

Race, Gender and Ordinary Peace: Assessing the Women, Peace and Security Agenda through a Coloniality Lens

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“The fact is we black women have bled for Colombia because it was our sons, our brothers, our fathers [who were murdered]. My brother was murdered, four months ago my niece was killed. I’m a victim, I’m a victim whatever way you look at. We have bled and we have fought, we have put our lives in danger to make a go of things, to fight, and to defend, because we defend our way of life, the ancestral knowledge that we have.”¹

“... an ethical discourse of war that gives weight to witness . . . generates a discourse of war based on the experience of war, not abstracted from experience.”²

I Introduction

The Women, Peace and Security Agenda and transitional justice are critical discourses and practices that have ambitions to positively shape women’s lives in armed conflict and post-conflict settings. Transitional justice theory and practice has finally been forced to reckon with colonial legacies and the relationships of colonial pasts to current conflicts as well as to contend with the failure of the classic transitional justice canon to address colonial harms and realities in ongoing transitional justice processes.³ By contrast, the Women, Peace and Security Agenda has not yet, we argue, fully grappled with the costs past and present of

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¹ Interview No.8, (Sept. 3, 2021).

² Robin M. Schott, *Just War and the Problem of Evil*, 28 *HYPATIA* 122, 122–40 (2008).

³ Claire Wright, Bill Rolston, & Fionnuala Ni Aolain, *Navigating Colonial Debris: Structural Challenges for Colombia’s Peace Accord*, 11 *PEACEBUILDING* 62 (2022); KHANYSELA MOYO, *POSTCOLONIAL TRANSITIONAL JUSTICE: ZIMBABWE AND BEYOND* (Routledge, 1st ed. 2019); Tine Destrooper, *Belgium’s ‘Truth Commission’ on Its Overseas Colonial Legacy: An Expressivist Analysis of Transitional Justice in Consolidated Democracies*, *JOURNAL OF HUMAN RIGHTS* (2002);

Pascha Bueno-Hansen, *FEMINIST AND HUMAN RIGHTS STRUGGLES IN PERU: DECOLONIZING TRANSITIONAL JUSTICE*, (Illinois: University of Illinois Press, 2015).

colonialism and coloniality for women and girls, leaving that agenda unmoored from the lived experiences of colonial past to present harm, and a failure to fully engage the accountability and reparative imperatives that follow.⁴ Women, Peace and Security literatures and policies comprehensively need to recognize, what is still tenuous and marginal, namely that the positionality of women of colour and ethnic minority women in the practice of the women, peace, and security agency is fragile and contested.⁵ Critical insights have already emerged including identification of the ways in which the WPS agenda is used by states in the global north, as a tool to entrench racial hierarchies while maintaining an illusion of progress on gender equality;⁶ how WPS national action plans perpetuate racialized hierarchies rather than thoughtfully and accurately addressing the unique experiences of women of color;⁷ and that WPS “is a white knowledge project which consistently centers knowledge from the geo-epistemic home of the global north.”⁸

In this article, pursuing a contextual and research and policy collaboration we address how women of colour remain on the margins of the margin of top-down peace processes as violent societies negotiate ends to conflict with men still dominating the symbolic tables of political settlement,⁹ and women in general, but black and ethnic minority women in particular, remaining side-lined in the formal operationalization and implementation of peace by elites on the ground. This marginalization continues notwithstanding that women and minority women in particular are ever-present in grassroots and informal peacebuilding work which is widespread and indispensable to the success of holding the peace in many

⁴ The WPS Agenda was formally institutionalized by United Nations Security Council Resolution 1373 in 2001. Our own work has been at the forefront of seeking to substantially engage colonial discourse in transitional justice theorizing and practice.

⁵ On the marginalization of race in national security discourses *see generally*, JUST SECURITY, RACE AND NATIONAL SECURITY (Matiangai V.S. Sirleaf ed. 2023); on racial hierarchies in the working of the WPS agenda *see* Toni Haastrup & Jamie Hagen, *Race, Justice and New Possibilities: 20 Years of the WPS Agenda*, WPS FOCAL POINTS NETWORK, 2020, available at <https://wpsfocalpointsnetwork.org/2020/07/28/race-justice-and-new-possibilities-20-years-of-the-women-peace-and-security-agenda/>.

⁶ Columba Achilleos-Sarll, *The (Dis-)Appearance of Race in the United Kingdom's Institutionalization and Implementation of the Women, Peace, and Security Agenda*, 67 INT'L STUD. Q. 1 (2023).

⁷ Toni Haastrup & Jamie J. Hagen, *Global Racial Hierarchies and the Limits of Localization via National Action Plans*, in NEW DIRECTIONS IN WOMEN, PEACE AND SECURITY 133-151 (Soumita Basu, Paul Kirby & Laura J. Shepard ed., 2020).

⁸ Marsha Henry, *On the necessity of critical race feminism for women, peace and security*, 9 CRITICAL STUD. ON SECURITY 22, 22-26 (2021).

⁹ Nahla Valji and Fionnuala Ní Aoláin, *Scholarly Debates and Contested Meanings of WPS*, in THE OXFORD HANDBOOK OF WOMEN, PEACE AND SECURITY (Sara E. Davies & Jacqui True eds., 2018).

post-conflict settings.¹⁰ The visible lack of women in the composition of mediators, negotiators and implementors of conflict ending in multiple sites from Yemen to Sudan to Afghanistan,¹¹ underscores profound failures in the Women, Peace, and Security (WPS) Agenda notwithstanding the rhetorical power this agenda has garnered in international policy circles.

While significant analysis has been generated addressing the structural and substantive failures of WPS, we argue that insufficient attention has been paid to unpacking the margin of marginality, namely the exclusions of women of colour and ‘ethnically’ identified women in peace processes.¹² Such exclusions are not random, but rather reflect a structural reality of outsider status for such women, even when their lives and bodies have borne the brunt of conflict-related harms both physical and economic.¹³ In this regard, peace process participation success, such as it is, must be generally understood as benefitting a narrow set of elite female actors who have access to and sometimes function as gatekeepers of powerful security and conflict spaces.¹⁴

The absence of women of colour and ethnic minority women has highly specific consequences for the understanding of and accountability for gender-based violence that emerges in a post-conflict society. Without the women who can directly articulate the source, form and location of harms and the ways in which women of colour have been subjected to violence and/or experienced conflict, holistic conflict realities for women will

¹⁰ Dayal, A. K., & Christien, A., *Women’s Participation in Informal Peace Processes*, 26 GLOBAL GOVERNANCE 69, 69-98 (2020).

¹¹ Astrid Jamar & Christine Bell, *Transitional Justice and Peace Negotiations with a Gender Lens*, UN WOMEN, 2018, available at <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2018/Inclusive-peace-processes-Transitional-justice-en.pdf>.

¹² Building on inter alia Nicola Pratt, *Reconceptualizing Gender, Reinscribing Racial–Sexual Boundaries in International Security: The Case of UN Security Council Resolution 1325 on “Women, Peace and Security”*, 57 INT’L STUD. Q. 772 (2013).

¹³ Maria Eriksson Baaz & Maria Stern, *SEXUAL VIOLENCE AS A WEAPON OF WAR?* (London: Zed Books, 2013).

¹⁴ Highlighting the June 26, 2023 Arria formula meeting, where the representative member of civil society was a staff member of an elite New York based security think-tank. SECURITY COUNSEL REPORT, *Arria-formula Meeting on “Enhancing the Capacities of Member States to Ensure a Gender Responsive Approach to Counter-Terrorism*, June 23, 2023 available at <https://www.securitycouncilreport.org/whatsinblue/2023/06/arria-formula-meeting-on-enhancing-the-capacities-of-member-states-to-ensure-a-gender-responsive-approach-to-counter-terrorism.php>. See Rep. of the Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism, UN Doc. A/HRC/46/36 (2021)(on the human rights impact of counter-terrorism and countering violent extremism policies and practices on the rights of women, girls and the family).

be both unknown and unknowable.¹⁵ The consequence of such exclusion is that a narrow framing of violence emerges, but more particularly the structural violence of colonialism and colonial legacy is simply absent from the diagnosis of violence and the possibilities of meaningful conflict transformation.¹⁶

In parallel, this article highlights the unnoticed and under-observed peace work advanced by women of colour and ethnic minority women in complex conflict settings. This failure to acknowledge parallels a broader erasure of minority and disenfranchised communities from peace processes which finds its roots in the colonial debris that maintains hierarchies of exclusion and discrimination in contemporary conflict and post-conflict settings.¹⁷ Here, following Stoler we highlight links between colonial projects in the past and a lack of opportunities in the present, through overt and subtle forms of continuing oppression.¹⁸ Drawing on a series of semi-structured interviews with women activists in Colombia, we highlight and augment the existing literature on ‘everyday’ peace,¹⁹ the disruptive work of ordinary life and sociality, reciprocity and community empowerment that fails to be noticed or counted as progress towards functionality, coexistence, and equality in many post-conflict societies. As Western scholars, albeit coming from Northern Ireland, a territory that has experienced both the exercise of imperial power as Britain’s first colony, we undertake this work as ‘allies’, and have explored the complexities of the research process between global south and global north researchers elsewhere.²⁰ We underpin our research informed by Sullivan-Clarke’s model of scholars that recognize “ ... the self-determination of Indigenous people, 2) acknowledges that [we] benefit from colonialism, 3) [stand] in

¹⁵ Lisa Davis, *Dusting off the Law Books: Recognizing Gender Persecution in Conflicts and Atrocities*, 20 N.W. J. HUMAN RTS. 1, 42-44 (2021).

¹⁶ Bhabha, Homi *Of Mimicry and Man: The Ambivalence of Colonial Discourse*, 28 OCTOBER 125, 125–133 (1984); Gayatri C. Spivak *Can the Subaltern Speak in* MARXISM AND THE INTERPRETATION OF CULTURE 271-313 (Cary Nelson and Laurence Grossberg eds. 1988); Ania Loomba *COLONIALISM/POSTCOLONIALISM* (London/New York: Routledge, 2005).

