessitates harmonizing the laws on child marriage with the existing gender/social norms through providing continuous awareness rising (MoWCY, 2019).

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[2] The National Alliance to End Child Marriage and FGM comprises 16 members from government stakeholders (i.e., MoWSA, Ministry of Education, Ministry of Health, Ministry of Justice, and 12 regional representatives from Women and Social Affairs) and 12 from non-governmental organizations (UNICEF, UNFPA, GAGE, UN Women, GIZ, Norwegian Church Aid, Engender Health, CARE International, Child Fund, Irish Aid, Action Aid, and Save the Children).

[3] The Alliance has a Steering Committee and a Technical Committee; the Steering Committee holds the senior management of the local government, CBOs, and global partners, while the Technical Committee comprises the technical mid-level managers of the state and non-state members of the Alliance; see interview with AA008, 2 August 2022, Addis Ababa.

[4] BoWSA (Chair), Health Bureau (Co-Chair), Bureau of Culture and Tourism (Secretary), Bureau of Education, Police and Prosecutor; see interview with AA008, 2 August 2022, Addis Ababa.

[5] Membership for the non-state actors is open. Active NGO members comprise UNICEF, UNFPA, Plan International, Save the Children, World Vision, and CARE Ethiopia. From CBOs, the Amhara Women's Association and Inter-Religious Council are members.

The primary duty of the Justice Office, apart from contributing to prevention, is to end child marriage by enforcing the law that criminalizes the practice. This includes collecting data on the investigation and prosecution of these cases. Consequently, enhancing the knowledge of law enforcement officials on how to deal with child marriage cases is essential. Study findings show that the Ministry of Justice (MoJ) has been continuously building the awareness of the police officers close to the grassroots community (interview with AD6, 27 May 2022). However, the MoJ has a limited role in overseeing the regional authorities, as they are primarily responsible for preventing and monitoring crimes against women and children (interview with AD7, 10 June 2022, Addis Ababa).

The MoJ has recently established a Directorate to supervise and support the regions and to collect data on crimes against women and children every quarter.[6] The Amhara Region Justice Bureau has a Human Rights Directorate with a team working on women's and children's rights (interview with AA005, 27 April 2022, Bahir Dar). Its primary role is to protect children and women from violence through legal awareness raising and prosecution. We will see later how the Justice Bureau considers criminal prosecution as a final option and therefore focuses on its role in raising awareness and mobilizing the community to stop child marriage among girls (interview with AA005, 27 April 2022, Bahir Dar).

The next section examines how the local government stakeholders explain their successes and challenges in combating child marriage along with the national and global actors.

THE VERNACULAR ROLES OF LOCAL GOVERNMENT ACTORS

The National Roadmap recognizes the 'Regional Sectorial Bureaus'[7] as one of the central stakeholders in combating child marriage.[8] Operating under the direction of BoWSA, the Regional Sectorial Bureaus have a shared responsibility to implement the National Roadmap by working closely with key national

[6] However, the data are much aggregated; there is a lack of specific information such as the type of violence, and the background of the perpetrators (education level, age, and economic status).

[7] Regional Sectorial Bureaus includes Bureaus of Women and Social Affairs, the Justice Bureau, Bureau of Health, Bureau of Education, and Bureau of Culture and Tourism.

[8] The role of regional bureaus enshrined under the Roadmap is stated in these terms: 'Activity and resources at the federal level will be reflected at the regional administrative level taking into account regional contexts' (MoWCY 2019).

government agencies.[9] In Amhara region, the local government has translated its ambition to eliminate harmful practices, especially child marriage, into the establishment of structural mechanisms. These include setting up steering[10] and technical committees[11] at different levels of administration: *Region*, *Zone*, *Woreda*, and *Kebele*. The technical committee, which is also known as the harmful practice (HP) eliminating committee, has been established as a nationwide initiative,[12] including Quarit *Woreda*. The following sections will explain the respective mandate and role of the three HP committee members, namely the Bureau of Women and Social Affairs, the Justice Bureau, and the Education Bureau.

The Bureau of Women and Social Affairs

BoWSA, under its Women Mobilization Office (WMO), leads the HP technical committee through joint planning and continuous monitoring and evaluation.

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[9] Ibid. The National Roadmap sets a foundation for a joint collaboration among the Ministry of Women and Social Affairs (MoWSA), the Federal Parliament, Ministry of Justice, Ministry of Health, Ministry of Finance, Ministry of Education, and Ministry of Labor and Skills (the former Ministry of Labor and Social Affairs) to jointly collaborate and combat child marriage.

[10] The steering committee is led by Quarit *Woreda* Deputy Administrator (Head), Women, Children and Social Affairs (Deputy Head), and its secretary, Culture and Tourism. It also has an additional 12 members, representing the Agriculture Office, Education Office, Health Office, Justice Office, Police, Labour and Social Affairs, Court, Communication Office, Amhara Women Association, Amhara Youth Association, non-governmental organizations, and religious representative.

[11] The technical committee is directed under the leadership of the *Woreda* Women Mobilization Team Lead (Head), Youth Mobilization Team Lead (Deputy), and its secretary by the Culture and Tourism representative. It comprises an additional 12 members: Administration Office, Education Office, Health Office, Agriculture Office, Justice Office, Police, Labor and Social Affairs, Court, Youth Association, Women Association, Communication, and religious representative.

[12] The Regional Women Affairs Bureaus established the National Committee on the Eradication of HTPs in collaboration with non-governmental organizations (notably the Ethiopian Women Lawyers Association). The committee has been established in most regional states with the ultimate purpose of eradicating the practice of child marriage and abduction through mobilizing the community. See UN Committee on the Elimination of Discrimination against Women (2009). See also *Ethiopian Global Database on VAW* 2009: https://evaw-global-database.unwomen.org/en/countries/africa/ethiopia/2009/national-committee-on-the-eradication-of-harmful-traditional-practices.

In addition, WMO leads the Regional Alliance to end child marriage initiatives in the Amhara region. WMO has also delegated a focal person to monitor and follow up on the initiatives that aim to combat child marriage in all *Woredas*, including Quarit. The follow-up support is usually done remotely through phone, while in-person monitoring is conducted by the Mobilization Office and the regional Children's Affairs Office once per year. BoWSA also facilitates review meetings of the technical committee, and is meant to build members' capacity through training; is also provides the committee with a checklist during monitoring visits to *Woredas*, including Quarit. However, there are limitations in focusing on institutional mechanisms, as highlighted by an interviewee: 'When there is enough budget, the committee will meet quarterly. If not, it will meet once a year' (interview with AA004, 22 April 2022, Finote Selam). UNICEF works closely with BoWSA for the required budget and technical support, but is not always able to secure the necessary funding.

The Zonal Women and Social Affairs Office leads all initiatives at the Zonal level to eliminate the practice of child marriage among girls. The plan of the Zonal Technical Committee is approved by the Steering Committee, which also helps and accompanies the technical team during the scheduled monitoring and follow-up visits to *Woredas*, including Quarit. Interviewees highlighted the presence of the Steering Committee as vital because of its members' position as senior government officials who have the authority to order and influence. And the *Woreda* Administrator, the head of the Steering Committee, coordinates the efforts against harmful practices, including child marriage, at the *Woreda* level.

The Justice Bureau

The Amhara region Justice Bureau has been working closely with UNICEF since 2002 to combat child marriage in Quarit *Woreda*. UNICEF offers the bureau both technical and financial support. Interviewees generally stressed that UNICEF's budget support has been vital in allowing them to conduct regular follow-up and monitoring visits. The Zonal Justice Office had been collaborating with Quarit *Woreda* to carry out its responsibility of preventing child marriages, and before each monitoring visit, the Zonal Justice Office prepares checklists. The prosecutors' team then supervises the public awareness campaigns that inform the community about the law, the nullity of underage marriage, and the possibility of criminal prosecution. The participants of the Justice Office from national to *Woreda* level, nonetheless, highlighted that they have not yet been able to effectively fulfill the prevention role, referring to 'cultural and religious beliefs' as too strong to prevent child marriage. Accordingly, and to try to address such deeply held beliefs, the prosecutors in

Quarit *Woreda* are working closely with religious fathers and elders during public awareness campaigns.

The second realm in the role of the Justice Office is prosecution. Based on the interviews undertaken, one can reasonably conclude that the Justice System's role in eliminating child marriage has been 'very minimal' due to the law enforcement gap.[13] Interviewees from the federal to the lowest level studied here, all concur that there is a gap in enforcing child marriage laws. In Quarit *Woreda*, arguments are made that there are not enough police officers to investigate the existing cases, and problems include reaching *Kebeles* with no access to transportation.[14] Hence, there is no focal prosecutor in charge of violence against women and girls (VAWG) cases. At the same time, the Justice Bureau's efforts on prosecution of child marriage cases have been strongly challenged by the community, with study informants from the Justice Office pointing out that the community simply does not cooperate as witnesses when legal action is taken. A health extension officer mentioned how gathering sufficient information was difficult as 'all community members are affiliated (i.e. they are relatives by blood or marriage) in some way and will not testify one up on the other' (interview with HE02, 8 April 2022, Quarit).

The local government officials at the *Kebele* level are aware of the issue but are also hesitant themselves to appear as witnesses, with interviewees stressing that while grassroots-level government officials are prospective witnesses, being a witness has life-threatening consequences for them. Sometimes, the *Kebele* administrators participate in underage marriages instead of holding the parents accountable.

The Education Bureau

Child marriage interrupts girls' schooling, stressing the need for involving the Education Bureau. In 2021/22, 91 girl students were married from the ten schools targeted by UNICEF and UNFPA projects in the studied *Woreda*, with 33 girls dropping out. Study informants stated that in one of these schools five girl students were married, and three of them dropped out of school. And those who can return to school face psychological pressure from peers, with an interviewee explaining how, 'When they get married and go back to school, their friends taunt them; they tease them that she got married and had sex' (interview with AA006, 28 April 2022, Bahir Dar). Some girls manage to continue

[13] MoJ set an explicit plan to improve the law enforcement gap in 2023/2024.

[14] In Quarit *Woreda*, there are two investigative police officers and one coordinator; see interview with A007, 26 April 2022, Quarit.

their education despite the pressure, but many face bullying from peers, experience a decline in their performance, and eventually drop out.

Hence, the Amhara region Education Bureau plays a crucial role in combating child marriage by attempting to empower girls through training. The Bureau collaborates with both local and global actors, publishing and disseminating training modules that aim to build the agency of adolescent girls in basic life skills. In Quarit *Woreda*, modules have been prepared and distributed to all 71 schools; facilitator teachers have received TOT training (training of trainers) and students partake in the training on a weekly basis. It has two types – one targets fifth- and sixth-grade students, and the other seventh- and eighth-grade students (interview with AA03, 21 April 2022, Finote Selam).

In collaboration with UNICEF and UNFPA, the Education Bureau facilitates reporting through a 'secret box' and attempts to intervene to stop girls' underage marriage, in collaboration with the other key local government stakeholders. The translation of these formal ambitions into tangible effort, however, is seemingly very difficult. Teachers' awareness-raising campaigns for education in the community are not well organized or regular, and there are differences in how effectively the boxes were used across the schools,[15] with no consistent schedule for opening them, making them look like a literal Pandora's box.[16] Some schools also talked to the parents and convinced them to cancel the marriages, but others did nothing after getting the reports.

THE ROLE OF LOCAL ACTORS AND THEIR ASSOCIATIONS

In order to combat the gendered societal norms that support child marriage at the grassroots level, national and local government stakeholders have been closely working with priests (fathers) and local community elders. The Women's Mobilization Office in Quarit *Woreda* trained selected influential religious leaders and community elders with a view to using them as catalysts for the required norm shifting. The selected religious fathers and elders who attended the training demonstrated ambition and interest in working with the local government as partners to eliminate child marriage among girls. The head of the Women's Mobilization Office, responsible for selecting and training religious fathers, expressed the view that the role of religious leaders was crucial, as 'no marriage was considered valid without their blessing' (interview with A001,

[15] Some schools did not use the boxes properly. During their monitoring visit, some schools put the secret boxes in the school dean's office, while others failed to regularly open them.

[16] School dean informants reported different frequencies for opening the boxes: daily, weekly, and monthly.

29 March 2022, Quarit). On 15 December 2021, 91 priests in Quarit *Woreda* declared their commitment to eliminate child marriage and denounced those who arranged or attended such weddings. Nonetheless, their statement of position does not specify the appropriate marriageable age of girls.

Child marriages in the two targeted *kebeles* in Quarit are, predominantly, arranged by parents. Nevertheless, there are changing social norms and the emergence of adolescent-led child marriages. Interviewees stress that middle/late adolescent girls (more than 14) in some situations have 'apparent' choices regarding their marriage, i.e. they are not seen as forced to marry. They can either consent to the arranged marriage or resist it. Accordingly, life skill training has been provided to in-school and out-of-school adolescent girls in order to build their agency and help them resist child marriage (see the section on the role of the Education Bureau above). Apart from resisting, adolescent girls have reporting roles, as out-of-school adolescent girls' clubs utilize collective agency in monitoring and reporting cases of child marriages to local government authorities. Similarly, the secret boxes allow the in-school gender club members (both girls and boys) to take collective action against child marriage; these are prepared for the selected 10 schools.[17] Through the use of secret boxes, 145 underground reports have been gathered from these schools, but there are no numbers on how many of these have been followed up or completed through the judicial system.

Women's grassroots associations such as the Amhara Women Association (AWA) have active participation in the Amhara Regional Alliance to End Child Marriage (and FGM). They are a steering and technical committee member yet interviews all show that they do not carry out initiatives to mobilize and empower women to prevent girls from getting married as children. The Women Federation, Women League and Cabinet, and Women Development Army are further grassroots associations in the study *Woreda*, whose leaders act as focal persons for women in the local government system. The women's development group/army, in particular, seems able to connect with most women at the grassroots level. Their modus envisages that the heads of the women's focal points will inform the local administration, in secret, of any planned underage marriages, yet their covert reporting is challenged, because the community often marries girls underground. Even so, interviews stress that some of the women development group leaders are sincerely committed to fighting child marriage, taking risks to challenge parents, and intervening to prevent girls' child marriage, putting themselves on the line.

[17] The selected schools are 'ቦረቦር' (Borebor), 'ቡጥላ' (Butla), 'አሸቲ' (Ashety), 'ሌባገደል' (Leba Gedel), 'ብርአዳማ' (Bere Adama), 'ሸባ' (Sheba), 'በእንቁ' (Beeneku), 'እንደበት' (Endebgo), 'አየንብርሀን' (Ayen Bereha), and 'ገነትአቦ' (Genet Abo). These schools are selected based on the high prevalence of girl child marriage.

Youth have also established grassroots associations in the studied target *Woreda*: Youth Mobilization, Youth Association, Youth Federation, and Youth League are all examples of local youth grassroots organizations. At Quarit *Woreda*, Youth Mobilization and Youth Associations are seen by the actors involved as crucial in ending child marriage and other 'harmful practices'. The Quarit *Woreda* technical team to end child marriage among girls is led by the head of the Youth Mobilization, who serves as Deputy Team Lead, just as the Steering Committee includes the head of the Youth Association. Like the other grassroots organizations, the Youth Associations seem to covertly alert the local authorities about arranged underage marriages among girls.

'GLOBAL' ACTORS IN THE VERNACULAR

The UNICEF–UNFPA Global Programme to End Child Marriage[18] was first introduced in 2014 globally, and has been implemented in Ethiopia since 2015. The Global Programme is a multi-donor[19] and multi-stakeholder program implemented across 12 countries[20] to end child marriage. UNICEF and UNFPA are seemingly providing strategic support to end child marriage across levels – from the national to grassroots community level, including Quarit *Woreda*. By covering the coordinators' and advisors' salaries, UNICEF assists in establishing national and regional alliances to eliminate child marriage among girls. Although ending child marriage is their ultimate aim, UNICEF and UNFPA are expected to use distinct strategies and deal with various issues, while also sharing the different regions among them. UNICEF has eight targeted regions,[21] while UNFPA operates in four.[22] Additionally, if the target locations are the same, as in the case of Quarit, the problems they deal with will vary. In Quarit, UNICEF programs focus on empowering the

[18] The UNICEF–UNFPA joint program has two phases (phase I: 2016–19 and phase II: 2020–23). See UNICEF (2022).

[19] Governments of Belgium, Canada, Italy, the Netherlands, Norway, the United Kingdom, the European Union, and Zonta International; see UNICEF (2022).

[20] The 12 child marriage high prevalence countries selected for UNICEF–UNFPA are Bangladesh, Burkina Faso, Ethiopia, Ghana, India, Mozambique, Nepal, Niger, Sierra Leone, Uganda, Yemen, and Zambia. See UNICEF (2022).

[21] UNICEF target regions include Amhara, Afar, Gambella, Somali, Oromia, Sidama, SNNP, and South-West.

[22] Gambella and Tigray were the initial UNFPA target regions. UNFPA includes the Amhara region in the second phase of the joint program's implementation. And UNFPA incorporated the Oromia region during the third phase of the joint program's implementation.

community (awareness-raising training for religious leaders, and broader communities), while UNFPA focuses on building the agency of adolescent girls as a strategy (including establishing an out-of-school adolescent girls' club for the first time in Quarit).

To prevent child marriage among girls, UNICEF and UNFPA work with the Amhara region's local government. While the local government oversees the design and implementation of the interventions, UNICEF and UNFPA are involved in funding allocation, contribute technical know-how, and participate in joint monitoring and evaluation. Particularly in Quarit *Woreda*, UNICEF and UNFPA support strengthens the 'HP committee', which is heavily reliant on external funding, as stressed by an interviewee: 'When the committee's responsibility is backed by a project, its work is expedited. The challenge arises when the project phases out, and the local government will not continue to strengthen the achievements gained during the collaboration' (interview with AA004, 22 April 2022, Finote Selam). With ongoing technical and financial assistance, UNICEF and UNFPA 'push' the local government officials to implement the Roadmap to end child marriage among girls in the targeted *kebeles* of Quarit *Woreda*.

Support from these IGOs is crucial to maintain a focus on eliminating child marriage, but the project cycles of different interventions starting up, working, ending, and then moving elsewhere, show the effects of these efforts are often unsustainable. Effectively, the local government's efforts to prevent child marriage among girls are currently limited to the districts that are supported by UNICEF and UNFPA. As of 2021/2022, the UNICEF initiative covers sixteen *Woredas*, including six from the previous target and ten newly included child marriage 'hot spot' *Woredas*. According to interviewees, prevention efforts in Quarit *Woreda* are in their initial stages as it is among the newly included targets. At the same time, we see that child marriage among girls has reemerged in the previously targeted 24 *Woredas*, where UNICEF and UNFPA had been working but ceased their support due to project phase-out. While external financial support is necessary to ensure the attention and efforts of local government, the continued resistance from local communities, including after interventions have ended, stresses the limits of sustained normative change.

MEDIATION AND CHALLENGES IN THE VERNACULAR

The National Roadmap to combat child marriage envisions a collaborative strategy in which BoWSA leads efforts to eradicate child marriages at the regional level while all pertinent sectorial bureaus share responsibility. However, in the study context here, interviewees seem to agree that relevant stakeholders at the local government level have not given the issue its required attention. Dedication to eradicating child marriage is often inconsistent,

sometimes demonstrating a strong commitment but at other times showing a lack of enthusiasm. The response of the local government at the *Kebele* level to combat child marriages is not uniform, and not all local governments fully understand the law, regularly monitor planned underage marriages, or take action to prosecute cases. Combating child marriages among girls requires consistent efforts, follow-up, and monitoring, and while global actors provide financial support, local governments have yet to allocate budgets for this purpose, though they consistently cite the absence of budget allocation as a critical barrier to progress. The elimination of child marriage is a committee task, but gaps in coordination are abundant, and while there are efforts to shift towards a mainstreaming approach in all the 12 committee members' respective plans, this was not yet put into practice.

According to Minckas et al. (2020), it is imperative to use community mobilization in order to eliminate harmful societal values, practices, and norms, including child marriage. These perspectives emphasize that genuine community participation (referred to as 'authentic'), rather than mere involvement, is critical to achieving this goal, leading them to advocate for the community to take the lead, with the roles of national/local government, CBOs, and global partners playing a subordinate role. In the context studied here, the reverse is true. The grassroots-level actors, not least religious fathers and elders who have been given an active 'mediation' role, mostly held on to their interpretations and framings of the challenge. Based on the life of Adam and Eve, most clergies teach that the marriageable age for girls shall be 15 (and 30 for men), as per the age they were created by God. In contrast, other clergy refer to the same story but teach that the marriageable age shall be 22 and 37 for women and men, respectively. They contend that Eve was created by God at the age of 15 and stayed together with Adam in the Garden of Eden for seven more years before they consummated their marriage when they started to live on Earth. During in-depth interviews, the two conflicting viewpoints on biblical interpretation of appropriate marriageable age of girls remained prevalent. Only one of the interviewed priests endorsed the legal marriageable age and advocated that the appropriate age for girls to marry should even be increased to 22. The remaining four participant priests maintained that the appropriate age for girls' marriageable age should be lowered to 15 (interview with Priest 02, 9 April 2022, Quarit; interview with Priest 03, 9 April 2022, Quarit; interview with Priest 04, 15 April 2022, Quarit; interview with Priest 05, 15 April 2022, Quarit).

CONCLUSIONS AND LOOKING AHEAD

This chapter has examined the complex interplay between global norms and local realities in efforts to combat child marriage in Ethiopia, particularly

in the Quarit *Woreda* of Amhara region. The analysis shows the significant gaps between formal legal commitments and on-the-ground implementation, highlighting the challenges of translating global and national frameworks into meaningful local action. The institutional architecture established to address child marriage – with MoWSA and BoWSA leading collaborative efforts between government agencies, local actors, and international organizations – demonstrates Ethiopia's formal commitment to eliminating this practice. However, the effectiveness of this structure is hampered by critical limitations: accountability gaps prevent BoWSA from holding other regional bureaus responsible; the Justice Office struggles to fulfill its prevention and prosecution mandates; and coordination among various stakeholders remains inconsistent.

Local women's and youth associations, positioned as potential agents of normative change, function primarily as covert informants rather than community mobilizers, raising questions about their roles as grassroots representatives. Their limited engagement reveals a disconnect between their formal roles and their practical contributions to combating child marriage. The power dynamics among institutional actors reflect persistent challenges: local government commitment wavers, budget constraints limit sustained efforts, and coordination gaps undermine collective action. This has resulted in a problematic reliance on IGO leadership, with prevention initiatives often limited to areas supported by UNICEF and UNFPA, and previously targeted areas experiencing a resurgence of child marriage after project support ends.

Perhaps most tellingly, the chapter demonstrates how global norms on marriageable age undergo significant reinterpretation at the local level. Religious actors, meant to serve as cultural mediators, often translate the statutory age requirement of 18 into locally meaningful alternatives – either 22 or 15 years based on religious interpretations. This 'vernacularization' process raises important theoretical questions about how global norms are reshaped, sometimes into stricter standards than the original. For sustainable progress in eliminating child marriage in Ethiopia, interventions must acknowledge and address these complex dynamics. Local governments must take more proactive ownership of anti-child marriage initiatives; coordination mechanisms require strengthening; and engagement with religious and cultural interpretations needs to move beyond simple opposition to become meaningful dialogue. Without these shifts, current efforts may achieve only temporary or superficial changes rather than the transformative normative shifts necessary to permanently eliminate child marriage.

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6. Convergence and divergence of Ethiopian policies and global norms to eliminate violence against women

Lars Engberg-Pedersen and Anchinesh Shiferaw Mulu

INTRODUCTION

Violence against women (VAW) has been dealt with repeatedly in Ethiopian policy documents. Since the seminal National Policy on Ethiopian Women from 1993, some policies have focused on so-called harmful traditional practices (HTP) while others have addressed gender-based violence (GBV) more broadly. This chapter analyses the normative content of Ethiopian policies on the elimination of VAW and seeks to explain changes in focus and approach in relation to relevant global norms as well as national socio-political and economic issues. The main argument is that although a significant diffusion of global norms into Ethiopian policies on VAW has taken place, there are also differences that cannot be explained only by lack of resonance (Merry and Levitt 2020) or of cultural fit (Acharya 2004) but have to be seen as consequences of context specific processes and events (Fejerskov et al. 2019). Thus, it does not suffice to understand the normative development of Ethiopian policies on VAW as a result of pure diffusion and/or translation of global norms. Both these perspectives provide their part of the explanation, but they do not exhaust it. A situational approach emphasizing time and space-specific socio-political and economic dynamics is required as well.

