



A WOMEN'S GUIDE  
TO  
**CONSTITUTION  
MAKING**

BY NANA KO TAMARU AND MARIE O'REILLY



**INCLUSIVE  
SECURITY**

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# Contents

<b>INTRODUCTION</b> .....	1
<b>SECTION 1   Understanding Constitution Making</b> .....	2
What is a constitution? .....	2
What is constitution making? .....	4
Who shapes the constitution-making process? .....	6
What are the barriers to women’s participation? .....	10
Why is women’s inclusion important? .....	11
What legal standards provide for women’s participation? .....	13
<b>SECTION 2   Get Involved</b> .....	14
Conduct research and analysis .....	15
<i>Tool #1 – Environmental Scan</i> .....	19
<i>Tool #2 – Problem Tree</i> .....	20
<i>Tool #3 – Force Field Analysis</i> .....	21
<i>Tool #4 – Actor Mapping</i> .....	22
Build a platform for collective action .....	24
<i>Tool #5 – Identify Allies, Opponents, and Stakeholders</i> .....	29
<i>Tool #6 – Considerations for Building or Joining a Platform</i> .....	31
<i>Tool #7 – Manage Platform Strengths and Weaknesses</i> .....	32
Plan for action .....	33
<i>Tool #8 – Questions for Tactics, Targets, and Timing</i> .....	38
<i>Tool #9 – Consensus-Building Exercise</i> .....	39
<i>Tool #10 – Action Plan Template</i> .....	40
<i>Tool #11 – Risk Analysis Template</i> .....	41
Advocate and mobilize for change .....	42
<i>Tool #12 – Recommendations Worksheet</i> .....	46
<i>Tool #13 – Audience Assessment Worksheet</i> .....	47
<i>Tool #14 – Messaging Worksheet</i> .....	48
<i>Tool #15 – Tips for Crafting Your Message</i> .....	49
<i>Tool #16 – Mobilization Tactics</i> .....	50
Monitor and evaluate progress .....	51
<i>Tool #17 – Reflection Session Guide</i> .....	53
<b>Additional Resources</b> .....	54
<b>Endnotes</b> .....	55



# INTRODUCTION

The purpose of this guide is to support you and other women seeking to influence a constitution-making process in your country.<sup>1</sup> It provides guidance *for* women advocates *from* women advocates, as well as other constitutional experts. This guide is intended for women involved in all aspects of constitution reform, including constitution-drafting bodies, civil society organizations, constitutional experts, researchers, activists, and everything in between.

We created this guide because women are too often excluded or underrepresented in constitution making—particularly in processes emerging out of armed conflict, unrest, or other political transitions. Research by Inclusive Security shows that, on average, only 19 percent of members of constitution-drafting bodies between 1990 and 2015 were women.<sup>2</sup> Women remain far from achieving equal participation in these processes, and access does not always translate into influence. Women face multiple challenges to their participation, including gendered biases that undermine their political legitimacy, barriers to effective coalition building, and powerful parties whose interests conflict with their own. Despite these hurdles, our research has found that when women have been included, they have exerted considerable influence on the decision-making process, the text of the constitution, and broader prospects for a successful transition to a peaceful future. This guide seeks to strengthen those outcomes by supporting and empowering women to become more effective advocates inside and outside the constitution-making body.

Tailored resources on women's inclusion and advocacy remain rare, though numerous constitution-making guides, toolkits, and other publications exist (*see Additional Resources on page 54*). This guide provides practical tools and guidance for designing and implementing an advocacy strategy, drawing on the rich and varied experiences of women drafters, activists, and advocates from across the world. We gathered material from the experiences of women involved in constitution making across eight countries—Colombia, East Timor, Kenya, Nepal, Philippines, Rwanda, South Africa, and Tunisia. We collected data through desk research, interviews, and focus groups over three months, from August to October 2016. Our advocacy materials also draw on hundreds of trainings and 15 years of experience advocating in some of the most difficult, conflict-affected contexts, including Afghanistan, Indonesia, Myanmar, Nepal, Pakistan, Philippines, Sri Lanka, Sudan, South Sudan, and Syria.

These tools and resources are intended to hone advocacy skills and maximize impact:

- **SECTION 1** introduces key concepts related to constitutions and constitution-making processes.
- **SECTION 2** includes a five-step strategic framework for designing and implementing high-impact advocacy strategies and an array of practical activities and tools to support your advocacy campaign.

The constitution-related concepts in Section 1 are meant to provide general context and grounding, but do not reflect expert advice on what to advocate for. This type of guidance is highly context-specific and is outside the scope of this publication.<sup>3</sup> The examples provided are only intended to be illustrative. You are much better placed to understand your stakeholders and to decide what substantive content would best address their needs and interests.

This guide is a starting point for action. It represents the lessons learned and best practices identified by women advocates and practitioners like you.

# SECTION 1: UNDERSTANDING CONSTITUTION MAKING

## What is a constitution?

A constitution is a foundational legal text; it provides an official framework for how a country is governed. It creates institutions for the functioning of the state, identifies the rights of the people, and defines the relationship and responsibilities of the state vis-à-vis the people. A constitution is also considered “supreme law,” meaning that it serves as a basis for all laws and is typically superior to others. In those cases, laws or policies inconsistent with the constitution are considered invalid.

A constitution is therefore a powerful legal instrument; which means the stakes involved in constitution making are high. In many ways, whoever controls the outcome of the drafting process has immense influence; defining what is considered “constitutional” can have deep and lasting effects.

A constitution also plays an essential role in forging a social compact between citizens, shaping and reinforcing notions of national identity and belonging. It can symbolize the norms, aspirations, and common values of a society and influence how different groups will coexist. This often requires an inclusive and participatory process where broad, diverse interests are taken into account; if only certain interests are included, the resulting constitution may not be wholly representative and may therefore be deemed illegitimate by certain groups. This can be particularly important for countries emerging from conflict or other political transitions, where marginalization or societal division drives discord.

It is important to note that a constitution is primarily a framework document. *(See box on next page for common elements found in a constitution.)* It provides a foundation and guiding principles for the formation of the state, but does not include clear rules for implementation. For example, the 1991 Colombian constitution requires that “authorities guarantee the adequate and effective participation of women in the decisionmaking ranks of the public administration”—additional details, like how those women are selected as well as what “adequate and effective participation” means, are not specified—with further guidance on *how* to achieve women’s participation included in the electoral law.<sup>4</sup> In some cases, constitutions may provide more detailed direction. For example, the 2010 Kenyan constitution mandates that 47 seats in the National Assembly and 16 seats in the Senate be reserved for women and filled by elections in single-member constituencies (meaning candidates will run for office as individuals, not as a part of an electoral list).<sup>5</sup>

## Common elements of a constitution<sup>6</sup>

**Preamble:** Overarching motives and goals of the constitution; sometimes refers to important historical events, national identity, or values.

**Preliminaries:** Declaration of sovereignty; national characteristics (language, religion, symbols, etc.); citizenship and franchise; state ideology, values or objectives.

**Bill of rights:** List of fundamental, social, and economic rights and their applicability, enforcement, and limitations.

**Legislative branch (parliament or legislature):** Structure, membership, terms of office, responsibilities/powers.

**Executive branch (president/prime minister/cabinet):** Structure, membership, terms of office, responsibilities/powers.

**Judicial branch:** Court system, appointments, independence, public prosecutors.

**Sub-national government (regional/provincial):** Structure, membership, responsibilities/powers in relation to the national government.

**Additional institutions:** Public service, electoral commission, ombudsman, armed forces, human rights bodies.

**Amendment procedures and transitional provisions:** Rules and procedures for amending constitutional provisions; procedures for making the constitution effective; what rules will apply in the interim.

The level of detail included in the language of a constitution often reflects the level of agreement possible at the time of drafting. Where parties in the constitution-making process cannot agree, vague or general language might be the only possible negotiated outcome. Constitutions are generally more difficult to amend than regular laws, so wording choices must be carefully considered. You will have to assess what level of detail will be possible, as well as what language will be sufficient to address current shortcomings. It is a careful balance—in some cases, broader language can provide more flexibility as your country evolves over time, but you should also avoid language so broad that your opponents could co-opt its interpretation. Keep in mind how the provisions in the constitution could serve as a basis for future advocacy (e.g., calling for certain laws to be enacted) or specific legal complaints (e.g., why the government's actions or omissions are unconstitutional).

For example, in Tunisia's 2011 constitutional process, women advocates realized that some of their top issues did not have enough support to be included in the constitution (e.g., the right to equal inheritance). So instead of continuing to explicitly promote the right to equal inheritance, they focused their efforts on inserting specific language that could support a strong legal argument for the right in the future. Specifically, they prioritized phrases like "equal rights" and "equality before the law," which currently appear in Article 21: "All citizens, male and female, have equal rights and duties, and are equal before the law without any discrimination."<sup>7</sup>

# What is constitution making?

Constitution making is the act of reforming the body of fundamental principles that govern a state. It can occur in the form of modest amendments or as part of a larger political transition or effort to reform the structure and functioning of the state. It often follows a major event, such as armed conflict, unrest, economic crisis, or political transition (for example, from authoritarianism to democracy).

Constitution making is often, therefore, a critical entry point for shaping the future of a country, the exercise of power, and the social compact among citizens and between citizens and their state. As such, it usually highly contested, but offers groups an opportunity to get priorities on the political agenda and to cement principles that can provide a foundation for continued advocacy in the years to come. Understanding the politics and dynamics of constitution making is therefore critical to successfully navigating the complex and highly-charged environment.

Every constitution-making process is unique. There is no exact formula and variations are generally tied to the local context or ongoing political climate. As such, there is no clear blueprint that will fit every process, but there are some common practices that have emerged over time.