¹⁷ Ann Laura Stoler *Imperial Debris: Reflections on Ruins and Ruination*, 23 CULTURAL ANTHROPOLOGY 191, 191-219 (2008); Wright, Rolston & Ni Aolain, *supra* note 1 at 72-77.

¹⁸ *Id.*

¹⁹ ROGER MCGINTY, *EVERYDAY PEACE: HOW SO-CALLED ORDINARY PEOPLE CAN DISRUPT VIOLENT CONFLICT* (Oxford University Press, 2021)

²⁰ See Wright, *supra* note 3 (presenting the results of a preliminary, scoping phase of the project); See also Bill Rolston & Fionnuala Ní Aoláin, *Colombia, COVID-19, and the Colonial Trap: Reflections on the Politics of Knowledge Production*, JOURNAL OF LATIN AMERICAN STUDIES (2024)(forthcoming). Here we grapple with researcher-interviewee dichotomies and inequalities that constitute a feature of qualitative research which have been approached through participatory action research.

relation to Indigenous people, and 4) [allow] that relation to provide the framework of [our] actions of service”.²¹

The analysis in this article illuminates the themes identified above which emerge from a broader research project assessing colonial legacy and peacebuilding²². This study in particular is based on a series of conversations held with women of colour, which looked to understand, from an intersectional perspective, how their everyday experiences of peace and violence correlates (or not) to broader Transitional Justice and historical processes. Locating ourselves in the context, “ethnic peoples” is used as an umbrella term to refer to the different groups who – beyond the mixed-race majority – make up the Colombian nation. While they are separated by linguistic and cultural traditions, as well as territorial dynamics, “ethnic peoples” in Colombia are unfortunately united by their place at the bottom rungs of the social pyramid and the suffering they have experienced within and beyond the armed conflict, which is a result of this racialised hierarchy and historical marginalisation²³. Alongside indigenous peoples²⁴ and the “rom” or gypsies²⁵, there is a broad category of “people of colour” - known in Colombia as “NARP” – which, according to the latest census data, represents 4.7 million people or 10% of the population²⁶.

Looking to capture the experiences of “women of colour” in Colombia, then, we carried out a series of interviews with 11 women who belong, broadly, to the NARP ethnic group and

²¹ Andrea Sullivan-Clarke, *Empowering Relations. An Indigenous Understanding of Allyship in North America* 5 JOURNAL OF WORLD PHILOSOPHIES (2020).

²² The eleven interviews on which this analysis is based were carried out between July and December 2021, via Microsoft Teams, due to the ongoing challenges for travel posed by the Covid-19 pandemic. The conversations were semi-structured and explored issues relating to personal experience, political participation, ethnicity, conflict, peacebuilding, and historical colonialism. The interviews were recorded, transcribed, and analysed with the support of the qualitative content analysis software NVivo 12.

²³ On this point, *see also* Wright, *supra* note 3.

²⁴ There are currently just under 2 million indigenous persons in Colombia, with a total of 115 officially recognised indigenous peoples. For information on the census, see DANE (2018) “Cuántos somos?” <https://www.dane.gov.co/index.php/estadisticas-por-tema/demografia-y-poblacion/censo-nacional-de-poblacion-y-vivienda-2018/cuantos-somos>

²⁵ While their population is relatively small – just 2,649 persons as of the 2018 census the *rom* have been officially recognised as an ethnic people since 2010, with decree 2957.

²⁶ People of black ancestry in Colombia might refer to themselves as black (*negros*), afro-Colombian (*afrocolombianos*) or Afro-descendant (*afrodescendientes*). The *raizal* population comes from the Islands of San Andrés, Providencia y Santa Catalina. Finally, the *palenqueros* are descendants of slaves who fled and formed their own communities or palenques. We consider that all women who identify as part of the NARP community in Colombia in one way or another correspond to the notion of “women of colour” For more information on these categories, *see* <https://www.dane.gov.co/files/investigaciones/boletines/grupos-etnicos/presentacion-grupos-etnicos-poblacionNARP-2019.pdf>

consequently correspond to the general notion of “women of colour”. Indeed, here we incorporate the perspectives of six Colombian women who identify explicitly as “*negras*”, that is to say as black women, and who mobilise different aspects of “*negritud*” or blackness in their social and political discourse and practice.²⁷ We also engage with the ideas of five women who identified quite consciously as “*mestizas*” or mixed race, but at other times in the interview process referred to their afro-descendant origins and their dark coloured skin.

All the women whom we interviewed have considerable experience in social and political organising at the local, regional, and/or national level. Their collective experience spans community and church organisations, victims’ organisations²⁸, domestic worker’s organisations, women’s rights’ organisations²⁹, networks of Afro-Colombian women,³⁰ local governmental councils, and political parties, among others. While their experience may not be typical of all black and Afro-descendant women in Colombia, a clear pattern emerges in the sense that getting involved in the public sphere appears to have been a logical choice for them, for two main reasons: first, because it is a clear route to overcoming adversity; and second, because it brings personal satisfaction and extends networks of solidarity. Marginalisation and discrimination are what overwhelmingly lead the women we interviewed to participate in the public sphere, given that they are: “looking for acknowledgement in terms of rights, they are looking to become empowered, to break barriers in terms of access to education, health, housing. And the route to that is through organising processes which have become consolidated over women’s issues, and that’s why there are so many women’s organisations, victims’ organisations against violence, women entrepreneurs’ organisations, so many organisations because they are looking for rights, gaining access to rights, gaining access to resources. So that the State will guarantee them.”³¹

²⁷ Peter Wade, *Defining Blackness in Colombia* 95(1) JOURNAL DE LA SOCIÉTÉ DES AMÉRICANISTES 165-184 (2009).

²⁸ Including Arropame con tu Esperanza.

²⁹ Including Iniciativa Alianza Mujeres Colombianas por la Paz – IMP.

³⁰ Including Ruta Pacifica de las Mujeres and Red de Mujeres Africanas Kambirí.

³¹ Interview No. 14 (Oct. 26, 2021).

The analysis which follows below, serves to illuminate the specificity of women's contributions to ordinary peace, highlighting the broad irrelevance of the WPS agenda but identifies why the agenda is not relevant for women operating on the ground through the positionality of race and ethnicity, and finally expresses the ways in which embodiment, violence, and resilience all emerge as critical motifs for women's peace work in the Colombian transitional context.

The article is structured as follows. The Introduction sets out the context of the Women Peace and Security agenda as well as framing scholarly engagement with the role of women in peacebuilding and peace enforcement efforts. Part II gives background to the Colombian conflict, the case-study which underpins this analysis. This section explores the contextual and theoretical frames underpinning the analysis, surveying themes such as women's participation in peace processes, and the politics of sexual violence in armed conflict as it intersects with the status of women and lived realities of 'everyday' violence for women. It draws out from our interview data, the ways in which women of colour have understood and lived the peace process in Colombia. Part III addresses the relationship between conflict, violence and peace with a particular focus on the elevation of conflict-related sexual violence in the WPS agenda, and the ways in which 'ordinary', structural and colonial violence continue to shape women's lives and experiences in the present. Part IV teases out the meaning for inclusion for women of colour and ethnic minority women in Colombia. Here the chasm between grassroots activity, and partial or commodified inclusion in formal peace processes is identified. Part V, addresses the formalism of law and legal culture in Colombia and underscores that the ongoing lack of anchor for WPS in the legal system of the country, via domestication through legislation, or adoption in domestic State policy, means it is largely irrelevant and policy or advocate tool for the women we interviewed from a grassroots perspective. The article concludes with specific recommendations drawn on our learning from grassroots women and reflection on the direction of travel and relevance of the WPS to the women it was (in theory) created to serve.

In this article, we highlight the ways in which the success or failure of WPS are intimately tied to the legal culture in which it lands, and that as women activities navigate the terrain of peace, they are highly utilitarian by necessity in the ways they use international law and

policy to advance their rights and dignity claims. In a fundamental way, this makes the distance from New York’s Security Council to Colombia’s cities and coasts all the longer and explains functionally how far legally WPS must travel to be relevant in this post-conflict society. While this study is particularly focused on Colombia, the themes extracted have a universal application, particularly to post-conflict societies harbouring a colonial past. The long shadow of colonialism has a sustained relevance to addressing women’s lives in conflicted and transforming societies.³²

II. Situating the Challenges of Gender Centered “Peace-Making”

The Women, Peace, and Security (WPS) agenda was launched in 2000 with the passage of United Nations Security Council Resolution 1325 and had the laudable aim of mainstreaming gender in all aspects of conflict prevention, management, and resolution. In particular, the UN resolutions and their implementation, including the National Action Plans on WPS, stress the value of women’s contributions to conflict transformation and peacemaking. Generally, gender mainstreaming has been understood as encouraging female representation in peace negotiations (ideally equal with male participation); gendering the terms of political agreements by including references to specific issues deemed of concern to women (e.g., quotas in political participation and non-discrimination); gendering peace-building work, including peacekeeping; and preventing sexual violence in conflict through accountability and political condemnation.³³ Criticisms of the WPS agenda abound, including its selectivity (applying WPS to some conflicts and not others), its essentialism (treating women primarily as victims not as autonomous actors with the capacity to shape peace and security processes), and its failure to challenge the war system from a feminist perspective (accepting the bona fides of war in contrast to a long feminist tradition of peace activism internationally).³⁴ It is notable that while a sizeable body of the critique of WPS has focused

³² Moyo, *supra* note 1.

³³ Carol Cohn, *Mainstreaming Gender in UN Security Policy: A Path to Political Transformation?*, GLOBAL GOVERNANCE 185, 185-206 (2008); Carol Cohn, Helen Kinsella & Sheri Gibbings, *Women, peace and security: Resolution 1325*, 6 INTERNATIONAL FEMINIST JOURNAL OF POLITICS 130, 130-140 (2004).