In terms of the book's focus on nodal points of norm engagement, policy making can be understood as a process including a limited number of actors within a particular space and time frame. As such, the involved actors refer to specific normative frameworks and typically adopt social practices characteristic of the nodal point. In response to a stated political ambition, policy making often starts with specialists drafting ideas and principles within a normative framework that dominates the policy field. At some point, the process

will include more political concerns, and different normative frameworks are evoked. Accordingly, the resulting policy may not constitute a strongly coherent set of ideas as it can exhibit elements referring to different frameworks (Eyben and Napier-Moore 2009). The whole process is likely to be influenced by unrelated but strong political conflicts affecting the legitimacy of different arguments. Policy making on VAW is also likely to build on earlier policy-making processes and on how relevant norms were addressed in that context.

Internationally, one of the first attempts to address VAW was the adoption of the Declaration on the Elimination of Violence Against Women (DEVAW) by the United Nations in 1993. The declaration employed a human rights framework, provided a definition of VAW, and outlined the actors responsible for addressing violence, how it should be done, and in which sites (Engberg-Pedersen 2021). Subsequently, these five normative dimensions were developed through a number of UN agreements, notably the Beijing Platform for Action (1995) (BPA) and three Agreed Conclusions of the Commission on the Status of Women (CSW) focusing on VAW in 2007 (CSW51), 2013 (CSW57), and 2021 (CSW65). Based on an analysis of how the various Ethiopian policies relate to the normative dimensions as outlined in these agreements, the chapter explores the differences and similarities between the policies and the global norms as well as the changes over time. The global norms are characterized by both continuity and change, the latter of which may explain some of the changes marking Ethiopian policies.

International organizations, transnational advocacy networks, and epistemic communities are often highlighted as actors facilitating the diffusion of globally agreed norms (Barnett and Finnemore 1999; Haas 1992; Keck and Sikkink 1999; Seabrooke 2014). Perhaps most clearly argued by Peter Haas in defining epistemic communities, such entities share to a large extent a set of normative and principled beliefs, ideas about causal relations, notions of validity, and a common policy enterprise (Haas 1992: 3). Stakeholders belonging to these communities often seem to have played an important role in the policy-making processes on VAW in Ethiopia, and it is therefore reasonable to expect that global norms have influenced the policies. Moreover, peer pressure and reputational concerns may have pushed the Ethiopian government to adopt policies in agreement with global norms (Kelley and Simmons 2020). However, it is also reasonable to expect resistance to straightforward diffusion of global norms into Ethiopian policies because it has been observed that the 'political order is built around the primacy of ethnic identity and the precedence of cultural rights of the "Nations, Nationalities and Peoples" of Ethiopia' (Feyissa 2020: 23). The Constitution from 1995 emphasizes the federalism of the nation, and changing political regimes have sought to combine national authoritarian rule with local cultural diversity. As patriarchal norms are deeply entrenched in the culture in most parts of the country, a lack of cultural fit between global

and local norms may undermine much norm diffusion. Additionally, it is worth noting the significant political changes in Ethiopia during the last 20 years. The 2005 elections challenged the ruling party, the Ethiopian People's Revolutionary Democratic Front (EPRDF), which responded, among other initiatives, by thoroughly limiting civil society's room for manoeuvre (Opalo and Smith 2021). In 2019 Abiy Ahmed took over with his Prosperity Party and distanced himself from EPRDF, which later led to war in Tigray and neighbouring regions. These and other events and changes have strongly influenced policy making in the country, and it would be surprising if policies related to the elimination of VAW had escaped from this logic.

This chapter addresses policies as they have been drafted and adopted, but not as they have been implemented. Implemented policies are important for the extent to which violence against women is being reduced in families, communities, and workplaces, while stated policies may sometimes be mere window dressing, inciting very little change on the ground. Nevertheless, they can be used by concerned stakeholders as a tool of advocacy to hold governments accountable and they reflect what politicians believe is important to express at a given moment in time. Whether they are implemented or not, stated policies influence the political debate and the room for manoeuvre of non-state actors. They are indicative of what politicians like to signal, reflecting prescriptive norms, even if they do not influence what is happening on the ground. Thus, they can be considered an entry point to the analysis of government action or inaction. Furthermore, understanding how they change and are being contested over time enables reflections on the socio-political and economic context that led to such changes.

The focus on norms as they are expressed in policies is employed partly to study the role of global norms in framing Ethiopian policies, partly because normative change in the policies reflects profound policy development. It is widely acknowledged that norms are contested (Wiener 2018), and as the elimination of VAW is prescriptive in nature, the chapter refers to norms as 'acknowledged, but not necessarily accepted, understandings of collective ambitions' (Fejerskov et al. 2019, 7). Accordingly, we do not use the term as taken for granted, but rather as a desirable social practice that may be supported by some and contested by others. Norms can be analysed in terms of the values to which they refer, the problems they address, and the behaviour that they call for (Winston 2018). The values or the framework shaping how social processes and action are viewed help define both problems and appropriate action and constitute, accordingly, a central element of any norm. In addition to the framework and the definition of the problem, the chapter distinguishes between who, how, and where, when it comes to appropriate action, namely the actors who are expected to take action, the approach they should adopt, and the sites where action should be focused. Thus, the Ethiopian policies on

the elimination of VAW will be analysed in terms of the following normative dimensions: (i) the framework to which they refer; (ii) the definition of VAW; (iii) the actors who should address VAW; (iv) the proposed approach; and (v) the sites to concentrate on.

The analysis of policy changes and the convergence/divergence with global norms focuses on eight different legal documents and policies: the National Policy on Ethiopian Women (Transitional Government of Ethiopia 1993) (NPEW), the Constitution of the Federal Democratic Republic of Ethiopia (FDRE 1995) (FDRE Constitution), the Criminal Code of the Federal Democratic Republic of Ethiopia (FDRE 2005), the Strategic Plan for an Integrated and Multi-Sectoral Response to Violence against Women and Children and Child Justice in Ethiopia (National Coordination Body 2011), the National Strategy and Action Plan on Harmful Traditional Practices (HTP) against Women and Children (FDRE Ministry of Women, Children and Youth 2013), the National Costed Roadmap to End Child Marriage and Female Genital Mutilation or Cutting (FGM/C) 2020–2024 (FDRE Ministry of Women and Social Affairs 2019), the National Policy for Prevention and Response to Gender-Based Violence (FDRE Ministry of Women and Social Affairs 2022) (Policy on GBV), and the National Strategy on Violence Against Women and Children in Ethiopia (National Coordination Body 2024) (Strategy on VAW). The Constitution and the criminal law address many different issues, including VAW, and constitute the basis for all later policy documents. The 1993 policy on Ethiopian women is included because it was the first attempt to address fundamental issues regarding VAW. The rest of the documents describe policies to eliminate either VAW or HTP.

The chapter is based on content analysis of the documents and on interviews with stakeholders and observers. The documents have been carefully analysed with respect to terms and phrases referring to the five mentioned normative dimensions. Thus, we have explored how the documents explain the importance of eliminating VAW, how VAW is conceptualized and defined, who are identified as the main actors to address VAW, and how they should do so and where. We have also searched for changes from one document to another and for surprises in terms of unexpected elements. In addition, similar issues have been discussed during 13 interviews with representatives of relevant state institutions, NGOs, and international organizations, as well as independent observers. The interviews focused on the experiences of the interviewees with respect to selected policies but not with all of the eight documents. The interviews were conducted physically in Addis Ababa in June 2023.

After this introduction the chapter proceeds with a historically organized analysis of the Ethiopian policies emphasizing their relationship to global norms on the elimination of VAW and to the Ethiopian socio-political and

economic context. This leads to reflections on the theoretical implications before the conclusion summarizes the argument.

ETHIOPIAN POLICIES AND GLOBAL NORMS ON THE ELIMINATION OF VAW

The period from 1993 to 2024 can be divided into different phases regarding the approach to the elimination of VAW both at the global and at the national Ethiopian level. While the phases do not overlap entirely and the approaches adopted vary, it is helpful to distinguish between these phases as a way of understanding the relationship between global norms and the normative positions in Ethiopian policies (see Table 6.1).

Around 1993: Normative Recognition of VAW

The first phase is characterized by the agreement of the DEVAW in New York and the adoption of the NPEW in 1993. The two documents are the first of their kind in each context, but they address different issues. The DEVAW focuses exclusively on violence against women, whereas the NPEW takes a broader look at women's role in society and touches only on VAW in relation to HTP. The policy was enabled by the change of government in 1991 when the EPRDF overthrew the Derg military regime. Women had played a central role during the struggle against the Derg regime, and this paved the way for the policy. While the DEVAW clearly puts a new topic on the agenda internationally, this topic did not make its way into the NPEW, which is more in line with earlier international discussions on the involvement of women in development (Miller and Razavi 1995; Rathgeber 1990). Thus, the two documents differ clearly with respect to the normative framework in which they are embedded. The DEVAW approaches VAW within an understanding of human rights as essential, whereas the NPEW, while referring to human rights, takes a point of departure in development and emphasizes the huge role and potential of women in that context. This was also in line with the EPRDF's ideology.

The documents also differ in terms of how VAW is defined. The NPEW does not include a definition as such but seems to narrow VAW to harmful traditional practices, thereby implicitly leaving out other forms of violence. Thus, it fails to recognize VAW as a source and consequence of women's subordination and discrimination. On the contrary, the DEVAW defines VAW as 'any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life' (UN General Assembly 1993: Article 1). The documents agree that the state is the central actor responsible for improving the situation but differ

Table 6.1 Phases and normative elements of Ethiopian policies and global norms on the elimination of VAW, 1993–2024

Year and documents Normative element	1993 DEVAW/ NPEW	1995 BPA/ FDRE Constitution	2005–11 Criminal law/ CSW51/ Strategic plan against VAW, 2011	2013–19 CSW57/ Strategy on HTP/ Roadmap on child marriage and FGM/C 2020–2024	2021–24 CSW65/ Policy on GBV (draft 2022)/ Strategy on VAW (draft 2024)
Framework	Global: Human rights Ethiopia: Development	Global: Human rights + inclusive approach Ethiopia: Human rights	Global: Human rights Ethiopia: Security and human rights	Global: Human rights Ethiopia: Human rights and development	Global: Human rights Ethiopia: Human rights and gender equality
Definition of VAW	Global: Physical, sexual, and psychological harm Ethiopia: No definition, focus on HTP	Global: Physical, sexual, and psychological harm Ethiopia: No definition, focus on bodily and mental harm of HTP	Global: Reference to physical, mental, psychological, and sexual violence Ethiopia: Focus on bodily harm, HTP, and reference to DEVAW definition	Global: Physical, sexual, and psychological + social and economic harm Ethiopia: Focus on HTP and reference to contemporary global definition	Global: No statement on the definition Ethiopia: Any gender-based harmful act
Responsible actors	Global: The state Ethiopia: The state	Global: The state + civil society, media, local government, etc. Ethiopia: The state	Global: The state + civil society, media, local government, etc. Ethiopia: The state	Global: The state + civil society, media, local government, etc. Ethiopia: Primarily the state	Global: The state + civil society, media, local government, etc. Ethiopia: The state + non-state actors

Year and documents	1993	1995	2005–11	2013–19	2021–24
Normative element	DEVAW/ NPEW	BPA/ FDRE Constitution	Criminal law/ CSW51/ Strategic plan against VAW, 2011	CSW57/ Strategy on HTP/ Roadmap on child marriage and FGM/C 2020–2024	CSW65/ Policy on GBV (draft 2022)/ Strategy on VAW (draft 2024)
Approach	Global: Legal and adm. Ethiopia: 'Women in development'	Global: Legal and adm. + gender equality Ethiopia: 'Gender and development'	Global: Legal and adm. + gender equality Ethiopia: Legal and adm.	Global: Legal and adm. + gender equality Ethiopia: Legal and adm.	Global: Legal and adm. + gender equality Ethiopia: Legal and adm.
Sites	Global: Family, community, state Ethiopia: HTP in the family and community	Global: Family, community, state, armed conflict Ethiopia: Community and HTP in the family	Global: Family, community, state, armed conflict, internet Ethiopia: Community and HTP in the family	Global: Family, community, state, armed conflict, internet Ethiopia: The family and the community	Global: Community, armed conflict, internet Ethiopia: The family and the community

in terms of the sites where VAW needs to be addressed. The DEVAW focuses clearly on the family, the community, and the state, whereas the NPEW leaves out the last site through its focus on HTP. Overall, the NPEW does not reflect the latest international normative developments in terms of combating VAW, including the increasingly strong emphasis on human rights, but it refers to earlier global concerns notably regarding the inclusion of women in economic and social development (the Women in Development (WID) approach).

Around 1995: VAW as a Human Rights Issue

The Beijing Platform for Action (BPA) and the FDRE Constitution were adopted in 1995 at a high point of influence of the human rights agenda. Both documents address many issues in addition to VAW, and both are strongly framed by human rights thinking. The change from 1993 to 1995 is remarkable both at the global level and in Ethiopia. Globally, the BPA enlarges the discussion compared to the DEVAW by involving other actors than the state as responsible for action, by calling for a broader approach emphasizing gender equality, and by involving new sites, notably armed conflict, compared to the focus on the family, the community, and the state in the DEVAW.

In Ethiopia, EPRDF recognized and accepted the liberal idea of human rights and dedicated one-third of the FDRE Constitution to human rights. The FDRE Constitution incorporates specific provisions on women's issues because of the push from elite women. At the drafting stage, the proposal was to have a provision dealing with vulnerable groups including women, children, persons with disabilities, etc., but women's rights activists pushed for a specific provision that resulted in the incorporation of Article 35 on women's rights. In addition to the strong focus on human rights, the Constitution also enlarges its approach compared to the NPWE by noting the historical legacy of discrimination of women and thereby emphasizing the need for gender equality. However, it does not go as far as the BPA in terms of pointing to other responsible actors than the state or by specifying more sites where VAW has to be addressed. Thus, the Constitution is heavily influenced by the international focus on human rights and the turn to gender equality instead of women in development while the concern with VAW still seems somewhat limited to HTP and the community.

From 2005–11: Criminalization of VAW

The third phase includes the Criminal Law (2005), the agreed conclusions of the CSW in 2007 (CSW51), and the Strategic Plan against VAW (2011). This is an interesting phase with emerging changes in the Ethiopian approach to VAW. Internationally, there are few normative changes compared to the

BPA, although the CSW51 adds mental violence and the internet as a site for addressing VAW in relation to the global norms. In Ethiopia, after the FDRE Constitution was adopted, civil society organizations mushroomed, and they operated in a relatively free environment within the bounds set by the state (Opalo and Smith 2021: 1471). This led to a push for changes of the family and criminal laws, which were revised in 2000 and 2005, respectively. For obvious reasons, the Criminal Law adopts a criminalization framework, and although referring to human rights and the rights of women and children, it does not criminalize marital rape or appreciate the gendered nature of domestic violence and sexual harassment crimes. In terms of VAW, the Law is focused on harmful traditional practices and is, accordingly, not strongly influenced by international discussions at the Beijing summit and onwards.

The year 2005 marked a turning point in political life in Ethiopia because the EPRDF faced significant opposition at the elections and responded strongly. The relatively active operation of civil society organizations on women's rights was severely restricted, their offices closed, and employees arrested. However, according to interviewees, much public attention to cases of VAW, a pan-African gender justice colloquium held in Addis in 2008–09, and the first universal periodic review report on Ethiopia by the Human Rights Council in 2009 together with a government need to demonstrate human rights ambitions to international partners created an environment conducive to drafting the first Ethiopian policy explicitly addressing VAW. This policy, the Strategic Plan, refers to the DEVAW and its definition of violence against women as gender-based physical, sexual, and psychological harm. Thus, the two Ethiopian documents represent first a somewhat hesitant and then a stronger move towards a more detailed focus on VAW, and they enlarge the issue from the earlier concern primarily with HTP. However, they do not involve more actors than the state in the elimination of the violence, they stick to a legal and administrative approach, and they focus on the community and partly the family and do not consider the state, armed conflict, the internet, etc. as relevant sites. In this sense, they only partly adopt contemporary global normative concerns regarding the elimination of VAW.

From 2013–19: Narrow Focus on HTP

The fourth phase, again, does not represent much change internationally, but reflects a re-narrowing of the VAW focus to HTP in Ethiopian policies. The phase covers the agreed conclusions of the Commission on the Status of Women in 2013 (CSW57), the National Strategy on HTP (2013), and the National Costed Roadmap to End Child Marriage and FGM/C (2019). The last document states that it responds to a commitment by the Ethiopian government at the Girl Summit in 2014, which may help to explain the attention

to HTP in this phase. The relative focus on the state, a legal and administrative approach, and the family and the community as the primary sites for engagement are almost unchanged in these policy documents. Most notably, the Roadmap adopts a development framework by justifying the plan with reference to the societal costs of early marriage and FGM/C while also noting them as human rights violations and by adopting a development lingo emphasizing results, targets, milestones, and costed input. Although the policy documents from 2011 and onwards generally are organized around objectives, theories of change, guiding principles, approaches, monitoring and evaluation, etc., thereby clearly enabling development partners to support the policies, the Roadmap takes the development framework further by arguing that if financed and implemented according to the letter, the Roadmap will produce significant economic benefits for the country. This is clearly different from the global norms adhered to in the agreed conclusions of the CSW, but it does resemble, for example, the World Bank approach to gender equality where its economic benefits are emphasized time and again (Roberts and Soederberg 2012; World Bank 2012).

From 2021–24: Phase of Hope and Despair

The political changes in Ethiopia from 2015 and onwards significantly influenced the policy documents of this last phase. Political grievances and the feeling of exclusion from the economy led to protests in different parts of the country and forced the ruling party to consider reforming itself. In the middle of all this, Prime Minister Hailemariam decided to resign from his position in 2018 claiming that things had become beyond his control. This brought Prime Minister Abiy to power. The political transition was followed by legal and economic reforms including the decision to designate a cabinet with 50 per cent women members, a female president, and a female Chief Justice for the first time. However, this was not sustained, as witnessed in the reduction of female members of the cabinet to 36 per cent in October 2021. Furthermore, a gruesome civil war overtook these reforms in 2020. The country witnessed ethnic conflicts in most parts of Tigray, Amhara, and Oromia. Though the war in Tigray is concluded with the Pretoria Peace, there is still ongoing conflict in parts of the country, and severe sexual violence cases are reported in these conflicts that have demonstrated VAW is a very rampant issue (Fisseha et al. 2023).

The period represents a return to broader issues of VAW in Ethiopian policies, although the subject of HTP in no way is forgotten. The phase includes the conclusions of the CSW65 session in 2021, the draft National Policy on GBV (2022), and the draft National Strategy on VAW (2024). The CSW conclusions differ normatively from earlier international agreements by not

stating a definition of VAW and by significantly downplaying the family and the state as sites of VAW. The Ethiopian policy documents, on the other hand, move towards a stronger focus on gender equality and the gendered nature of VAW compared to earlier policies, and they acknowledge to a larger extent the role of non-state actors. They also define VAW broadly as any gender-based harmful act. Like the conclusions of the CSW65, the state is not recognized as a site of VAW. Overall, a convergence of global and Ethiopian norms on the elimination of VAW seems to take place in this phase, although there are still differences. Despite recent experience, gender-based sexual violence during armed conflict is not addressed in the Ethiopian documents, which, on the other hand, tend to move in a more structural direction, at least in the National Policy. GBV is described as an extension of 'systematic gender discrimination' (p. 4) in the draft National Policy, which is very much in line with BPA and other international agreements. Yet, it should be noted that at the time of writing (January 2025), the two documents have still not been adopted.

THE INFLUENCE OF GLOBAL NORMS ON ETHIOPIAN POLICY MAKING

A significant difference between global norms and Ethiopian policies across the various phases is the role of the state, which is emphasized more in Ethiopian policies than in international agreements. In Ethiopia, the state is not regarded as a site of VAW, but as the actor almost exclusively responsible for its elimination. The other major difference is the relative focus on HTP in Ethiopian policies. While HTP constitute obvious and important elements of VAW, they are not the only kind of violence that affects women, and the relative focus may, accordingly, implicitly downplay the concern with other kinds of violence. Over time, it is worth noting the various changes taking place in the Ethiopian policies with a clear move towards a human rights framework in the Constitution, but also with some references to a development framework notably in the Roadmap from 2019. Recently, the gender-based nature of VAW has been emphasized, indicating that VAW is not just the result of traditional social norms upholding historical practices, but also of socio-economic and political structures discriminating against women. Finally, the ambivalence of the family as a site of VAW is notable. Until recently, global norms have unequivocally addressed any form of gender-based violence in the private sphere as unacceptable. The family has not been regarded as beyond public intervention, but this point has been downplayed in the CSW65 agreed conclusions. In Ethiopia, beyond HTP, the Criminal Code is the policy going into the greatest depth regarding criminal acts in the family. While various acts, including those resulting in physical and mental injuries to a partner, are criminalized, marital rape and other forms of violence leading to psychological and economic harm

are not addressed, and this ambivalence regarding gender-based violence in the family is also expressed in the reservations to the Maputo Protocol (see article 3 (2 (a)) of Proclamation No. 1082, FDRE 2018).

Despite these differences, Ethiopian policies have clearly been influenced by international ideas and norms regarding the elimination of VAW. Sometimes the Ethiopian policy debate seems to have been more receptive to international influence. For instance, the references to international agreements and the emphasis on human rights in the Constitution are noteworthy. At other times, the policies do not necessarily integrate international norms, and it seems difficult to spot a clear convergence over the 30-year period despite the increasing coherence in the last phase. Rather, the compatibility of the norms expressed in international agreements and in Ethiopian policies fluctuates, which is interesting given the heavy influence of international organizations during the preparation and formulation of all policies since 2011. Thus, transnational advocacy networks and epistemic communities have been strongly involved in the preparation of these documents suggesting that global norms have been carefully considered in the policy-making process.

The significance of global norms during the elaboration of the various policies has also been highlighted in the interviews conducted for this chapter. One observer recalled that UN staff were involved in drafting the National Policy on Ethiopian Women in 1993 and in subsequent training. International ideas about 'women in development' and 'gender machineries' in public institutions at all levels were influential at that time. An NGO observer stated that her NGO was involved in drafting 'two policies supported by UN Women' and another NGO observer commented that 'UN Women and UNFPA are always there when you work with the Ministry of Women and Social Affairs.' A consultant working on gender issues describes UN organizations and development partners as 'a sort of a mechanism through which international ideas are channelled into the policy-making process. As a consultant I look at the international discussions and ideas when I have to develop a proposal to the government.'

The various recommendations by the Universal Periodic Review (UPR) and the Committee on the Elimination of Discrimination Against Women (CEDAW) are also mentioned as important for the Ethiopian policy-making process. Some interviewees noted that the UPR recommendations in 2009 inspired the government to draft a very comprehensive action plan, and other interviewees inside and outside the national administration referred to the CEDAW recommendations from 2019 as an important driver for the recent policy-making processes on the elimination of VAW. However, a civil society representative also argued, 'African governments will not be influenced by such recommendations [like those given by CEDAW], but they want to look good' indicating that stated policies may serve the purpose of addressing

international audiences rather than domestic. However, the same interviewee, supported by another, noted that international agreements are useful for women's organizations as reference points in discussions with the government. A different interviewee observed, 'the Ministry of Women and Social Affairs is less concerned about relevant international discussions. They only do something if the CSOs put pressure on them.' Nevertheless, reputation seems to be an issue for the Ethiopian government since a professional within an international organization stated: 'It has to do with PR that the government would like praise. It wants to demonstrate that it does work in these fields to get a better reputation within the UN and in relation to Europe.' These interviews suggest that Ethiopian policies do interact with international norms although selectively and partly in response to pressure by women's organizations.

It is, however, difficult to clearly identify the concerns determining the formulation of the policies because they may differ between civil servants drafting the documents, the government, and parliamentary politicians. As the civil servants often are specialized experts, they may feel attached to an epistemic community excelling in international insights and novel ideas, while the government balances domestic political priorities with international reputation, and parliamentary politicians focus on views expressed by domestic constituencies. These differences may explain why an external observer commented on the status of the Strategic Plan on VAW from 2011 in the following manner:

> Why a strategy, not a policy or a law? I don't know. Perhaps to avoid taking it to parliament. There was no procedure at that time. The strategy was not adopted by the council of ministers. It was just published. There was nothing binding in the strategy. It was just to demonstrate good intentions.