For example, many progressions follow this general structure (although sequencing and drafting can vary widely):

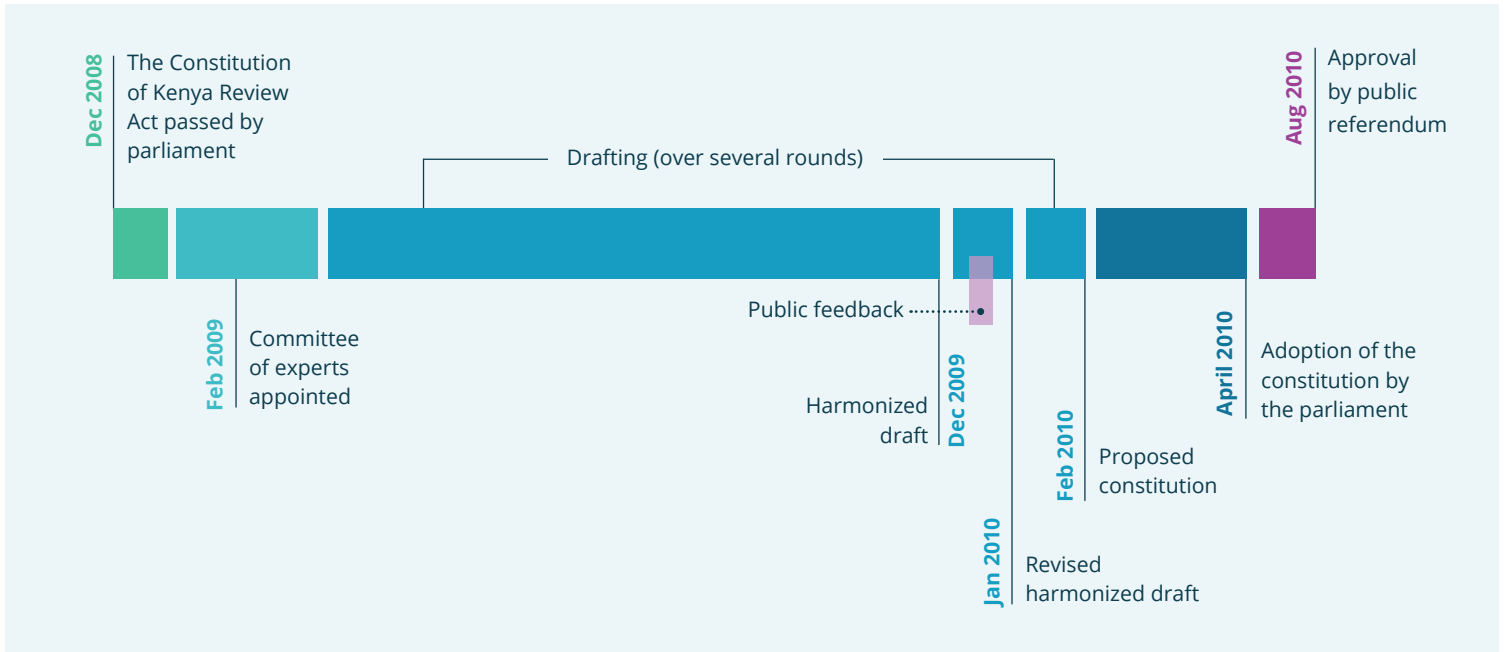
- 1 Negotiation on guiding principles, structure, membership, and procedures of the constitution-making process
- 2 Election and/or selection of the drafting body
- 3 Writing and negotiating the constitutional content within the drafting body
- 4 Inviting input, feedback, or approval from the public
- 5 Adoption by the constitution-making body (e.g, legislature or constituent assembly), other relevant authority (e.g., executive branch), referendum, or some combination thereof

Drafting often occurs within thematic committees and is supported by legal experts, who then report out to the full plenary (or convening of all members of the drafting body) to review and approve the draft language. Adoption of the final text is many times conducted via a majority vote in a constituent assembly or legislature. Some processes also require a public referendum following the legislative vote. The duration of constitution-making processes can range from less than a year to multiple years. The Kenyan example below illustrates a sequence that occurred over 20 months, but was the culmination of reform efforts that spanned almost two decades (*see Figure 1*). In Tunisia, the process lasted almost three years (*see Figure 2*).

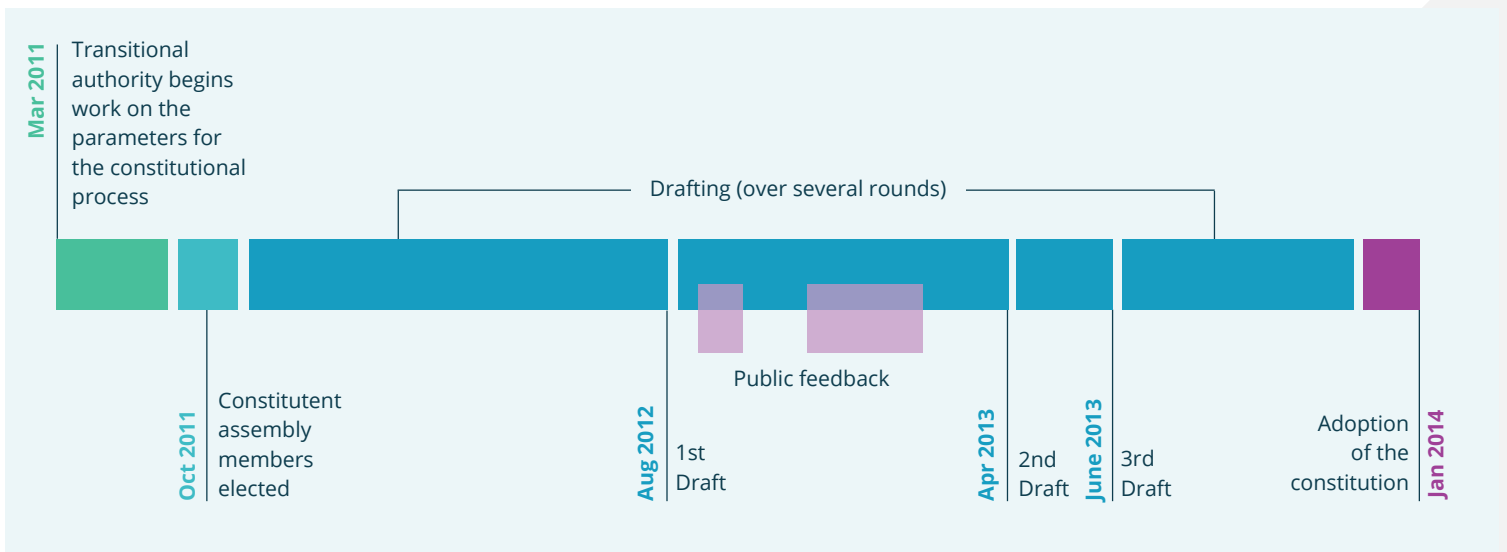
Emerging trends relate to inclusion or representativeness within the process. While constitution reform will always require buy-in from the political elite to succeed, processes are increasingly being pushed to include features like greater diversity in drafting bodies and mechanisms for public engagement. Participatory constitution making is now widely viewed as a best practice. It presents an opportunity to achieve greater legitimacy, foster a strong sense of public ownership, and support the development of an inclusive national identity.<sup>8</sup>



**FIGURE 1: OVERVIEW OF 2008 CONSTITUTIONAL PROCESS IN KENYA**



**FIGURE 2: OVERVIEW OF 2011 CONSTITUTIONAL PROCESS IN TUNISIA**



# Who shapes the constitution-making process?

Constitution drafting is most often facilitated by a state-sponsored group or institution. The size, scope, and procedures are different from process to process, but there are three common models: commission, constituent assembly/legislature, and conference. In terms of size, commissions are typically the smallest, with around 15 to 25 members. Conferences, on the other hand, can include upward of a thousand individuals, while constituent assemblies or legislatures are somewhere in between. Size does not necessarily equate to representativeness. Members of a conference might be quite diverse, but often conferences delegate drafting responsibilities to a smaller group that may or may not achieve broad inclusion. (See Table 1 for basic comparative details of the three models.) Note that these models are not necessarily mutually exclusive. The 2008 Kenyan constitutional process, for example, required the participation of several institutions: a nine-member committee of experts appointed specifically for the constitution-making process, a 26-member parliamentary committee, and the full parliament.

**TABLE 1: COMMON TYPES OF CONSTITUTION-MAKING BODIES**

	COMMISSION	CONSTITUENT ASSEMBLY	CONFERENCE <sup>9</sup>
OVERVIEW	Typically smaller than other models (12 to 25 members); draft produced by the commission usually goes to constituent assembly or legislature for adoption.	Size can range, but typically similar to the size of the legislature; could be a new or existing legislature with a dual mandate to legislate and draft the constitution.	Very large in size compared to other models (1000+ members); often sets constitutional principles or proposals, but constitution is drafted by a transitional legislature.
MEMBERSHIP	Often appointed by the executive (sometimes with approval of legislature).  Consists mostly of existing policymakers (or, where following a peace process, representatives from the conflict) and may include constitutional experts and civil society representatives.	Intended to represent the whole of society (like a national-level legislature).  Consists of elected representatives (could include some appointed members).  Members are primarily representatives of political parties.	Membership is very broad and representative (e.g., political parties, labor unions, human rights groups, professional associations, traditional leaders, religious communities).  Consists of members appointed by the various groups (could include some elected members).
OPPORTUNITIES FOR WOMEN'S INCLUSION	Parties responsible for appointing members may make commitments.  Could be mandated in prior agreements leading up to the reform process (e.g., peace agreement).	Electoral law could include reserved seats for women or mechanisms to support women's candidacies in the electoral process.	Parties responsible for choosing groups may make commitments.  Women's civil society groups are often among those represented.
EXAMPLES	Fiji (1997), Uganda (1995), Ethiopia (1994), Rwanda (2003), Papua New Guinea-Bougainville (2004), Philippines-Bangsamoro (2013).	Tunisia (2011), Nepal (2008, 2012), South Africa (1996), Colombia (1991), Venezuela (1999), Cambodia, East Timor.	Benin (1990), Yemen (2011), Democratic Republic of Congo (1991), Mali (1991), Niger (1991), Chad (1993).

Membership in these bodies often includes well-established political figures, such as former or current members of parliament, as well as political newcomers, like representatives from formerly-banned political parties or movements. Members of civil society are sometimes included—Rwanda’s Legal and Constitutional Commission included one civil society representative among its twelve members. She was a long-time women’s rights activist and acted as a conduit for civil society, creating access for women activists. She made feasible an alliance between the commission, the Rwanda Women Parliamentary Forum, and civil society to push forward a gender-sensitive constitution.<sup>10</sup>

## How do members of constitution-making bodies get in?

Constitution making is often thought of as a standalone process with a distinct beginning, opening with members’ elections or appointments to a constitution-making body. Yet planning and decision making for a constitutional process—and its membership—begins much earlier. In countries emerging from armed conflict, for example, constitutional bargaining can begin quite early in the peace process, such as when parties are establishing the rules to govern peace talks.<sup>11</sup> Constitutional principles or constitution-like arrangements can also appear in a peace agreement.<sup>12</sup> Similarly, in countries undergoing transitions, parties involved may negotiate constitutional principles prior to the formal reform process or such principles may be foundational to the nature of the transition.<sup>13</sup> In most cases, some basic rules governing roles, structures, and decision making are determined prior to the election or appointment of a drafting body.