³⁴ D. Otto, *The Security Council’s Alliance of ‘Gender Legitimacy’: The Symbolic Capital of Resolution 1325 In FAULT LINES OF INTERNATIONAL LEGITIMACY* 239, 239-276 (H. Charlesworth & J. M. Coicaud eds., 2010).

on the exclusion of women from peace negotiations,³⁵ much less attention has been paid to which women are more often left out than others, and to what extent the exclusion of certain categories of historically discriminated against women and the communities they represent map onto broader fault lines of the conflict itself and its structural violence layered on conquest, militarism, colonialism and occupation.³⁶

The WPS agenda holds strong tension points as well as complex dialogue both between and external to the women engaged on the ground in preventing violence, the women supporting peace, the women negotiating formally and informally in peace processes and the women enforcing and living peace in a variety of ways in the actualized sites of violence and transition under negotiation. For most peace processes, we claim that the focus on preventing ongoing violence, generally patriarchal violence between male combatants, excludes a multitude of things from the formal negotiation process. One author has written extensively on the exclusion of 'ordinary violence', socio-economic harms and issues of equality and fairness for women from the negotiation table.³⁷ However, in this article we widen our aperture to notice that colonial backdrop, colonial causality in the triggering or conditions conducive to violence, and the patterns and practices of contemporary conflict as they relate to well-trodden and embedded colonial practice is almost never acknowledged at the negotiation table.³⁸ It is also notable that a number of peace processes are facilitated by or engage former colonial states as mediators or facilitators to the support of transition from contemporary conflict.³⁹ The contradictions here are self-evident, as former colonial powers whose own acquisition and violence has shaped the conditions that are causal to inter-ethnic tensions,⁴⁰ including loss of territory for indigenous people, power-structures

³⁵ LAURA J. SHEPARD, *NARRATING THE WOMEN, PEACE AND SECURITY AGENDA: THE LOGIC OF GLOBAL GOVERNANCE* (2021)

³⁶ With some notable exceptions, see Pascha Bueno-Hansen, *FEMINIST AND HUMAN RIGHTS STRUGGLES IN PERU: DECOLONIZING TRANSITIONAL JUSTICE* (University of Illinois Press, 2015).

³⁷ Fionnuala Ní Aoláin, Dina Francesca Haynes & Naomi Cahn, *ON THE FRONTLINES: GENDER, LAW AND THE POST-CONFLICT PROCESS* (Oxford University Press, 2011)

³⁸ The exception may be the recognition of 'past' in Preambles to peace agreements, but the operative text of most peace agreements simply never mention or activate engagement with colonial past. See THE UNIVERSITY OF EDINBURGH, *Peace Agreements Database*, available at <https://www.peaceagreements.org/>

³⁹ Examples UK and NI GFA, France in Mali. As Haastrup and Hagen have so aptly highlighted it is particularly galling that global north countries often use images of women of color on the title pages of their WPS national actions plans, portraying them as the objects of the WPS agenda, and not autonomous actors, profoundly engaged in and not merely acted upon by conflict harms at p 145-146.

⁴⁰ ROGER MERINO, *The Land of Nations: Indigenous Struggles for Property and Territory* in 115 AJIL (2021).

that exclude or discriminate sustain in the safe knowledge that the distance past is never likely to be a subject of contention, and the present is both structurally and imaginatively removed from the past. But for women, as our analysis shows, the knowledge and pain of colonial past and coloniality present is never distant. And, because the women actors we focus on, are embedded in the grassroots they are inherently aware of and live with the lived realities of coloniality then and now, through classrooms, homes, the streets they walk, and their interactions at every level with the state.

In parallel, the forms of conflict-related violence which has been the driving normative compulsion of the WPS agenda have primarily elevated penetrative sexual violence on the 'battlefield'. As one of us has argued elsewhere, a concentration on high-profile extraordinary violence has obscured attention from the regular violence that women routinely experience in conflict and post-conflict societies.⁴¹ It eclipses the links between daily experiences of intimate partner violence and larger scale issues of conflict and violence including pervasive and embedded colonial violence. But, more specifically and less well-observed is the extent to which pervasive sexual violence against women of colour in conflicts engaging geographies of slavery practices and colonial entrenchment have a distinctly race-based hue, and thus any generic focus on the language of conflict-related sexual violence serves to obscure rather than illuminate precisely which bodies have born the costs of reproductive, obstetric, and sexual violence in armed conflict. Such obfuscation serves also to avoid contending with continuums of violence for women of colour in conflict sites,⁴² and underappreciates the extent to which certain women remain the ongoing targets of multiple forms of violence before, during, and after violent political conflicts. The failure of WPS to also fully acknowledge the coloniality of violence, to obscure the role of colonial powers in the structured debilitating structures of violence for women, particularly indigenous women and women of colour as well as the omnipresent reality that some of

⁴¹ THE OXFORD HANDBOOK ON GENDER AND CONFLICT 132-144 (Fionnuala Ní Aoláin et al. eds., Oxford University Press, 2017). 7; *See also*, Sabine Hirschsuer, *The Securitization of Rape: Women, War and Sexual Violence* (2014).

⁴² Romi Sigsworth & Nahla Valji 2012, *Continuities of Violence against Women and the Limitations of Transitional Justice: The Case of South Africa in* GENDER IN TRANSITIONAL JUSTICE (2012); Aisling Swaine, *Conflict Related Violence Against Women* (2018),

those states then serve as WPS ‘champions’, further underscores the selective and self-serving gaze of WPS.

III. Peace Process Inclusion and Exclusion for “La Negra”

The long-running conflict in Colombia has been the subject of extended scholarly analysis, policy intervention, and mobilized both domestic and international resolution efforts. It was, for a considerable period, the world’s longest running internal armed conflict. The mid 1960’s is broadly identified as the conflict’s contemporary starting point, which is not uncontentious ignoring centuries of prior colonial violence, micro-civil wars in the 19th century among Colombian elites, including the decade of violence after 1949 known as *la Violencia* which killed over 200,000 Colombians primarily peasant farmers. Agrarian violence, land dispossession, and structural inequality located in class and race-based discrimination led to the organization of farmers and rural people, which evolved into the establishment of the guerrilla army known as the Revolutionary Armed Forces of Colombia (FARC). In 1964, student revolutionaries, inspired by revolutionary turn in Cuba launched the Army of National Liberation (ELN). The emergence of state-supportive paramilitaries also has their roots in the 1960’s in the time of *la Violencia*. Ultimately, these organizations brutally consolidated in the 1980’s as the dove-tailed interests of landowners, drug cartels, the Colombian military and business leaders consolidated to bring the violent and financial means together to combat paramilitary groups, whose control of territory and impunity was deeply threatening to the State’s control. Policies of militarization and crackdown by various governments including President Uribe’s “Democratic Security” were marked by sustained human rights and humanitarian law violations.⁴³

Structural inequity runs through the DNA of women of colour’s lives in Colombia, and conflict-related violence, repression, and ordering has specific and defined effects on Afro-Caribbean communities generally and “negras” (black women) in particular. Gender analysis

⁴³ Catherine C. LeGrand, *The Colombian Crisis in Historical Perspective*, 28 CANADIAN JOURNAL OF LATIN AMERICAN AND CARIBBEAN STUDIES / REVUE CANADIENNE DES ÉTUDES LATINO-AMÉRICAINES ET CARAÏBES, 165, 165–209 (2003). For an excellent analysis of the different stages of the armed conflict (in Spanish) see Jonathan Calderón Rojas *Etapas Del Conflicto Armado en Colombia: Hacia el Posconflicto* 62 LATINOAMÉRICA, 227-257.

of the Colombian conflict has emerged in the past two decades,⁴⁴ riding a broader trend of attention to the gendered causes, pathways, and consequence of internal armed conflict.⁴⁵ But, within that broader literature, particularly work published in English, the voices of women of colour have been muted and under-represented⁴⁶. This article seeks to bridge some of those gaps. Women of colour have experienced both economic and social marginalization in Colombia and borne the brunt of state and paramilitary violence over decades.⁴⁷ This structural violence is acutely present throughout the country but particularly in certain territories – “*territorios*” - such as Buenaventura, where paramilitary forces continue to threaten human rights defenders, particularly black women, with cities such as Cali being a key destination for those forcibly displaced⁴⁸.

In 2016, the Peace Accord of La Havana which ended Colombia’s decades’ long armed conflict was signed. It is widely considered a ground-breaking agreement and a genuine attempt at peacebuilding in a violence-ridden country. While it is certainly not the first peace process in Colombia – for instance the 2005 agreement with paramilitaries (Law of Justice and Peace) is an important precursor– it is perhaps the most significant, given that it led to the official demobilisation of the FARC-EP and adopted a truth-telling approach.⁴⁹ The Havana Peace Accord has led to a plethora of academic analysis and narratives, both within Colombia and elsewhere.⁵⁰

⁴⁴ María Mercedes Andrade, *Women Writing for Other Women in Colombia’s Current Armed Conflict* 17 COMPARATIVE LITERATURE AND CULTURE (2015). Signe Svallfors, *Gender Dynamics During the Colombian Armed Conflict*, SOCIAL POLITICS: INTERNATIONAL STUDIES IN GENDER, STATE & SOCIETY, 2023, <https://doi.org/10.1093/sp/jxad016>.

⁴⁵ Ní Aoláin, *supra* note 22; Ní Aolain, *supra* note 19.

⁴⁶ A notable exception to that general trend can be found in the work of Julia Zulver, *Afro-Colombian Women’s Organisations in Post-Accord Colombia: Gendering and Racialising Violent Pluralism across the Conflict Continuum in Bogotá, Colombia*, 7 *Alternautas*, 31-46.

⁴⁷ Julie Goldscheid *Gender Violence Against Afro-Colombian Women: Making the Promise of International Human Rights Law Real*, HRLR ONLINE 249-267 (2020).