A former civil servant in the Ministry of Justice described how they had responded to the 2009 UPR recommendations in this way:

> We looked through every recommendation made in the UPR. Treaty obligations formed the national action plan. Some recommendations faced a bit of resistance, but many did reach the final plan. We, as internal drafters, had to do a lot of internal advocacy. For the second action plan, we looked at some of the 'noted'/rejected recommendations and tried to include them.

Thus, different concerns are likely to struggle in the policy-making process, and global norms do play a role albeit of an ambivalent and inconclusive nature.

POLICY MAKING AS A NODAL POINT OF NORM ENGAGEMENT

What are the theoretical implications of policy makers' normative engagement with VAW in Ethiopia? We suggest that the above analysis of this nodal point leads to a focus on four different issues when studying norm engagement in national policy making. First, actors and how they interact are evidently important. Some actors get access to the policy-making process while others do not, and those who are involved may be so in different ways. The epistemic community of gender experts in UN organizations and CSOs have played an important role in most commissions and working groups tasked with the elaboration of the various policies, and UN organizations have supported consultations, meetings, consultants, etc. financially. Consecutive governments seem to have appreciated policies signalling their determined and progressive engagement with VAW to other countries, donors, and international organizations, while balancing the policies with domestic political concerns. Thus, governments may have stimulated specific policy-making processes in response to international events and negotiations and then, crucially, decided when and how to adopt a draft policy. It took five years to elaborate and adopt the Roadmap from 2019, and the Strategic Plan on VAW from 2011 was just published and not adopted by the Council of Ministers. If presented to the parliament, parliamentarians appear to engage by criticizing drafts taking out elements in exchange for support. They are likely to be less concerned about international reputation and more about domestic constituencies. The many reservations characterizing the ratification of the Maputo Protocol point in this direction (Tornius 2023). This interaction between gender experts, governments, and parliamentarians indicates that policy drafts initially are strongly influenced by global norms on VAW but may later be changed or face a less formal adoption possibly leading to little or no implementation. Norm diffusion takes place through the involvement of epistemic community members and through government concerns about international reputation, but, evidently, there are many other issues at stake.

Secondly, the interaction between the actors is highly affected by political conjunctures. The Strategic Plan against VAW from 2011 is a case in point. One conjunctural issue was an increasing number of cases of VAW being reported and discussed in the media in the late 2000s, which pushed the ministry to consider a response. Simultaneously, the government decided to adopt the 2009 Charities and Societies Proclamation, which severely restricted the work of human rights organizations including women's organizations (Feyissa 2020: 20). However, the government was eager to demonstrate that it was not against human rights so work on the strategic plan against VAW was initiated

together with a human rights action plan according to several interviewees. Thus, the government's curtailing of the opposition and civil society after the 2005 elections had to be mediated and a document addressing VAW reasonably in line with global norms was convenient for that purpose. Another example relates to the draft National Policy for Prevention and Response to Gender-Based Violence and the National Strategy on Violence Against Women and Children in Ethiopia. Both documents are drafts and largely in line with global norms, but they have been elaborated more or less simultaneously with the war in Tigray, which, according to several interviewees, has normalized VAW and reduced public attention to the issue. This may be one reason why they seem stuck in the government machinery and escape from political attention. The government has other political concerns, and given the accusations against the army of misbehaviour and use of sexual violence, a strong policy on VAW could create further political turmoil. Another conjunctural issue is the decision in 2024 by the Ministry of Planning and Development to integrate the policy on GBV into a broader policy on gender equality to avoid having two policies on closely related issues. Such administrative concerns may stall and critically influence norm engagement.

Thirdly, two important ideas dominating state institutions and political thinking in Ethiopia have implications for norm engagement. One is the state-focused development model that has characterized subsequent political regimes. The state is the driver of change while society represents backwardness and is in need of change (see Feyissa, this volume). Thus, policy making is focused on what the state should do, not on facilitating or supporting changes initiated by other actors. This entails a concern with state practices and objectives that the state can achieve, which is not necessarily a mindset conducive for addressing thoroughly social issues like gender equality and VAW. The relative focus on legal issues in most policies on VAW is an indication of this bias. Another basic idea has to do with the federalism of Ethiopia. This is an ambivalent idea in the sense that regional devolvement is seen as a means to preserve national unity. Devolvement in some fields justifies centralism in others. As regional identities are organized around ethnicity and cultural rights (Feyissa 2020), the balance of federalism has significant implications for norm engagement in the field of VAW. Gender-based violence is deeply embedded in historical practices and social norms that vary throughout the country, and adopting norms on the elimination of VAW in national policies may challenge regional perspectives.

Fourthly, norm-specific histories influence norm engagement. This is in line with theoretical ideas about translation and localization emphasizing that global norms need to be adapted to local conditions and relevant norms to be accepted. However, we here propose to take a broader perspective on norm histories as it is not only a matter of direct compatibility such as whether a

global norm suggesting criminalization of marital rape corresponds well with context-specific social practices. With respect to national policy making, norm engagement is also influenced by how the topic of VAW has been addressed historically. Two characteristics of Ethiopian policy making on VAW stand out. It is quite obvious from the documents analysed that HTP constitute a pivotal point in discussions of VAW, and this is clearly reasonable given the prevalence of FGM/C, child marriages, abduction of girls, etc. However, it directs attention towards particular types of VAW rather than others, and it clearly associates the violence with traditional practices. This fits neatly with the perceived vanguardism of the state and with the observation that the state has never been recognized as a site of VAW in Ethiopian policies. The focus on HTP, therefore, strengthens the view that VAW is not an issue in a modern society led by a progressive state. Another characteristic of the political engagement with VAW is the strong attention to legal issues. The Ministry of Justice has been a major player in most policy processes on VAW with the Ministry of Women typically in a secondary position. Moreover, the main non-state organization working in the field of VAW has been EWLA, the Ethiopian Women Lawyers Association, and the overwhelming majority of the interviewees identified for this study as centrally placed stakeholders have a legal background. The relative emphasis of a legal and administrative approach to the elimination of VAW in Ethiopia may, accordingly, be related to the educational background of the policy-making actors, whether state or non-state.

CONCLUSION

This chapter set out to analyse eight different policy documents of relevance to the elimination of VAW in Ethiopia. The purpose was to examine partly the extent to which they reflect global norms, partly context-specific issues framing the policies. National policy making in Ethiopia can be seen as a result of norm engagement in a particular nodal point that changes over time. The nodal point includes specific actors, excluding many others, with different levels of influence during the process of elaborating a policy. Over time notably the political context of policy making changes significantly and this influences how the VAW-related policies have been elaborated.

Overall, two conclusions stand out. First, throughout the analysed thirty years of policy making, global norms and discussions of gender equality and VAW have clearly influenced the Ethiopian policies. The National Policy on Ethiopian Women from 1993 was largely in agreement with the women in development approach dominating international discussions during the 1980s, and subsequently, the human rights agenda has had a significant impact on Ethiopian policy making. Since 2010 the policies have increasingly linked VAW and gender-based violence to systematic gender discrimination that is

also in line with international discussions. Although certain differences persist, notably regarding the role of the state, the relative emphasis on a legal approach, and the ambivalence regarding partner violence, norm engagement in this nodal point is strongly affected by global norms. This can be explained partly by the significant involvement of UN organizations and gender experts when drafting the policies, and partly by reputational concerns of the government. Conversely, the parliament and domestic political interests of the government seem to limit the convergence between Ethiopian policies and global norms.

Secondly, conjunctural events strongly frame the opportunity space for policy making even in this field of enduring violations of women's rights. The need of the EPRDF to legitimize its position in power with a strong constitution in 1995, a similar need to legitimize its clampdown on the opposition and NGOs after the 2005 elections, the Girl Summit in 2014, the change of power in 2018 leading to a sudden ratification of the Maputo Protocol, and the war in Tigray 2020–22 are all such conjunctural events changing what is possible in the field of VAW. Another significant contextual issue in Ethiopia, albeit of a rather persistent nature, is the tense relationship between federalism and ethnic identities, which the Constitution to some extent has institutionalized and in which gender equality and the elimination of VAW may be taken hostage in arguments about the linguo-cultural rights of particular groups. Thus, a focus on norm engagement in nodal points such as national policy making highlights the usefulness of understanding the specificities of how a particular issue is addressed without preferencing global norms.

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7. The classroom as a site of norm engagement: on becoming a node in the gender normative order

Fana Gebresenbet and Anchinesh Shiferaw Mulu

INTRODUCTION

Education is important in mobilizing the efforts to eradicate violence against women (VAW) and bring about gender equality. Existing studies supporting this position view education as the empowerment, agency building and capability building of women, thereby changing power relations and norms undergirding VAW (Marcus 2018). The expectation is for girls and women to build their capabilities and agency with every year they spend in school, while boys/men are expected to be(come) more aware and progressive. The core idea is that a stronger gender component in the curricula will lead to a rapid norm change related to VAW and gender equality. The importance of education, both formal and informal, in shaping behaviour and attitudes towards the establishment and consolidation of democratization is also recognized, including in Africa (see Kuenzi 2005), in addition to the explanations of the modernization school. Similarly, mass media through adoption of particular framings and agenda-setting roles promote diffusion and updating of norms in developing countries (Joshi and O'Dell 2017).

In the multi-nodal, non-hierarchical conception of norm (re-)making and expansion of norms, all nodes contribute to the making and moulding of new/existing norms (see Chapter 1). The university, as a space for higher education, research, knowledge production and policy analysis, as well as production of future technocrats, experts, consultants, civil servants and politicians, holds a crucial place in the multi-nodal normative heterarchy. The agency of African universities – especially university professors and graduate students – in normative orders increases with the process of decolonization and organic knowledge production. Otherwise, university and classroom spaces will only end

up serving as spaces to churn out European provincial knowledge as universal knowledge, and norms (including on VAW and gender equality) as 'global norms' to be 'diffused' and 'adopted' in all corners of the world. Therefore, the university could play one of the two roles: as an agent in making norms or as a socializer of 'global norms'. The university could build its (staff's and students') agency to contest the 'diffusion' of 'global norms' while building on indigenous knowledge, values and principles in the making of locally relevant norms. The important point here is that the agency of the university in the VAW and gender equality normative order is only a potentiality, to be garnered and emboldened by actively seizing the core task of universities through intentional research.

This chapter explores the knowledge production and dissemination process on gender-relevant Master of Arts (MA) programmes at Addis Ababa University (AAU) with the intention of examining how global norms and values are produced, absorbed, resisted, contested or rejected. It analyses the contributions of indigenous knowledge in teaching courses in gender studies and how (positive/negative) Ethiopian values, personalities, sayings, and culture on gender are portrayed in gender studies. It examines the crucial role universities play in the making of gender norms, and in the 'diffusion' and contestation of norms from global to national/local levels. The extent to which the university – as an important node – contributes to the normative order is contingent on the extent to which knowledge production, teaching and research are centred on 'national'/'local' values, perspectives and morality, and bring in useful ideas and values from external groups to merge/fuse with the same (see Jones 2015; Mbembe 2016a, 2016b).

Methodologically, this chapter primarily focuses on analysing the norm engagement in classrooms (as an important node for norm engagement) and the relevant MA theses of graduates of the MA programmes in Gender Studies and in Human Rights at Addis Ababa University. Accordingly, we have selected and analysed nineteen theses in addition to conducting interviews with three university professors and eight students. The fact that the authors of this chapter are faculty members of the AAU gave an important advantage to reflect based on insider insights. Recognizing that at the same time it may also lead to biases, the researchers have employed various research methods to gather relevant and representative data from various sources. Alumni, former and current instructors have been consulted to respond to survey questions and have been engaged for in-depth interviews.

The remainder of the chapter is structured in four parts. The first provides a broad introduction to modern higher education in Ethiopia and its epistemic positionality. This is followed by a section that zooms in to discuss representations of gender in the Ethiopian education system and the establishment of gender-focused research, and later on in the teaching institute at the AAU. The

third section delves into the classroom engagements at the Centre for Gender Studies and offers a critical analysis of selected MA theses to analyse the representation of gender norms in classroom discussions and student MA theses. The last section concludes.

A 'BIRTH DEFECT' IN ETHIOPIAN UNIVERSITIES

This section situates the arguments advanced in this chapter within the broader context of the development of modern higher education in Ethiopia, and the persistent failure to 'Ethiopianize' it. Prior to the introduction of modern education, religious institutions – the Ethiopian Orthodox Church and Madrasas (religious Islamic schools) – provided education and training in basic skills. On top of serving their followers, these religious institutions offered secular training, which later enabled the state to govern and serve society using their graduates (Woldegiorgis 2021). In the pedagogy of these traditional institutions, pluralism rather than monolithic truth, and local contextualization rather than universal reality were and are central.

Although Ethiopia managed to defend its territory and political governance structures from colonialism, its modern education system is dominated by European thinking and knowledge. The modern education system in Ethiopia was shaped by expatriates during the Emperor Haile Selassie era, especially the establishment and running of the Haile Selassie I (which later became Addis Ababa) University in 1950. This opened the gate for foreign ideas and views to dominate in the teaching and research environment (Bekele 2010). The expatriates who were alien to indigenous knowledge and national values focused on teaching European thought and ideas. This resulted in what Yirga Woldeyes (2017) called 'Native Colonialism' and 'colonialism without colonisation', the production of generations of intellectuals who basically thought and functioned in European ways. According to Kebede (2010):

> The great tragedy of Ethiopia is, therefore, that it did not produce domestic, homegrown intellectuals, the very ones who would have conceived of modernization as an upgrading of the traditional culture. Such intellectuals could have easily grown from the traditional culture if the system of education had established some form of continuity between traditional and Western education. … [T]he choice was to expel the traditional culture and its representatives from modern schooling so that a system of education committed to uprooting young Ethiopians prevailed in the end. (Kebede 2010: 36–7)

Modernization in Ethiopia is viewed as an antithesis to culture/tradition, based on the perception of indigenous knowledge as unscientific, 'backward', 'undeveloped', 'primitive', etc. (Woldegiorgis 2021). Very little was viewed as salvageable from the local knowledge, leading to the erasure of the traditional/

local and its replacement by the 'European'. As such, much of the university's curriculum 'remained largely Eurocentric both in its inspiration and contents' (Kebede 2010: 33). According to Maimire, '[s]uch an approach reduces Ethiopia to her weaknesses and occludes her strengths' (Maimire 2009: 92), while Woldegiorgis (2021) argues that little space is created for interaction between the two sources of knowledge to produce pluralist views.

The unsuccessful attempt to integrate the modern with traditional education resulted in elites who are less interested in indigenous knowledge and national heritages. This is reflected in educational systems that do not reflect indigenous knowledge and national values, identity and culture. According to Kebede, 'the Ethiopian educational system failed to accomplish the basic task of any education, namely, the transmission of the cultural legacy of the country to the next generation' (Kebede 2010: 34–5). Rather, Eurocentric ideas and values are socialized to students, at the expense of the immense benefits potentially originating from blending insights from church, village, mosque, *Gada* and other traditional education systems (Maimire 2009: 72).

The attempts to 'Ethiopianize' the curriculum especially in the later years of Haile Selassie's government were futile and were limited to appending courses dealing with Ethiopian legacy, environment and socio-economic problems with a curriculum that largely remained Eurocentric both in its inspiration and contents. In addition to this, the lack of an environment that fostered critical and free thinking has minimized the university's contribution to examine and provide solutions to the various socio-economic and political problems (Kebede 2010: 33). In gender studies and human rights programmes, this is further complicated by the universalist 'pretension' of dominant normative orders.

GENDER NORMS IN THE ETHIOPIAN EDUCATIONAL SYSTEM

Thinking Gender in Historical Ethiopia

The religious institutions that offered the only educational services in Ethiopia before the introduction of modern education were male led and taught 'male-defined' religious thought (Berhane-Selassie and Müller 2015), as is the case in other countries too. This, however, does not mean that there were no exceptional cases of thinkers, indigenous institutions and individuals making a case for gender equality. For example, the philosopher Zera Yacob recognized the equality of women and men. As early as 1667, he wrote that 'husband and wife are equal in marriage; we should not call them master and maidservant; for they are one flesh and one life' (Sumner 2002: 180). Maimere (2009: 83), citing Getachew Haile, argued that a fifteenth-century religious reformist movement,

the Deqiqe Estifanos, viewed women as equal to men. In what is 'surprising in its modernity', they presented one nun as 'deeply learned, courageous and beautiful', while they 'praise[d] another for courageously standing up to and challenging a man'. Women Estifanosites faced the same persecution and fatal consequences as their counterparts. To the east, in Harar, we have the case of a female Muslim scholar Ay Amatullāh (1851–1893), who is recognized as playing a major role in religious teachings (Zeleke Eresso 2021: 1). There are also cases of indigenous institutions and some groups who emphasize the equality and power of women, such as *Siinqe* of Oromo (Østebø 2020; Kumsa 2019), *Ye kake Yewerdewt* of Gurage (Zeleke Eresso 2021) or *Yekka* of Sidama (Tamene 2022). In addition, we find women who had leadership, military and diplomatic prowess, such as Eleni (1522), Dil Wenbera (sixteenth century), Seble Wengel (1482–1560), Empress Tayitu (nineteenth century) and Empress Zewditu (1916–30), in Ethiopian history (Zeleke Eresso 2021).

By the 1930s, the monopoly of religious institutions in education was eroded, and the state became the most important actor in the design and delivery of 'modern education'. In the 1940s, in lieu of their contribution to the restoration of the Crown, the British had an upper hand in the domestic dealings in Ethiopia, including in the education sector. The Ethiopian curriculum was inspired by the British and focused on science and technology and promotion of English as the language of instruction (Merawi 2024: 227). By the 1950s, the British had been supplanted by the Americans in the influence of modern education, and later in the second half of the 1970s, after the Derg assumed power, the curriculum adopted a socialist leaning.

In the earliest years of modern education in Ethiopia, a few girls, especially with elite and nobility backgrounds, attended the schools, against resistance of the Church and the patriarchal society. In 1931, the first girl's only school was opened. Even then, however, education was seen as an instrument to further inculcate the traditional roles of women in the domestic sphere (Biseswar 2011: 15). At best, the intention was only to produce 'uncritical technocrats' who would fulfil the bureaucratic requirements of the feudal system (Biseswar 2011; Zewde 2014). Neither was critical thinking encouraged under the Derg (1974–91), as political education and Marxism–Leninism courses were made mandatory at all levels. While the Derg attempted to bring about a 'cultural revolution', it refrained from meaningfully intervening in 'cultural matters' related to gender relations (Feyissa 2020).

Women's movements in Ethiopia have their roots in the Ethiopian Student Movement (ESM) from 1961 to 1974. Women's issues and other social, political and economic questions were raised and debated through the publication of the University Students' Union of Addis Ababa's Journal called *Struggle* (Biseswar 2011: 11; Zewde 2014). However, the key roles of women students–activists and women's issues have been erased and suppressed over time

(Gebremichael 2022). As part of the socialist mobilization strategy, a Women's Study Group was established abroad first, then in Ethiopia, following the 11th Congress of the Ethiopian Students' Union in Europe in 1971. This Congress recognized women's social, political and economic issues as integral to the change they wanted to bring about (Biseswar 2011: 17). They recognized women's subjection to double or triple oppression (ድርብ፣ ድርብርብ ጭቆና) because of their sex and being a member of the oppressed class (i.e., the working class or peasantry) or oppressed nationality (Zewde 2024). Though women's issues were discussed in the context of ESM, the so-called 'women's question' did not get equal representation in historical narratives with the other two questions raised by ESM, i.e., 'the land question' and 'the nationalities question'. This is attributed to viewing women's questions as only those of women, not of national relevance (Gebremichael 2022).

Despite these developments, the Ethiopian scholarly landscape did not give recognition to women's contribution in the economic, social and political spheres in many of the publications observed (Bizuneh 2001). There were few studies and publications that focused on women. As an example, Nigist Adane's (1976) pioneering work (Women and Society's Development) is very much based on Marxist thinking and framework, and thinly anchored on Ethiopian realities, both in terms of the empirical basis for the arguments as well as values/thinking.

The EPRDF, after 1991, opened the public space for a stronger presence of civil society organizations (CSOs) and activism including on women's issues, until the 2009 restrictive law (Feyissa 2020). Over time, CSOs working on women's rights were established, which raised feminist consciousness and challenged laws that propagate women's subordination such as family law and criminal law (Cochrane and Betel 2018). CSOs dominated the work on women's and gender issues, as the government relegated the work to them. At the same time, government restrictions in 2005 limited the works of most CSOs to empowerment and humanitarian interventions, reducing the expected role of pushing government to take action and become responsible, thereby politicizing the issues. Thus, over time gender issues were depoliticized.[1]

Despite the limitations of the political and intellectual elite to deliver on women's/gender issues, everyday women have been contesting patriarchy and opening up some spaces of possibilities routinely. Everyday women were not mere victims, neither did culture completely close off opportunities for women (see for example Debele (2023) on the agency of everyday women; and

[1] Netsanet Gebremichael, speech at Ethiopian Women Researchers Network (EWNET) Seminar, 15 April 2025, IPSS, Addis Ababa University.

Kumsa (2019) and Zeleke Eresso (2021) on cultural openings women utilized to advance some interests).

Establishing and Running a Centre for Gender Studies

In the Western experience, the precursor to gender studies was women's movements and feminist politics of the 1970s and 1980s (Woodward and Woodward 2015). In 1969, Cornell and San Diego State Universities became the first to open undergraduate-level women's studies programmes, which grew out of the women's movements of the time. The early gender studies programmes relied on the universalization of women's oppression by the patriarchal system as promoted by liberal feminists and thinkers. This was challenged later on with the centring of intersectionality by third-world feminists (Connell 2014: 518). Over time, feminists and academics specializing in gender studies have come to appreciate diversity and context. The Eurocentric approach of 'reading from the centre' is pushed aside in favour of promotion of diversity of knowledge/truth, with different centres ranging from culture and religion, to language, historical experience, or identity (Connell 2014: 522). Unlike the Western experience, in Ethiopia, the academic unit and programme came before the politics or movement. The academic unit, through its teaching, research and community engagement works, was even expected to support the birth of a vibrant politics and activism centred on the needs of women.

The pioneer in teaching gender studies in Ethiopia is AAU, the first higher education institution in the country. The Centre for Education, Research and Training on Women in Development (CERTWID) (1991–2005), was established in 1991 within the Institute of Development Research (IDR). It was established through a project agreement signed between the Ethiopian government and the United Nations Population Fund (UNFPA). A precursor for CERTWID's establishment was a workshop organized by five female academics on diverse women's issues such as health, history, education, agriculture, craft, and science and technology (Mulugeta 2007: 87). The studies presented in the workshop were published later in a volume entitled *Gender Issues in Ethiopia*, edited by Tsehai Berhane-Selassie (1991).

CERTWID was established to promote and encourage research on gender and development issues; initiate and coordinate training on gender issues; support the government in the formulation of policies on gender issues; and strengthen publications and documentation (Mulugeta 2007: 88). It was successful in encouraging research on gender issues through its students' thesis research sponsorship programme, in organizing regular trainings and public lectures and establishing a resource centre to make materials on gender issues accessible (Mulugeta 2007). The Centre was understaffed and underfunded by the university though it was able to undertake various activities through

projects and donor support (Mulugeta 2007: 90). CERTWID only played a facilitative role when other departments were doing research on gender-related topics. Some observers criticized CERTWID for lack of a feminist base, and for being passive (Biseswar 2011: 216).

The seedling to the master's programme in gender studies was planted in 1995. One of CERTWID's important efforts was the mainstreaming of gender studies at AAU. CERTWID commissioned a task force (involving a consultant from the USA and representatives from the Ministry of Agriculture, Institute of Language Studies, Ministry of Labor and Social Affairs, and CERTWID staff) to prepare the curriculum. The curriculum laid down CERTWID's short-, medium- and long-term plans. This effort applied a two-pronged approach to the study of gender within AAU: creating awareness on gender and integrating gender into the undergraduate programmes and establishing a dedicated graduate programme (CERTWID 1995).

Despite mainstreaming gender in their programmes – for example in the departments of political science and international relations, philosophy, and sociology – the departments were reluctant to frame their work as feminist or to use a feminist theory to guide their work. Thus, in 2005, the IGS (later on Center for Gender Studies) was established, supported by top-level politicians and implemented by a few expatriate lecturers. The Institute of Gender Study/ Centre for Gender Studies (IGS/CGS), however, did not get autonomy, and it was co-opted into becoming a 'silent department' as it did not have a 'feminist epistemology' (Biseswar 2011: 216).