Therefore, women who want to gain a seat in a constitution-making body and those looking to maximize the number of women overall should mobilize early, ideally prior to the rules-making process. It may be helpful to tap into existing women’s organizations or networks, particularly those with a pre-existing support base and/or connections to high-level decision makers. Consider carefully the member selection process and, if you’re not campaigning for a position yourself, how you might be able to embed close allies or partners. This might mean creating a strategy to ensure one of your champions is included; it could also mean building or strengthening ties with those individuals and groups who will be a part of the drafting body. (See *Example #1 on getting women into constitution-making bodies.*)

## External interests and decision influencers

Members of a constitution-making body are naturally central actors in the drafting process. But they are not the *only* actors. There are typically a larger set of interests, whether related to political parties, armed groups, ethnic groups, religious groups, industry/trade unions, or others. Sometimes these powerful interests *outside* the constitutional process can have a significant effect on agenda setting or decision making *inside* the process.

These external factors can also include regional and international parties. The UN and other international/regional organizations, as well as foreign governments and international NGOs will often provide technical assistance, funds, or other resources to specific groups or to the process as a whole. International NGOs may also provide support and strategic advising to civil society organizations.

Civil society representatives can have a formal role in the constitution-making process. In cases like Rwanda, a delegate may have full privileges as a voting member of the drafting body. More commonly, however, civil society representatives operate outside the formal constitution-making process and exert influence through activities like direct advocacy, convening, and civic education. Civil society can also play an important role in holding the drafting body accountable by communicating the proceedings of the process to the public. (See *Example #2 on women promoting transparency.*)

## EXAMPLE #1 | STRATEGIES FOR WOMEN'S INCLUSION IN CONSTITUTION-MAKING BODIES (NEPAL, TUNISIA, PHILIPPINES)

The constitutional process in **Nepal** emerged out of a twenty-year armed conflict between the government and an armed insurgency led by the Communist Party of Nepal (Maoists). A Comprehensive Peace Agreement was signed in 2006, which paved the way for the appointment of a 16-member Interim Constitution Drafting Committee.<sup>14</sup> Despite women's participation in the peace process, there were no women appointed to this committee, which also failed to represent Nepal's diverse classes, castes, and ethnic groups.<sup>15</sup> Amid protests by many groups, including women's organizations, the committee was reorganized and its new membership included four women.<sup>16</sup> The resulting 2007 Interim Constitution included a specific clause calling for the representation of women in the constituent assembly. Article 63(5) stated that "at least one-third of such total number of candidates nominated shall be women;" the

document was enacted into law prior to the 2008 constituent assembly elections.<sup>17</sup> As a result of the quota, 191 women won office (34 percent of the 575 elected seats), including the first women from marginalized communities to be elected to office.<sup>18</sup>

Similarly, following the 2011 revolution and political transition in Tunisia, the Higher Authority for Realization of the Objectives of the Revolution, Political Reform, and Democratic Transition ("Higher Authority") was formed to set the roadmap for the constitution-making process. Women members of the Higher Authority pushed for the adoption of a gender quota in the electoral law to ensure the women's interests would be represented in the constituent assembly. Decree Law 2011-35 called on parties to "file their candidacy applications on the basis of parity between men and women" and for electoral lists "to be established in such a

way to alternate between men and women."<sup>19</sup> Subsequently, women won 59 out of 217 seats (27 percent) in the constituent assembly.

Women were present throughout the Bangsamoro peace process in the **Philippines**, where 15 years of peace talks between the government of the Philippines and the Moro Islamic Liberation Front, an armed separatist movement, prefaced the subnational Bangsamoro constitutional process. Advocates were unable to secure provisions in the peace agreement to mandate women's representation in the Bangsamoro Transition Commission, but they did succeed in getting commitments from the parties to include women in their delegations. Out of its eight seats, the government appointed four women and out of its seven seats, the Moro Islamic Liberation Front appointed one woman.<sup>20</sup>

## EXAMPLE #2 | WOMEN IN CIVIL SOCIETY PROMOTE TRANSPARENCY AND ACCOUNTABILITY (TUNISIA)

Amira Yahyaoui co-founded Al Bawsala, a civil society organization, which provided monitoring and transparency inside the constituent assembly after she "very quickly realized that no one knew what was going on in the assembly, that no one knew its operating rules and no one was taking part in it apart from the 217 elected assembly members, and even they weren't largely present at the time."<sup>21</sup> Although the assembly sessions were broadcast live on television, little was known about the inner workings of the drafting committees, where most of the debates took place.

Recognizing this gap, Yahyaoui and her colleagues began recording assembly proceedings (including attendance, voting patterns, reports on substantive debates) and publishing the information online and via social media.<sup>22</sup> Assembly members initially tried to prevent them from gaining access, but Yahyaoui and her colleagues remained adamant. "The vast majority of members supported us until we published something that might backfire on them. When what we published was in their interests, they considered us as allies, but each time what we published was to their detriment,

we once again became an enemy to be defeated."<sup>23</sup> Yahyaoui advocated for transparency directly to the assembly president, calling it vital to the constitutional process, but he refused to comply. She and representatives from other NGOs lodged a complaint against him for obstructing information. "We were uncompromising, and we negotiated nothing. That was our way of showing the assembly members that we, the people, the citizens, now held the power, and that they represented the people, that community of citizens."<sup>24</sup>

Women’s organizations have employed a wide range of strategies to strengthen and enrich constitution making in a number of countries, including:

- Provide technical assistance as legal advisors to members of the drafting commission.
- Monitor and report on the constitution-making process (*See Example #2 from Tunisia*).
- Conduct community consultations to feed additional perspectives into the formal process (*See Example #3 from South Africa*).
- Organize civic education and awareness-raising campaigns about the constitution and the reform process (e.g., in preparation for public consultations or a referendum).
- Mobilize communities around specific issues to ensure the needs of the public are heard by the drafting body and reflected in the constitution.
- Support and strengthen the formal public engagement process (e.g., host convenings with drafters and constituents; organize communities to prepare written submissions).

### EXAMPLE #3 | WOMEN IN CIVIL SOCIETY BROADENING PARTICIPATION AND INPUT (SOUTH AFRICA)

During South Africa’s transition and constitution reform process, the African National Congress Women’s League, along with 92 other NGOs and 13 regional coalitions, formed the Women’s National Coalition. It was intended to be a broadly representative coalition that could engage across South Africa’s divided communities to mobilize and educate grassroots women.<sup>25</sup> The Coalition’s members included organizations that crossed ideology, race, class, political affiliations, etc., and included women from the ruling National Party and the opposition African National Congress.<sup>26</sup> By forming the Women’s National Coalition, women leaders sought to promote gender equality and push for women’s participation in decision making.<sup>27</sup> As stated

by one of its members in an early convening, “Women have to make sure that the constitution goes beyond a ritualistic commitment to equality and actually lays the basis for effective gender equality.”<sup>28</sup>

The Women’s National Coalition strategy was to “educate and elicit women’s demands,” by cataloging their problems, needs, and hopes for the future and feeding this into a set of constitutional recommendations.<sup>29</sup> The outreach effort included widespread consultations, reaching an estimated two million women and reflecting the country’s racial, cultural, and linguistic diversity.<sup>30</sup> The Women’s National Coalition then used its findings to form the basis for a Women’s Charter for Effective Equality. The Charter

reflected the diversity of needs among women and the difference between their requirements and those of men’s. One of the Charter’s strengths was that it also highlighted the race, class, and regional inequalities among women, raising the need to acknowledge and account for differences in any constitutional outcomes.<sup>31</sup> As the constitutional process unfolded, women activists grew increasingly visible across the political spectrum and, in part due to the Charter, women activists of all political views agreed that gender issues should be taken up during, rather than after, the transition.<sup>32</sup> As a result, the South African constitution became one of the most gender-equal constitutions in the world.

# What are the barriers to women’s participation?

At its core, constitution making is a difficult and messy process. Men and women across all parties and groups jockey to gain as much influence as possible, rhetoric often becomes heated, and every participant wants a particular vision to be achieved, ratcheting up the stakes. It’s even more complex and arduous for women advocates both inside and outside the process, as they face a range of gendered challenges often unknown or unrealized by their male counterparts. This list is by no means exhaustive, but it highlights some of the most prevalent and problematic examples:

- Women’s input is undervalued by decision makers because women are not seen as legitimate political actors, even where their male counterparts have the same or less experience. (See *Example #4 on the challenges faced by female assembly members in Tunisia.*)
- Women are the target of harassment, threats, and physical attacks stemming from a perception that politics is a male-only space.
- Women experience self-doubt and misgivings related to their capacity and competence, driven by the internalization of social and cultural norms.
- A general lack of recognition for women’s diverse identities; when women are seen as a monolithic group, women from underserved or underrepresented minorities are further marginalized and silenced.
- An assumption that women can only advocate on “women’s issues,” coupled with a perception that “women’s issues” are something that can be resolved later.

## EXAMPLE #4 | GENDERED CHALLENGES FOR WOMEN IN THE CONSTITUENT ASSEMBLY (TUNISIA)

In Tunisia, women in the constituent assembly were not necessarily viewed as legitimate political actors by their peers, despite their ample presence and high participation rates. This was even the case at the highest levels of the assembly’s leadership. Some worried the vertical parity requirement created a perception that women were included on electoral lists wholly to satisfy the law, not because of their expertise or capacity as political actors. Although women played an active role in the revolution, this perception of women as inexperienced political actors created an environment where they were forced to prove their legitimacy at every turn. In

reality, the vast majority of the constituent assembly, both men and women, had little familiarity with the political and legislative process. Still, male assembly members had greater perceived credibility, a reality which was reflected in their disproportionate representation in party leadership roles.<sup>33</sup>

Media outlets also perpetuated the notion that men possessed greater capacity than their female counterparts. Journalists regularly interviewed assembly members on the progress and achievements of the drafting committees and plenary, but primarily sought interviews with male assembly members. This was despite

women’s overall higher rate of participation in the committee and plenary sessions. In some instances, media outlets selected male assembly members to report on their committee’s work even though they were not actually present during their committee’s working sessions.<sup>34</sup>

Women also faced personal attacks as a result of their participation. Women in the constituent assembly were disproportionately targets of harassment, assault, and insults, either directly or through social media, as compared to their male counterparts.<sup>35</sup>

# Why is women's inclusion important?

Women have important roles to play in constitution making. Your participation is critical not just because women make up at least 50 percent of the population, but because you bring unique and valuable knowledge and expertise and you represent the members of your community. The bolded points below represent some of our observations based on a study of ten constitutional processes in eight countries emerging from armed conflict or other political transition.<sup>36</sup> You might consider how to apply these lessons in your own context or how to expand this list to include your specific contributions. These points could also be used to support advocacy efforts calling for greater women's inclusion.

**Women build coalitions that bridge divides.** In contexts where conflict drivers are linked to societal divisions, women frequently build bridges between communities. Women come together across communal rifts not merely to advance their own inclusion; they also do so to identify shared interests, agree on common priorities for the new constitution, and build coalitions to advance these priorities. This work is not without significant challenges, but women have demonstrated how building strategic relationships can grow their support base and strengthen the power of their message. Further, this coalition building is also an end in itself: advancing peacebuilding and reconciliation across divides as part of the constitutional process. By working together, women often model for decision makers how communities affected by conflict can collaborate and develop consensus on priority issues.