⁴⁸ See AMNESTY *Afro Colombian Women Risking Lives to Defend Communities* available at <https://www.amnesty.org/en/latest/news/2020/01/afro-colombian-women-risking-lives-defend-communities/>

⁴⁹ Saskia Nauenberg Dunkell, *From global norms to national politics: decoupling transitional justice in Colombia* 9(2) PEACEBUILDING 190, 190—205 (2021).

⁵⁰ See, e.g., Angelika Rettberg *Peace-making amidst an unfinished social contract: the case of Colombia*, 14(1) JOURNAL OF INTERVENTION AND STATEBUILDING 84, 84–100 (2020).

A key element of the WPS agenda is the inclusion of women in peace processes and negotiations,⁵¹ but this point about inclusion masks a more fundamental one, namely “which women” will be included and how.⁵² We observe that global policy preoccupation with the fact of women’s meaningful presence in negotiation processes, overlooks the more controversial and necessary problematic of the “representativeness” of the women who are included.⁵³ The focus on “the” negotiation also functions to occlude the broader peace work of civil society in creating the conditions conducive to peace, or enabling peace, which has a decidedly gendered consequence of discounting women’s contribution to peace-making. The performative negotiation focus also tends to downgrade and undervalue the ‘peace negotiation’ work which is done every day in grassroots contexts, and which is the necessary condition to the progress or conclusion of a peace negotiation in formal peace-making arenas.

The peace process in Colombia was and remains largely an elite led process.⁵⁴ The inclusion of diverse actors but particularly women is generally considered a success, with the participation of key figures, including women of including Piedad Córdoba (a politician from the Liberal Party) and Victoria Sandino (at the time, representing the FARC-EP guerrilla). There was also a specific mechanism for the representation of women’s organisations established from the start of the official negotiations in 2012, reflecting the impact of women’s mobilisation for peace. While the inputs of women led to the gender dimension throughout the whole text of the Peace Accord that was signed in 2016, much of the fundamental bargaining was done separately, and the terms of reference for the framework peace agreement had been set by male, military and political actors at the point where a

⁵¹ See e.g, Jana Krause, Werner Krause & Pii Bränfors (2018) Women’s Participation in Peace Negotiations and the Durability of Peace, *International Interactions*, 44:6, 985-1016,

⁵² Andrea Schneiker, *The UN and Women’s Marginalization in Peace Negotiations*, 97(4) *INTERNATIONAL AFFAIRS* 1165, 1165-1182 (2021)(addressing another fundamental problem of marginalization once included in male dominated processes); COUNCIL ON FOREIGN RELATIONS, *Women’s Participation in Peace Processes* available at <https://www.cfr.org/womens-participation-in-peace-processes/>(addressing the overall benefits to peace outcomes of including women). For a gender diverse perspective and critique of WPS and lessons from Colombia, see Jamie Hagen *Queering Women, Peace and Security in Colombia*, *CRITICAL STUDIES ON SECURITY*, 1-5 (2017).

⁵³ Catherine Powell, *How Women Could Save the World if Only We Would Let Them: From Gender Essentialism to Inclusive Security* 28 *Yale J. L. & Feminism* (2017)

⁵⁴ Aila M. Matanock, Miguel García-Sánchez; *The Colombian Paradox: Peace Processes, Elite Divisions & Popular Plebiscites*. *Daedalus* 2017; 146 (4): 152–166

distinct set of interventions engaging women emerges⁵⁵. This chorography parallels what has been observed in other peace processes, namely the late and often incidental inclusion of women in peace negotiations, at the point where the ‘core’ issues are procedurally and structurally settled, making gains for what are viewed as ‘marginal’ issues e.g. equality, human rights, women’s participation difficult⁵⁶

Interviewees for our study observed that their input to the peace accord is primarily a result of the confluence of (generally women-led) social movements, demanding differential acknowledgement based on their ethnicity and gender.

Moreover, inclusion is overlaid with practices of historical discrimination and exclusion, which in Colombia intersects with racial discrimination in recognizable ways. As one interviewee in our study deftly articulated: “it’s very difficult for [the State] to offer us a space that we deserve, it’s very difficult, precisely because of that conception of racial discrimination in the general imagination...”.⁵⁷ This reality of racial exclusion was particularly noticeable at the Havana Peace Accords, given the initial exclusion of representatives from ethnic groups at the roundtable talks, as another interviewee noted, adding “we’ve never been given anything, we have to fight for it, we have to be persistent...”.⁵⁸ Similarly, another interviewee noted that initially there were no black women selected to the monitoring committee of the Havana Peace Accord and so there was considerable mobilisation to demand their presence.⁵⁹ As the interviewee explained, “we as black women, if there is one of us there, we are all there, but the *mestiza* women they apply the rule when it suits them and when it doesn’t they exclude us. And so that’s where we have had to be really vigilant about each process to make sure that it is inclusive [...] *mestiza* women speak on my behalf but they have never gone through what I have gone through [...] I’ve got my voice, I can defend myself.”⁶⁰ The same interviewee went on to explain that black women are constantly

⁵⁵ On the mixed success of incorporating women’s participation in the Havana Peace Accord, see Alina Rocha Menocal *Women’s participation and influence in transitions from Conflict. The case of Colombia* ODI COUNTRY STUDY (2022) available at https://odi.cdn.ngo/media/documents/WPS_Colombia_case_study_FINAL_FCDO_v2_SUff0jL.pdf.

⁵⁶ Ni Aoláin, *supra* note 19.; cite to the analysis of framework agreements and what happens to women

⁵⁷ Interview No.11 (Oct. 5, 2021).

⁵⁸ Interview No. 8 (Sept. 3, 2021).

⁵⁹ Interview No. 14 (Oct. 26, 2021).

⁶⁰ Interview No. 14 (Oct. 26, 2021).

trying to support each other given that the process of inclusion has been difficult and at times transitory.

Despite these difficulties, mobilization by elites including civil society elites seeking to address issues of rights and gender in the peace process creates a broader agenda for peace negotiations which in turn opened a narrow window of opportunity for women of colour and ethnic minorities around the peace process. We qualify that this is not quite the same as an equal seat at the table, nonetheless, opening can emerge that facilitate both a wider array of issues to be discussed, and sometimes extra seats to discuss them at the table. In the case of Colombia, it also led – quite significantly - to an intersectional perspective for key Transitional Justice Institutions, including the Special Jurisdiction for Peace and the Truth Commission. Moreover this confluence around the process of establishing and maintaining a peace accords points us to the reconceptualization of “peace negotiation” as not a singular event, but as a long-standing though not necessarily linear process in which communities and not merely elite actors play a formative role.⁶¹ But even with this recognition, inclusion in the defined and formal processes of negotiation is not a given, and more unlikely than not in most peace processes.

III: The Consequence of Non-Presence: Everyday Violence Seen and Unseen

For over two decades, WPS has been and remains dominated by a focus on sexual violence in armed conflict. That entry point, and in particular, the value placed by states on “protecting” women in situations of armed conflict, as well as the high-profile recognition given to sexual violence of women during armed conflict by combatants and armed actors, has given rise to one of the most sustained critiques of WPS.⁶² There is no question that the lack of attention paid by states to women’s experiences of war, female vulnerability in armed conflict, and the use of sexual violence as a method and means of warfare constituted a

⁶¹ See e.g, Christine Bell and Kimana Zulueta-Fülscher, Sequencing Peace Agreements and Constitutions in the Peace Settlement Process (November 2016).

⁶² Ni Aolain and Valji *supra* note 4.

lacuna in international law and security policy.⁶³ However, four successive Security Council resolutions and a dedicated institutional architecture of the UN focused overwhelmingly on this issue has raised troubling concerns, including by those advocates who were originally part of this effort.⁶⁴ It is increasingly clear that the elevation of sexual violence is not equally weighted, and not all women have the same visibility or concern attached to their experience of sexual harm and gendered violence.⁶⁵ In particular, a lack of globally disaggregated data on the patterns and targets of sexual violence in conflict, means that historically marginalized or invisible women (ethnic minorities, indigenous women, and women of colour in majority white countries) consistently lack recognition when we count the costs of war.

Invoking sexual violence as the primary basis upon which some women gain legitimacy, visibility, and standing in the war-and-peace arena has manifold implications. First, invoking women primarily as victims creates and reinforces sexist stereotypes about women's agency, thereby marginalizing the possibility of other roles. Painting this victimhood as tied mainly to sexual violence further denudes women's agency and presumes it characterizes their dominant experience of conflict. It also presumes that, in general, victimhood is coded female, excluding the experiences of men in general, and specifically with respect to sexual violence.⁶⁶ But this invocation is not uncomplicated, particularly as we assess which women, which specific bodies will be brought into public view, and which will be left out.

Second, victimhood implies that the primary role of the international community is to provide paternalistic protection for women. There is, as Sjoberg and Peet have argued a "dark side of the protection racket," whereby protection is traded for silence and

⁶³ Fionnuala Ní Aoláin, *Sex-based Violence and the Holocaust – A Reevaluation of Harms and Rights in International Law*, 46 *YALE J. OF INT'L. LAW* (2000).

⁶⁴ Karen Engle *American Journal of International Law* xxx; KAREN ENGLE, *THE GRIP OF SEXUAL VIOLENCE IN CONFLICT* (Stanford Univ. Press, 2020); Goetz, A. M., & R. Jenkins, *Participation and Protection: Security Council Dynamics, Bureaucratic Politics, and the Evolution of the Women, Peace, and Security Agenda* in *THE OXFORD HANDBOOK ON GENDER AND CONFLICT* 119, 119-132 (Fionnuala Ní Aoláin et al. eds., Oxford Univ. Press, 2017).

⁶⁵ Engle, *supra* note 64; OLIVERA SIMIC, *LOLA'S WAR, RAPE WITHOUT PUNISHMENT AND EVASION OF PUNISHMENT IN BOSNIA HERZEGOVINA* (Palgrave Macmillan ed., 2023).