The MA programme of the IGS was a quick fix, in response to the government's vision of turning the AAU into a graduate university. At the time of the designing of the curriculum for the MA programme, there was only a single academic staff member in IGS. Thus, IGS mainly relied on expatriates[2] for teaching and instructors from other departments (Mulugeta 2007: 91). The Institute was also unable to continue delivering CERTWID's other activities for lack of human and financial resources.

The establishment of the IGS/CGS and the MA programme was seen as a great stride, as a 'first step towards the cultivation of feminism in Ethiopia' (Biseswar 2011: 169). But this was constrained by a range of factors: political and cultural constraints, and the presence of a large number of expatriate lecturers who knew very little of the national context. The apathy towards the word 'feminism' by the university administration played its part too, which led to low institutionalization of gender studies and whatever success registered

[2] These were mainly US professors brought by the US Embassy in Addis Ababa (see also KI 2).

being the result of the hard work of the Centre's staff.[3] The relocation of the CGS from AAU main campus to the peripheral Akaki Campus for a few years (with the School of Development Studies) also negatively affected its growth. Though this was corrected later by bringing it back to the main campus, the CGS has lacked the required level of attention from the central administration of the university.[4]

The mainstreaming of gender issues in curricula of other departments continued in later years as well. The Law School in its undergraduate programme included a course on 'Gender and Law', and the Institute for Peace and Security Studies (IPSS) and Centre for Human Rights (CHR) have graduate-level courses entitled 'Gender and Peacebuilding' and 'Gender and Human Rights' respectively. The CHR introduced the course 'Gender and Human Rights' during its 2016 curriculum review session. In the preceding curriculum, the thinking was that gender is a crosscutting issue that can be integrated in the various courses, such as 'Culture, Social Change and Human Rights', 'International Human Rights Law', etc. During the curriculum review process, it was found that gender issues were not given the required attention because there are a number of 'bigger' issues that are covered in those courses, or the instructors did not have the inclination/expertise on gender issues and perspectives. Thus, a standalone course on gender issues became necessary.

STUDYING AND WRITING ABOUT GENDER NORMS IN ETHIOPIA

The Place of Culture in MA Thesis Research

The MA theses reviewed from the CHR and CGS and the interviews conducted at the CGS clearly show that culture is portrayed primarily as a barrier for gender equality. Out of the 60 theses reviewed, about a third (19) engaged reflexively in the question of culture (see Table 7.1). From the nineteen, even fewer, only five (Bona 2011; Ambawu 2015; Zeray 2018; Ebba 2009; Assefa 2008), took a positive stance on the potential of local cultures to make a case for women's empowerment and equality, as well as eliminating VAW. The general tendency across the theses reviewed is to demonize and blame Ethiopian culture for violations of women's rights. No recognition is given to the positive role it plays and the potential therein in the promotion of women's rights.[5] Most theses focus on self-depreciation, rather than on possibilities of positive

[3] Key Informant 01, Academic Staff, CGS, 1 April 2022.

[4] Key Informant 02, Academic Staff, CGS, 13 April 2022.

[5] This is also supported by one of our key informants (Interview: Key Informant 03, alumni of CGS, conducted on 18 March 2022).

Table 7.1 Reviewed theses focusing on gender and culture

No.	Name	Thesis title	Dept.	Year
1	Bona Legesse	Beyond the Universalism–Relativism Debate: Potentials of the Gada System for Legitimizing Human Rights of Women	CHR	2011
2	Solomon Ambawu Dagnaw	Women Decision Making Rights in the Household: A Case Study on Awura Amba Community in Fogera Woreda	CHR	2015
3	Haregot Zeray	Women's Community Leadership at Grass Root Level: The Case of Gereb Customary Court in Raya Alamata District, Southern Zone of Tigray Region	CHR	2018
4	Ayantu Ebba	The Gada System and the Changing Role of Women: Special Reference to Borana Oromo of Southern Ethiopia	CGS	2008/2009
5	Tsehay Assefa	The Role of Women in Conflict Resolution: The Case of Sinke/Siqqaa in Arsi Negale Woreda in Arsi Zone	CGS	2007/2008
6	Tereza Petros	Impacts of Polygamous Marriage on Women's Rural Land Holding and Use Rights in Sidama Zone of SNNPR	CHR	–
7	Mezegebu Mandefro	The Practices of Women's Right to Property Inheritance: The Case of Konso Society	CHR	2011
8	Abdeta Emana Gola	Beyond the Debate between Universalism and Cultural Relativism: The Impact of Culture on Women's Rights against Bodily Harm in Ethiopia. The Case of Sewing the Sex Organ of Women in Afar Regional State	CHR	2013
9	Eleni Tekalegn Garedew	The Nexus between Culture and Women's Human Rights: The Case of 'Absuma' Marriage in Afar	CHR	2013
10	Michael Top	Violence against Women's Right in Gambella People's National Regional State: The Case of Nuer Culture	CHR	2013

No.	Name	Thesis title	Dept.	Year
11	Adam Dagne	Women's Human Rights in Marriage; Assessing the Culture of Bride Price, The Case of Bench Ethnic Community of Bench Maji Zone in SNNPR	CHR	2018
12	Thewodros Haile Mariam	Does Patriarchy Matter in Influencing the Social and Economic Status of Women in the Family Context? The Case of Humbo District, Wolayita	CGS	2006/2007
13	Gudeta Buli	A Study of Types of Domestic Violence Against Women in Gambella Town	CGS	2007/2008
14	Birhan Araya	The Causes and Consequences of Female Genital Mutilation among Muslims: The Case of Assaita Town, Afar National Regional State of Ethiopia	CGS	2009/2010
15	Bezawork Ayele	Exploration on the Continuance of Female Genital Cutting: The Case of Duna Woreda, Hadiyya Zone	CGS	2013/2014
16	Mahlet Gashaw	An Assessment of the Changes and Continuities in the Practice of Early Marriage in Sidama Zone, Hawassa Zuria Woreda, Uddo Wotate Kebele	CGS	2015/2016
17	Semira Berhanu	Domestic Violence against Women in Ethiopia: Law and Practice	CGS	2016/2017
18	Hana Worku	Assessment on the Belief of Ethiopian Orthodox Tewahedo Church Employed Community towards Gender and Gender Equality: The Case of Holy Trinity Cathedral Church and Holy Trinity Theology College Students	CGS	2017/2018
19	Michael Behailu	Negotiating the Holy Bible and Feminism: An Empirical Study on the Relationship Between the Holy Bible and Feminism in the Orthodox Christian Followers of Addis Ababa	CGS	2017/2018

representation of culture. In these representations, culture is essentialized as permanent and unchangeable, and as such is used to explain the permanence of high incidences of VAW, and various injustices against women. In this approach, there is no possibility of building on local culture, everyday life and practices to produce knowledge about gender equality and tackle GBV (on such attempts see Debele 2021, 2023; Zeleke Eresso 2021; Kumsa 2019).

A second major finding, perhaps similar to other programmes in AAU, is that the theses reviewed paid more attention to researching a social problem, than engaging with academic debates and attempting to theorize. The research tradition focuses more on producing data and addressing a social problem, not theorizing on the social problem by conceptualizing, critiquing, classifying, naming, explaining, or contributing to research methodology. In the words of one key informant:

> Most theses [researched/defended at the CGS] are descriptive. They don't assess the origins of local culture, how it has been changing over time, who are/what is influencing such changes, what happens upon their interaction with global norms etc. … Theories are not contextualized in MA theses. Students' theses are mostly descriptive. Most of the theses also focus on empirical findings rather than theorization. It is the West that theorizes on the third world.[6]

This is not necessarily restricted to studies by Ethiopians/from Ethiopia. Another key informant stressed:

> Theorizing third world women is not given much emphasis. When theorized, the emphasis is on their victimhood. The effect of poverty on women is emphasized much more than how they take themselves out from such conditions [i.e., their agency].[7]

As is common in the social sciences in general, local realities and cases are reduced to serve as inputs to theory from the metropole in most research from the South (Connell 2014: 525). Similarly, the MA theses we reviewed do not reflect on how women's social, political, and economic positions have been transformed through various processes (see Bizuneh 2001: 21). To be sure, this critique is not unique to the students in the MA programmes, but also extends to the teaching process (see below) and the Ethiopian research culture.

A third major finding is that most of the reviewed theses essentialize women as victims – weak, unintelligent and disempowered.[8] They do not represent women as owners of their futures, and downplay the everyday actions of

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6 Key Informant 02, Ass. Prof., CGS, conducted on 13 April 2022.
7 Key Informant 01, Academic Staff, CGS, 1 April 2022.
8 Key Informant 01, Academic Staff, CGS, 1 April 2022.

women to subvert domination and patriarchy (see Debele 2023). Furthermore, the studies do not rely on local knowledge, personalities and institutions such as *Sinkee*, *Ikub*, *Idir* and *Mahiber* as part of the search for solutions for the social problems. Rather than building on the rare positive stories from within Ethiopia, the courses and theses generally take positive lessons from outside the country (primarily Europe and the US), while depreciating the potential of local knowledge and experiences.

As a consequence, what we witness is for the teaching programmes, and the university space, serving as a conduit for the socialization of norms, values and knowledge from the North. Rather than seriously contesting global norms related to VAW and gender equality, and at the very least contextualizing them,[9] we see the university space serving the role of socializing young Ethiopians into Northern ways of thinking about gender norms. The limited sources of domestic research funding also contributed to widening the room for external actors to come with funds and dictate what questions to research.[10] According to one of our informants:

> It is difficult to do research on gender. The university system is bureaucratic in the provisioning of research funds. The funding agencies also set their own agenda to fund gender-related topics. Most of the time, they present the topics when there is a call for research. The department's priority areas in research are also driven by donors' interest in most cases. There are efforts to do collaborative research with the universities from the West, however the power dynamics is still constraining.[11]

This can be contrasted to the seminal works in which local values, everyday agency of women, and ways of social organization are taken seriously, without imposing theories from outside. An illustrative example is Oyèrónké Oyěwùmí's (1997) work, which put the whole enterprise of uncritically applying gender discourse and lens in African societies under a question mark. She demonstrated that primacy is given to age and tribe as a social organizational factor rather than that of gender among the Oyo-Yoruba, Nigeria (Oyěwùmí 2005), thus indicating that gender might not be an important category in understanding the workings of African societies. There are also studies demonstrating that matriarchy was one of the social organizing factors in precolonial Africa (Amadiume 2005), thus challenging the roots of the field of study. In the Ethiopian case, though there are courses offered that give students the opportunity to engage with positive Ethiopian examples and philosophies

[9] Key Informant 01, Academic Staff, CGS, 1 April 2022; Key Informant 06, Alumni of CGS, 20 August 2023.

[10] Key Informant 01, Academic Staff, CGS, 1 April 2022; Key Informant 02, Academic Staff, CGS, 13 April 2022.

[11] Key Informant 01, Academic Staff, CGS, 1 April 2022.

both at CHR and CGS, those offering the courses highlight the challenges of few published academic works to use as readings.[12] Thus, what we see is a vicious circle in which the lack of materials with epistemic roots in Ethiopian culture, values and norms further allows the space to be colonized by external knowledge.

The difficulty of overcoming Eurocentrism and producing alternative knowledge to Western education is recognized by many authors. Merawi (2024) and Alexandra Hofmänner in her reply to Merawi's article (Hofmänner 2024) recognize the difficulty to come up with alternative epistemological frameworks, propose postcolonial and decolonial theory as a means to deconstruct the existing knowledge, and come up with alternative decolonized epistemology that relies on the lived realities of Ethiopian women with diverse backgrounds.

The Western culture and concept of modernity found its way into Ethiopia through the educational system that imitates from the West, the experience of Italian Occupation, the cultural contact of the Western world and the imposition of Western values. This has led to the epistemic structures that imitate colonial or Eurocentric knowledge in lieu of local knowledge (Merawi 2024: 226). The local knowledge emanates from religious sources, indigenous institutions, cultural pride and Ethiopian exceptionalism that underlines resistance to foreign power (Merawi 2024: 227). These conceptualizations differ from the West, which relies on secularism and individualism, and sees culture as a system of oppression.

The assumption that Eurocentric conceptualizations of gender and gender theories are universal should be challenged by local conceptions and theories of gender in the teaching and learning process. Cultural revivalism and the Western-centred epistemology are exclusive of other alternative theorizations of gender. Decentring Eurocentric knowledge production requires finding an alternative decolonized gender studies. This requires acknowledging social science knowledge relative to where it is taught. The culture and the social structure of the community should be given emphasis. It is important to recognize the plurality of knowledge. In the Ethiopian context, there should not be a single Ethiopian education system or source of education. This is problematic as there is a plurality of knowledge within Ethiopia that comes from various ethnic communities and religions who are not represented in modern education or what is taught as Ethiopian studies. Insisting on 'Ethiopianization' of knowledge contradicts the notion of diversity, which goes against the notions of equality and the decolonization agenda.

[12] Key Informant 01, Academic staff, CGS, 1 April 2022. This point is agreed by others too.

Recent years have seen a mushrooming of various publications and PhD studies that give exclusive focus to the stories of the struggle and achievements of Ethiopian women personalities. Studies by Meron Zeleke Eresso (2021), Surafel Abebe (2018), Tigest Abye (2016), Martha Kuwee Kumsa (2019) and Serawit Debele (2021) exclusively focus on female historical and prominent figures and institutions. Others – such as Tefera (2012), Bizuneh (2001) and Tornius (2024) – offer biographies and cultural writings, which could also serve as starting points for theorization by future scholars. Debele (2023) illustrates how women engage, subvert and challenge the domineering patriarchal system. Some of these studies not only focus on intersectionality by going beyond an exclusive focus on gender dynamics to explain realities, but they also give attention to intersectionality and trans-sectionality (Abebe 2018). These studies do not try to use Western feminism as a lens but attempt to show the development of ideas of Ethiopian women's leadership and the contribution of Ethiopian women to economic, social and political development.[13] These studies depart from the mainstream historiography approaches that used to centre the male figures, thus peripheralizing the roles of women.

Learning and Discussing Gender in Classrooms

The classroom space is where the professor imparts knowledge, and triggers discussion and debate with students, who benefit from lectures, readings and debates. This exercise is supposed to create opportunities for critical engagements with available literature, promote plurality of thought and ensure generation of locally relevant knowledge. However, Western thought, theories, norms, and so on continue to dominate the social sciences in Ethiopia (see Woldegiorgis 2021), including in gender studies. This is primarily attributed to the limited number of publications centring on Ethiopian values:

> Most of the readings assigned to students are not local materials based on Ethiopian experience. It is difficult to find such references. When they are available, they depict women as victims. They don't give due attention to women's agency. … Since most of the research referred in class are from the West, there is a tendency to use those lenses [in student theses research]. However, there is a need to use a different lens when looking at the local level.[14]

As indicated above, the materials circulated for class discussions are from the 'global literature' further consolidating dependence as a theoretical/conceptual

[13] For a bibliographical review of women in Ethiopian history see Belete Bizuneh (2001).

[14] Key Informant 01, Academic Staff, CGS, 1 April 2022.

framework later in thesis research stage. The incongruence of fitting local realities to the 'global' knowledge or conventions is recognized, among others, as 'the Ethiopian society is highly influenced by its culture and religion', which means that the attempt to practise these 'feminism concepts at grassroots level [necessitates] contextualization'.[15]

The CGS seems to have opted to not prioritize mainstreaming 'contextualization' or centring on Ethiopian values in all courses, but including a specific course to this end. The course is entitled 'Gender Issues in Ethiopia' and has topics on 'Ethiopian Culture and Gender' and 'Ethiopian Women's History'. The former delves into introducing 'the contribution of Ethiopian women's movements to bring about gender equality' within the context of the global literature,[16] while the latter gives the limelight to key women who played exceptional roles in Ethiopian (oral) history.[17] Women of focus include Ye Kake Yewerdewt[18] and Aberash Bekele, with the use of screening films as a tool of teaching too.[19] These are viewed as a form of Ethiopian feminism, from historical periods, resisting the global origin of feminism.[20]

The professors also invite women who played active roles in important political, socio-cultural and religious activism to contribute as guest lecturers/speakers in an effort to link the Ethiopian experience to theory building and knowledge production. One key informant stressed:

> I remember that most courses had a global perspective, but there were guest lecturers who shared their experiences. Once we had a guest lecturer, a woman who wrote a book discussing whether the Bible really oppresses women. She explained it well to us by citing the Bible.[21]

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15 Key Informant 05, Alumni of CGS, 31 August 2023.

16 Key Informant 08, Alumni of CGS, 1 September 2023.

17 Key Informant 04, Alumni of CGS, 26 July 2023.

18 *Ye kake Yewerdewt* is credited for resisting polygamy, the patrilineal inheritance system and arranged and forced marriage among the Gurage (Zeleke Eresso 2021: 1). One informant (KI 08) added that they watched the stage theatre, read a book on it and reviewed theories, accordingly, based on the story of *Ye kake Yewerdewt* from the eighteenth century. The Centre for Advancement of Rights and Democracy started a fellowship programme under the name Werdwet Fellowship targeting young women researchers with a component of mentorship. This gives important instantiation for the socialization of the history of this important historical/cultural figure.

19 The film entitled 'Difret' shows what Aberash faced when abducted and how the law protects such women.

20 Key Informant 08, Alumni of CGS, 1 September 2023.

21 Key Informant 06, Alumni of CGS, 20 August 2023.

In the classes, the attempt is not to generalize on the negatives or the positives, but to discuss both: 'We had broad discussions on the cultures and values [of Ethiopia]. It was not by degrading or disrespecting our cultures and norms; it was to discuss them as an example and challenge them … there are some proverbs that devalue women, and we challenge such things.'[22]

Moreover, some attention is paid to indigenous knowledge and institutions, and how women play important roles in conflict resolution, peacebuilding and promoting social coexistence:

> Some focus is given to indigenous knowledge. Women's role in peace making (laying down handmade *Netela* (traditional scarf) or *eu-euta* (women's shouting) as a peacemaking practice is discussed in class. The class discussions focus on practical experiences. Students are encouraged to share their experiences. The story of Hindeke [Ethiopian queen in 34–42 AD] was also used as a positive story in class.[23]

This discussion of how the classroom discussions go is illustrative of the centrality of European experiences, theories and norms in the lectures, and discussions. Ethiopian experiences and cases are marginal, and primarily delivered in dedicated courses. In the other cases, these do not make the essential content of the courses, but are additions, secondary toppings. The genetic core of the courses and delivery is not Ethiopian in content, but attempts are made to showcase Ethiopian examples and contextualize as needed. This structure of the curriculum is used to 'contextualize' the 'global', and at best to particularize the universal.

CONCLUSION

This chapter – based on a critical review of the substantive content and discussions of classes and thesis research of selected students – shows how Ethiopian experiences, values, norms, principles and cases are not made central in the Gender Studies graduate programme. Very few of the reviewed MA theses take 'culture' as a core element of the social reality to be studied, and even then the negative aspects are more common. In class, the 'global' forms the centre, while the Ethiopian is the peripheral/marginal. As such, the university space offers little space for critical engagement with global ideas and norms, rather adopting them in their entirety.

A crucial contribution of this book in its multi-nodal norm concept is the non-hierarchical mobilization of actors in the making and co-organization of what constitute gender norms. At the centre here is the agency of actors at each

[22] Key Informant 06, Alumni of CGS, 20 August 2023.
[23] Key Informant 02, Academic staff, CGS, 13 April 2022.

node. Given the crucial role higher education institutions play in socializing 'progressive thought', including in feminism and gender studies, the chapter started with the assumption that the classroom is an important node. We have shown here how programmes, teaching and theses research have not historically had Ethiopian experiences and values at their core. The Ethiopian content was added to 'contextualize' the global, rather than serving as a foundation to the teachings and/or thesis research. As such, while the classroom can be seen as a space for exercising agency to contest the global and (co-)create locally informed and shaped ideas, normative positions, and theorization, we rarely see this to be the case in Ethiopian academia and education.

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8. African Union, gender violence and the positive masculinity approach

Karmen Tornius

INTRODUCTION

In 2014, United Nations (UN) Secretary-General Ban Ki-moon, together with the UN Women Global Goodwill Ambassador Emma Watson launched the international men's solidarity movement for gender equality. The UN-led #HeForShe campaign aspires to encourage men and boys to participate in tackling negative gender norms and behaviours. The initiative includes global advocacy campaigns, country-level initiatives and champions as part of the HeForShe Alliance. Among the HeForShe champions is the President of the Democratic Republic of Congo (DRC), Felix Tshisekedi. The campaign has multiple global hubs, including Zimbabwe and Uganda on the African continent. In 2021, the African Union (AU) hosted its first 'Men's Conference on Positive Masculinity'. In this policy context, positive masculinity means using traits that may be considered traditionally masculine, such as bravery, logical thinking, assertion of agency and problem-solving, to advance gender equality.

The first regional interpretation of the global campaign, the Men's Conference, was held in Kinshasa in DRC and co-hosted by the African Union Commission (AUC) and the African Women Leaders Network (AWLN). The host, President Tshisekedi, became the AU Chairperson the same year. Alongside Tshisekedi, presidents Ramaphosa of South Africa, Sall of Senegal and Akufo-Adodo of Ghana became champions of the AU's positive masculinity agenda. Several African heads of state[1] adopted the conference outcome document, 'Kinshasa Declaration and Call for Action of the African Union Heads of State on Positive Masculinity in Leadership to End Violence Against Women and Girls in Africa' (henceforth the Kinshasa Declaration). The Kinshasa Declaration focused explicitly on eliminating violence against

[1] Congo Republic, DR Congo, Ethiopia, Ghana, Kenya, Rwanda, Senegal, South Africa, Tanzania and Togo.

women and girls (VAWG). As this chapter unpacks, the African positive masculinity agenda focuses on how men can leverage their social position and leadership role to uphold women's rights. The AU's approach centres on mobilizing religious, traditional and political leaders, youth, civil society and the private sector, to address 'misconceptions and misrepresentations' of their belief systems that justify or exacerbate VAWG. That said, it does not unseat hegemonic masculinity norms.

The African iteration of HeForShe evolved concurrently with a global backlash on 'gender ideology' (Berry et al. 2021; McEwen 2017, 2023; Roth & Sauer 2022). At the heart of said backlash is a multi-layered discourse of traditional gender roles as the backbone of family values and by extension, the future of the nation-state. The anti-gender discourse contests reproductive freedom and sexual rights above all, and women's bodies have re-emerged as a site of political contestations.[2] The positive masculinity perspective is a strategy to counter the negative impacts of 'toxic masculinity' on gender relations (Whitehead 2021) and has been part of the gender and development discourse for decades (White 1997). 'Toxic masculinity' carries connotations stemming from traditional gender norms, which see men as breadwinners, protectors, warriors, decision makers and leaders by nature. Such an understanding of masculinity assumes male domination over women as natural, or even godly, and represents women as infantile and in need of management. Regardless of the extensive intellectual history of the gender and power nexus, the language of patriarchy, positive masculinity and feminist transformation remained primarily the purview of academics and activists. Only recently country leaders, both men and women, began identifying with feminist causes and using feminist vocabulary. In contrast to the much-publicized anti-gender mobilizations Bolivian President Luis Arce publicly announced the 'depatriarchalization' of his country. President George Weah of Liberia has drawn attention to himself by repeatedly self-identifying as 'Chief Feminist'. Elsewhere, France's President Macron and Canada's Trudeau came out as feminists, alongside former women country leaders like Jacinda Ardern (New Zealand) and Sanna Marin (Finland). The African leaders' embrace of elements of the feminist vocabulary at the AU level is thus befitting with the times.

Focusing attention on the AU as a regional node, this chapter interrogates the AU's turn to positive masculinity as a strategy to combat persisting gender inequalities by exploring the following questions: What does the AU positive masculinity approach entail? How is this approach operationalized? How is

[2] Indeed, women's bodies have always been sites of political contestation; however, the early 2000s saw a level of depoliticization of human rights, including sexual and reproductive rights. These are now, again, central to populist political movements and beyond.

positive masculinity framed in the AU? And lastly, what are the advantages and challenges of deploying a positive masculinity approach for women's rights in the region? The chapter proceeds as follows. First, I offer a brief overview of the AU as a regional organization pursuing gender equality, particularly its focus on gender-based violence and harmful traditional practices. I then go on to review the existing scholarship on masculinities. Arriving at the core issue of this chapter, I will analyse the AU's positive masculinity approach by discussing the histories of African women's movements' relationship to men, the institutional set-up of this new approach and the contents of adopted documents. Last, but not least, a discussion on the potential and shortcomings of the positive masculinity approach will be offered in dialogue with feminist and gender scholarship.