**Women broaden societal participation and inform decision makers.** Since constitutions represent a form of social contract between citizens and the state, citizen input is important for ensuring the final product's legitimacy and efficacy. Although current best practices encourage drafters to include public participation as part of the reform process, in many cases these initiatives fall short because of lack of commitment or resources or a concern that broader, more inclusive proceedings would unsettle desired arrangements for exercising power. Women in civil society have also frequently helped to ensure communities are informed and empowered to participate in constitution making. For example, women's groups often design and implement civic education programs to raise awareness of the constitutional process and the issues being debated in the constitution reform body.

## EXAMPLES OF CONSTITUTIONAL PROVISIONS THAT WOMEN CHAMPIONED

### COLOMBIAN CONSTITUTION OF 1991

- "The authorities will guarantee the adequate and effective participation of women in the decision making ranks of the public administration." ARTICLE 40
- "Women and men have equal rights and opportunities. Women cannot be subjected to any type of discrimination. During their periods of pregnancy and following delivery, women will benefit from the special assistance and protection of the state..." ARTICLE 43

### RWANDAN CONSTITUTION OF 2003

- "The State of Rwanda commits itself to ... equality of all Rwandans and between women and men reflected by ensuring that women are granted at least thirty per cent of posts in decision making organs." ARTICLE 9
- "Political organizations ... operate in such a manner as to ensure that women and men have equal access to elective offices." ARTICLE 52

### KENYAN CONSTITUTION OF 2010

- "A person is a citizen by birth if on the day of the person's birth, whether or not the person is born in Kenya, either the mother or father of the person is a citizen." ARTICLE 14(1)
- "Women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres." ARTICLE 27(3)
- "The National Assembly consists of... (a) two hundred and ninety members, each elected by the registered voters of single member constituencies; (b) forty-seven women, each elected by the registered voters of the counties, each county constituting a single member constituency..." ARTICLE 97



Women’s organizations also often consult with local communities and gather citizen input to inform recommendations to be shared with constitution drafters and other policymakers. This supports the inclusion of a broad range of voices and amplifies the voices of those communities underrepresented by actors inside the reform process. As a result, making a new constitution becomes a means to an active, inclusive, and democratic society as well as an end in itself

**Women advance constitutional provisions for more equal, inclusive societies.** In addition to shaping the *process* of constitution making, women focus on achieving specific, substantive constitutional *outcomes*. As members of constitution-making bodies and as external actors, women typically have a specific agenda or set of interests that they would like to see included in the final text. The key issues that women advocate for varies from case to case and can be shaped by the drivers for constitutional change. But they frequently include issue provisions relating to women’s rights, such as equal rights and anti-discrimination provisions, or the incorporation of gendered language (e.g., “women and men have the right to” vs. “all citizens have the right to”). Women also advocate for protection of other marginalized groups in their societies, such as provisions relating to the recognition of minority identities or protection of minorities’ rights. (See *Example #5 on indigenous rights in the Philippines*.)

### EXAMPLE #5 | ADVOCATING FOR INDIGENOUS RIGHTS (PHILIPPINES)

Froilyn Mendoza served as one of four women representatives on the Bangsamoro Transition Commission, which was responsible for drafting the Basic Law or subnational constitution to govern the Bangsamoro region.<sup>37</sup> Mendoza was appointed by the government to represent the needs and interests of the indigenous peoples in the region, where they represent around 10 percent of the population.<sup>38</sup>

Mendoza was personally selected by tribal leaders to serve in this role. They chose Mendoza because of her long history of working on the advancement of indigenous rights.<sup>39</sup> As one of two indigenous representatives on the commission, Mendoza felt it was her duty to represent the interests of her people and to be their voice in the drafting process. Before joining the commission, Mendoza made it clear to other government representatives that she was there to represent indigenous interests,

not the government.<sup>40</sup> She advocated for the Bangsamoro Basic Law to include specific provisions on indigenous rights, the same rights already provided for in the Philippines national constitution.<sup>41</sup> In Article 2 on the declaration of principles, the national constitution “recognizes and promotes the rights of indigenous cultural communities within the framework of national unity and development” and subsequent articles elaborate on the right to self-governance, the right to ancestral lands, and issues related to social justice and human rights.<sup>42</sup> After consulting with various indigenous communities, Mendoza believed that in order to ensure the protection of indigenous rights, the Basic Law needed to include a non-derogation clause that recognized the rights provided in the national constitution. She passionately advocated for the inclusion of specific language on this point: “Nothing in the Basic

Law shall be construed to allow derogation from rights already existing or enjoyed under law before the ratification of this law.”

Mendoza championed this provision even though her counterpart, the indigenous representative in the Moro Islamic Liberation Front delegation, downplayed the importance of indigenous rights and other commission members called her a spoiler. She faced persistent and vehement opposition from other members of the commission for taking this stance, but refused to back down. Despite her efforts, the commission did not include indigenous rights provisions in the draft Basic Law. But when the draft was presented to Congress in September 2014, it failed to gain traction and a vote was never held.<sup>43</sup> A revised process for drafting the Bangsamoro Basic Law was announced by President Duterte in July 2016.<sup>44</sup>



**Women increase prospects for successful peace and transition processes.** Where women bridge divides and advance consensus in the negotiating process, for example, they not only increase the chances of agreement on specific constitutional provisions; they further deepen shared political understanding among groups.<sup>45</sup> Bridging divides and building consensus in the negotiating process forges a common understanding among those involved, and thus reduces the likelihood that any party will resort to violence. When women increase citizens' participation in the constitutional process or push for greater transparency, they also create buy-in to this new social contract and support its success. Similarly, by advocating for provisions that directly affect women and other marginalized groups, they help ensure that the constitution better reflects citizens' needs and their vision for society. While this certainly does not guarantee success, it arguably leads to a more robust agreement and representative constitution, which in turn helps the prospects for a successful transition.

## What legal standards provide for women's participation?

The right to participate in constitution making is arguably grounded in the principle of political participation. There are a number of international and regional legal instruments that recognize political participation as a fundamental right, including the UN Declaration of Human Rights (Article 21); the International Covenant on Civil and Political Rights (Article 25); African Charter on Human and Peoples' Rights (Article 13.1), the Asian Charter of Rights (Article 5.2), and the Inter-American Democratic Charter (Article 6).<sup>46</sup> Further, the Convention on the Elimination of all Discrimination Against Women specifically calls for *women's* political participation (see Article 7: "State Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right... to participate in the formulation of government policy... to hold public office and perform all public functions at all levels of government.").<sup>47</sup>

For constitution-making processes emerging from armed conflict or other unrest, UN Security Council Resolution 1325 and its sister resolutions also provide important grounding. These resolutions recognize the importance and value of women's inclusion in relation to conflict resolution and peacekeeping. Specifically, Resolution 1325 calls on "Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict."<sup>48</sup> These conflict-related processes often lay the foundation for women's participation in constitution making (see *Example #1, page 8, on the link between peace process and women's representation in drafting bodies*) and, arguably, a constitution-making process is a continuation of these conflict resolution efforts.

As you prepare your advocacy strategy, consider what relevant national, regional, and international laws and norms can support your argument and which may be most convincing for decision makers in your context.

# SECTION 2: GET INVOLVED

Advocacy is a planned, deliberate, and sustained effort to advance an agenda for change. Our approach to advocacy focuses primarily on reforming policies, programs, and institutions to promote systemic change. The tools and guidance provided in this guide are designed for women inside the process (e.g., as members of a constitution-making body) and women outside the process (e.g., as members of civil society) seeking to convince decision makers and decision influencers to support their agenda for change.

**This section shares practical guidance, tools, and templates to help you organize and implement an advocacy strategy. The guidance and tools are described across five activities:**

## Conduct research and analysis

Identify a problem you want to address through the constitution-making process and research possible solutions and strategies for implementing those solutions.

## Build a platform for collective action

Develop partnerships with other like-minded individuals and groups, and strengthen your advocacy with power in numbers.

## Plan for action

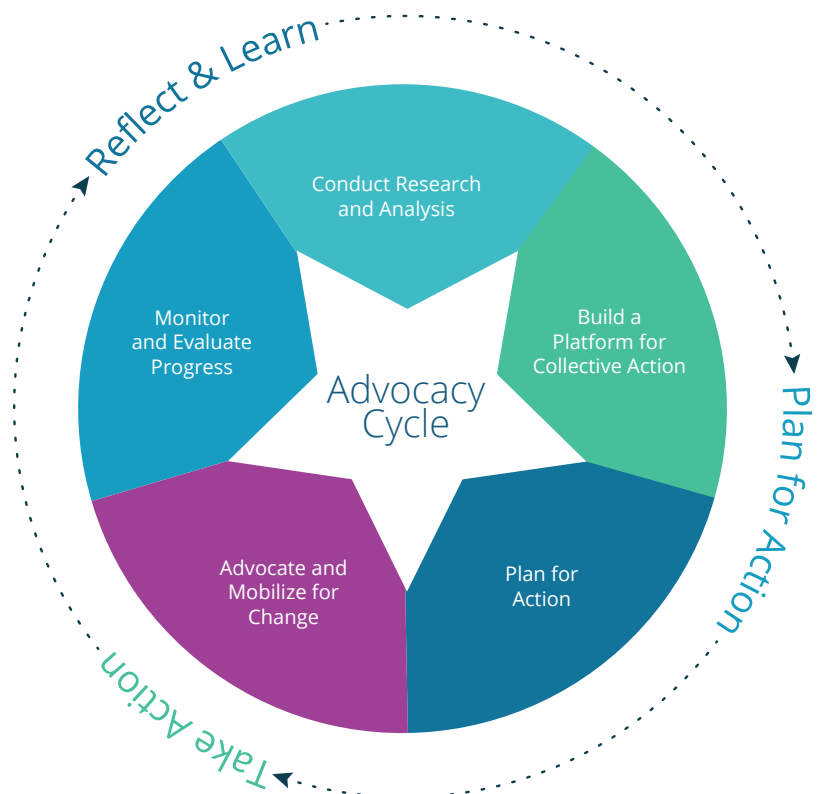
After evaluating the political climate, entry points, and potential risk factors, create an action plan to guide the implementation of your advocacy.

## Advocate and mobilize for change

Speak to decision makers and decision influencers about the change you want to see and raise public awareness of the need for that change.

## Monitor and evaluate progress

Assess the successes/failures of your advocacy strategy and make adjustments for the next steps.



**These interlinked activities are designed to ensure:**

- 1** You can communicate the issues you want addressed and why those issues are important.
- 2** You have a strong platform or base that you can mobilize.
- 3** You know who you need to convince and how you're going to convince them.