⁶⁶ R. Charli Carpenter, *Recognizing Gender-Based Violence Against Civilian Men and Boys in Conflict Situations*, 37 *SECURITY DIALOGUE* 83, 83-103 (2006).

acquiescence in legal and political systems that produce and enable conflict in the first place.⁶⁷ However, our study reveals another dimension to the elevation of sexual violence in armed conflict, specifically the ways in which certain females bodies are privileged and ‘seen’ in conflicts and others are not, underscoring the point that the ‘protection racket’ is not equally available heuristically or practically for all women. Intersectional scholarly analysis of sexual violence in armed conflict has been multifaceted,⁶⁸ and there is a well-articulated critique of the ways in which black and brown women’s bodies in conflict (DRC as an example) produces a complicated array of policy consequences from the invisibility of certain forms of ethnic and race related victimhood as well as conversely the elevation of visibility for certain black (male) perpetrators in conflict discourse in the west gazing onto conflict zones overseas.⁶⁹ We accept that the relationship of race-based discrimination to violence in conflict is not linear, and where armed conflict takes place in black majority countries some observers may argue that ‘race’ is simply not a factor in such violence. Here we recall the salience of both external and internal perspective on conflict, and the ways in which perceptions of race tied to embedded colonial and imperial tropes, play an indispensable role in defining the causalities of conflict (‘warring tribes’, ‘propensity to violence’ ‘ungovernability’) and informally shape the way the conflict is understood and then managed.

For our case study and the women who contributed to shaping it, the salient themes are invisibility and ‘counting violence’. Specifically, our interviews highlight the ways in which certain kinds of violence experienced by women of colour are naturalized and unremarkable, but similar violence experienced by white women is exceptionalized and made visible as ‘extraordinary’ violence. Thus, one take-away from our study are the ways in which the harmed black female body can be made entirely invisible in conflict negotiation and accountability – erased not least because a direct engagement with their lived experience necessarily implicates coloniality and the use and misuse of the black female

⁶⁷ Laura Sjoberg and Jessica Peet, *A (nother) Dark Side of the Protection Racket: Targeting Women in Wars* 13 INT’L J. OF FEMINIST POLITICS 163–164 (2011).

⁶⁸ Isaac, M., & Jurasz, O. *Towards an Intersectional Understanding of Conflict-Related Sexual Violence: Gender, Sexuality, and Ethnicity at the ICTY*, 18(5) INT’L CRIMINAL LAW REVIEW 853, 853-882 (2018).

⁶⁹ Heaven Crawley, *Saving Brown Women from Brown Men? Refugee Women, Gender and the Racialized Politics of Protection* REFUGEE SURVEY QUARTERLY.

body through and beyond slavery. This is described by one interviewee as “complete abandonment on the part of the State”.⁷⁰ Because the circularity of harm to black and brown bodies is simply invisible⁷¹ it follows that the transitional phase of conflict becomes a locale of deep contestation for women of colour, who must ‘renegotiate’ their lives in a post-conflict arena that largely has no blueprint (from the conflict settlement) to address their rights and needs.

Notably, the women with whom we spoke recognized the general vulnerability of all women in the context of armed conflict to acute victimization. As one interviewee put it, “women always come off worse because whenever a man is killed, he is the son of a woman, whoever she is, she’s a woman”.⁷² Several interviewees mobilised the concept of intersectionality and the layers of discrimination that entails: “the fact that you are a woman is already one condition, when you have one condition, that’s where the discrimination begins, being a black woman is another condition.”⁷³ But even as the interviewees could identify generic sex-based vulnerability, they understood that as “black” women, in a society which continues to be riven by “colonial debris”, and that stereotypes of black women’s sexuality, femininity and availability to violence underpin the totality of conflict experience and its aftermath, not always in linear ways. For these women, intersectionality – albeit expressed using different terms – is a relevant heuristic, as they seek to understand the layers of vulnerabilities they experience and which have resulted in a series of harms. Here specific post conflict heuristics of conflict-related sexual violence and displacement are both self-evidently obvious and useful to them, but also as constructed by the international community and local elites do not capture the specificity and inter-relational nature of the harms experienced.⁷⁴ In that respect, it is important to adjust our understandings of harms, by incorporating the lived experiences of women of colour.

⁷⁰ Interview No. 4 (Aug 6, 2021).

⁷¹ Bueno-Hansen on the role of the military patron in Peru and the ways in which the sexual violence of the modern armed conflict reproduced patterns of sexual harm essential to the colonial project for indigenous peoples.

⁷² Interview No. 8 (Sept. 3, 2021).

⁷³ Interview No. 11 (Oct. 5, 2021).

⁷⁴ Mapping onto the broader tensions feminist black scholars have identified in the intersectionality landscape. See Ashlee Christoffersen & Akwugo Emejulu, “Diversity Within”: The Problems with “Intersectional” White Feminism in Practice, 30(2) SOCIAL POLITICS: INTERNATIONAL STUDIES IN GENDER, STATE & SOCIETY 630, 630-653 (2023).

Regarding sexual violence specifically, one of the women we interviewed explained that she had been subject to rape, a forced abortion, and the subsequent murder of her mother as a child,⁷⁵ something that she also refers to frequently in public. The narrative of embodied harm places her in the category of recognized international law harms but it is not entirely satisfactory, because it misses the contextual, specific, and racialized nature of the harm. Another interviewee noted that, in her experience taking down testimonies in the Montes de María region, sexual violence was more systematic among Afrodescendant women than those belonging to other ethnic groups, with a clear pattern emerging in the raw data, but not always being elevated to the narrative story of sexual violence in armed conflict.⁷⁶ It is these geographies of harm that can particularly matter, the “elsewhere” of conflict, that has painful recognition for women of colour.⁷⁷ This situation was exacerbated by the lockdowns imposed during the pandemic, which exposed both rural communities and women, in particular, to violence.⁷⁸ Another interviewee stressed the extreme suffering experienced by black women particularly, given that “not only were their sons killed, or taken away, their sons or husbands, but they were also raped, the mothers were raped, the daughters were raped, and that was real suffering, in their own flesh”.⁷⁹ Positively, the Truth Commission later confirmed that sexual violence was particularly prevalent among women belonging to NARP communities,⁸⁰ reflecting a broader point that domestic truth and reconciliation processes may offer more tangible and accessible access points for women of colour, and ethnic minority women to recognize the specificity of harms specific to and beyond conflict.

Connected to sexual violence is forced displacement, which has now affected over 8 million Colombians in total.⁸¹ As with other conflicts, displacement is not separate from the sexual violence and a tactic of displacement across conflicts is both the threat and actuality of

⁷⁵ Interview No. 18 (Dec. 1, 2021).

⁷⁶ Interview No.16 (Nov. 6, 2021).

⁷⁷ Ní Aoláin and Valji, *supra* note 4 (exploring the geographies of sexual violence in UNSCR 1325 focused primarily on NAPS and the ‘overseas’ but our interviews prompt attention to internal geographies).

⁷⁸ Chaparro Moreno and Alfonso, 2020

⁷⁹ Interview (Sep. 3, 2021).

⁸⁰ CEV (COMISIÓN PARA EL ESCLARECIMIENTO DE LA VERDAD, LA CONVIVENCIA Y LA NO REPETICIÓN) *Report Hay Futuro si Hay Verdad Informe Final: Resistir no es aguantar. Violencias y daños contra los pueblos étnicos en Colombia* (2022) available at <https://www.comisiondelaverdad.co/>(own translation)

⁸¹ *Id.*

sexual violence, which motivates movement for the ‘protection’ of the honour and safety of women and girls within communities. There are also indirect, cultural harms for black women which are associated with displacement from their place of origin, including the lack of access to their traditional foods which are scarce and expensive in cities and yet were readily available on their plots of land at home.⁸² Displacement combines direct violence, indirect violence, structural violence and at its centre have been the most vulnerable and race-identified bodies, but the violence of displacement is occluded by the focus on movement between as opposed to the violence encapsulated in producing and defining that movement. One interviewee⁸³ noted that when they are displaced to urban areas, black women and their children are racialised by white and *mestizo* people, in keeping with residue of colonial ordering that remains true to the present.

The cumulative effects of sexual harm whose intergenerational and traumatic effects are broadly understood in WPS circles, but as these cumulative harms are specifically targeted at women of colour in ethno-national or minority representation contexts there are further (invisible) harms identified by the women who we engaged with including polarised integration and the loss of cultural practices. As one interviewee noted, there has been sustained discrimination against Afrodescendant people displaced to Colombian cities in general, which translates into urban dislocation, a loss of cultural and social hinterland and practical difficulties in accessing state services.⁸⁴ A lack of investment in social and economic policies in the political transition a direct corollary of underassessed loss and harm for black women in the cities, entrenches their marginal status compounded by a lack of public services, including access to water.⁸⁵ Their marginality and the focus on survival makes the political and social capital to seek inclusion in abstract or unavailable process engagement unattainable to women whose struggle for survival and community cohesion is overarching. As the same interviewee noted, “We black women have to go out to look after other women’s children and so we leave our own children behind and they are the ones who end up suffering certain harms.”⁸⁶ Here, we perceive profound and lasting structural violence to

⁸² Interview No. 14 (Oct. 26, 2021).

⁸³ Interview No. 13 (Oct. 26, 2021).

⁸⁴ Interview No. 2 (Jul. 30, 2021).

⁸⁵ Interview No. 14 (Oct. 26, 2021).

⁸⁶ Interview No. 14 (Oct. 26, 2021).

women of colour and ethnic minority women which is simply not counted in the accepted lexicon of sexual violence which is the mainstay of the WPS agenda.