THE AFRICAN UNION AS A REGIONAL 'NODE'

The AU is a regional intergovernmental organization with 55 member states. The organization emerged from its predecessor, the Organisation of African Unity (OAU), through a series of reforms in 2002. The OAU's engagement with gender issues was limited until in 1992, the OAU established its first-ever women's affairs office. Regardless of its shortcomings, it became a focal point for advocacy for a regional approach to women's rights (Tornius 2023, 2024). With the establishment of the AU, gender parity was inscribed into its constitution and identity. The organization is often praised for upholding its gender parity principle among its commissioners and deputy commissioners. Since then, the AU has erected a complex architecture of institutional offices, policy frameworks and norms, which are to define its regional approach to gender equality (Tornius 2023: 748–9). One of the key institutions to set the legal normative standard for women's rights is the African Commission on Human and Peoples' Rights (ACHPR). ACHPR interprets the different articles of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol), which was adopted in 2003 by the AU General Assembly.

The Maputo Protocol is central to the AU's regional strategy on gender equality. It addresses not only violence against women but also harmful practices. Elsewhere, I argue that the Maputo Protocol carefully separated harmful practices and violence against women, while strongly condemning both (Tornius 2022). The Maputo Protocol was a landmark in that it was the first international legal instrument to criminalize female genital mutilation/cutting (FGM/C). While FGM/C was addressed under a separate article of the Protocol, and by definition, delinked from violence against women, all its forms and manifestations were condemned as incompatible with the rights, bodily autonomy and dignity of women. The Protocol adopted the language

of harmful practices over harmful traditional practices and contested a discourse of African cultures of violence (Tornius 2022). That mothers, fathers and other actors would engage in harmful gendered socio-cultural practices was not represented as families being violent. Rather, the document focused on socio-cultural institutions that promoted or enabled gendered harm. At the same time, the Maputo Protocol is clear that the practices harming women must be eradicated, regardless of their rationales.

Discursively, there was a shift from harmful practices to harmful *traditional* practices in the AU frameworks that followed the Maputo Protocol. References to harmful traditional practices, child marriage, polygamy and FGM became more prevalent than any other form of violence, not to mention domestic violence, sexual violence broadly construed, conflict-related violence or harassment in the workplace (Tornius 2022: 625). Departing from the Maputo Protocol, the AU's Gender Equality and Women's Empowerment Strategy of 2018 redefined violence against women to explicitly include harmful traditional practices. Therefore, the AU's approach to VAWG has steadily moved towards centring harmful traditional practices, particularly FGM and child marriage. These discursive shifts are sometimes perceived as translating global gender equality norms into an African regional context, and as being complementary to the global frameworks by prioritizing regionally urgent issues (Viljoen 2011). Harmful traditional practices are addressed across the AU's normative and policy instruments, including the African Charter on Rights and Welfare of the Child (1990) and the continental development strategy Agenda 2063 (2015) (Tornius & Engberg-Pedersen 2024: 11).

Additionally, the AU has launched campaigns like 'What African Women Want', 'Saleema Initiative', 'Campaign to End Child Marriage' and more recently conferences on Positive Masculinity in Leadership. As early as 2020, the AU member states began discussing the need for the AU Convention on Ending Violence Against Women and Girls (AU CEVAWG). Under South African President Cyril Ramaphosa's Chairmanship of the AU, South Africa was a particularly keen proponent of the AU CEVAWG with some other countries casting doubt on the need for a 'yet another' normative framework. The Positive Masculinity Conferences initiative then, starting in 2021, provided the momentum to push forward with the idea and in February 2023 the 36th Assembly of Heads of States adopted a decision to embark on negotiating the document.

CONCEPTUALIZING POSITIVE MASCULINITY

The interrogation of manhood and masculinities traces back to feminist and queer research of the 1970s. Influenced by feminist scholarship, poststructuralism and discourse analysis, masculinity studies became an established field

in 1980s sociology and social science and broadened considerably in the 1990s (Gottzén et al. 2019). The turn towards a positive masculinity approach should be situated in the emergence of the 'gender role strain' paradigm within psychology, which evidences the ways in which acceptance of the rigid definition of masculinity by men causes both major social and societal problems (Levant & Richmond 2016; McDermott et al. 2019). In the 1990s, Levant (1992) and others noted a crisis of masculinity and that many men felt they were asked to perform a version of masculinity for which they felt unprepared. Scholars like Levant suggested identifying and appreciating positive masculine features (the list includes 'ability to withstand hardship and pain to protect others', taking risks, logical thinking, problem-solving ability and so on; Levant 1992: 386). According to Levant, other obsolete masculine traits, such as emotional immaturity, aggression, intimacy issues and so on, must be dealt with. Yet, decades of feminist and gender research have demonstrated that such traits are socially constructed and not predetermined by biological sex. There is also a great diversity of masculinities, which according to Connell (1995) have hegemonic and subordinate forms within society. People who subscribe to hegemonic forms of masculinity, according to Connell, tend to see 'masculine' as a fixed natural gender category that is not up for negotiation. In this view, women and gender non-conforming men are particularly seen as inferior to the hegemonic forms of masculinity. Those who subscribe to hegemonic masculinity(-ies) tend to see culture and biology as indicators of the 'natural order of things' (Langa 2020: 13).

The following sections draw on the rich scholarship on masculinities emerging from South Africa. This scholarship embraces masculinities as plural 'with some forms (of masculinity) being subordinated, complicit and/or marginalised' (Langa 2020: 12). One of the critiques of the 'hegemonic masculinities' theory is the assumption of inherent violence, risky behaviour and aggression of men. Morrell, Jewkes and Lindegger suggest that this pigeonholing has led to the reactionary assertion of certain heteronormative, anti-Western, 'virtuous and independent' 'African' masculinities (Morrell et al. 2012: 24). Robert Morrell was at the forefront of conceptualizing multiple hegemonic masculinities in Southern Africa (Morrell 1998, 2001). He differentiated between white (ruling class) masculinity, African (rural and embedded in indigenous institutions) masculinity and black (urbanized and embedded in the logics of townships) masculinity in South Africa, and argued that they all function as hegemonic masculinities in their setting. Others have explored alternative masculinities. In the Kenyan context, Izugbara and Egesa (2020) theorize 'aspirational masculinities' to counter the oversimplification of the negative correlation between poverty and aggressive masculinity. In doing so, they acknowledge the daily insecurity shaping the lives of young men in Nairobi

and the linking of masculine roles with that of the provider (Izugbara & Egesa 2020: 1693).

Toxic masculinity, in contrast, is associated with the negative effects of excessive risk-taking and performance of stoicism, among other expressions of hegemonic masculinity (Gough 2006; Phillips 2006; Schrock & Schwalbe 2009). These negative effects range from health problems to male deaths. Therefore, rigid notions of masculinity not only contribute to unequal and abusive gender relations but also have major adverse effects on the health and well-being of men. Risk-taking behaviour is also socio-culturally and economically situated. Drawing from examples of South African townships, Langa discusses how these can lead to school drop-outs, resorting to violence and crime and acquiring sexually transmitted diseases (2020: 16–18). Langa also refers to engagement in gender-based discrimination and violence. However, the poverty/gender discrimination nexus is in tension with the prevalence of 'toxic' masculine behaviours across cultures and socio-economic positions. Not least, while more men than women are likely to perpetrate physical violence, far more men are likely to be subject to violence. While women tend to be assaulted by men they know intimately, men are often targets of strangers. 'Toxic masculinity' expects men to defend themselves against other men and denies their claims of victimhood. Women are not subject to the same expectations. These are only some of the reasons why interrogating hegemonic masculinities could improve the lives of men.

Zooming in on the connection between masculinities and gender-based violence, research on femicide in South Africa highlights the ways in which women and men are both socialized to associate men with a degree of dominance, strength, perseverance and the ability to provide, while 'good womanhood' withstands violence and infidelity for the sake of family and home (Mathews et al. 2015: 108). Interviews with 20 men incarcerated for femicide indicated that their involvement in criminal activity could be 'respectable' in their communities as a means of supporting the family. Intimate partners were viewed by these men as important sources of respect (Mathews et al. 2015: 111). The interviewees characterized women's respectability by innocence, purity and obedience – making men 'feel like men'. Women's young age was one strategy to pursue those desirable characteristics in women. Having a 'perfect woman', beautiful, of good background and with the characteristics described above was important for these men's self-image and esteem. The authors note that the imaginaries of masculinity were also linked with the capacity to use violence either to defend one's honour or to perform bravery (Mathews et al. 2015: 112). The men explained the escalation of violence against women with *perceived* infidelity or promiscuity (Mathews et al. 2015: 119). The underlying sense of ownership and entitlement towards women's lives was a key element informing their violent behaviour. The inability to exercise control

over women was experienced as a challenge to their manhood. That said, the authors emphasize socio-economic and structural inequalities that undermine the achievement of idealized, traditional and, importantly, unrealistic gender roles and being a 'real man'. Masculinity research has thus established that unattainable hegemonic masculinity norms erase the diversity and plurality of different expressions of masculinity, damage the health and security of men, and are intimately linked with violence against women. As such, a policy agenda to challenge these norms would appear to benefit everyone. The rest of the chapter explores to what extent this is the case.

AFRICAN UNION'S POSITIVE MASCULINITY APPROACH

The first AU's Men's Conference culminated with the Kinshasa Declaration whereby African male leaders made numerous commitments with a focus on violence against women and girls. In addition to the male heads of state, women like Ellen Johnson Sirleaf (former president of Liberia and current patron of African Women Leadership Network) and Bineta Diop (former Special Envoy on Women, Peace and Security at the AUC) have been prominent throughout the events. First, the undersigned promised to work towards ensuring relevant policies to address VAWG. Second, the leaders committed to launching a Circle of Champions on VAWG. In light of the existing practice of the AU leaders becoming champions of different gender equality issues (Tornius & Engberg-Pedersen 2024: 4), the group of African leaders was titled 'Circle of Champions' on positive masculinity. Third, the African leaders committed to launching an AU Campaign to End VAWG, including sexual and gender-based violence in conflict and post-conflict settings. According to a press release published in November 2021, the Women, Gender and Youth Directorate (WGYD) developed the AU Campaign on Ending Violence against Women and Girls (African Union 2021). In the frame of its partnership with the Spotlight Initiative, the AU and its partners are also developing a Regional Action Plan for Africa on Ending Violence against Women and Girls. According to the AU, the ministers 'considered' such a regional action plan at the 8th AU Specialised Technical Committee on Gender Equality and Women's Empowerment (also known as STC on GEWE) in November 2023; however, its adoption was not reported on (African Union 2023).

Other commitments made in the Kinshasa Declaration were the implementation of the Maputo Protocol Scorecard Index; a participatory and intergenerational approach to eliminating VAWG; engaging the private sector to address VAWG; participation and leadership of women in all sectors; adoption and implementation of the AU Convention on Ending VAWG; and evaluation of the implementation of 16 Days of Activism against gender-based violence. The follow-through on each of those action areas is not explicitly reported

on; however, their implementation can be traced through some research. For example, the press release on the Center for Human Rights organized side event to the 77th Ordinary Session of the African Commission on Human and Peoples' Rights noted that the AUC adopted the Maputo Protocol and Scorecard Index (MPSI) Report Generation Guide in 2022 to guide the member states on the reporting process (Center for Human Rights 2024). Similarly, to facilitate a participatory and intergenerational approach to ending VAWG, the AU hosted consultations with civil society, youth, women leaders and the private sector. The civil society organizations made recommendations to the member states ahead of the 2nd Men's Conference in Dakar, requesting that member states embark on the education of boys and men from an early age, including ensuring male-friendly health services and SRHR education. They also asked for religious and traditional reforms; space for young men to advocate against unpaid care work by women; an increase of funding for social services for women; introduction of Domestic Conflict Resolution Programmes for boys and men; and further efforts to achieve global and regional gender equality goals.

The Men's Conference thus led to manifold policy commitments with eliminating VAWG and fostering gender equality at the centre. There are, however, questions about operationalizing the Kinshasa Declaration, which undercut the stated aspirations and warrant discussion. Returning to the commitment to ensure relevant policies to combat VAWG, it remained unclear whether such policies would be promoted at the member state level or the AU. Not least, the uneven adoption of bills on domestic violence, sexual violence and other VAWG issues raises questions about how such policies would be enforced without existing legal basis in some countries. That said, developing adequate policies to enforce existing legal instruments could make a difference for women and girls. Secondly, appointing 'torchbearers' or champions for VAWG issues could be impactful; however, currently, little explicit information of such Circle of Champions on VAWG can be found. According to the post-Kinshasa press release, 11 member states entered such Circle of Champions: Comoros, Congo Republic, DRC, Ethiopia, Ghana, Kenya, Rwanda, Senegal, South Africa, Tanzania and Togo (African Union 2021). Yet, the modus operandi of this collective is unclear: How do they interact? What activities do they undertake? One answer is that Comoros, DRC, Senegal and South Africa (four of the 11 states in the Circle of Champions) have been hosting the Men's Conferences as well as pre-conference consultations in their countries. Is that what the Circle of Champions does?

Furthermore, it is unclear what happens when individual champions lose their political positions, like President Macky Sall of Senegal. So far there is no indication that the new President would inherit Sall's role as a Champion or that another Head of State would be appointed. Not least, some leaders come

to the position with questionable politics and democratic credentials, undermining their legitimacy as 'champions' for eliminating VAWG. For instance, Ethiopia, usually represented by its female President Zewde and not by its de facto leader Prime Minister Abiy, still faces accusations of perpetrating conflict-related sexual and gender-based violence. Ethiopia has also failed to effectively include women in the peace negotiations and in the transitional justice process that followed (Tornius et al. 2023), further undermining its position as a champion of eliminating VAWG. DRC, too, is struggling in a domestic conflict and alarming civilian costs, including sexual and gender-based violence. Finally, research on the AU Campaign to End VAWG yields no information. This does not mean that no activities have occurred; however, it negatively reflects on AU's accountability to the general public. Similarly, and partly due to the closed nature of AU committees, it is not known whether the Regional Action Plan to eliminate VAWG was ever adopted nor whether it had a direct connection to the AU Campaign.

The follow-up to the Kinshasa conference was the Dakar Platform for Action (henceforth Dakar PoA), adopted at the 2nd AU Men's Conference on Positive Masculinity on 10 November 2022 in Dakar, Senegal. The Dakar PoA saw African leaders pledge the adoption of the AUCEVAWG within one year while giving the AUC Chairperson the mandate to direct resources towards such efforts.[3] In other aspects, the Heads of State commitments reflected civil society proposals, for instance, to invest in gender-transformative interventions, including addressing VAWG drivers such as unpaid care work, pessimism around SRHR and persistent gender stereotypes. Rather than reforming religious and traditional institutions, as suggested by civil society, the Heads of State committed to institutionalizing engagement with such entities. Considering the dynamic between the state vis-à-vis traditional and religious institutions, any reforms in the latter would be more legitimate if introduced by traditional or religious leaders themselves. The Heads of State also committed to interventions like Domestic Violence Prevention Training Programmes (DVPT) and Continental Men's Coalition to end VAGW, neither of which has a public record to date. Finally, the leaders also agreed to more dialogue with the private sector and enhancement of national gender machineries. The third and latest AU Men's Conference on Positive Masculinity took place in November 2023, in Pretoria, under the leadership of South African and Comoros presidencies. The conference was tellingly subtitled 'Road to the AU Convention on Ending Violence Against Women and Girls'.

[3] Dakar Call for Action published as 'Africa: Dakar Call To Action of the African Union Heads of State on Positive Masculinity on Leadership to End Violence Against Women and Girls in Africa'.

The lack of public information and communications by the AU makes it very difficult to assess the extent to which the commitments made by African leaders translate to action. Instinctively, one would expect that if action was taken, the AU would make sure to publicize it – however, from years of research experience, I know it is not always so. What is clear is that these commitments and conferences have very little to do with interrogating masculinity and everything to do with the AU ramping up its focus on VAWG at different levels, setting itself up for the adoption of the AU Convention on Eliminating VAWG. The AU Convention on EVAWG has by now been adopted.

THE POTENTIAL AND CHALLENGES OF THE POSITIVE MASCULINITY APPROACH

At the 3rd AU Men's Conference, President Ramaphosa of South Africa unpacked the logic of positive masculinity further, noting that it requires 'challenging traditional stereotypes' of manhood, 'redefining the norms and expectations' towards men and embracing 'qualities such as empathy, vulnerability, emotional intelligence and respect for diversity'. He argues that men and boys who want to be part of the positive masculinity agenda are tired of 'being seen as the problem' and want to contribute to positive change. This reflection on rethinking masculinity is a step towards talking about masculinities in their plurality, yet it falls short of understanding rethinking masculinity as beneficial for men in their relationships with themselves and their peers. Perhaps it is strategic – not all men who wish to eliminate VAWG are willing to challenge their understanding of manhood. Thus, by centring positive masculinity in its gender discourse, the AU paves the way for more open discussions on masculinity, manhood and gender relations without challenging masculinity norms beyond the anti-VAWG agenda. As it stands, the concept of masculinity is instrumentalized in the pursuit of women's rights without challenging the pressures hegemonic masculinity norms put on men. There is no discussion on the health and safety of men and how hegemonic masculinity norms contribute to resorting to crime in poverty, and prevent men from seeking timely medical support or addressing mental health concerns. In the AU positive masculinity discourse, masculinity is still expected to be performed through the roles of the protector, provider and authority figure, even though such expectations are bound to make many men feel like failures or not the right kind of masculine.

Historically, gender discourses on the continent have embraced strong 'male' and 'female' archetypes and the idea of their complementarity. For instance, research on women's participation in African liberation movements shows that women became thought of as 'Mothers of the Nation' and their roles were marked by their capacity for socio-cultural and biological reproduction (Hassim 2006). Their solidarity with the men on the frontlines was a defining

feature of their liberatory activities, in most cases by birthing, feeding and nursing the soldiers who were their fathers, brothers and sons (Makana 2019). The earlier versions of African feminisms, such as motherism (Acholonu 1995), womanism and stiwatism (Dosekun 2021; Kolawole 2002) centred complementarity of men and women in a shared struggle against imperialism and later, for development. Earlier African feminists and women's movements also tended to uphold the idea of complementarity between men and women, be it in family, society or liberation struggle (Aina 1998; Arndt 2002; Eboh 2000). They emphasized the significance of socio-cultural context and how it shapes women's situated struggle.

The biological determinism around socially sanctioned notions of masculinity and femininity within the 'complementarity' discourse poses numerous challenges for gender relations. That strict gender binaries are 'African' has been debated by looking into pre-colonial social institutions defying that description (Amadiume & Caplan 1987; Kareithi & Viljoen 2019; Oyewumi 1997). In contrast, Sanders (1999) has posited that for Ihanzu in Tanzania, finding a balance between genders extends to the spiritual world. Performing, or 'doing' gender, then, is about 'the acting out of idealised cosmic gender categories and specifying the appropriate relationship between them. It is about the management of the gendered aspects of the universe, a process that is conceived of as essential to all people's well-being (Sanders 1999: 45). In the cosmology of Ihanzu, much more than maintaining or changing gender roles is at stake. This is perhaps what African feminist thinkers emphasize as the socio-cultural considerations in their gender analysis.

Regardless of the cosmological considerations, there is no one hegemonic form of masculinity or femininity universally performed across Africa, or even in a single country. However, the discussions on gender and sex in African contexts do indicate some shared values. These shared values are argued for both in the decolonial perspective on gender in Africa and in the more traditionalist discourse. The decolonial perspective (McEwen 2017, 2023; Pereira 2005; Tamale 2020: 100–105) acknowledges that rigid biologically determined gender roles were in many African contexts imposed by colonial administrations and accompanying Christian missions. The historical examples of African women bridging the dominant norms on gender are then not understood as exceptions but rather as manifestations of the fluidity and flexibility that characterize gender and sexuality in many African contexts. The other, a more traditionalist lens, questions the contemporary Western gender equality discourses as intervening with African traditional gender norms, and interestingly, with Christianity, and indeed Islam, on the continent. Those 'traditional' gender norms do align with the 'global' discourses of anti-gender ideology and while not particularly 'African', are often framed through anti-imperialist sentiments (Korolczuk & Graff 2018; Mwikya 2014). Such norms romanticize

a strong 'protector' masculine head of the family and a gentle, nurturing, yet resilient mother to complement him.

The AU's positive masculinity initiative is not divorced from these tensions between different interpretations of 'African' gender norms and their social functions. As pointed out above, good intentions aside, the AU positive masculinity agenda fails to interrogate dominant and hegemonic masculinities. Instead of recognizing the diversity of masculinities on the continent (Connell 1995), this agenda is focused on differentiating between positive and negative masculine traits (Levant 1992). In doing so, AU reinforces the binary between masculine and feminine, and in a way, undermines its aims to empower women in taking up roles in peace and security, governance and leadership. Notably, the UN #HeForShe campaign has also been critiqued for reinforcing the gender binary and some activists suggested alternatives, like #weforall or #weforwe (Harvey 2020: 40). Therefore, the challenge of surpassing the binary thinking about gender is one with which the AU is far from alone.

Importantly, men and women across Africa have a track record of seeking alliances with each other to improve gender relations. In the late 1990s, one of the founders of FEMNET, a Pan-African feminist communications network, established the Men to Men organization in Malawi (FEMNET 2012: 77). While the beginning was challenging, Men for Gender Equality Now (MEGEN) became active in Malawi and Kenya in 2001 (FEMNET 2015). Wainaina wrote about her motivations in 1998:

> In a number of countries, men had started on their own accord movements of men to mobilize other men to fight violence against women. In South Africa, Bishop Tutu had organized what was dubbed a million men march to challenge men to stop violence against women. In Kenya, Zambia, Namibia and other countries, men's groups were emerging with the same objective. In Malawi we were working with the police, judiciary, community and religious leaders, most of them men, to develop strategies for awareness creation and other action to stop gender-based violence. All this encouraged me that there was an opportunity to create a critical mass of African men who will join women in the fight against gender-based violence. (FEMNET 2015: 5)

In fact, positive masculinity interventions have been widely introduced across Africa, not only to eliminate VAWG but to improve sexual and reproductive health, among other issues (Odii et al. 2024). To recount the diversity of such initiatives is not viable in this chapter; however, they are uncontestably diverse in terms of their grassroots/donor/civil society origins as well as their approach to masculinity. For instance, Brothers for Life initiative, launched in South Africa in 2008, targeted adult men and specific risk factors, such as

HIV/AIDS, VAWG, alcohol addiction and sexual health.[4] In doing so, Brothers for Life addressed both male and female health in their approach. In Ethiopia, a gender equality organization Setaweet is hosting gender workshops in high schools, including male-facilitated safe spaces 'to question the components of normative masculinity'.[5] In an anonymous contribution to Feminist Africa, an organizer describes the grassroots positive masculinity movement #ArifWond in Ethiopia and how it helped him see the plurality of masculinities in his country (African Feminism 2018). These are only a couple of examples to show that men and women on the continent do want to explore femininity and masculinity beyond the traditional gender binary.

The placing of men at the centre of the women's rights agenda has brought out some anxieties among activists and organizers. For one, there is concern about allowing male leaders to become gatekeepers in the gender equality field. Women's movements of course need men, and creating instances where men have something to gain by taking a stance against VAWG is a strategy to mobilize them in the struggle. However, how strong and meaningful is this alliance? While male leaders are platformed at these high-level conferences and congratulated for their 'allyship', what are their 'feminist' credentials outside of these conferences and what actions have they taken to address gender inequalities? In a recent study in Tanzania, a group of researchers examined the extent to which men might exaggerate their support for women's empowerment (Lawson et al. 2021).[6] They did so by including both wives and husbands in the survey experiment. The authors suggest that men who self-report the highest support for women's empowerment are most likely exaggerating their positions. The extent to which men and women consider any conflicts between their individual behaviour and normative commitments to gender equality is not addressed by the study. Charles also notes that men are more likely to exaggerate their alignment with egalitarian gender norms when interviewed by women (2020: 113). None of this, of course, discredits the efforts to engage men in gender equality work but rather speaks to the need to prioritize actions over words when building alliances.

Further, as Toquero and Ulanday show (2023: 120), there are still huge gaps in the analysis of the impact of male involvement in gender equality work. The 'champion' approach to positive masculinity offers a useful parallel for a well-ingrained practice of engaging traditional and religious leaders in VAWG interventions. In both cases, these engagements are not apolitical (Tornius

[4] See Sonke Gender Justice website for more information.