These activities are not linear, meaning you may realize in the action planning phase that you need more information and will need to conduct additional research before moving on. Similarly, you might assess your advocacy activities as they unfold and return to the planning phase periodically to make adjustments as you learn what strategies and tactics are most impactful. And throughout your advocacy planning and implementation you might continue to explore new partnerships and ways to expand your platform for change.

## Conduct research and analysis

Because advocacy is a process focused on change, there is typically a core problem at the center of every advocacy effort. This should be a particular issue you want to address and, importantly, it should be one that you can address or begin to address via the constitutional process. Research and analysis will help you home in on a specific issue or problem and its potential solutions, as well as strengthen your understanding of the broader social, political, economic, and cultural context surrounding it. This contextual knowledge is vital; the more you know about your operating environment, the more strategic you can be in influencing the constitution-making process, actors within that process, and outcomes—in particular, the text of the constitution.

### Identify your core problem

Your core problem can be related to the constitution-making process itself (e.g., women underrepresented in the drafting body, weak public participation mechanisms) or more substantive issues concerning the content of the constitution (e.g., women not afforded equality in citizenship or other matters; institutions of government inadequately represent women or other groups). For substantive issues, keep in mind what the constitution can and cannot do in terms of affecting change. For example, if you decide to advocate for a gender equality clause, remember that this clause may provide an important legal foundation but will have little practical effect without key implementation and enforcement mechanisms; for example, a legislature willing to pass anti-discrimination laws and judiciary willing to remedy discriminatory practices. You may want to consider what other provisions can support your goal—in this case, mechanisms to create a legislature that would be supportive of gender equality legislation or rules to support fair and equitable judicial appointments.

## THE IMPORTANCE OF EARLY MOBILIZATION

A strong advocacy strategy includes allies inside and outside of the process, which means women must be included as members of a constitution-making body. To achieve this, you must mobilize during the planning phase to get women at the table and your priority issues on the agenda.

Research has shown that women's representation requires mobilization and advocacy before the constitution-making process begins, such as during the peace negotiation phase or the legislative phase. In Nepal, Philippines, and Tunisia, women mobilized around quotas for women's participation in the constitution-making body or for parties to make commitments to including women in the process (*see Example #1 on page 8*).

You could, for example, construct an advocacy strategy using these tools and resources focused on getting women elected or appointed to the constitution-making body and then create a separate strategy for advancing other substantive issues in the constitution itself.

CORE PROBLEM	HOW A CONSTITUTION COULD HELP ADDRESS THE PROBLEM
<p><b>Women are excluded from peace and security decision making</b></p>	<ul style="list-style-type: none"> <li>• Gender equality, non-discrimination, and equal opportunity clauses; specific clause on positive rights of women (to serve as a basis for the reform of laws and policies that permit discriminatory practices against women).</li> <li>• Requirements for increased women's representation in key institutions responsible for peace and security decision making (e.g., legislature, cabinet-level positions, security sector institutions) to ensure that women are involved in drafting, implementation, and enforcement of relevant laws and policies.</li> </ul>
<p><b>Government does not represent diverse perspectives and excludes particular groups in society</b></p>	<ul style="list-style-type: none"> <li>• Changes to the political structure (e.g., moving from a presidential system to a parliamentary system to provide for better representation of diverse views).</li> <li>• Requirements for increased representation of underrepresented groups in all branches of government (to ensure that diverse perspectives are involved in drafting, implementation, and enforcement of laws and policies—this could be particularly relevant for design of the electoral system and drawing electoral districts).</li> </ul>

## Understand the political landscape

Once you have identified a core problem, you need to understand its causes and effects and how it fits into the existing constitution making agenda. The purpose is to start identifying possible entry points to leverage the actors and their interests to achieve the change you want to see. This includes understanding the general structure, procedures, and timeline of the constitution making process; how key players both inside and outside the process (i.e., the decision makers and decision influencers) feel about your issue; who agrees with you (allies) and who disagrees with you (opponents); and who you might be able to call on for support. *(See Tools #1–4 on pages 19–23 for guidance on how to map and unpack the political landscape surrounding your core problem.)*

This information gathering phase should also include consultations with stakeholders (i.e., individuals and groups who are affected by your core problem) to ensure you are representing their needs and perspectives. If you are a member of a constitution-drafting body, this would mean consulting with your constituents or those individuals/groups you represent. Remember to take into account the diversity that exists within each category or group. Women, for example, may share some perspectives but their opinions are also shaped by their ethnicity, religion, class, geographic

### DECISION MAKERS VS. DECISION INFLUENCERS

“Decision makers” include individuals in the constitution-drafting body or, if members have not yet been selected, those individuals responsible for choosing who will be appointed or what the electoral process will look like. Your advocacy strategy may be even more specific and focus on individuals on a particular drafting committee (e.g., the committee drafting the provisions on the legislature and executive).

“Decision influencers” are those individuals and groups who are not part of the formal decision-making process but still hold sway over decision makers. They typically represent powerful interests, such as political parties, armed groups (in the case of processes emerging out of armed conflict), industry leaders/trade unions, clan/tribal elders, and religious leaders.

It will be important to understand what each of these factions hopes to accomplish and how/whether their agendas align with your own. Identifying shared interests or couching your issue within their agenda are useful tools for influencing the constitution-making process.

location, etc. This may seem obvious, but it is something that many advocates overlook. It is also likely that not all women will agree on a particular viewpoint; while you may not be able to represent all viewpoints, you should at least take them into account so you can understand the potential impacts of your advocacy efforts.

## Research methods

How you conduct research will depend on available resources, the breadth of your network, and factors like security/safety of your staff and stakeholders (see following section). Where possible, try to combine both desk and in-person research to build a solid foundation of knowledge. Reading public statements made by the most influential political parties may be generally informative, but speaking directly with party representatives may provide additional nuance and detail on their core objectives.

DESK RESEARCH	INTERVIEWS / CONSULTATIONS
<ul style="list-style-type: none"> <li>• Review public statements by decision makers and decision influencers on their top priorities.</li> <li>• Consider the scope of existing related laws and policies.</li> <li>• Understand how the courts have interpreted existing laws/constitutional provisions.</li> <li>• Explore how fellow citizens, such as lawmakers, experts, and activists, have suggested resolving the core problem you have identified.</li> <li>• Explore how other countries have resolved similar problems through the constitution process.</li> </ul>	<ul style="list-style-type: none"> <li>• With decision makers and decision influencers for insights into the process, the actors, and their priorities.</li> <li>• With stakeholders to make sure you understand and are representing their interests.</li> <li>• With domestic and international constitutional experts for technical assistance and best practices.</li> </ul>

## Research ethics, conflict sensitivity, and personal safety

Research ethics require that you respect both your researchers and participants, take steps to minimize any harm that might result from your research, and design your research to maximize benefits for participants and communities. This is particularly important with stakeholder consultations. Think carefully before undertaking any activities that may pose a risk to someone’s safety, whether that includes your staff or your interviewees. In some contexts, research and advocacy can be dangerous, especially if that advocacy challenges dominant views. You may risk putting people who share information with you in danger; they may be worried about reprisals or other negative consequences. In response, consider creating mechanisms and policies to protect the identities of your interviewees, or in the case of real and immediate threats, consider terminating certain aspects of your research plan.

When working in conflict-affected contexts, it is crucial to understand how your presence interacts with local dynamics. A conflict-sensitive approach involves understanding the context in which you are operating and acting to minimize the negative impacts of your work. This means being aware of what perceptions you bring to your consultations as well as what perceptions others may have of you.

Consider brainstorming sessions or workshops with close partners to explore your security challenges and discuss strategies for staying safe. The most effective security lessons may come from other activists operating in the same space. *(See Additional Resources on page 54 for more information on safety and security for women’s organizations and activists.)*

# RESEARCH AND ANALYSIS TOOLS

- 1** Begin with the **Environmental Scan** as an initial survey of the core problem you hope to address and how it relates to the constitution-making process. This tool frames the broader context that surrounds your core problem.
- 2** The **Problem Tree** delves deeper into what the problem is and why it is important. Identifying the causes and effects helps you understand the scope of your problem and eventually craft your recommendations and messaging. If you are working on multiple issues, you should create a separate tree for each issue.
- 3** The **Force Field Analysis** builds on the Environmental Scan by identifying elements for and against your agenda, which in turn highlights risks and opportunities as you think about advocacy planning.
- 4** **Actor Mapping** helps you to understand who is involved in the constitution-making process (including those who may not be formally involved in the process, but will influence the outcome) as well as your connections to those actors. This map will serve as a resource when you begin to build a platform and select advocacy targets.

**CORE PROBLEM / ISSUE YOU WANT TO ADDRESS:**

**WHO DOES THIS ISSUE AFFECT?** | Think about who may have a stake in the outcome or who will be affected by the policy. Are there communities, groups, or institutions that are affected more than others? Consider women, minorities, rural communities, business interests, military or police, members of parliament, etc.

**WHAT ARE SOME COMMON PERCEPTIONS OF THE ISSUE?** | What are people saying about the policy issue? Why is it a problem?

**STATUS OF THE CONSTITUTION-MAKING PROCESS** | What is currently happening in the process? What specific issues are being prioritized? Are decisionmakers generally supportive of your issue? Why or why not?