For black women, despite the formal ending of conflict, violence is never very far away. One interviewee spoke to the ever-present threat of violence, “It is difficult, at least in the territory where I live to speak of peace or talk to the process when we know that there are still armed groups in the territory where we live”.⁸⁷ Femicides continue and everyday violence against black women is omnipresent.⁸⁸ Entrenched and systematic practices of sexual violence against black women during the armed conflict also escapes the temporal boundaries established by traditional accounts, as interviewee 14 noted “if we start to use colonialism as a framework and [think about] how the Spanish came to our territory raping indigenous women, mistreating black women, treating them as slaves and taking them as their sexual objects, the same thing has been repeated all this time; it has been a historical thing, year after year’.⁸⁹ The broader point here echoed in the work of Pascha Bueno Hansen is that inclusion in post-conflict mechanisms for women (here indigenous Quechua women in Peru) is per se challenging due to lingering colonial harms and that the of liberal modernity: individualism, linear temporality and binary logics which limit the relevance of the dominant literatures of transitional and WPS.⁹⁰ The Colombian Truth Commission reaches a similar conclusion and highlights the colonial origins of recent harms: “Reproducing colonial dynamics against ethnic peoples, the armed groups invaded and occupied territories with violence, imposing economies of war, dispossessing people of their land, forcibly recruiting people, and exercising sexual violence.”⁹¹

Alongside direct, physical violence, the interviewees also expressed how the way in which they are othered, based on racialised, colonial categories, also constitutes a form of deeply-rooted and deeply felt structural violence. They are objectified, as interviewee 8 explained

⁸⁷ Interview No. 14 (Oct. 26 2021).

⁸⁸ Interview No. 8 (Sept. 3, 2021).

⁸⁹ Interview No. 14 (Oct. 26, 2021).

⁹⁰ Pascha Bueno Hansen, *Engendering Transitional Justice: Reflections on the Case of Peru*, 5 JOURNAL OF PEACEBUILDING & DEVELOPMENT 61, 61-74 (2010); C.T Mohanty, *Under Western Eyes: Feminist Scholarship and Colonial Discourses in C.T.*, THIRD WORLD WOMEN AND THE POLITICS OF FEMINISM (Mohanty, A. Russo and L. Torres (eds))(1991).

⁹¹ CEV, *supra* note 80.

“they say to me you are a black (“negra”), and I say to them I’m not an object or a thing, I’m person, I’m a being. If they would just say a black woman or black person but they treat us as objects.” This violence of the everyday, discursive sphere is particularly significant, as the same interviewee went on to explain “I’m not just violent when I have a weapon in my hand, I’m violent with my gestures, I’m violent with my words, I am violent with my songs, and that’s why everything is how it is in Colombia”.⁹²

IV: The Causes of War, and the Making (or not) of Gendered Peace

Our analysis of violence and its forms above, brings us now to reflect on the underlying causes of conflict, and the ways in which an understanding of causalities is essential to securing a peace that is both meaningfully gendered and addresses the conditions that produce and sustain violence. Here, we underscore the necessity of widening conflict timeframes, pinpointing the deeper and sustaining histories of dispossession and militarism, and how those deep histories bear concrete relation to the violence of the present. Thus, while the conflict ‘to be solved’ is presented by some key protagonists (government and paramilitaries) as a present and contemporary affair -- for the communities at the epicentre of the violence, hostilities are old, cyclical, intimately known and connected to the taking of land, the expunging of culture and institutions, and the racialized control of resources and people.

So, while we acknowledge specific, gendered, and racialised harms related to the armed conflict in recent decades, for the women with whom we spoke, it is crucially important to go beyond the standard conceptualisation of conflict, and associated violence, and its timeline as starting in the 1950s. For our interviewees, the root causes of violence are mis-identified, as one interviewee noted: “Here they say that all the problems are because of the guerrilla ... but if you look closely the peace agreement begins with the ownership of land, because that was the cause of the guerrillas in Colombian, land ownership, which has not changed from colonial times.”⁹³ While not erasing the human rights and humanitarian law

⁹² Interview No. 8 (Sept. 3, 2021).

⁹³ Interview No. 3 (Aug. 2, 2021).

violations committed by non-state and terrorist groups, our interlocutors demand that we look past specific groups and focus our eyes on dispassion, on the causality of violence.

In parallel, the interviewees demand that we do not conveniently forget the process of slavery and the harms it has ravaged on black people as a structural explanation for their racialised suffering within and beyond the armed conflict. Slavery's inter-generational harm is both under-acknowledged and incommensurable in formal peace processes that deal with time-bound conflicts. Their suffering is exacerbated by armed conflict but goes beyond it. The majority of the women we interviewed spoke of slavery in some depth, and a number of them specifically affirmed the consequences of total control of "masters" over black women.⁹⁴ For instance, the fact that black women are continually excluded and are rarely seen as candidates for key political positions has roots in their racial othering and the role they have traditionally played in society. There can be no everyday peace until Colombia gets out of "this framework of slavery".⁹⁵ One interviewee explained the irony as follows:

There has been social and cultural discrimination because what happens is that young people when they are born, if their parents at home don't begin to tell them that all human beings are brothers, we are all children of God but rather say that black is ugly, black is such a such thing, well then they grow up with that idea. Even though here in Colombia the majority of domestic workers are black women, all of the famous people who have come out of Colombia such as presidents [...] their nannies have almost always been black women and yet their parents raised them like that.⁹⁶

The received idea is that black women raise presidents but do not become them. The objectivization of black women in Colombia in everyday life does not stop but rather travels with them out into the public sphere. One of the interviewees explained how she is proud of her colourful, braided hair, of being black, and being Colombian. And she recalled how at one meeting, she overheard some *mestiza* women criticising the physical appearance of "la

⁹⁴ Interview No. 8 (Sept. 3, 2021); *See generally*, HEATHER ANDREA WILLIAMS, HELP ME TO FIND MY PEOPLE; THE AFRICAN AMERICAN SEARCH FOR FAMILY LOST IN SLAVERY (Univ. of North Carolina Press, 2012).

⁹⁵ Interview No. 14 (Oct. 26, 2021).

⁹⁶ Interview No. 8 (Sept. 3, 2021).

negra” (“the black woman”) behind her back.⁹⁷ Being treated as an object in the public sphere finds its correlation in the private sphere with comments on black women’s physicality making them suitable for certain types of work,⁹⁸ or a photo of black women on a CV inevitably resulting in an unsuccessful application for employment.⁹⁹

The ownership, commodification and misuse of female black bodies, and the ‘taking’ of their children through chattel slavery echoes generationally, has both muscle memory and contemporary resonance. The findings of the Truth Commission (CEV) affirm dehumanization and distancing from those harmed, and offer an invitation to decenter the traditional perspective of the temporal limits of armed conflict in Colombia:

Although the Truth Commission, according to the chronological periods which it has established, analysed the Colombian armed conflict as of 1958, in order to understand the accumulated, disproportionate, and differentiated harms that ethnic peoples have been caused, it is important to acknowledge the long history of violences and practices related to colonial treatment and structural racism, that have led to the de-humanisation and naturalisation of the violences exercised against these peoples¹⁰⁰.

Thus, quite unexpectedly, the Truth Commission disrupted both an ‘immediacy’ narrative of the conflict and resisted an available template to bookend the conflict narrowly in the modern era. In doing so, this truth process overcomes one of the inherent limitations of many truth recovery processes, namely the unwillingness or inability to tangle with the deep past of colonization.¹⁰¹ And in doing so, albeit with imperfect tools, it offers a different way to acknowledge and remedy the harms done in post-colonial conflicts particularly to women. In the particular, specific, and situated naming of harm to women of colour in Colombia, one sees a far more sanguine and meaningful engagement with coloniality than we witness in the grand gestures of the WPS agenda.

⁹⁷ Interview No. 14 (Oct. 26, 2021).

⁹⁸ Interview No. 14 (Oct. 26, 2021).

⁹⁹ Interview No. 8 (Sept. 3, 2021).

¹⁰⁰ CEV, *supra* note 55.

¹⁰¹ Bill Rolston & Fionnuala Ní Aoláin, *Colonialism, Redress and Transitional Justice: Ireland and Beyond* 7 STATE CRIME 329 (2018); Miriam Cooke, *Saving Brown Women* 28 SIGNS (2002).

As well as reaching back deep into the past, the conflict and violence have continued to exist in real and tangible ways for black women beyond the Havana Peace Accord of 2016. In part this is due to the President Duque’s administration which evidenced disregard for the Accord and the corresponding lack of attention to marginalised communities, “violating victims’ human rights every day”¹⁰² and using a series of strategies to invade and usurp land from black people.¹⁰³ For these women, while ‘exceptional’ rhetoric of peace is visible in their day to day, everyday believable peace has not materialized. Contemporary ‘taking’ of land allied with sustained insecurity in the material conditions of living, have a profound psychological pathway for those whose intergenerational experience is rooted in the pervasiveness of colonial dispossession. We underscore that the ‘test’ of the successful peace process is less in the formal, rhetorical, and elite spaces which profess success but rather in the hidden geographies of those communities who should in fact by the logic of reparation and repair post conflict experience the benefits of implementing the peace. Were our peace indexes specifically focused on measuring the benefits of peace to the most marginal our success rate and rhetoric might look very different.

V. The Centrality and Frailty of Law

Elite Colombian society broadly understands itself as a rule of law-based society and legality as a motif deeply permeates both political and social practice. Legal formalism is central to law in this society, but also a marker of the country’s political identity. Indeed, looking to the law as a solution to all social problems, including the armed conflict, harks back to the philosophy of post-Independence, liberal elites, who saw the law as part of a new “civilising mission”.¹⁰⁴ The relationship of law to undoing colonial ordering has generated considerable discussion and controversy within post-colonial contexts in general,¹⁰⁵ but suffice to say here

¹⁰² Interview No.14 (Oct. 26, 2021).

¹⁰³ Interview No. 12 (Oct. 11, 2021).

¹⁰⁴ Lemaitre Ripoll, Julieta & Esteban Restrepo Saldarriaga *Law and Violence in the Colombian Post-Conflict: State-Making in the Wake of the Peace Agreement*, 67 REVISTA DE ESTUDIOS SOCIALES 2-16, <https://doi.org/10.7440/res67.2019.01>.