[5] See Setaweet website for more information.

[6] The authors align with evolutionary social science theory, which the author of this chapter does not endorse. These empirical findings, however, do not need to be interpreted through the evolutionary lens to be relevant.

2022: 635). We know that fostering local ownership of policy interventions does create tensions between diverse stakeholders as power relations are being altered (Donais 2009; Richmond 2012). For instance, Zeleke's (2021: 149–50) research on 'performative compliance' with anti-FGM interventions shows that often religious leaders siding with the government and donors' anti-FGM programming become resented by people in their communities. While the intention of such interventions, both inclusion of traditional leaders and the positive masculinity agenda of the AU is to co-opt perceived authority figures, it also redistributes funds, power and social standing, often with unexpected outcomes. Not least, as Zeleke's article poignantly shows, local actors recognize and sometimes perhaps even overestimate the co-optation of their religious leaders and react accordingly. It is important to consider what are the unexpected outcomes of linking eliminating VAWG discursively with the positive masculinity agenda and whether the men touted as 'allies' actually have the legitimacy to shift socio-cultural norms. Thus, more research on the impacts of positive masculinity interventions will be crucial.

CONCLUSION

This chapter examined the AU's recently adopted positive masculinity approach to eliminate VAWG on the continent and analysed it in conjunction with masculinity research on the continent and beyond. By tracing the emergence of this approach and interrogating its frames, operationalization and challenges, the chapter contributes towards an understanding of the AU as a uniquely situated nodal point and a site of agency for eliminating VAWG. While inspired by the global HeForShe campaign, the way in which the AU has centred positive masculinity in its elimination of VAWG efforts is striking. It offers parallels to the ongoing efforts to include traditional and religious leaders, often the enforcers of gender norms, in the fight against VAWG and gender stereotypes that are used to justify them. In that sense, there is something explicitly regional in the way the AU has taken on the positive masculinity agenda. Yet, examining the AU's positive masculinity approach remains a challenge as the public records and reporting are limited. Regardless of the numerous declarations, speeches and press releases, following up on the commitments African leaders made was not fruitful in most instances.

In terms of framing, the AU's articulation of positive masculinity has threaded carefully in referencing culture and tradition and used the more neutral language of social norms. Indeed, social norms still draw their power from the socio-cultural context, traditions and beliefs; however, the concept is less charged with notions of identity. This strategy of separating harmful social norms from broader cultural and religious identities certainly has numerous advantages for communicating the changes needed to eliminate VAWG. That

said, the AU's engagement with a diversity of masculinities remains superficial. In keeping with the AU discourses, this chapter has not even brought up the queer experiences of femininity and masculinity. Still, the AU does not deliver meaningful interrogation of masculinity norms on the continent, and their impact on the lives of African men. Men, like women, are entitled to engagement with diverse experiences with dominant masculinities and permission to reconsider what kind of men they truly want to be. Insistence on 'Africanness' of well-defined hegemonic gender norms may be popular, but it is challenged by histories of gender on the continent as well as the global nature of the present anti-gender backlash. Conservative binary gender norms and biological determinism are not inherently African; they have always been global.[7]

Finally, the chapter also raised questions regarding the performativity of male 'allyship' and the pitfalls of placing men with questionable gender equality credentials as torchbearers on such issues. The aim of the chapter is not to challenge the importance of engaging men in all and any kind of gender equality work but rather to point to the pitfalls this good idea (like others) faces when put into practice. Furthermore, I don't wish to argue that people must have ironclad feminist credentials to speak out on women's rights issues; or that they must have wholeheartedly embraced feminism of some kind. Not least, and at the risk of sounding naïve, bringing non-feminist (or non-democratic) African leaders into gender equality work may have some positive effects. However, the target audiences for such interventions may be justifiably suspicious. Recruiting men, religious or traditional leaders to emulate buzzwords thought out by highly mobile and trans-local gender experts will not change 'hearts or minds'. How can the Senegalese public buy into their former President's role as a champion against VAWG if they see him jailing the opposition and extending his presidential term at the same time? These different issues become compounded in one's credibility as a political leader.

The chapter has thus demonstrated that at a time when masculinity is the word on everyone's lips, the AU's turn towards positive masculinity is timely. However, closer examination suggests that the AU instrumentalizes positive masculinity language to make progress on gender equality and is out of step with masculinity discourses advanced both by academic research and organizations across Africa. According to existing research, reconsidering dominant masculinity norms could benefit men in terms of their self-image, relationships with each other and their partners, their health and their safety. By narrowing the conversation about positive masculinity to women's rights, a more nuanced conversation about gender is closed off. One can suspect that this is deliberate,

[7] Global is not to be understood as universal here.

as the AU surely did not want to undermine its progress on the Convention of VAWG with controversial debates around non-binary perspectives on gender.

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9. Norm engagement in conference room 4 of the UN building in New York

Lars Engberg-Pedersen

INTRODUCTION

The annual session of the Commission on the Status of Women (CSW) in New York in March has become a focal point of international discussions of gender issues. During the two weeks of the session thousands of diplomats, representatives of women's organizations, politicians, researchers and others gather to discuss the selected theme partly at numerous side events, partly through the negotiation of Agreed Conclusions where delegations from most countries in the world seek a common understanding of how the theme should be approached.

This common understanding crystallizes into what may be called global prescriptive norms on gender equality. The conclusions of the sessions feed into discussions of the UN Economic and Social Council (ECOSOC), oblige UN organizations to act, and urge member states, including Ethiopia, to consider national legislation, policies and programmes in light of the agreement. The conclusions are not binding for member states, but they express the general perspective of the international community in the area of gender equality as they are agreed by consensus. This puts a context-dependent normative and reputational pressure on states.

Global norms are developed in many ways and many forums, and various approaches to understanding norm creation have been proposed diverging from a focus on persuasion by norm entrepreneurs of powerful actors to an emphasis on negotiation and deliberate bargaining between actors with different preferences (Coleman 2011; Finnemore and Sikkink 1998; Gest et al. 2013). Thus, the literature has concentrated on how specific norms have come into being and the main characteristics of negotiation venues that actors consider when they seek to create global norms (Coleman 2011; Martinsson 2011). Supplementing these insights, this chapter explores the contingencies of meeting dynamics to present a situated analysis of norm creation. It analyses a

session of the CSW as a nodal point with its particular actors and specified in time and space. The practices associated with this specific space or venue are explored, and the situated nature of norm engagement is emphasized by a focus on contingency. As such, the chapter makes two contributions to the literature on norm creation. First, it highlights that the institutionalized norm creation in standing committees such as the CSW emphasizes the perpetual recreation of norms rather than the once-and-for-all establishment of an agreed norm that is subsequently disseminated by relevant actors. This underlines the vulnerability of norms. Secondly, the analysis explores whether negotiation dynamics may have unintended normative consequences making norm creation an undertaking dependent not only on persuasion by norm entrepreneurs or negotiation of diverse interests and preferences, but also on contingency.

The analysis of the CSW is based on observations of the negotiations of the Agreed Conclusions during the CSW67 entitled *Innovation and technological change, and education in the digital age for achieving gender equality and the empowerment of all women and girls*, 6–17 March 2023, UN Headquarters, New York. Several side events more or less closely related to the theme were organized during the two weeks of the session, whereas the negotiations of the Agreed Conclusions started prior to the session and intensified in the last week. As a member of the Danish delegation, I attended most of the negotiations this last week and elaborated notes of approximately 45 hours of plenary discussions. The observations are complemented by three subsequent interviews of diplomatic delegates who participated in the negotiations, and the analysis is, furthermore, based on comparisons of different drafts of the Agreed Conclusions.

The chapter starts by locating the CSW and its role in international norm making on gender equality. Being a central institution, it has also become increasingly characterized by disagreement and contestation of established ideas. Thus, norm creation in the CSW today can easily be regarded as a matter of negotiation between actors with ontologically different views. Subsequently, I outline the literature on global norm creation, norm entrepreneurs, norm spoiling and norm negotiation. The characteristics of specific venues of norm negotiation have been highlighted in recent years. This leads to the analysis of the negotiation at the CSW67 addressing two cases highlighting the contingent nature of norm creation at this nodal point.

GENDER AND THE MAKING OF GLOBAL NORMS

For a long time, feminists have been able to use spaces at the UN to promote different gender issues, but this possibility has been seriously challenged in recent years. Described as transactional opportunity structures by some (Ferree 2006), global institutions and notably the UN system have constituted

important spaces for promoting women's concerns (Hannan 2013; Snyder 2006). It has been argued that from the Second World War and onwards,

> the United Nations has played a unique role: as a catalyst for change, as a global standard-setter for the eradication of gender discrimination; as a forum for debate; and as an unparalleled source of balanced, comprehensive data on the status of women worldwide. (Jain and Chacko 2008: 10)

However, this would not have been the case without a strong pressure by women's organizations for more than a century (Caglar et al. 2013; Goetz 2020; Prügl and Meyer 1999). Three general mechanisms for channelling this pressure into UN negotiations have been identified. First, women's organizations have been able to establish close cooperation with feminist bureaucrats in the UN and other international organizations as well as with progressive diplomats and state representations (Eyben and Turquet 2013; Snyder 2006). Secondly, advocacy efforts have often succeeded in linking women's concerns to ideational development at the UN (Hannan 2013). When decolonization enabled a strong focus on development in the 1960s and 1970s, 'women in development' gained attention, and the interest in 'women, peace and security' was part of the growing security concerns related to national and regional conflicts during the 1990s. Thirdly, institutional developments at the UN in terms of conventions, declarations, protocols, world conferences, monitoring practices, expert meetings, etc., have established agreed language and space for promoting feminist concerns (Hannan 2013; Snyder 2006; Zwingel 2016).

One transnational opportunity structure is the Commission on the Status of Women (CSW), established by the United Nations Economic and Social Council in 1946 with the function of preparing recommendations and reports on 'promoting women's rights in political, economic, social, and educational fields' (ECOSOC 1946). Formally, 45 UN member states serve as members of the CSW, with 13 elected in Africa, 11 in Asia, 9 in Latin America and the Caribbean, 8 in Western Europe and other states, and 4 in Eastern Europe. However, non-elected country delegations are present and sometimes take the floor. A bureau of the Commission with five elected members prepares the negotiations by presenting drafts of the Agreed Conclusions. The zero draft takes a point of departure in a report by the UN Secretary-General, which is tabled a couple of months before the negotiations addressing the particular theme of the session.

Up until 1975, the Commission was regarded as the most important, if not the only, space for discussing women's issues within the UN (Zwingel 2016), and it was essential in initiating the first UN World Conference on Women in 1975, the UN Decade for Women 1976–85 and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in

1979. By stimulating the adoption of different conventions on women's rights over more than 20 years, CSW managed to lay the ground for the adoption of the CEDAW (Galey 1979). Despite the deficiencies of the committee in terms of mandate and resources, it has been seen as instrumental in promoting gender issues within the UN and globally not least through its follow-up to the Beijing Platform for Action (Farrior 2009; Galey 1979). Its Agreed Conclusions are viewed as central for feminist advocacy:

> Once established as United Nations agreed language, feminist ideas and perspectives influence in turn future United Nations bureaucrats, governmental representatives, and succeeding generations of feminists, expanding the reach and breadth of the global feminist consciousness. (Lee 2019: 203)

As such, it is a widespread understanding that for a long time the United Nations has constituted a conducive space for promoting norms related to gender equality (at least until the adoption of the Beijing Platform for Action in 1995), for increasing the legitimacy of such norms, and for influencing member states through communications, inquiries and complaint procedures (Galey 1979, 1984; Hannan 2013; Zwingel 2016).

This could indicate a steady, progressive development of norms related to different dimensions of women's empowerment and gender equality. However, this view has been challenged by the materialization of a '[f]undamentalist backlash against women's claims to equality' (Bunch and Carrillo 2016: 46) and 'a curious coalition' of interests having little in common apart from hostility to feminism (Goetz 2020: 160). Twice, in 2003 and 2012, the annual sessions of the CSW have failed to produce Agreed Conclusions (Kabeer 2015) indicating that norm creation is no harmonious affair. An increasingly strong opposition includes Muslim countries, Catholic actors, former Soviet member states, right-wing populists and sometimes the US, but also some African countries using the opportunity to discard gender equality as a Northern construct. The opposition concentrates on protecting the family and traditional values, and since 2015 a 'Group of the Friends of the Family' numbering at least 25 countries has sought to roll back agreed language on issues such as sexual and reproductive health and rights, homosexuality, care work and, more broadly, women's rights and the legitimacy of global norms on gender equality. In 2020, 32 countries, including the US, issued a 'Geneva Consensus Declaration on Promoting Women's Health and Strengthening the Family' condemning abortion and praising the family and national sovereignty (Geneva Consensus Declaration 2020). The overall consequence is that the CSW, in particular, and the UN, in general, are increasingly questioned as transnational opportunity structures (Goetz 2020; Jain 2016; Sanders 2018). Negotiations are often obstructed, and there is a constant pressure to roll back earlier agreements.

Holding the line in the Agreed Conclusions of the annual sessions of the CSW has become increasingly difficult as even progressive countries consider twice before investing significant political capital in the negotiations. 'In international norm-setting, precedent is everything' (Goetz 2015). Thus, even slight changes in agreed language may have strong implications down the road and this may explain why so many efforts are invested into the wording of the conclusions.

The issue of violence against women has also been the object of significant norm engagement and contestation. It was not addressed head-on in the CEDAW although the issue was taken up by activists in the mid-1970s. In 1986, a UN expert group meeting was organized around domestic violence, and at the World Conference on Human Rights in Vienna in 1993 gender violence was pushed high on the agenda by women's organizations (Bunch and Carrillo 2016; Joachim 2007: 105ff.; Manjoo 2019). This led to the adoption of the UN Declaration on the Elimination of Violence Against Women (DEVAW) the same year. Two elements were central in this process. One was simply to focus on the topic, disseminate information and create awareness in order to 'lift gender-based violations out of the shadows' (Bunch and Carrillo 2016: 35). These violations had been overlooked partly because they had been regarded as a private family matter beyond state reach. The second element was to state the obvious but not always realized truth that 'women's rights are human rights'. This became a very strong slogan, hard to argue against. It had the obvious advantage of dissolving the distinction between the private and the public spheres and it moved the discussion from women as victims to women as active agents demanding their rights.

Despite this seemingly evident normative development, VAW has been a highly contested issue at the UN. At the CSW47 session in 2003 where one of the two priority themes was VAW, even agreed language – also stemming from the DEVAW – was questioned and no Agreed Conclusions were adopted (Kabeer 2015). The disagreement was influenced by the war in Iraq but raised the issue of whether the consensus-based approach to reaching conclusions was useful. Contentious issues included the use of tradition and religion to justify violence against women; impunity for such violence in conflicts; interference in the family; sexual and reproductive health and rights; minimum age for marriage; etc. The questioning of agreed language reflects that global norms on VAW are contested and possibly vulnerable (Bunch and Carrillo 2016). Thus, the CSW is an excellent setting for analysing the role of bargaining between actors with different preferences.

A SITUATED ANALYSIS OF GLOBAL NORM CREATION

What dimensions are important to understand in order to explain the normative results of negotiations at the CSW? It has been argued that persuasion by norm entrepreneurs operating from an expedient organizational platform is the essence of norm creation (Finnemore and Sikkink 1998: 896–901). As new normative ideas never exist in a vacuum, but typically address well-established practices and values, norm creation challenges existing logics of appropriateness, and this requires actors often motivated by empathy, altruism or ideational commitment to take 'inappropriate' action. What is conventionally seen as the right thing to do is challenged and depicted as morally wrong or normatively inexpedient with respect to more fundamental values that are widely shared within a community. This takes bold individuals who can persuade a significant number of political leaders and policy makers.

While such an approach may be useful to understand norm creation initiated precisely by norm entrepreneurs within a relatively homogeneous community, it may not capture the details of the institutionalized norm creation in heterogeneous contexts of the beginning of the twenty-first century. Global norm production has become a significant activity over the last 30 years (Kelley and Simmons 2019), and it typically takes place in institutionalized forums such as the UN, G20 and other venues where ontologically different views are represented. The international system is far from homogeneous as 'the plurality of views, values, and identities cannot be reconciled on the basis of any straightforward appeal to shared moral principles' (Hurrell 2007: 10). Besides, even within relatively homogeneous communities many social issues cannot be understood with respect to a single logic of appropriateness. Central institutions within liberal societies (capitalist market, bureaucratic state, democracy, human rights, nuclear family and religion) provide different logics for addressing social issues in areas where several institutions may be relevant to invoke (Friedland and Alford 1991). Gender equality within the family is a contemporary example where some refer to human rights while others see it as a family issue. The ontological diversity within and across societies makes the social construction of problems all the more important for norm creation (Katzarova 2018), given that reference to shared values is insufficient to persuade powerful actors to support norm change. The way a problem is framed typically has implications for how its solution will be approached normatively, and this makes norm creation a much more political process than purely a matter of persuasion.

This is related to another literature on norm 'creation', namely the one exploring norm antipreneurs (Bloomfield 2016; Bloomfield and Scott 2016) and norm spoiling (Sanders 2018; Sanders and Jenkins 2022). This literature

concentrates on actors seeking to prevent the promotion of particular norms or straightforwardly to undermine existing norms, and it stresses that such actors enjoy advantages over norm entrepreneurs even though norm spoiling is not just about contesting norms: 'while norm spoiling is destructive, it simultaneously lays the groundwork for norm promotion' (Sanders 2018: 272). Norm spoiling is particularly relevant to the women's rights agenda and the study of the CSW.

Based on an analysis of six different processes of norm creation, it has been argued that public awareness raising, building support through conferences, acquiring institutional platforms, and negotiating successful confrontation of state sovereignty are key ingredients of establishing new norms (Gest et al. 2013; Martinsson 2011). Accordingly, it may be a lengthy process before an issue is ready for promising international negotiation, and sometimes different understandings of a social problem compete to gain support and to reach a venue where a prescriptive norm can be established (Katzarova 2018). Politics is a significant element in this process. Which actors (states, international organizations, networks, forums, etc.) can be enrolled in support of normative change and when?

Bargaining and negotiation are central along the way. In negotiations of actual norm proposals various instruments and arguments are often employed (Coleman 2011; Gest et al. 2013). In addition to emphasizing the need to solve a recognized social problem, moral appeals and elements of shaming are ways of promoting norms protecting minorities or victims, but they can rarely convince non-supportive governments on their own. Thus, arguments emphasizing how new norms build on existing practices and can be integrated in national legislation with a minimum of effort may complement moral claims. Bargaining is another element describing the discussion of the precise content of a norm and its implementation. To achieve support, certain normative proposals will have to undergo change during the negotiation process so that the norm becomes more diffuse in terms of who, how, when and where it is relevant to invoke. Flexibility can also be built into international monitoring in terms of who is undertaking it and how.

> Norm emergence is therefore best conceived not as a simple 'surfacing' of a preformulated norm in international society through the persuasion efforts of norm entrepreneurs, but as a crystallization process in which the emerging norm acquires its specific shape and content – as well as its international support – through interactions both between states and non-state actors and among states. (Coleman 2011: 166)

This crystallization process takes place in a context of ontologically different views in terms of moral convictions and perceptions of self-interest where

international reputation and quid pro quo may be the major elements that can enable diverse actors to come closer to each other.

The above has taken norms and actors as the point of departure, but increasingly norm-producing *venues* have come to play a significant role in norm creation. These comprise many different international forums including annual meetings in standing bodies like the Commission on the Status of Women. At such meetings, new themes are regularly taken up for consideration in relation to the mandate of the body, meaning that new ideas and norms are discussed. This institutionalization of norm production has two immediate implications. First, new norms may be considered without lengthy processes of raising public awareness and building support, and this complicates normative conclusions if negotiators are in doubt about the precise consequences of an agreement. Secondly, existing norms are regularly taken up for renewed discussions in light of new themes, changing preferences and altered global contexts. This creates a normative flux where the status of specific norms may become unclear and, accordingly, one may question whether the above-mentioned crystallization process ever materializes in a 'specific shape and content' of norms apart from in the few cases where these are little controversial.

The literature on venue characteristics and their implications for norm creation emphasizes the following elements: membership, mandate, operating procedures and legitimacy (Coleman 2011; Dubash 2009; Martinsson 2011; Ruhlman 2015). In terms of membership, it is possible to distinguish between institutions where states and international organizations dominate; multi-stakeholder initiatives whose effectiveness depends on their involvement of legitimate actors including public authorities, private-sector actors and civil society members; and transactional advocacy coalitions predominantly constituted by civil society organizations. For global norm creation to take place, transactional advocacy coalitions often depend on agreement in the state-dominated institutions, but, conversely, campaigns by coalitions may be a prerequisite for such agreement. A central, and often quite debated, issue is the extent to which civil society organizations can take part in state-dominated international venues. Within the United Nations, the practice for involving these organizations differs substantially (Ruhlman 2015). Mandates can be broad or narrow and they may equip an institution with a more or less binding status of its agreements. Operating procedures are central for agenda setting, drafting of texts, negotiation and decision making. Together with the history of earlier deliberations and agreements, these characteristics shape the legitimacy of a venue. It has been argued that actors assess the characteristics of different venues and pursue norm creation where they find the optimal conditions to do so (Coleman 2011; Katzarova 2018), assuming that there is room for such strategic venue choice. While this may be the case in certain situations, the institutionalized norm creation in many UN bodies may limit the opportunities for

strategizing the process. Thus, the micropolitics of norm construction (Dubash 2009) in specific venues becomes important.

NEGOTIATING A TEXT

I will now turn to the negotiations of the Agreed Conclusions during the CSW67 and explore how the negotiation dynamics of a standing committee like the CSW influence norm creation. The argument is twofold: While enabling normative development, annual discussions in the CSW also make global norms fragile because they are continuously challenged and recreated. This process is heavily influenced by the negotiation dynamics specific to the CSW, making norm creation somewhat unpredictable. The analysis focuses on the discussion of gender-based violence in relation to the priority theme.

The Agreed Conclusions are organized in paragraphs, and during the negotiations delegations concentrate not least on which terms they cannot accept or insist on including. Accordingly, the various drafts include text in bold and brackets depending on how contentious it is. There is relatively little discussion of the substance of the paragraphs and much focus on getting contentious terms in or out of the document. As one delegation stated: 'The number of references to a particular issue is important.' In this battle of words, particularly important arguments are those that refer to recently agreed language or to the Beijing Platform for Action. Accordingly, each paragraph in the zero draft ends with reference to the agreed text on which it is based. A further important point shaping the negotiations is that they should end with conclusions that all delegations can accept. It is possible for any single delegation to block the agreement, but the cost in terms of 'diplomatic capital' is likely to prevent most delegations from doing so. However, the threat is there forcing all delegations to be 'flexible', as they say.

Routinized Practices of Contestation

One characteristic feature of the CSW is that many delegations have organized themselves in groups. These include the Buenos Aires group consisting of many Latin American countries; Caricom consisting of many Caribbean countries; Mountains consisting mostly, but not always of Australia, Canada, Iceland, Liechtenstein, New Zealand, Norway and Switzerland; PIF consisting of a number of Pacific islands; the EU; and the African group. Being in a group is particularly attractive to smaller countries that may exercise influence within the group but would not be able to do so outside it. The groups both facilitate and complicate the negotiations in the sense that during the meetings fewer delegations need to take the floor as some speak on behalf of many countries, but the groups need to coordinate their views in addition to

coordinating with state headquarters, which may delay the process. Some, in particular larger, countries prefer to stay outside the groups, and they include the US, China, Russia, India, Japan, Britain, Cuba, Ukraine, Turkey, and most Arabic and Asian countries. Finally, the Holy See is a (disputed) permanent observer and uses the position to make statements as often as some of the most vocal delegations.

Agreements and disagreements between delegations differ to some extent depending on the issue discussed, but at least during the CSW67 a pattern was quite clear with Russia, China, Cuba, Arabic and Asian countries, the Holy See, and often Caricom and the African group on one side, and the Buenos Aires group, EU, PIF, Mountains, the US, Britain, Ukraine and Turkey on the other. These two blocs are noteworthy given that they are not formed along clear geopolitical lines such as the Global South versus the Global North. Moreover, the US was closer to the former bloc than the latter from 2016–20, and this is likely to repeat itself in the coming years. Disagreements covered many different issues ranging from whether stipulations in the Beijing Platform for Action should be 'recalled' or 'reaffirmed' to whether to emphasize development or human rights issues. Even the term 'people-centred', which supposedly is rather harmless, is disputed because in meeting room 4 it is perceived to belong to the development camp rather than the human rights discourse. During the observed negotiations the two blocs were formed around terms such as adolescents, sexual and reproductive health, intersectionality, gender stereotypes and negative social norms, in all diversity, sovereignty, comprehensive sexual education, child pornography, and multiple and intersecting forms of discrimination.