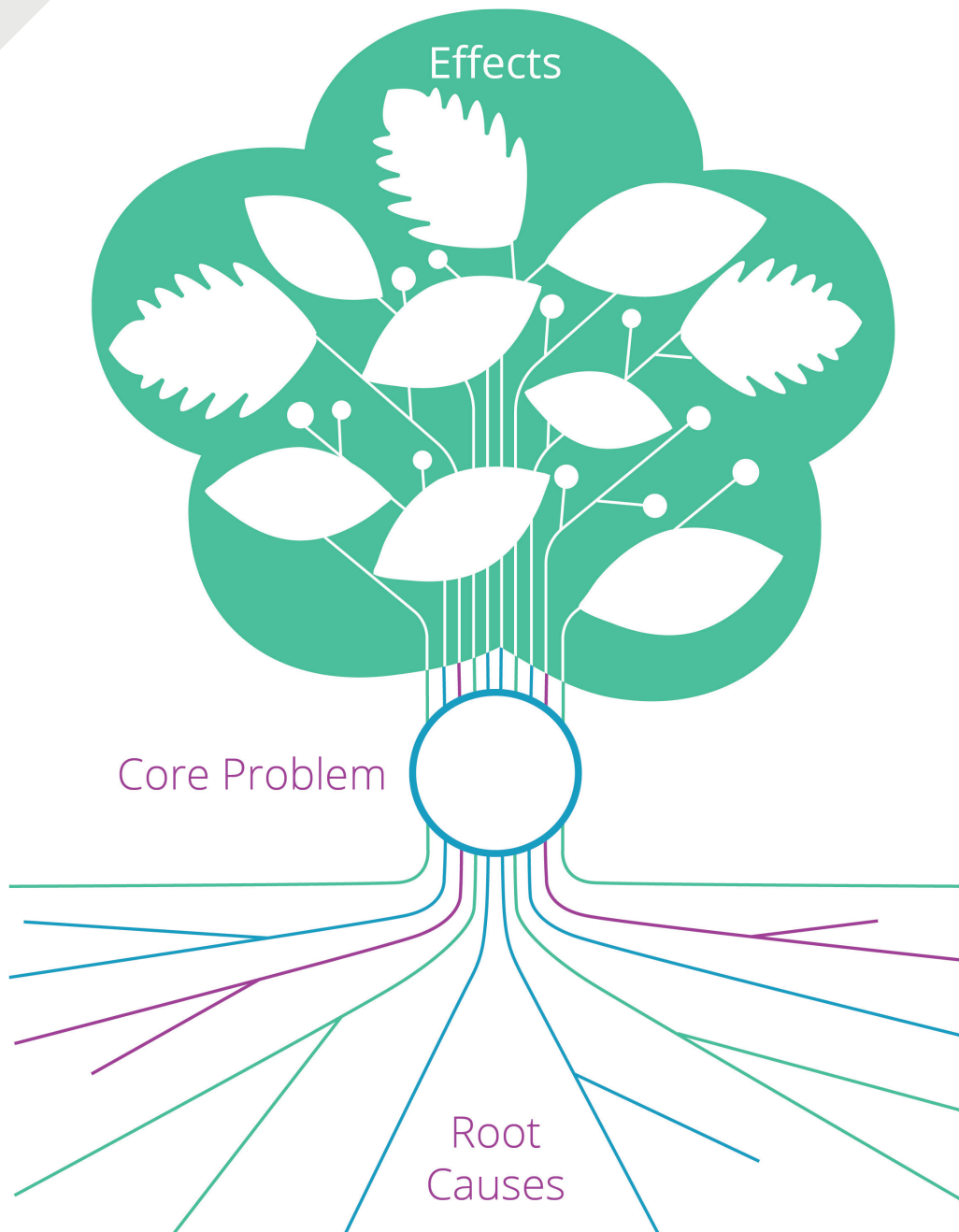
**KEY ACTORS AND INSTITUTIONS THAT MIGHT BE ABLE TO INFLUENCE THIS PROCESS** | Who has access to, and influence over, the process? These could be formal actors (members of the drafting committee, ministers, parliament) or informal actors (community or religious leaders). What about international actors?

**POLITICAL ENVIRONMENT AND RISK** | What is the environment around your issue? Is it safe to discuss/advocate for this publicly? Are there any risks involved in advocating for this particular issue?

## TOOL #2 | PROBLEM TREE

Like a tree, any given issue is an ecosystem with changes at the roots that can affect the whole tree. When planning for advocacy it is especially important to understand the relationship between contributing factors and their manifestations so that you can best target the change for which you are advocating.

First, name the problem you are trying to address and place it on the trunk of the tree. The more specific the problem, the more useful the analysis will be. Once you have identified the problem, brainstorm what the possible root causes of the problem could be and write them on the roots of the tree. Once you've identified the root causes, do the same thing for effects of the problem and write them in the branches of the tree. These can be in the form of leaves or fruit, as they are the result of the problem listed on the trunk.



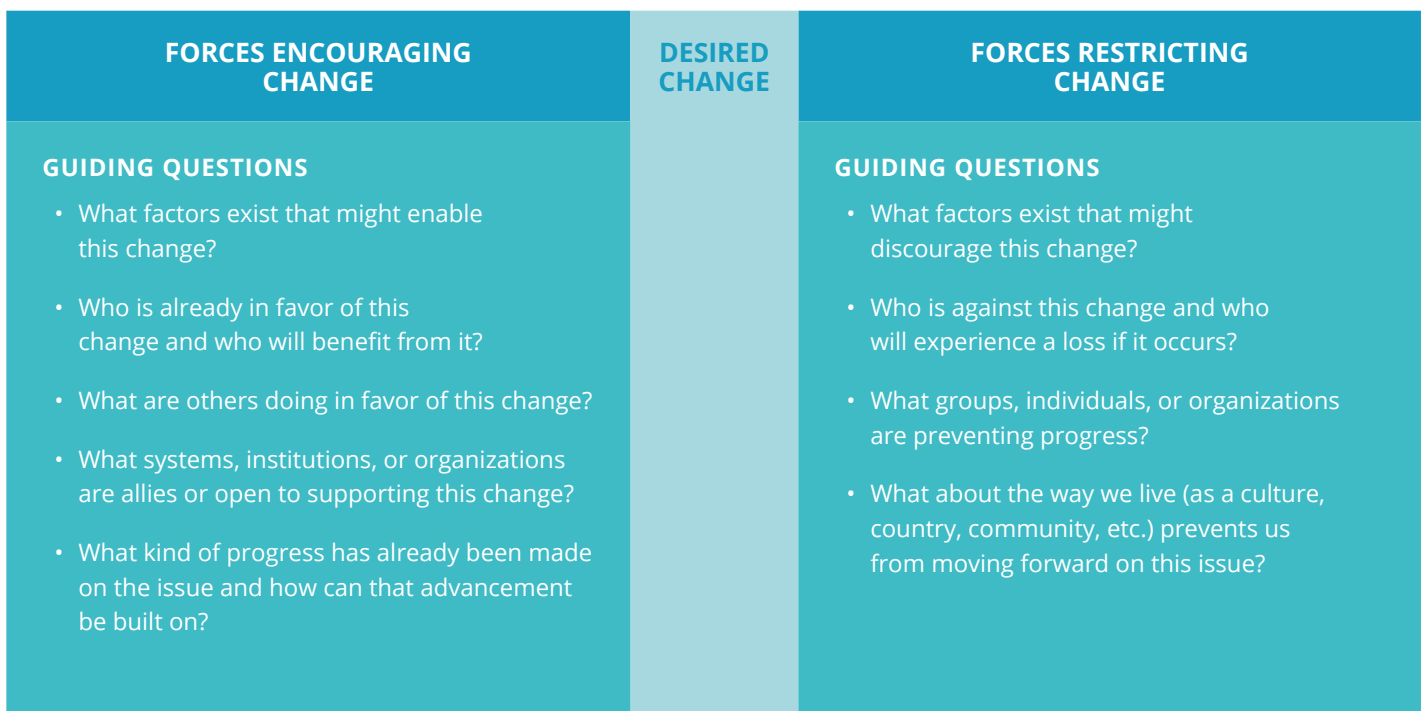
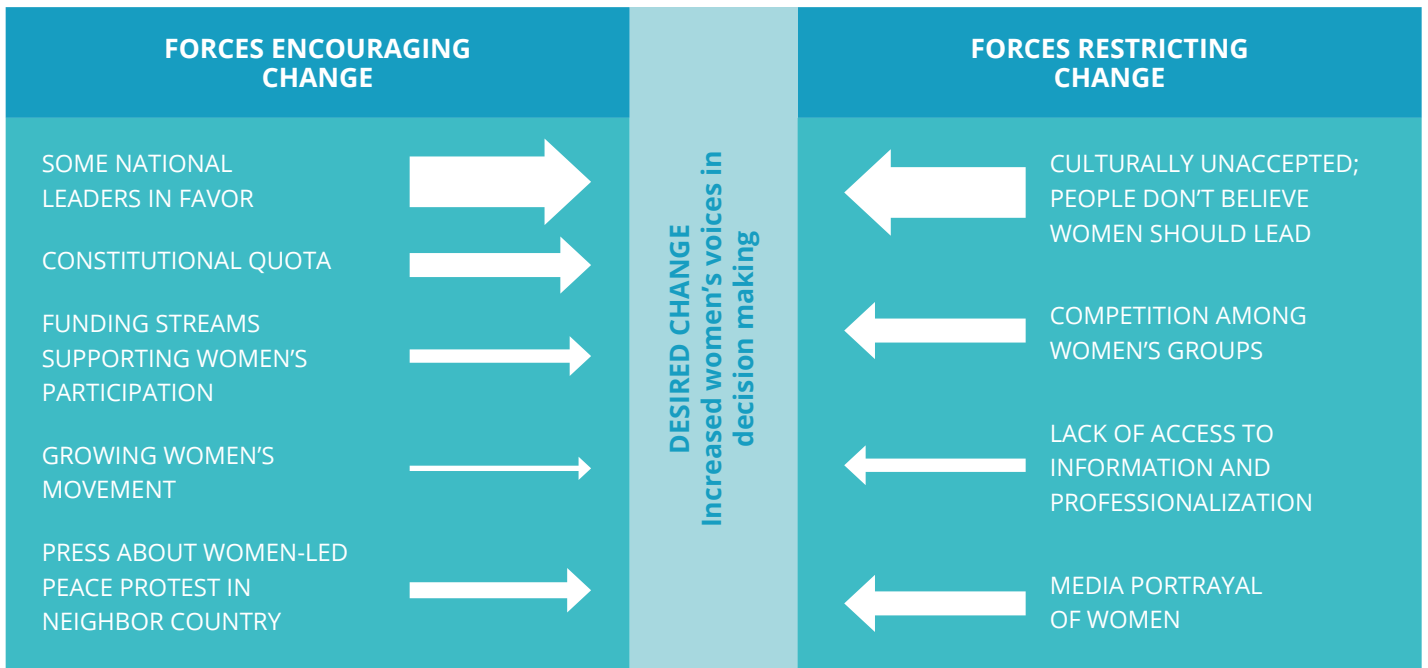


## TOOL #3 | FORCE FIELD ANALYSIS

A Force Field Analysis is a simple visual representation of the factors that encourage or inhibit change in a given environment. Whenever you're working towards social change, there are going to be forces that are already working in favor of and against that change.

When considering both of these forces, you can draw arrows of different thicknesses to indicate the "strength" or influence of that force. Thicker arrows for stronger forces and thinner arrows for a weaker force.

### SAMPLE FORCE FIELD ANALYSIS



## TOOL #4 | ACTOR MAPPING

A common mistake that advocates make is delivering recommendations to someone who does not have the power or capacity to take action. A clear understanding of who the decision makers are—as well as who influences those decision makers—is essential.