¹⁰⁵ Sally Engle Merry, Review of *Law and Colonialism*, by Martin Chanock, Sally Falk Moore, Joan Vincent, Peter James Nelligan, Robert J. Gordon, Mervyn J. Meggitt, Yash Ghai, et al. 25 LAW & SOCIETY REVIEW 889, 889–922 (1991): <https://doi.org/10.2307/3053874>.

that an unexpected ‘take-away’ of our interview was an internalization of this formalist ordering of law and legal process to the post-conflict advocacy work being undertaken by our interview cohort. The women we interviewed deeply appreciate that law is central to their efforts to achieve social transformation, and legal imprimaturs, certainties and rules are operational rules of substance and meaning to their work. In this regard, international law plays a much less central role and domestic legal rules and certainties dominate.

Thus, one of the key motifs from the interviewees, which in turns constitutes a key point of our analysis, is the centrality of law to the interaction between the state and society in Colombia, and its impact on both women and ethnic peoples. As an interviewee observed “don’t you find it sad that there has to be a law, a normative framework to include women so that we can participate actively in decision-making? It shouldn’t be like that, you shouldn’t need a normative framework, by right we should be participating anyway.”¹⁰⁶ Acknowledging this immovable centrality, interviewees invariably noted the relevance of the Law 70 on Black Communities of 1993, the Victims Law 1448 of 2011, and also the Havana Peace Accord of 2016, concentrating on the relevance of its Ethnic Chapter and the establishment of the special circumscription for peace. These legal and policy frameworks constitute key points of reference for the recognition of the existence of ethnic communities as well as their differential victimisation in the framework of the armed conflict, including the specific, intersectional harms suffered by women. While we unpack the necessity of domestic legal frameworks to advocacy, we also encounter the parallel reality that law is a necessary but not sufficient condition to achieve profound social and legal transformation.

Another interviewee echoed these words, explaining that the Victim’s Law of 2011 “was not something that was just gifted to us, rather the law was created as result of the proposals made by women and so we say OK, our participation as victims in different scenarios is recognised by that law... we have the right to participate in different scenarios, and for us that has meant real progress”.¹⁰⁷ Consequently, according to the same interviewee, the movement for change is bottom-up, with the State “moving from its place of privilege and

¹⁰⁶ Interview No. 8, (Sept. 3, 2021).

¹⁰⁷ Interview No. 11 (Oct. 5, 2021).

comfort because those at the bottom have moved it, there is much movement from below which spirals up and touches [the state] from there.”¹⁰⁸

Here, the deafening silence of interviewees on the salience of the Women, Peace, and Security Agenda¹⁰⁹ is significant and understandable. Given that there is currently no legal framework to unpack or implement WPS,¹¹⁰ or indeed that there has been no National Action Plan (NAP) in Colombia,¹¹¹ the agenda is simply not on the radar of the women with whom we spoke, although – as Alina Rocha Menocal points out – several organisations in Colombia have mobilised around the WPS agenda in keeping with the perspective of international funders and allies in general.¹¹² The silence among the women we interviewed is intriguing and significant for several reasons: first, given that the work carried out by several interviewees - supporting women who are victims of violence - touches on many core aspects of the WPS agenda and yet they do not explicitly mention it because as a formal and practical matter it does not matter; second, the lack of a law or policy on the WPS agenda means that effectively it is side-lined as a relevant institutional and legal framework, in contrast to the different norms and agreements mentioned above (i.e. Law 70, Law 1448, Havana Peace Accord); and third, this underscores a fundamental question as to whether the WPS agenda is (or could be) a useful tool for intersectional, gendered peacebuilding in Colombia.

These insights highlight the massive gap between a global agenda emanating from the UN Security Council and women’s lived grassroots experiences, and most explicitly the experience of women of colour. And if attempts are made to “impose” the agenda from above rather than below in the spiral pattern mentioned by interviewee 11, it is unlikely that women themselves would consider the agenda their own. This problem of ‘top-down’ WPS

¹⁰⁸ Interview No. 11 (Oct. 5, 2021).

¹⁰⁹ The agenda was mentioned in passing by one interviewee who had collaborated with a multi-lateral development agency; Interview No. 15 (Nov. 1, 2021).

¹¹⁰ Throughout 2022 and 2023 there were a series of attempts to create a National Action Plan, which involved extensive workshops and consultations with civil society. The Plan remains pending at the time of writing this article (January 2024).

¹¹¹ There have been recent attempts to create a NAP under Petro’s government, but as of December 2023 these had not been successful.

¹¹² Alina Rocha Menocal *Women’s participation and influence in transitions from Conflict. The case of Colombia*, ODI COUNTRY STUDY (2022).

is already well-noted in the scholarly literature,¹¹³ and produces or sustains in an inwards turn, a sense that local needs are not visible from the heights of global north imperatives. Moreover, the conceptual gap between the ambiguous language of UNSCR 1325 and the concrete precision needed at the local level remains unbridged. As a result, WPS is found at the margins of gender advocacy in local peace and security debates because both formally and informally its terminology has not permeated, and it is not useful to those working on the ground to inform an advocacy move forward on their issues.¹¹⁴ The point here is not that all international legal frameworks lack relevance or application domestically for grassroots peace work, by contrast the Convention on the Elimination of All Forms of Discrimination Against Women, has demonstrated capacity to be transformative in national legal systems both formally and a legal advocacy tool.¹¹⁵ Rather, what we identify is the comparative lack of legal traction for WPS, notwithstanding the political, financial and technical resources devoted to it by elite national and international actors.

Having established that the law, normative framework, or a policy initiative is a *necessary* condition towards making progress in the acknowledgement of the rights of women belonging to ethnic groups in Colombia, it is also important to note that the legitimacy of law itself is not *sufficient* to bring about meaningful legal change. As one interviewee notes, the sheer quantity of laws and frequent normative change creates uncertainty: “you go to bed with one law and wake up with a new one. Colombia is the country of legislation, there are laws everywhere.”¹¹⁶ But this insight reveals a broader point about ‘law’ that critical legal theorists have exposed, namely that ‘law’ is least certain and least reliable for those who have most need of it and have least capacity to influence it.¹¹⁷ This gap what we observe on WPS is but a mirror on larger legal unreliability for women in respect of law, whose universal promise is consistently undermined by the privilege and exclusions that function as its backbone.

¹¹³ Soumita Basu, *The Global South Writes 1325 (too)*, 37 INT’L POLITICAL SCIENCE REV. 297-403, (2016).

¹¹⁴ *Id* at xxx

¹¹⁵ *Id.*, at xxx.

¹¹⁶ Interview No. 8 (Sept. 3, 2021).

¹¹⁷ Duncan Kennedy & Karl E. Klare, *A Bibliography of Critical Legal Studies*, 94 YALE L. J. (1984).

In parallel, interviewees referred to the “implementation gap” between broadly favourable normative frameworks and the ongoing exclusion of black women. This implementation gap has in their assessment three major causes: 1) a lack of engagement with and understanding of relevant laws;¹¹⁸ 2) lengthy bureaucratic processes posing an obstacle, for example, to black women’s accessing formal education;¹¹⁹ and 3) the absence of effective reparations following on from the victim’s law of 2011.¹²⁰ The rationale behind this lack of implementation corresponds to a situation of “historical abandonment by the state”,¹²¹ with successive governments violating laws designed in theory to protect black communities.

In that context, the interviewees referred to an urgent need to go *beyond* the law and policy frameworks to end the discrimination against Colombian women based on their ethnicity once and for all.¹²² Specifically, another interviewee highlighted the importance of black women (and indeed all women) having access to education, work, and land.¹²³ The absence of access, the ways in which socio-economic goods must be fought for, a salient proof of structural discrimination is conceptualised and deeply understood as having colonial roots by the women we interviewed: “it is understood that [afrodescendant people] were affected negatively [by colonialism], they were robbed, they were enslaved, and so they did not have the same opportunities as *mestizos*... up until the present day the impact can be felt”.¹²⁴ In a similar vein, another interviewee characterised the Colombian State as a colonial State, in which only those who have access to resources prosper while others are left to suffer.¹²⁵ In the next section, we delve further into the salience of colonial legacies in black women’s racialised and intersectional experiences of violence and harm, both within and beyond the armed conflict.

VI: Getting to “Everyday Peace”

¹¹⁸ Interview No.8 (Sept. 3, 2021).

¹¹⁹ Interview No. 8 (Sept. 3, 2021).

¹²⁰ Interview No. 11 (Oct. 5, 2021).

¹²¹ Interview No. 14 (Oct. 26, 2021).

¹²² Interview No. 3 (Aug 2, 2021).

¹²³ Interview No. 8 (Sept. 3, 2021).

¹²⁴ Interview No. 2 (Jul. 30, 2021).

¹²⁵ Interview No. 8 (Sept. 3, 2021).

This analysis draws heavily on the concept of ‘everyday peace’, which concentrates on the experience of ordinary people to define and clarify understandings of whether ‘peace’ holds in previously violent societies.¹²⁶ Everyday peace captures a set of practices and attitudes that do not reside in the superlatives of global peacemakers, but rather is defined by phrases like ‘eke out’, and spaces of tolerance.¹²⁷ Everyday peace is seen in luminal sociality, and bare reciprocity can function as a marker of non-violence and make room over the long-term for something thicker like solidarity and mutual co-existence. Everyday peace is not ‘sexy’, it is the individual equivalent of ‘cold’ peace between States, it moves in a space of toleration but not embrace, it often functions passively, and its litmus test is in the small unnoticed spaces of society. It is so ‘ordinary’ it can be missed, and its lack of vibrancy, its mere bare functionality has been ignored in conflict-transformation assessments because it describes the most basic of peace norms, the capacity to (sometimes barely) get along.