There are other issues, e.g. women's participation, where the delegations have different views, and blocs or alliances are less obvious. Nevertheless, it is obvious that the propensity to form the two blocs is big. Apart from the human rights vs. development controversy, the former bloc emphasizes sovereignty and the primacy of national legislation. As one delegation from this bloc stated: 'Here we should arrive at consensus and not impose language that does not fit national legislation.' The latter bloc underlines women's individual rights and pushes for legislative changes that can strengthen these. One delegation said: 'Many countries use sovereignty to violate human rights'. Thus, the two blocs clearly disagree on the extent to which the Agreed Conclusions should establish prescriptive norms for what member states should do. In addition, the blocs differ in terms of whether they perceive women as victims or actors. A delegation belonging to the former bloc argued: 'Address the needs of women and girls, not the rights.' And another preferred 'victim-centred instead of survivor-centred'.

To illustrate the negotiations, the following is an extract from my notes of the discussion of two paragraphs on education addressing access to quality

education, including digital literacy, and investments in ICT infrastructure, respectively:

Moderator:	Now, we go to the cluster of paragraphs on education.
Bloc 1 delegation:	Move the sentence … to paragraph …. No reference to Comprehensive Sexual Education (CSE). Delete the second-last sentence. No support for the reference to the Transformation Education Summit. No reference to adolescents. Add reference to parents.
Bloc 2 delegation:	Support paragraph …. Especially inclusive and adolescents.
Bloc 2 delegation:	CSE is a very important tool.
Bloc 1 delegation:	Severe reservations regarding CSE. Include parents in paragraph ….
Bloc 1 delegation:	We cannot support CSE.
Bloc 1 delegation:	We support the first sentence in paragraph … and propose to delete the rest as it is unclear to us. We support the following paragraph, but delete adolescents, and talk instead about girls of all ages.
Bloc 2 delegation:	We strongly support paragraph …. Add 'all' to women and girls in line three. We support CSE.
Bloc 2 delegation:	We support the proposals by … and CSE. Girls with disabilities are an additional important concern.
Bloc 1 delegation:	We cannot support CSE here or anywhere. Talk about 'gender sensitive', not 'gender responsive'.
Bloc 1 delegation:	We support early childhood education. Delete reference to CSE as there are many other important educational elements. Write 'girls' instead of 'adolescents' in paragraph ….
Bloc 2 delegation:	We strongly support paragraph …. 'Gender stereotypes' has been removed but should be maintained. We support CSE and reference to mental health. We have lost a reference to 'intersectionality'. Talk about digital technologies, not ICT. Important in paragraph … to focus on adolescents. Add 'for all women and girls' at the end.
Bloc 1 delegation:	Apart from the first sentence, delete everything in paragraph … as it is too detailed. Move the part on disability elsewhere. No reference to CSE. Delete adolescents in paragraph … and add parents and legal guardians.
Bloc 1 delegation:	Delete CSE and adolescents.
Bloc 2 delegation:	Add 'quality' before 'early childhood education'. We support 'gender responsive'. Add 'affordable' in the first line.

Bloc 1 delegation:	Move parts of paragraph … into paragraph …. Delete CSE. Not 'gender responsive'. Delete adolescents. Distinguish between ICT and digital technologies.
Bloc 2 delegation:	We support CSE.
Bloc 2 delegation:	We support the language in paragraph …. Good with CSE. Add 'girls' to the part on STEM [science, technology, engineering, and mathematics]. We welcome to add 'inclusive and accessible'. We support mentioning adolescents. There are 1.8 billion adolescents in the world, and they are the most online. No reference to parents and legal guardians as this paragraph talks about the school environment.
Bloc 2 delegation:	Keep a reference to girls with disabilities.
Bloc 1 delegation:	Digital learning should not change curriculum. No support for CSE. CSE does not help but is deeply inappropriate. Our position on intersectional elements is well known. Add parents and legal guardians.

This kind of exchange was characteristic throughout the negotiations. Comprehensive sexual education was just one of the many controversial terms that tended to ignite a routinized battle between the two blocs of delegations. Few attempts were undertaken to unpack the contentious terms or to approach a common understanding of the social problems that they address. This may partly be due to delegations representing political views elaborated in capitals, but given the above-mentioned contestation of gender equality the last many years, it may also reflect an almost 'intractable' conflict with routinized practices of opposition (Bar-Tal et al. 2014).

To Gender or Not to Gender

The theme of the 67th session, information and communication/digital technologies, was new for the CSW, and this was reflected in some comments expressing the reluctance to commit to strong-worded conclusions. The report of the UN Secretary-General (2022) addressed the theme partly on the basis of an expert meeting on gender-based violence and ICT (UN Women 2022). The report suggested that the CSW may wish to recommend governments and other stakeholders to (i) address the gender digital divide, (ii) leverage financing for inclusive digital transformation and gender-transformative innovation, (iii) foster gender-responsive digital and science and technology education, (iv) promote women's involvement in technology and innovation, (v) adopt gender-responsive use of technology, (vi) strengthen fairness, transparency and accountability in relation to digital technology, (vii) enhance data science, and (viii) prevent and eliminate technology-facilitated gender-based violence.

The Agreed Conclusions that consist of a number of observations before the recommendations, organized the latter part precisely as suggested by the Secretary-General even using the same titles of the sub-themes. However, in two instances changes were undertaken. The term 'gender-transformative' was taken out of the second sub-theme, possibly, as one observer noted, because even the term, gender, has become contested and 'gender-transformative' may implicitly raise the discussion of other genders than women and men.

The other change had to do with the term technology-facilitated gender-based violence (or technology-facilitated violence against women), proposed in the report of the Secretary-General. The subject of the expert meeting in November 2022 was exactly to develop a definition and an operationalization of the term as various definitions have been proposed complicating data collection and legislation to prevent it (UN Women 2022). The expert meeting came up with a definition that basically was brought forward in the report of the Secretary-General with the recommendation to the CSW that 'a comprehensive definition of technology-facilitated violence against women' be adopted (UN Secretary-General 2022: 18).

The term was, however, rejected by the CSW in favour of reference to 'gender-based violence that occurs through or is amplified by the use of technologies'. This phrase may be criticized on three counts. First, it avoids establishing a concept with a clear definition that can be used in national discussions to highlight and address the issue. Second, it obscures 'the unique specificities of digital technologies' (UN Women 2022: 1), which enable gender-based violence. While violence requires a perpetrator, the shape of the violence is strongly influenced by the nature of the technologies that may also enlarge the opportunities of perpetrators to be violent. Third, it has been noted that online and offline violence is often interconnected, and the definition proposed by the expert group and the report by the Secretary-General sought to capture this by addressing 'any act that is committed, assisted, aggravated, or amplified by the use of information communication technologies or other digital tools' (UN Secretary-General 2022: 12; UN Women 2022: 4). The phrase supported by the CSW addresses the technology-facilitated amplification of a particular violence, not the aggravation by, for example, strengthening domestic physical violence with psychological violence through GPS-enabled monitoring. In light of the work undertaken to provide the basis for a definition, the question arises why the CSW ended with a different, and seemingly weaker, phrasing.

All delegations suggested a separate thematic discussion of the concept of technology-facilitated, gender-based violence, or TGV as it was labelled during the negotiations. Both the report by the Secretary-General and the zero draft of the Agreed Conclusions by the moderator somewhat surprisingly refer interchangeably to TGV and technology-facilitated violence against women. The expert group preferred the latter concept, acknowledging that

'gender-based' is contentious, and even before the thematic discussion of TGV a couple of delegations expressed that they prefer the term 'violence against women' rather than 'gender-based violence' while other delegations insisted on the latter. Thus, only for this reason one could expect complicated negotiations of the concept.

The thematic discussion of the concept took place three days before the negotiations were scheduled to finish. A number of delegations criticized the concept for lacking legality, painting a too negative picture of technology, and being unclear and lacking a definition. Moreover, the CSW was questioned as the right forum for defining the concept partly because private tech companies have no representation in the room, and partly because a global digital compact was negotiated elsewhere. Conversely, other delegations argued that legality is not the issue, technologies can enable otherwise unlikely violent behaviour, and the CSW is the right place to discuss gender-based violence. The arguments matched the two above-mentioned blocs, with the first being critical and the other supportive of the concept. After these views had been exchanged, the moderator suggested that the delegations undertake bilateral and group discussions to get closer to an agreement. On the last day of the negotiations, the results of the non-plenary discussions of TGV were presented by a delegation: 'Basically, we reached two ways of discussing tech-facilitated gender-based violence, namely gender-based violence that occurs through or is amplified by the use of tech and violence against women and girls that occurs through or is amplified by the use of tech.'

This result could be seen as a victory of the first bloc of delegations in the sense that no concept describing this kind of violence was adopted and the role of digital technologies in producing violence was downplayed. Thus, one interpretation would indicate that certain delegations managed to establish their interests in having a weak phrase on this issue in the Agreed Conclusions. At the same time, one may speculate whether the rather diverse group of countries in this bloc in reality have the same interests, or the bloc affiliation is determined just as much by antagonism to the other bloc as by the dynamics of the negotiations of other issues during the CSW session. The repeated echoing of views of other delegations within 'one's' bloc and the many issues being discussed as a dispute between the two blocs suggest that detailed national interests and policy views on gender equality and digital technologies played a lesser role than the routinized practice of contestation. In other words, the discussion of TGV could also be interpreted as the result of an institutionalized conflict between two blocs of countries characterizing the CSW, and this led to the adoption of a phrase that is far from what gender experts suggest.

Contingency

Another example of the contingent nature of the negotiations arose on the very last evening of the session. A disagreement concerning the term 'foreign occupation' emerged in relation to two paragraphs in the second revision of the draft conclusions. One of the paragraphs dealt with the importance of a gender perspective in technology and innovation to achieve the 2030 Agenda, referred to access to health-care services and information on agriculture and climate resilience, and ended by calling for new ways to 'access basic needs in humanitarian emergencies *including in situations of natural disasters, armed conflicts, and [foreign occupation]*'. Foreign occupation was not mentioned in the zero draft but figured in both the first and second revision of the conclusions, meaning that it had been added upon suggestion by a delegation. The other paragraph proposed to address the digital divide for women facing multiple and intersecting forms of discrimination – in itself a disputed term – and linked this challenge to a longer list of women in different situations. One delegation had several times suggested to add 'women under foreign occupation' to this list.

At 10 p.m. the dispute burst into flames. One delegation held a lengthy speech about the difficulties for women under foreign occupation, referred to earlier agreements mentioning the subject and stated: 'It is up to the member states tonight whether they want to stand with the oppressors or the oppressed.' Two other delegations responded strongly that this was a politicization of the Agreed Conclusions and that they could not accept any mention of the term. After some further discussion, the moderator suggested that the three delegations step aside to find a solution.

Three hours later a 'neutral' delegation presented the conclusion of the small group discussion according to which 'foreign occupation' was mentioned in one paragraph, but not in the other. However, one delegation objected, arguing that this was no compromise, and the discussion re-emerged. This led to the suggestion to delete both paragraphs, and then other delegations joined the discussion to object against such a solution because they would like to retain other elements in the paragraphs. It was also proposed to move elements of the two paragraphs to other paragraphs that had already been agreed upon – a proposal that was vehemently opposed by yet other delegations as it would reopen the whole text. It was now 3 a.m., and a delegation suggested taking a break and leaving the rest to the bureau. While this was disputed by another delegation referring to an 'element of conspiracy', there was a break after which the moderator declared that all paragraphs had been closed and would remain closed.

The two paragraphs had both been deleted, meaning that the issue concerning foreign occupation had led to the omission of other elements of the Agreed Conclusions. While this did not have a major impact on norm-setting,

it demonstrated that the negotiations can take unforeseen turns that may influence the Agreed Conclusions and norm creation by the CSW.

CONCLUSION

The CSW negotiations do not take place in a vacuum. Discussion at other international meetings and national experience help shape the negotiations, which can be seen as the concretization of numerous worldwide ideas, interests, concerns, etc. within a particular meeting room in New York ten days in March. As such, the negotiations constitute a temporary, yet highly important nodal point of global norm engagement in the field of gender equality. Existing approaches to understanding norm creation have emphasized either norm entrepreneurs (and antipreneurs) persuading leaders or a process of bargaining between actors with different interests. Some have also highlighted the characteristics of different venues. This chapter draws attention to the contingency of the negotiations and to practices of opposition. It argues that during the CSW67 entrenched conflicts and sudden outbursts of national interest shaped the conclusions in ways that approaches emphasizing persuasion or bargaining find difficult to explain.

Without belittling the usual approaches explaining norm creation, the findings call for a situational understanding of norm creation. The contingency of the process challenges the idea that norm creation progressively moves in a particular direction, and it suggests that global norms are 'locally' elaborated by specific actors given time and space. Meeting room 4 in the UN building in New York is just as localized a site as a government office in Addis Ababa or a village in Afar. Actors relate to each other according to specific practices and normative frameworks where certain arguments, notably concerning norm histories, carry more weight than others. The chapter also highlighted that meanings-in-use are relevant to explore as the negotiations concentrate primarily on terms carrying specific meanings that to the outside observer may not be obvious. When, for example, 'people-centred' is regarded as a contentious term, meanings-in-use become crucial to analyse.

The chapter also argues that the annual session of CSW is a nodal point of norm engagement with significant implications for norm engagement on gender equality elsewhere. Yet, it does not explore these implications for norm discussions at other nodal points. CSW67 failed to agree on a definition of technology-facilitated, gender-based violence, which may or may not have consequences for how this violence is addressed in different parts of the world. However, the term is used by many actors to push action in this field despite the lack of a CSW agreement so the significance of (a failure of) norm creation at the CSW is likely to be relative and in need of further research. Also, a comparison of different venues of global norm creation could be interesting,

acknowledging that these differ over time and given the actors participating. The situational nature of norm engagement is likely to rule out firm conclusions that a few factors explain global norm creation.

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10. Thinking in the US and acting in Ethiopia: social norms, behaviouralism, and competing visions of gendered change

Adam Moe Fejerskov

INTRODUCTION

In December 2022 – after years of COVID delays – a global community of practitioners, technical experts, and researchers descended on Marrakech for the third instalment of the Social and Behavior Change Communication (SBCC) Summit. With four years passed since the second chapter in Nusa Dua, Indonesia, the 2022 behavioural summit took place in a context of unprecedented challenges from multiple crises: from pandemics and climate crises, to humanitarian disasters and growing injustices. The summit itself was sponsored by a number of organizations and foundations well known for their work on social norms and behavioural interventions including the Bill & Melinda Gates Foundation, USAID, the William and Flora Hewlett Foundation, the Bill & Melinda Gates Institute for Population and Reproductive Health at the Johns Hopkins Bloomberg School of Public Health, UNICEF, and others. 'Everyone is here', an older lady said when greeting a friend in the summit lobby. And not just everyone but core schisms were represented: as a microcosmos of current work on social norms, the summit laid bare not only meetings of worlds of academia and practice, but the competing visions of intervention and implementation that continue to shape the field. These interactions were in evidence especially between the behaviouralists and the 'systemic' people, between those mostly interested in or curious about whether individual behaviours can be adjusted by way of certain models, instruments, or methodologies of intervention and experimentation, and those who see social change as systemic and structural.

The call from an early plenary presenter to 'not stay in the past of SBCC' was surely a mantra to take seriously in Marrakech. Numerous interactions and

talks accentuated the need to amplify local voices, inspire collective action, promote social justice, social movements, and new voices for change, and target the structural determinants of change. Opposite this, the report from the second SBCC summit from four years prior made no mention of decolonization or social justice, while climate change and collective action only mustered a single or two mentions. So much for the changing of times. 'We are unequal, and it would only be naïve to deny it', resounded through the halls of the Palais des Congrès on Boulevard Mohamed VI, as participants acknowledged the current realities of social norm and behavioural practice and thought: theoretical perspectives from the Global North, applied across the Global South. As a researcher from the University of Witwatersrand evoked it in a much better image: 'We think in the US and act in Malawi, alienating the body from the mind' – a crucial reproach for a field where knowledge and methodology often seem to define hierarchies of power and influence. Even the summit's own practice of peer-reviewing abstracts to decide who gets to show off their work in person and who does not, saw pervasive critique.

It is difficult to determine the weight of these inherently political and systemic perspectives, however, and the degree to which they can push back against the group of powerful donors that were repeatedly described as key definers of what constitutes the field and movement and what does not. The social and behavioural world on display in Marrakech thus also remained one of promises of 'hassle-free data management', 'actionable analytics', 'unbiased evidence-driven decisions', and 'diagnostics of identifying behavioural barriers and leveraging behavioural insights for scalable change'. A world where a few powerful actors continue to set the stage, then, keeping systematic reviews, meta-analysis, and scalability in high demand.

Decolonization may have had its mentions in decentralized summit discussions, but it sat there next to multiple repetitions of social norm experimental cases such as binge drinking among US college students – the case of pluralistic ignorance from US Ivy League academia that seemingly continues to shape thinking in the field, like the skipping of a worn record (see Perkins & Berkowitz 1986; Prentice & Miller 1993). Or it stood next to talk of 'golden standards of measurement', reminding us of the strong epistemological attempts at defining boundaries between legitimate and illegitimate forms of evidence and knowledge. In a similar vein, advanced systems for accumulating, processing, and managing data clearly seem to be a way to monetize localization, with consulting companies at the summit eagerly advertising for how big data can both localize activities and 'drive ROI [return on investment]'. And while some warn against benchmarking and standardization – 'we take indicators that someone in Pennsylvania has developed and apply them in Kenya', as someone formulated it during a panel – others argue for a globalization of knowledge production from exactly the same perspective; that it helps

legitimize knowledge produced in the Global North as appropriate knowledge everywhere, shrinking the room for (or challenging the very existence of a concept such as) local knowledge.

Conferences too, like many of the other situations we have met throughout this book, appear to be nodal points of normative engagement that foreground contestation and see actors struggle over interpretations of norms. Summits and conferences serve concurrent purposes of diving into the contradictions of a field – opening wounds in attempts to enable better healing – while also bolstering that same field by defining insides and outsides; insiders and outsiders. This is no different for the global community of behavioural science and social norms, whose SBCC summit does a fascinating job in the construction of an appearance of everything being settled, of a dynamic yet well-defined field with clear parameters. In reality, of course, there is both a front end and a back end – the simultaneous serving of a beautiful dish to the restaurant customer who is oblivious of the kitchen being on fire. Even if the sensation of well-defined boundaries is convincing, most of the people I talked to speak of a field in flux, where struggles over interpretational or definitional primacy have been a steady diet for the past decade and are culminating at the moment. In the following I discuss first conceptualizations of what social norms – including ones on violence against women – are and why they are increasingly addressed in programming all over the Global South. We then look towards how markedly different approaches to social norms – both in thinking and in intervention – met in Marrakech, before taking a deeper dive into what lies behind these competing visions of social norms. Altogether, the purpose is to show the diverse engagements with norms that characterize different nodal points.

SOCIAL NORMS

Even if this chapter attempts to show and explain the diverging views we may find as to how social norms are changed (and thus also how we may see their 'nature'), there are certain basic conditions around social norms that most interpretations currently ascribe to. The first is that norms are sticky. Their interconnected and interpersonal nature – which implies that they are both tacit and continuously reproduced through social interaction – makes them exceedingly difficult to measure, change, or eliminate (Bicchieri 2016; Bicchieri & McNally 2018). The potential for change obviously shifts with whatever view we have of norms, and not everyone sees them as constantly reshaped and reproduced because of their inference through social interaction. Social convention theory, an early iteration of social norms theory, subscribes to a more static view of norms in which change is not incremental and continuous but instead quite dramatic and abrupt, i.e. that norms are stubborn and will not change until at a tipping point, at which we see an accelerated flow of new

adopters, but more about that a little later (Mackie 1996). It is a very different picture if we apply the constructionist view that small adjustments over time accumulate or aggregate to larger changes to norm sets. Such a perspective of continuous reproduction through interaction is what we find along theoretical lines of translation that essentially pushes a challenge to convention theory's more schematic or mechanistic understanding of diffusion. Undergirding this is the belief that norms can change behaviour and that behaviour can change norms, and that collectively accumulated behaviours often form or represent norms, directing interventions towards the intersections between what people think and feel, and what they do.

At a general level, social norms are seen as being about everything we do in society – how we enter a bus, how we speak at a meeting, what food we have for dinner, or what activities we entertain during holidays, whether Christmas or Diwali. Social norms are seen to be 'rules of action shared by people in a given society or group' (Cislaghi & Heise 2020), defining what is considered 'normal' or acceptable behaviour for that group, and what is deemed outside the lines of the acceptable. The social norm movement examined here widely adopts a view of social norms as either descriptive (expectations about what people do – behaviour that people in a group believe is appropriate) or injunctive (expectations about what people should do – behaviour people in a group believe is appropriate), the potential difference between the two being people may approve of a certain norm, but not actually practise it and vice versa.

Norms thus mediate between the identity of the individual and the identity of a group, providing attention to the social reasons why people do as they do (see Darnton 2008). Sometimes norms are seen as evoking forms of social autopilot, guiding immediate responses in what can be deemed a socially safe direction, but also because of what the literature refers to as NFCC – the 'need for cognitive closure' all human beings share to not constantly have to process information and relate to a spectrum of actions. Others accentuate the social radar we all have, arguing that we rarely see a blind following of norms but that individuals instead adhere to norms deliberately and strategically, albeit some more than others: 'people follow norms to express their values, to avoid guilt, to fell group belongings and distinctiveness, to maximize instrumental payoffs and to navigate the social environment tactically and strategically' (Morris et al. 2015).

Social norms are generally seen as different from personal attitudes in that they are beliefs about what other people do and approve of. You may want to do one thing, but social norms of a group lead you to believe that others would disapprove, and hence you refrain from doing it. Internalization may occur, but people do not need to have internalized the values inherent in certain norms in order to follow them – far from it. In fact, incoherence between personal and group beliefs are often found empirically in the literatures that cover these.

That makes social group matters exceedingly important to understand, seeing as this is the level at which many localized norms reside, and thus also may be changed, as the movement here would argue. In social norm theory, these groups are known formally as 'reference groups', and are something we are all part of in our daily lives – many different reference groups simultaneously at that – for which there will be different social rules of action or norms. Expectations for behaviour may be wildly different with your closest friends than with your colleagues or for people you play sports with.

DIFFERENT WORLDS AT A SINGLE NODAL POINT?

A single nodal point rarely holds a singular set of norms around which there is no contestation and can indeed include marked negotiation and struggles over understandings of normative orders. In Marrakech at the SBCC conference too there was both a latent and a more vocal meeting of the two different understandings of social norms that can be ascribed to what I have called the *behaviouralists* and the *systemics*, the first more concerned with identifying, measuring, and correcting individual and interrelated behaviours and the second embracing a wider view of the social ecology, framing normative change as something dependent on many structural conditions too.

Before we move to that core discussion, however, a look at the SBCC conference's development over time is merited to understand both the role and growing centrality of social norms programming, but also the changes to the kinds of discussions taking place. In 2016, the first International SBCC Summit brought together an emerging global community of social and behaviour change communication organizations, practitioners, and researchers in Addis Ababa, Ethiopia, showcasing 24 technical panels and 10 preformed panels. The summit report describes how interest in the conference was 'shocking' to the conference planners, bringing 750 participants from 50 countries together to 'show the world that our community exists and it is strong' at a time where the field was 'growing rapidly' with a focus on 'high profile issues such as Ebola, TB and climate change'. 'All too often', the summit report staked out, 'SBCC is not recognized as an essential tool in the development toolkit. This summit was designed to change that narrative.'

We find traces of the internal conflict between ways of perceiving social norm change here as well, in its early iterations. A set of principles was adopted with the summit, that stressed how 'Social and behavior change results from interactions between multiple and multilevel factors. Factors at the structural, community, household and individual levels are often complementary, not mutually exclusive, so they need to be addressed in an integrated manner for optimum effect.' At the same time, they recognized, 'SBCC should routinely report cost-effectiveness and cost–benefit analyses. Because funding for SBCC

is not unlimited and always competes with other priorities, we need to justify our expenditures. What is the unit outcome per dollar spent? What are the savings in dollars that result from the program?'