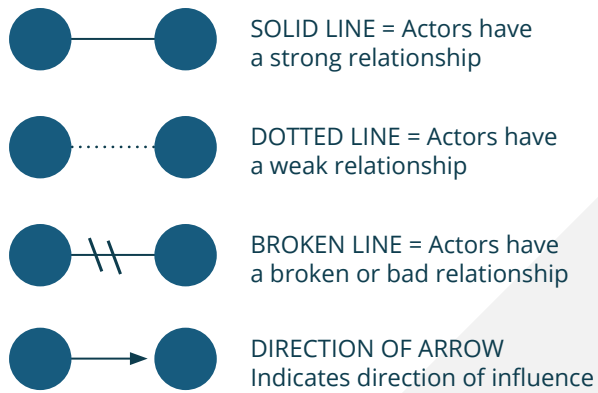
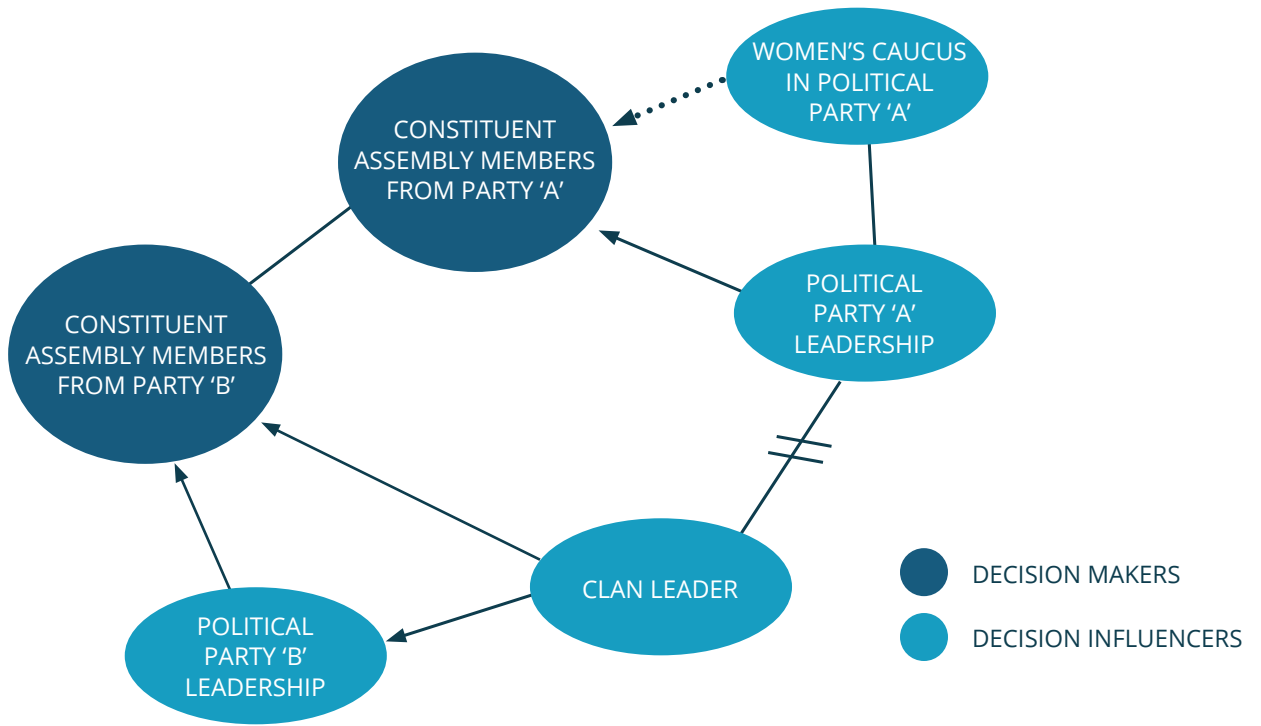
First, list the decision makers relevant to your core problem. These can be specific individuals (e.g., president) or groups (e.g., members of the constituent assembly or constitution commission). Then, list individuals or groups who may hold sway over those decision makers (e.g., political parties, traditional or religious leaders, interest groups).

Using your list of decision makers and decision influencers, you can create an actor map or a visual representation of how those actors relate to one another. Actor mapping can uncover new connections or highlight previously unconsidered dynamics between actors. It can also identify key decision makers and how you are (or are not) connected to them. This information will be useful as you develop your advocacy strategy and tailor your recommendations.

### LIST OF KEY ACTORS

DECISION MAKERS	DECISION INFLUENCERS

### SAMPLE ACTOR MAP



# Build a platform for collective action

A platform is a group of individuals or organizations working together in a structured way toward a shared goal. Platform creation is included as a critical step in advocacy planning because research has shown that when women come together and form broad coalitions or partnerships across existing divides (whether partisan, ethnic, religious, etc.) their advocacy is more impactful.

We use the term ‘platform’ to convey a wide range of possible arrangements. Platforms can form inside drafting bodies—particularly in constituent assemblies (e.g., women’s caucus)—or outside the drafting process (e.g., civil society coalition). Often the most successful alliances bring together “insiders” in the constituent assembly and “outsiders” in civil society. Platforms can operate much like a nongovernmental organization with a clear structure, long-term membership, and a permanent staff. Platforms can also be more informal, where membership is short-term and members work together on one advocacy campaign (or a single event) before disbanding. *(See Example #6 on two types of platforms.)* It is up to you and your partners to determine what kind of arrangement makes the most sense for you, your advocacy goals, and your context. *(See Tool #6 on page 31 for some helpful guiding questions.)* Note, however, that highly-structured platforms can take time to establish and constitution making is time-bound, so unless such an entity exists prior to the start of the drafting process, a short-term arrangement with the possibility of evolving into something more long-term might be the best option for most cases.

## Benefits of working as part of a platform

- By creating a representative platform, you can show that your cause is supported by a critical mass. You can also model the value of inclusion.
- Working together can create more credibility and visibility, broaden your reach, and increase momentum for change.
- Inclusive platforms can create broad connections within and across communities, as each member brings in their own community connections.
- A united voice can have more impact than if each organization delivered similar, but uncoordinated messages on their own.
- Working with other organizations can develop the capacity of less experienced members, supporting the next generation of women’s leadership.
- Platforms provide strength in numbers and can help protect individual members.

## Choosing partners

Membership is arguably the most important aspect of a platform; who is part of your platform drives credibility and influence. At a bare minimum, partners must agree on a shared goal as well as the means to get there. Trust among partners is also critical; if partners lack a foundation of trust and respect it may be difficult to build a cohesive advocacy plan. *(See Example #7 on the challenges in platform creation.)*

When thinking about who to invite to join your platform, begin with close allies (including those who you already work with on an informal basis) but also make sure to think across religious, ethnic, socioeconomic, and geographic divisions and challenge any assumptions you may have about those actors. Diversity is important, so think broadly across these identity groups when considering potential partners. Consider who will complement your strengths and mitigate your weaknesses. Also, who you will be able to work well with—you want to focus your time and effort on advocacy, not chasing absent partners. *(See Tool #5 on page 29 to help identify potential platform partners.)*

Even with the best intentions, partner selection can present unforeseen challenges. Creating space for dialogue and promoting transparency are two practices that can help platform members work through any disagreements.

## EXAMPLE #6 | PLATFORM CREATION INSIDE AND OUTSIDE THE CONSTITUTION-MAKING PROCESS (KENYA, COLOMBIA)

In Kenya, the constitution-making process unfolded over two decades in an environment of deep division and animosity between identity groups. Beginning in 1997, the sometimes fraught constitutional process proceeded with a number of false starts. In 2000, a Constitution of Kenya Review Commission was formed to prepare a draft constitution for review by a 629-member National Constitutional Conference (which included all members of parliament, local government, political parties, and civil society).<sup>49</sup> The Conference, however, was rife with disagreement, boycotts, and even bribery of delegates.<sup>50</sup>

Women in the National Constitution Conference worked together despite their diverse political views and ethnic affiliations. As one woman member of parliament described, “During the National Constitution Conference, [the political parties] wanted to separate us. To some extent we were about to buy into that, but we were able to mobilize the women together. We came and said, we want to be one tribe. We have 43 tribes in Kenya and [women] became the 44th.”<sup>51</sup> By uniting as women, female

conference members coordinated their advocacy efforts and developed a strategy for recruiting other members to their agenda.<sup>52</sup> The women used diversity to their advantage. They worked together to identify potential allies in the National Constitution Conference and strategized who would be best placed to engage them. For example, when they identified a potential ally from the Rift Valley, they had a woman from the Rift Valley approach him about supporting a 30 percent electoral quota for women.<sup>53</sup> While the National Constitution Conference and subsequent process did not result in a final constitution, the draft included provisions that called for equal treatment of men and women, including an equal right to inherit and quotas for women in the legislature.<sup>54</sup> The draft constitution was rejected in a 2005 referendum; the loss was largely attributed to political fragmentation.<sup>55</sup>

The 1990 constitutional process in Colombia took place amid an ongoing armed conflict between the government and several guerilla groups.<sup>56</sup> While women struggled to develop a unified strategy prior to the constituent assembly elections,

a more coherent coalition of 34 women’s groups formed when the assembly began drafting; they used proposals, lobbying, and public pressure as the basis of their advocacy strategy. The coalition issued a statement in one of the leading newspapers calling for women’s demands to be included in the new constitution. Following this statement, women from across the country formed the Women and the Constituent Assembly National Network (Mujeres a la Asamblea Nacional Constituyente), which grew to include 70 women’s organizations. The network lobbied constituent assembly members on gender equality, equitable participation of women in decision making, and the use of gender-inclusive language in the constitution through meetings, publications, and pressure during plenary debates. The network also used radio and press conferences to disseminate its message.<sup>57</sup> Thanks to these efforts and those of women inside the constituent assembly the 1991 constitution included provisions that recognized all persons “free and equal before the law” as well as the need for “adequate and effective participation of women” in policymaking.<sup>58</sup>

## Tips for building a platform for collective action

- Where possible, capitalize on existing platforms and work smarter, not harder. Building on these relationships will save time and effort, which may be important if the constitution-drafting timeline is short (particularly for early mobilization efforts prior to the constitution-making process).
- Define a shared goal and objectives for your platform. Having a clear, written purpose will make your partnership stronger.
- Determine some basic rules: What will the leadership structure look like? How are decisions made? How will credit sharing work?
- Put time and energy into the platform's process for discussion, agreement on objectives, and action planning. It may be difficult and time consuming, but internal consensus-building will support and strengthen your voice as a platform.
- Do not avoid difficult issues or possible obstacles—put these on the agenda and discuss them, or tensions may threaten to tear apart your platform. You may even consider involving an outside mediator or facilitator.
- Assess your progress periodically and be prepared to make changes. This may include examining decision-making structures, platform effectiveness, communication strategies, etc. Ongoing conversations with members will help to keep your finger on the pulse and may mitigate negative feelings of members feeling marginalized or misunderstood. *(See Tool #8 on page 38 for an assessment and team building exercise.)*

*(For more resources on building and maintaining platforms for advocacy, see the Advocacy for Inclusive Security Curriculum, Module 5 – Mobilize Allies, Partners, and Constituents, [www.inclusivesecurity.org/training-resources](http://www.inclusivesecurity.org/training-resources).)*

## EXAMPLE #7 | CHALLENGES IN PLATFORM CREATION AND STRATEGIES FOR OVERCOMING THEM (NEPAL, KENYA)

In part to challenge gendered assumptions about their political legitimacy, women assembly members in Nepal formed an informal Women's Caucus in 2009. Through the caucus, they hoped to strengthen their collective decision-making power and formulate a joint women's agenda.<sup>59</sup>

Initially, women from different classes and castes interfaced primarily with their parties and remained relatively isolated from one another. So, they created the Women's Caucus to overcome these barriers and address the siloed nature of women's participation. The caucus was supposed to serve as a forum for women to work together regardless of party affiliation and to formulate and promote a joint women's agenda in the constituent assembly.