In the same way that black women in Colombia suffer from everyday violence, they also strive for everyday peace¹²⁸ by working to improve the situation of those around them, but with a clear understanding of the limits of peace. Peace for our interlocutors is not kumbaya. Peace is about (in the short to medium term) surviving better, moving slowly, getting things you should have had already, and it about simply being able to do the work you do at community level. As one interviewee noted: “women are carrying out a process to construct peace in the territories where they find themselves because they are trying to secure better conditions for their children, [guaranteeing] security for themselves, through self-care, with protocols to care for and protect their family. For the black community we are all family, that is a really important value.”¹²⁹ Everyday peace can be the make or break for families to survive on the margins. Such peace may, in fact, be a long way away from the exalted peace of the virtue packages on the annual anniversary of the WPS agenda, but its power is often the make or break on the capacity of the virtuous peace to survive.

¹²⁶ McGinty, *supra* note 9.

¹²⁷ Roger Mac Ginty, 'Gender and Everyday Peace', *Everyday Peace: How So-called Ordinary People Can Disrupt Violent Conflict* (New York, 2021; online edn, Oxford Academic, 19 Aug. 2021).

¹²⁸ McGinty, *supra* note 9.

¹²⁹ Interview No. 15 (Nov. 1, 2021).

Solidarity is essential in the everyday peace being constructed by black women in Colombia. But this solidarity is not a grand gesture towards the body politic, rather it is about heeding, supporting and maintaining the continued survival of one's own community, with collective learning reaching back to past colonial harms. Here, as another interviewee noted, the myth of "malungaje¹³⁰" – that is the fellow slave, a relative in misfortune – remains strong among black communities in Colombia and is rooted in ancestral practices of overcoming colonial harms and situations of violence. It also has a profound caretaking element, rooted in this essential but broader notion of family, as one interviewee explained:

I think that, psychologically, this was the logic: I didn't give birth to this child but who knows where the mother is, perhaps she is going through the same thing that I went through. So let's take the child in, look after him, make him part [of my family] because who knows when I will be gone too. That is, psychologically, that's how we were affected on that level. That's what the whole process of slavery created: a really strong sense of solidarity in the face of adversity.¹³¹

Grounding part of our analysis in the work of Roger McGinty, we advance with other feminists, the central premise that a gendered peace, in which women are not only included in formal peacemaking and recognized for informal peacemaking but which supports and advances gender equality is more likely to 'hold' and sustain the conditions for a long-term-peace. Like McGinty, we view "family" as a site of peace work, and a site in which the capacity of families to thrive is likely to sustain and support tolerance.¹³² But, engagement with Colombian women activists has illustrated both the historical, cultural and necessary fluidity of 'family', in conflict sites where certain families are particularly targeted by the methods and means of warfare and others are not as articulated above. Moreover, in our assessment the subjects of everyday peace are at once broader and less homogenous than might be supposed.

¹³⁰ It is important to note that the term itself has African origins. Interview (Oct. 11, 2021).

¹³¹ Interview No. 12 (Oct. 11, 2021).

¹³² Noting the McGinty uses the term 'the family', and we do not, viewing the experience of family we have documented with our interviewees as a far step removed from the patriarchal family, a form of familial remaking in the lived realities of a post-slavery society *supra* note xx at xx.

These large, extensive families – which comprise blood and non-blood relatives – help women to become empowered “in order to open up a space for themselves, to build a sort of space for wellbeing, or minimal conditions for wellbeing, that is why we women aim for peace every day, peace for our families, peace in our territories, in our relationship with our territories, peace in terms of exchanging ancestral practices”.¹³³ Often missed by the international community’s assessment of whether a peace is working or not, these initiatives to build peace in the everyday involve recuperating customs which were affected by the violence. An interesting example was given of sharing food with neighbours through connecting back patios in Buenaventura, as an expression of solidarity. And yet this practice was lost due to the violence – to the extent that new houses are closed off at the back to make them less vulnerable to visits from armed groups.¹³⁴ In recent years, however, women have sought to bring the practice back, precisely as an exercise in strengthening ties with extended family.¹³⁵

A profoundly motivating factor behind their participation in the social and political spheres which builds on these experiences of everyday peacebuilding is a sense of personal satisfaction and shared solidarity. One interviewee noted: “... wherever I go I try to make a contribution, contribute my knowledge, contribute my learning, make my contributions, because I really like to contribute what I know and to support others too, because I always treat other people as a human being not a skin colour...”.¹³⁶ Another interviewee recalled how she had discussed with a colleague how a new generation of young, empowered black women had emerged in Montes de María, and this had made them both feel satisfied with work they themselves had done.¹³⁷

While the motivations for participating in public life are clear, it is also important to stress how difficult the path is for these women, as several of the interviewees noted that they have to be extra persistent in order to achieve their goals (Interview 8, Interview 18).

Resistance and resilience are highlighted as key characteristics of black and Afro descendant

¹³³ Interview No. 15 (Nov. 1, 2021).

¹³⁴ Interview No. 12 (Oct. 11, 2021).

¹³⁵ Interview No. 15 (Nov. 1, 2021.)

¹³⁶ Interview No. 8 (Sept. 3, 2021).

¹³⁷ Interview No. 16 (Nov. 6, 2021).

women in general, and several women pointed to these aspects of their own personality as a force for empowerment.¹³⁸ Likewise, they highlight several factors that have contributed to their success: education and support from their families. In this sense, family function as the lever to enable access to both formal and informal power for the women we interviewed. Particularly critical is support from immediate family, particularly from the interviewees' parents. One interviewee discussed this issue in some depth, noting the irony that "it's unbelievable in such a chauvinist, patriarchal culture, but my dad always encouraged me to get involved in spaces of community participation, political participation, even though he wasn't a politician, or formally involved in politics, himself."¹³⁹ In the same way, her mother supported her and her sister so that they would gain formal education: "my mum was a feminist, my mum gave birth to 10 children and the majority of them were men, boys and she always used to say I don't want my daughters – because the last two of us are women – to be slaves like me, slaves in service, to be washing and ironing for men."¹⁴⁰

Conclusion

Feminist work has for decades defined both war and peace as a continuum, and not an event; a system, and not a random occurrence; and a part of daily life, rather than an anomaly.¹⁴¹ We affirm this continuum here, and its particularity in a post-colonial society. Our engagement with women of colour and ethnic minority women underscores how limited, until the relatively recent exposure of the truth commission, has been the violences that were invisible to Colombian society about the lived conflict and post-conflict realities of Afro-Caribbean women. But more than the strictures of harm from "war" what emerges in our analysis is a muddied picture in which a plethora of harms are revealed and intermingled, and locations previously considered outside the war/peace dichotomy come into view. So, the war here is not just about land and territory, though those are critically important to the violences that follow but a gender lens reveals homes, gardens, bodies,

¹³⁸ McGinty, *supra* note 9 (warning us of the perils of over stating the resilience of people subjected to violence).

¹³⁹ Interview No. 11 (Oct. 5, 2021).

¹⁴⁰ Interview No. 11 (Oct. 5, 2021).

¹⁴¹ Chris Cuomo, *War Is Not Just an Event: reflections on the significance of everyday violence*, 11 HYPATIA 30-45 (1996). For war as a system, see Reardon, *Sexism and the War System*, and for war as part of daily life, see Cynthia Enloe, *Does Khaki Become You? The Militarization of Women's Lives*

living room, bedrooms, kitchen, sidewalks, and fences as the places where violence is felt, and a seepage from one big battlefield to smaller invisible frontlines.

Fundamentally, the classic conceptualization of the war/peace dichotomy misses colonialism, or steps over it, as it is just not seen as relevant to addressing present day conflict experiences and consequences. And the Women, Peace and Security Agenda has followed suit, accepting the dichotomies that an entrance ticket to the Security Council demands —namely the distinction of being ‘at war’ or being ‘at peace’, that private interpersonal violence as separate and distinct from public conflict-related violence, and that the structural and overarching violence of colonialism past as well as colonial debris in the present is ignored.

So, where does this leave the WPS agenda? How can everyday experiences, ongoing colonial legacies, intersectional harms, and decolonial resistance be captured at the international level? The intercultural, decolonial approach of the Havana Peace Process and the TJ institutions that were created can offer valuable lessons in that regard, as one interviewee noted:

But look at the chapter of the Peace Accord, there is a chapter which looks at black communities and for example the Truth Commission is looking at it a lot, the history, the experience of black communities because we were those most affected by the armed conflict. Colombia must also, finally, prepare itself for the issue of symbolic reparations for black people and indigenous people [...] they came to invade, plunder, enslave, to make many mistakes with us. They experimented with black women so that white women could be better at giving birth, for example.”¹⁴²

A reinvigorated WPS agenda that meaningfully speaks to the lives of all women, demands attention to the historical backdrop of women’s lives, mandates consideration to the specific conflict geographies in which women are found,¹⁴³ must confront colonial pasts and imperial

¹⁴² Interview No. 14 (Oct 26, 2021).

¹⁴³ Katrina Lee-Koo & Barbara K. Trojanowska, *Does the United Nations’ Women, Peace, and Security Agenda speak with, for or to women in the Asia Pacific? The development of National Action Plans in the Asia Pacific*, (3)5 CRITICAL STUD. ON SECURITY 287, 288-297 (2017).

presents, or it will be largely irrelevant to the lives of the women making ‘everyday’ peace in the most difficult of contexts. Thus, if there are ‘seeds of emancipatory potential’ remaining in the WPS agenda,¹⁴⁴ their unlocking lies in asking some hard questions. Who is served by the current configuration for the Women, Peace and Security Agenda, and who is left out?¹⁴⁵ Our article unpacks some of those fundamental question but offers a lens on how through the lens of women of colour and ethnic minority women, it could in fact, be done better.

¹⁴⁴ *Id*, Lee-Koo & Barbara K. Trojanowska 288.

¹⁴⁵ *Id* (noting women: “...‘conflict-affected women’ are not a homogenous group...The exclusion of Korean comfort women, Indigenous Australian women or refugee and internationally displaced person (IDP) women from categories of ‘legitimate’ conflict affected women with NAP frameworks demonstrates this point.” (pg. 294)’,