Keynotes too encompassed this tension very clearly, with Lebo Ramafoko, Executive Director of the Soul City Institute in South Africa, asking the question: 'Do we all truly have a common understanding of what we are talking about?' 'As the community looks ahead and continues to ask how best to assess SBCC', the summit report describes her intervention, 'Ramafoko reminded the community they must continue to consider people as agents of their own change, not objects of that change, involving them in all stages of SBCC.' Other keynotes had different foci. David T. Neal, Founder and Managing Partner of Catalyst Behavioral Sciences LLC, discussed how it remains 'vital for SBCC to disrupt people's environments or familiar action sequences, creating a window of opportunity where new behaviors and habits can form.' Matthew Willcox, Founder and Executive Director of the Institute of Decision Making at FCB West (one of the largest global advertising agency networks in the world), focused on behavioural economics and how it can be used to develop SBCC programmes. Willcox argued how it is only 'by including behavioral economic principles into SBCC program development, that SBCC will be most effective.'

At the second SBCC in Nusa Dua, Indonesia, in 2018, almost 1,200 participants from 429 organizations and 93 countries came together for 'talks on behavioral economics, big data, entertainment-education, human-centered design, measurement and evaluation and so much more.' Susan Krenn, Executive Director of the Johns Hopkins Center for Communication Programs, opened the event by outlining the conference's themes: 'What works? Critically looking at the evidence, understanding what is working and what is not', 'Making sense of now: Exploring and understanding the trends that are shaping our work, from the UN's Sustainable Development Goals to the massive upheavals in the world both natural and man-made to the growth of digital media to the use of behavioral economics, human-centered design and other trends emerging in this space', and finally 'Voice and agenda setting: Examining issues around what agendas are being set by whom and the important role of advocacy'.

The final theme on voice and agenda setting focused on the 'need to be more aware of power structures and existing hierarchies of authority at every level (global, national, community) of the agenda-setting process. Where these conversations are happening and who is part of them is extremely important' (for the first time, participant feedback 'noted the dominance of organizations and speakers from the Global North'). In contrast, the other themes focused on points such as 'how SBCC tend to be somewhat fragmented and geographically or topically focused, with different approaches and programs operating

in parallel'. Several inherent problems were also recognized and explicated in the discussions, including how the SBCC community may 'need to shift attention from focusing on symptoms (e.g. female malnutrition) to focusing on root causes (e.g. women's economic participation)', or that 'we need to realize that it's [putting people at the heart of SBCC] hard to do when many interventions and approaches are predetermined by donors or planners before stakeholders become involved'. 'While many SBCC programs are aimed at youth', as the summit report noted elsewhere, 'only recently have some started consulting the true experts – the young people themselves – in creating these programs.'

In the keynote track here, Chaning Jang, chief strategy officer at Busara Behavioral Economics, spoke about how 'behavioral economics can help SBCC crack some of its most difficult challenges' by 'closing the intention-to-action gap' and helping to create social norms. But other more systemic perspectives were also offered. David Chiriboga, former health minister of Ecuador, told attendees that 'it is not enough to simply rely on donors to improve health and increase life expectancy in the world's low- and middle-income countries. Systematic changes are critical.' 'We are so fragmented in our interventions that it dilutes the impact of the interventions,' Chiriboga said. Nahla Valji, senior gender adviser in the United Nations' Executive Office of the Secretary-General, also spoke to how 'we can choose to remain in the past of SBCC, or we can proactively apply SBCC in ways that puts at the center of the development process the voices of individuals and communities.'

Clearly, the 2022 summit, in focus here, was different. So much becomes clear from the introduction to this chapter and what comes next. But that difference could also be read from the summit report, to conclude the discursive reading of the reports. The occasion in 2022 was, in the words of the conference planners, 'an opportunity for a new kind of SBCC Summit, influenced by consultations and conversations that occurred regionally in Africa, Latin America, Asia and the Middle East, bringing in more diverse perspectives, ideas and voices than ever before.' Official panels are obviously one of the most formal ways for conference organizers to balance different perspectives and implement their own visions for what should be showcased and what should not. Several systemic panels in Marrakech were given time slots, including on *Disrupting the SBCC Field: Addressing Knowledge and Power Imbalances* that explored 'power dynamics in the global SBC field to understand why the current structures exist and discuss what steps are needed to restructure and better balance power dynamics, specifically between SBC actors in the Global North and Global South.' The panel *Tug of War Between Power, Equity, and Ethics: What is the Role of SBC?* too grappled with more systemic or structural questions through an ambition to have panellists 'explore how best to shape FP/RH [family planning/reproductive health] investments and design SBC programming to intentionally and systematically address equity and SDOH

[social determinants of health] and effect social and structural change while building support and deepening multi-sectoral partnerships and coalitions.'

Whereas most of the systemic panels were focused on broader questions, behaviouralist panels were mostly technical (such as skills-building workshops), very issue-specific, and interestingly organized by some of the major donors and intervention actors, including USAID and UNICEF. These panels included ones such as, *Use of Evidence-based Behavioral Insights to Improve SBCC Programming*; *Moving Behaviour Change Communication into the Twenty-first Century through Technology and Community-led Behavioural Science*; *How to Use Big Data to Build a Behavior Change Campaign*; and USAID's own *Behavioural Nudges and Shoves: Communications Tactics to Promote Public Health Intervention Uptake*.

Many of the panels focused on advancements in technology and how these may be used to serve behavioural interventions. In the panel *A Pixelated Blue Sky: Where Frontier Technology Pushes the Boundaries of Social and Behavior Change (SBC),* participants explored, 'What does social and behavior change look like when interventions are augmented with artificial intelligence? What does behavior look like after interventions are simulated in a 4D immersive environment?' Predictability too, through technology (mainly big data) or quite reductionist behavioural methodologies, was a major theme. In the panel *Tomorrow by Design – Sparking BIG Change Tomorrow through Small Changes Today: A Futuring & Foresighting Workshop*, predictability and linear change was central: 'The future should not happen by accident. It should not be the result of a set of independent, unaligned decisions. Instead, the future can occur by design.' The same could be said for the panel *How to Integrate Behavioral Economics into Program Design*: 'Behavioral science principles – specifically behavioral economics – show that the gaps between intention and action are predictable. Since they're predictable, we can identify them and then design programs to account for them.'

Next, we take a deeper look into what lies behind these two competing ways of understanding social norms and normative change, in the interpretative room and distance between the *systemics* and the *behaviouralists*.

BETWEEN BEHAVIOURALISM AND SOCIAL ECOLOGY

You return from a visit to a hospital, wanting to pick up your car from a multi-level parking garage. As you step out the elevator and walk towards your car, someone in front of you crumbles and throws to the ground a flyer, far from any trash can. How do you react? Chances are your eyes followed the flyer and you looked to the ground but did nothing more. As you find your car, a similar flyer is stuck in your windshield. No trashcans around, what do you do – throw the flyer on the ground or take it with you? Robert Cialdini and colleagues

conducted exactly this experiment with some 139 subjects back in the late 1980s. What changed for the subjects, however, was the degree to which the parking garage was clean or littered, allowing for a test of norm salience. In the experiments, subjects were heavily influenced by the context and often chose to litter if the ground was already filled with trash. This led Cialdini and his colleagues to theorize on the importance of distinguishing between descriptive and injunctive norms. In this case, an injunctive norm would refer to the broader norm of anti-littering (the ought), while the context itself (littered or not) represented a descriptive norm (what most people do). Both norm types can exist at the same time and may have congruent or contradictory implications for behaviour. In the widely cited 1990 article, Cialdini and colleagues conclude that '[a]nyone wishing to preserve the state of a specific environment, then, should begin with a clean setting so as to delay for the greatest time the appearance of two pieces of litter there, because those two pieces of litter are likely to begin a slippery-slope effect that leads to a fully littered environment and to a fully realized perception that "everybody litters here". This logic further suggests that environments will best be able to retard littering if they are subjected to frequent and thorough litter pickups that return them to the optimal litter-free condition' (Cialdini et al. 1990: 220).

Behaviouralist Views on Social Norms

To understand the contestations around norms taking place at a nodal point such as that of the SBCC summit, we have to take a step back and understand the strongest currents shaping thinking on social norms and the interventions that follow in its wake. This is most easily done by evoking those pushing for these radically different ways of seeing normative engagement and normative change. With the above-discussed 'focus theory of normative conduct', Cialdini and colleagues argue that norms exist on different levels and influence behaviour with differing degrees of intensity, often depending on their salience. Norms may thus be societal, situational, or personal, they claim, and it is our attention to and understanding of whether norms are descriptive or injunctive that makes us able to predict the likelihood of norm-consistent behaviour. Both norm types are essentially forms of 'common sense', intersubjective consensus, or mutually shared knowledge that shapes human action and interaction (Gelfand & Jackson 2016), but their relative influence on behaviour changes with each situation. Cialdini and colleagues also interestingly 'show' that routinized behaviours may become detached from their original motivation. They simply become so automatized that people do not remember or think about why they do them, or do not do them for the same reasons they may have started doing them in the first place. This is quite a challenge for the business of changing behaviours, as it means the practice or following of

certain norms may not change even if attitudes or beliefs change concerning it. It may, for example, also mean that a normative practice may change justification over time – i.e., the practice of FGM in a community may have initially been driven by religious or traditional concerns but may over time be justified through completely different ideas. That is why analysis of the descriptive and injunctive nature of norms is seen by some as crucial to ensuring positive change – if attention is only given to an injunctive norm, one may end up strengthening the presence of a descriptive (situational) norm that reinforces negative or harmful practices.

Cialdini's work became an integral part of the social norm movement fairly early on (see Ball Cooper & Fletcher 2012) and we can still see widespread use of the descriptive/injunctive norm divide, as well as its reminder that situations, contexts, and reference groups matter. This includes key publications such as DFID's 2016 guidance note on 'Shifting social norms to tackle violence against women and girls', as well as many of ALIGN's publications including the 2019 report on 'Resources for Measuring Social Norms: A Practical Guide for Program Implementers'. In other cases, the use of the typology around descriptive and injunctive norms has become so ingrained that direct references to Cialdini's work have fallen somewhat out. A bad joke perhaps, but the distinction itself has become a norm. As an example, UNFPA's 2020 compendium on social norms changes to achieve gender equality, which 'provides a framework for programmatic approaches to norms change at scale', presents 'some of the most promising strategies for changing social norms and achieving gender equality', makes explicit use of distinctions between descriptive and injunctive norms, yet makes no reference to Cialdini's work (UNFPA 2020: 1). The same is true for UNICEF and Penn Song's work, 'Everybody wants to belong: a practical guide to tackling and leveraging social norms in behavior change programming', from 2019, again making use of the terms but without mentioning Cialdini's work. It is not a uniform picture, though, and in inter alia the 2019 'Guidance note on scaling up social norm change' prepared for DFID by the K4D consortium spearheaded by the Institute of Development Studies, there is no mention of either injunctive/descriptive norms or Cialdini's work altogether (nor Christina Bicchieri's work). Instead, the conceptual focus is almost exclusively on the work of Lori Heise and Ben Cislaghi, whom we will return to shortly.

If Cialdini's work has been developed in isolation from the field of social norm interventions in the Global South, and he himself has never really been directly engaged in it, Christina Bicchieri's story is very different. While her magnus opus *The Grammar of Society* was published a few years before her first official engagement with the social norm movement, it did not take too long from the book's coming in 2006 for UNICEF to realize the intellectual force of Bicchieri – arguably the most influential academic in the field of social

norms theory today – and invite her to give a talk at the UNICEF headquarters in the winter of 2008. 'I went in prepared to give an academic presentation,' Bicchieri recalls, 'and I was pleasantly surprised to realize that the questions asked were not at all academic. The questions ranged from "how can we tell that a common practice is a social norm?" to "what are the indicators we should use?" and "what does it mean to say that norms influence behaviour?" These novel questions forced me to think hard about the possible applications of my ideas on social norms to real-life cases' (Bicchieri 2016: 86). That is what she did, culminating with her 2016 book *Norms in the Wild*, where 'her fundamental interest is intervention [and] trying to turn a theoretical insight into a toolbox for policy making' (p. 109; see Guala 2017).

Some three decades ago, in her early work *Rationality and Coordination* from 1993, Bicchieri set out to position social norms as an alternative explanation to standard economic models' narrow interpretation of individuals' preferences (Bicchieri 1993). Not more so than *Rationality and Coordination* still being almost exclusively concerned with game theory because of her interest in norms from a perspective of 'strategic interaction', as 'there are many circumstances in which the predictive significance of an equilibrium notion cannot depend on individual rationality alone' (p. 15). That is, individuals make decisions not just based on their own rationality but also on the basis of what they predict other agents will do – they interpret the environment and build expectations about other people's beliefs and actions. This led Bicchieri to a definition of norms that goes something like this: Let R be a behavioural regularity in population P. Then more generally, R is a social norm if R depends on the beliefs and preferences of the members of P in the following way: (1) Almost every member of P prefers to conform to R on the condition (and only on the condition) that almost everyone else conforms, too. (2) Almost every member of P believes that almost every other member of P conforms to R. In *The Grammar of Society*, Bicchieri then matures and renders more sophisticated her definition of a norm to be not just a shared preference for following a behavioural rule, as it is in the above definition, allowing more normative elements to be included by also introducing the notions of 'normative' and 'empirical' expectations.

Bicchieri would continue to refine and render more sophisticated the definition, including a focus on situationism; that is, how norms will always come into play during specific and unique situations, as well as a perspective that makes individual preferences conditional on connected beliefs and expectations. Finally, in *Norms in the Wild*, Bicchieri simultaneously simplifies and expands her definition of norms by describing these now as 'a rule of behaviour such that individuals prefer to conform to it on condition that they believe that (a) most people in their reference network conform to it (empirical expectation) and (b) that most people in their reference network believe they ought

to conform to it (normative expectation)' (p. 35). Though we have seen conceptual development towards a less reductive view, Bicchieri's definition of norms essentially remains game-theoretic, and is thus also hard to separate from game theory's core assumption that behaviour is determined by individual beliefs and desires, a rational choice definition of norms. It thus also appears quite different from the second and distinct way of seeing and working with social norms present in Marrakech at the SBCC: the systemic one.

Systemic Views on Social Norms

'Despite more than 20 years of activism against violence against women, little consensus has yet been reached on the etiology of gender-based abuse. The task of theory building has been severely hampered by the narrowness of traditional academic disciplines and by the tendency of both academics and activists to advance single-factor theories rather than explanations that reflect the full complexity and messiness of real life' (Heise 1998: 262). With these words, Lori Heise introduced her seminal work on violence against women, some quarter of a century ago. In 1998, Lori Heise published her 'integrated, ecological framework' on understanding and analysing violence against women that has since formed the foundation of reflexive thought in the fields it has touched (not a pure novelty, as few things are, the framework built upon Bronfenbrenner's 1992 work on an ecological framework for child development). As the quote outlines, Heise's purpose was to confront the explanatory paths aided by different biases. Feminists, she proclaimed, had given too much weight to the structural explanations of patriarchy, while social science for decades failed to give weight to issues of power and gender in its explanation for violence directed towards women, if it gave attention to the issue at all. Her contribution, then, was to conceptualize violence against women as a multifaceted phenomenon grounded in an interplay between personal, situational, and socio-cultural factors. And that with a primacy afforded to normative concerns. It is this ecological framework that formed the basis for 'the flower' – a dynamic framework for the influence of social norms – that Lori Heise showcased with Ben Cislaghi in their 2018 publication 'Using social norms theory for health promotion in low-income countries', a direct input into the social norm movement. Repeating Heise's original contribution some twenty years earlier, the ambition of the flower is to confront narrow interpretations of norm influence: 'As practitioners have begun to deploy social norm strategies to improve health,' the two write (Cislaghi & Heise 2018), 'there has been a tendency to focus on norms to the exclusion of other factors that inform people's actions. Using social norms theory without appreciating the place that norms occupy among other drivers of behaviour, might position interventions for failure, ultimately discrediting promising strategies simply because,

in isolation, they are inadequate to improve health' (p. 616). The framework encourages practitioners to appreciate the dynamic interactions between different domains of influence shaping harmful practices, of which norms form only a part. In the flower, these dimensions include material (availability of services, assets), institutional (laws, governance, policy), individual (beliefs, skills, attitudes), and social (networks, support, models) factors, with gender and power situated at the centre.

Heise's presence in the intellectual machinery of the social norm movement was not directly observable from the outset, though, even if Heise herself was. At the 2013 April event on social norms organized in cooperation between DFID, OECD, and Girl Hub, Heise figured as a speaker, yet in the preparatory publication by Laurie Ball Cooper and Erin K. Fletcher, her work is not explicitly mentioned (neither is Bicchieri's). Heise's former affiliation with the London School of Hygiene and Tropical Medicine (LSHTM), though, meant she had a fairly close connection to DFID and the UK gender and development environment. As such, in DFID's 2016 guidance note on shifting social norms to tackle violence against women, Heise's work figures prominently as the primary source of academic and conceptual inspiration, just as she provided direct technical advice to the note as part of a group of experts. Aside from the fact that her work embraces a more nuanced and less narrow interpretation of behavioural change on violence against women, ALIGN's position at ODI, and the close bonds to DFID, also plays a role in Heise's thinking figuring prominently in the work of the platform.

Heise's contributions to the social norm movement have also recently come from collaboration with Ben Cislaghi, formerly of LSHTM and the CSO Tostan, the former in particular shaping his view of social norms. Together, they produced the flower or dynamic framework on norm influence and have generally come to represent the more disciplinarily nuanced arm of the social norm movement, explicitly exploring the weaknesses of a social norm approach that neglects wider concerns of power and gender. They have also argued that gender norms and social norms camps are advancing very different conceptualizations and understandings of norms and how they operate. Gender norms, they write (Cislaghi & Heise 2020), have accentuated the political and embedded nature of these norms – the way they are ingrained in institutions and organizations shaping both society at large and individual life and perceptions. They argue that at least four core features characterize gender norms work: that gender norms are learned in childhood through forms of socialization that may then be reinforced or contested from there on out; that inequitable gender norms reflect and perpetuate inequitable power relations; that gender norms are embedded in and reproduced through institutions and the policies, regulations, practices or laws of these; and that gender norms are produced and reproduced through social interactions. Work on gender norms

has thus also been pre-eminently concerned with power and powerholders. Social norm approaches, they say, on the other hand, look at social norms as resulting from a social equilibrium reached after actors' trials and errors (Agarwal 1994; Harper & Marcus 2018).

From Behaviouralism to Paternalism in Normative Engagements

In different ways, these two distinct avenues of social norm theorization have come to shape the social norm movement, in the past as well as today, and framed the discussions and contestation prevalent at the SBCC in Marrakech. Whereas Cialdini's work has mainly provided an 'outsider' perspective that conceptualizes types of norms and the importance of appreciating the diverging form and influence of norms across contexts and situations, the two last sets of ideas, while developed initially outside of the movement, have become integral because the individuals behind them have become integral. Bicchieri brings a tangible challenge to Cialdini's typology by arguing for the use of terms such as empirical and normative expectation instead of descriptive and injunctive norms. Her work appears at the same time fairly narrow in its disciplinary track – partly because of its focus on coordination games, partly because of its relative lack of attention to wider structural or societal normative questions and influences on behaviour, sometimes leading to what some would call a mechanistic or perhaps even paternalistic view of norm change – but also nested in the movement because of her decade-long engagement with particularly UNICEF and other organizations that form its core. Lori Heise and Ben Cislaghi's work is interesting not least for the ways it gradually tries to embrace wider questions of power and gender that go beyond behavioural change models, and almost appears as the most recent step forward in a sequential process of maturation for the movement's apparatus of thought and practice. Across all of them, we nonetheless see the distinct influence of behavioural schools of theory and thought.

All forms of politics are at their core about changing behaviours, from softly encouraging actions to discouraging others by making them punishable. Through coercion, violence, law, or incentives, powerful political forces have always tried to push or pull the behaviours of people in certain directions. The famous mid-twentieth-century behavioural revolution that brought behavioural science and practice to the forefront of public policy was a commitment to scientism construing a unity of science and appropriation of natural science methods; i.e., a following of positivist models of scientific inquiry, particularly emanating out of political science or simply the 'American science of politics', as Bernhard Crick referred to it in 1959. Central to it was Herbert Simon's revolutionary concept of bounded rationality (1955), a formative challenge to economic thought, questioning orthodox propositions of economic rationality.

Simon's 1950s work in Models of Man tried through an algebraic method to formulate a body of theory on human behaviour in social settings and was mostly based on Simon's own assumptions, experiences, and interpretations of real-life events. This approach was quite contrary to the more experimental modus of behaviouralist exploration that followed in the latter parts of the twentieth century, where behaviouralism was promoted by institutions such as SSRC, Ford, and Rockefeller Foundations and linked to the Cold War through heavy government funding from the US, who saw it as a 'true' form of science and pushed it alongside a definite ideological agenda.

Deeply influenced by psychology and in particular behavioural psychology's focus on the irrationality of decision-making, behaviouralist thought was a challenge to traditional economic orthodoxies that saw human decision-making follow rational models of calculation. Opposite this view, behaviouralists characterized the routine reproduction of 'bad' choices by humans as a form of arbitrary coherence. In the words of Richard Thaler, behavioural economics is about exchanging homo economicus for homo sapiens, i.e. moving from conceptions of hyperrational economic agents to ones exercising 'ordinary human rationality' in real-world settings. That is, people have imperfect knowledge, imperfect willpower, and imperfect recall, and act according to such conditions. By appreciating the economic actor as a cultural subject, attention could be paid to how social interaction underlies individual identity and choice architecture, while in essence still furthering a view aligned with the Cartesian rational man of modernity. Combining approaches from psychology and economics then – expanding the long-running relationship between economics and the biological sciences, from Adam Smith's Darwinian inclinations or Hayek's interest in psychology and cultural evolution theory – allowed for a reimagining of economic rationality without truly overcoming the ontological foundations of methodological individualism.

To behaviouralist thought, the integration of what was seen as more 'realistic' psychological assumptions proved crucially important for prediction – a core tenet of economics, also flowing through later attempts to 'rehumanize' economics by way of neurobiological insights. Prediction, too, remains a core component of formulating a present-day behaviouralist programme of intervention on VAW such as that furthered by some in Marrakech. For all the ways that behaviouralism seems to entice politicians today, it is ironic to think that a formative critique of it, from the 1960s and beyond, was that it lacked political relevance. Since then, its political traction has not least derived from the construction of behaviouralism as a depoliticization of intervention, adopting a non-ideological posture of the apolitical and pragmatic. By aiming to establish law-like generalizations and suggesting orders of probability – reducing social matter to a generalized form – behaviouralism claims itself able to obtain depersonalization and universalization. Intervention and the production of change

is then rationalized by way of closed systems and constant conditions coupled with what is seen as value-free objectivity (whose assumptions around universal human behaviours may ironically, for the heavy use of behavioural thought in the social norm movement, form a contradiction to normative views that highlight cultural specificity).

CONCLUSION

What does *thinking in the US and acting in Ethiopia* look like for the social norm movement, I rhetorically asked in the opening. From the specific nodal point of normative engagement that is the SBCC summit in Marrakech and its inherent struggle between 'behaviouralists' and 'systemics', I have discussed the markedly different visions of social norms that meet in the particular situation and context of the conference. Markedly different, but still both functioning within a sphere rationalizing and justifying Northern interventionism, stressing a need for a third way able to recognize and work with multiple ontologies and confront the continuous colonial assumptions in norm theory. Behavioural approaches to VAW interventions, epitomized in Marrakech at panel discussions such as *Use of Evidence-based Behavioral Insights to Improve SBCC Programming* or *How to Use Big Data to Build a Behavior Change Campaign*, draw on a normative vocabulary of paternalism that works at the intersections of scientization, quantification, and belief in the ability of interventions to fragment social life in ways that make it amenable to manipulation.

More systemic or structural interpretations of norms, on the other hand, argue that what women in Ethiopia or anywhere else may suffer from cannot only be reduced to isolated social norms reproduced by small reference groups – it needs to be embedded in understandings of structural violence and oppression. The difference between the behaviouralists and the system-people points to whether focus remains on changing a singular set of behaviours or on broader aims of ensuring education, decision-making, and strengthening the position of women in Ethiopian society, including confronting patriarchy. Delimited behaviouralist interventions rarely exhibit such ambition and would likely even see it as polluting their ambitions, well aware that structural transformation is too complex to fit into behavioural frameworks of intervention. Systemics instead sees connections to wider inequalities that those who want to intervene also share a responsibility for.

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