But, ultimately, members of the Women's Caucus found it difficult to build and sustain consensus, which hampered coordination, cooperation, and their ability to sustain pressure on the assembly leadership. Some attributed the challenges to members' prejudices against each other. After all, the

twenty-year civil war in Nepal reflected grievances related to the social, political, and economic divisions and the constitutional process remained steeped in these same divisive politics.<sup>60</sup> Sixty-three percent of women assembly members blamed the shortcomings of their substantive agenda on their lack of unity.<sup>61</sup> In the end, insufficient trust and coalition-building efforts made it difficult for women to unite around key priorities, recruit male allies, and make their voices heard.

In Kenya, women may have successfully come together in the National Constitution Conference (see Example #6), but the process itself fell apart in 2005. When women leaders gathered in 2008 following the outbreak of post-election violence, it quickly became clear that political divisions and ethnic tensions were pervasive and would prevent collaboration across groups.<sup>62</sup>

In response, Graça Machel, a member of the Panel of Eminent African Personalities brought in to mediate the post-election violence, pushed the women to come together over a united

agenda and engage in a 'spitting session' to air their grievances so they could move beyond their differences and begin to embrace their commonalities.<sup>63</sup> The 'spitting session' played a key role in uniting Kenyan women. Some women leaders attested that the session helped increase women's influence in the constitution reform process by bringing women together. Atsango Chesoni, who served as deputy chairperson of the Committee of Experts in the 2008 constitutional process, believed that "because of Graça Machel's intervention we were able to come together and to support whatever was going on to ensure the women's agenda."<sup>64</sup> Chesoni further acknowledged that "[constitution drafting] requires women to stand together, acknowledge and offer each other sisterhood, acknowledge other women who have previously been involved in process and seek their advice based on their experiences. The biggest lesson is, to learn how to listen to each other and work together regardless of party affiliation, ethnic background, and whether or not we like each other."<sup>65</sup>

# BUILDING A PLATFORM TOOLS

- 5 Identify Allies, Opponents, and Stakeholders** builds on your actor map and identifies potential platform members who can strengthen your advocacy campaign. You can also start to think about risk management as you map opponents.
- 6 Considerations for Building or Joining a Platform** include foundational questions to ensure your platform is well conceived. Managing a platform can require a lot of resources, so forward-thinking and planning can help to ensure your platform starts on strong footing.
- 7 Manage Platform Strengths and Weaknesses** uses a SWOT/BEEM analysis to identify ways to strengthen or improve your platform for maximum impact. This activity is best completed with members of your platform, early in the platform's creation. The results of this activity can also feed into a risk assessment.



## IDENTIFY ALLIES

### GUIDING QUESTIONS

- Who is working on this problem/issue already? Who have you partnered with in the past?
- Who will gain or benefit if your problem is addressed? Are there specific agencies, ministries, departments in government institutions that will benefit? Would any specific government official gain politically or financially?
- Who could be your ally from the private/business sector? What about traditional or religious leaders?
- What other organizations, groups, and individuals are concerned about or already acting on this problem?
- Are there existing platforms already working on this problem that you could leverage?
- Think broad! Explore beyond your regular partners and think about parallel movements/organizations (e.g., minority rights, development projects)



Put a star next to those individuals/groups/institutions you would consider key allies or who could bring the most impact if you partnered with them (because of their numbers, influence, access, etc.). Consider whether these actors could work well together as members of a platform.

---

## IDENTIFY OPPONENTS

### GUIDING QUESTIONS

- Are there any organizations, groups, or individuals that oppose the change you are advocating for? Why? What threat do they pose to the success of your advocacy initiative?
- Who will lose if your problem is addressed? Which government agencies, ministries, or departments have the most to lose? Would any specific government officials lose politically or financially?

Look at your list of allies. Are there any who help counter or mitigate the influence of your opponents? Consider adding these allies to your key allies list.

You may want to keep this list of opponents for future advocacy planning—knowing your opponents may help you to prepare counterarguments or activities to minimize your opponents' influence.

---

## IDENTIFY STAKEHOLDERS

### GUIDING QUESTIONS

- Write down all the stakeholders affected by your issue (There could be a lot!). Are there some stakeholders that will be more affected than others?
- Some of your allies may have links to these key stakeholders. Look at your list of allies—are the critical stakeholders represented? If not, how can you make sure they are engaged?
- Are there any allies that would strengthen your relationships with stakeholders? Are there any allies that would threaten your relationships with stakeholders?

TOOL #6 | CONSIDERATIONS FOR BUILDING OR JOINING A PLATFORM

CONSIDERATIONS FOR THE PLATFORM		CONSIDERATIONS FOR PLATFORM MEMBERS
<p><b>Goals/purpose:</b> What are the platform's goals, purpose, and approach?</p>		<p><b>Goals/purpose:</b> How do the platform's goals, purpose, and approach align with your mission?</p>
<p><b>Membership:</b> Who will be part of the platform? Who will represent key stakeholders? Do the members have good working relationships with each other?</p>		<p><b>Membership:</b> What is your relationship with other members and can you work together? How will associating with other members affect your relationship with your stakeholders?</p>
<p><b>Leadership:</b> What does the leadership structure look like? How will decisions be made?</p>		<p><b>Leadership:</b> How will you contribute to platform leadership? What happens if you disagree with the decisions made?</p>
<p><b>Added value:</b> What added value does the platform bring to the field? What added value does each member bring to the platform?</p>		<p><b>Added value:</b> What will you gain by being involved with the platform?</p>
<p><b>Resources:</b> How will the platform obtain the resources needed to achieve its goals?</p>		<p><b>Resources:</b> Do you have the time and resources required to effectively participate?</p>

## TOOL #7 | MANAGE PLATFORM STRENGTHS AND WEAKNESSES

A SWOT/BEEM analysis is an assessment and planning tool. It can be used to assess the collective strengths and weaknesses of a platform and inform decision making based on identified opportunities and threats. It can also be a team-building exercise that precedes action planning, to ensure that members are on the same page in terms of the platform's capacity to bring about change.



Star the one or two top factors in each category (e.g., the strongest strengths, the most dangerous weaknesses, the biggest opportunities, the worst threats).

---

1 How will you **build on strengths** and maintain/leverage them?

---

2 How will you **eliminate weaknesses** and mitigate their impact on your advocacy efforts?

---

3 How will you **exploit opportunities** through prioritization and optimization?

---

4 How will you **minimize threats** by preventing them or counteracting them?

---

# Plan for action

The best way to focus and organize your platform's work is to develop an action plan. It will take some time, but will put you on the right track—together.

## Overall direction and grounding

Working with your platform members, begin by examining what you know about the core problem and the operating environment. This will help you to build consensus around a broad idea of what you want to accomplish and how to get there. Through this process you should identify:

- **Goal:** Your vision for the future or the long-term change you want to see. It should be the inverse of the problem you identified. If your core problem is “Women are excluded from peace and security decision making,” then your goal could be “The constitution supports greater women’s inclusion in peace and security decision making.”
- **Objectives:** These are the smaller order changes you want to happen to address your core problem and achieve your goal. Break down your core problem into its different elements; your objectives are the approaches by which the goal will be achieved. If your goal is greater women’s inclusion, then your objectives could include “Constitution drafters understand the value of women’s inclusion,” “Formation of a women’s advisory board to feed into the constitutional commission,” and “Constitution drafters champion provisions for women’s inclusion.”

## Advocacy tactics

Once the foundational pieces are determined, consider what actions (also called tactics or activities) you must take to achieve those objectives. Part of this will be identifying advocacy targets, or those individuals/groups whose actions or support are necessary to make your goal a reality. This will likely include some of the decision makers and decision influencers you identified through research and analysis as well as political/economic/religious, etc. leaders, international or regional organizations, donor governments, members of the media, other civil society organizations, and stakeholders.

There are a wide range of tactics that can be used for advocacy; the table below introduces a few. Tactics are not standalone activities; they can be combined and leveraged as needed. For example, in Tunisia, civil society organizations initially mobilized demonstrations against a controversial clause on the status of women in the first draft of the constitution. Following a series of protests, civil society activists worked directly with members of the Tunisian constituent assembly to draft a revised gender equality clause as well as a range of issues including women’s political representation, violence against women, and the relationship between Islam and the state.

This guide focuses primarily on working directly with decision makers and decision influencers. Developing and delivering well-informed recommendations coupled with continued engagement and collaboration has proved to be an impactful advocacy strategy in many contexts. But we also recognize that this may not be the most effective strategy in all political environments, so we have included information on additional mobilization tactics in Tool #17 on page 53 and in the Additional Resources section on page 54.

**TABLE 2: SAMPLE ADVOCACY TACTICS**

TACTIC	ADVANTAGES	DISADVANTAGES
<p><b>Working directly with decision makers and decision influencers</b></p>	<p>Raises awareness of individual decision makers and those who can directly influence policy.</p> <p>Creates allies and new or deepened connections.</p> <p>Leads to acquiring new information directly from the source about policy developments related to the issue you are working on.</p>	<p>May have limited impact if decision makers are opponents.</p> <p>Weak ability to hold decision makers accountable – needs to be combined with other tactics.</p>
<p><b>Awareness raising with stakeholders</b></p>	<p>Strengthens understanding of your policy issue among a broad range of stakeholders.</p> <p>Increases interest in participating in political processes.</p> <p>Empowers stakeholders with knowledge.</p>	<p>Relies on individuals to take action independently.</p> <p>When carried out alone (without other tactics that require mobilization or consultation), may have little impact on policy change.</p>
<p><b>Demonstration or protest</b></p>	<p>Achieves high visibility and illustrates to the public, decision makers, and decision influencers that there is a critical mass supporting your advocacy objective.</p> <p>Applies pressure on decision makers to pay attention and take action.</p> <p>Unifies individuals into a community of shared purpose.</p>	<p>Can be difficult to control messaging.</p> <p>Requires a large enough force to be impactful.</p> <p>Less effective when decision makers are prepared to collaborate.</p> <p>Safety/security of participants can be at risk.</p>
<p><b>Petition drive</b></p>	<p>Demonstrates public concern in a straightforward way to decision makers.</p> <p>Easy to control messaging.</p> <p>Easily accessible for populations that are spread out or where movement is constrained.</p> <p>Can grow your support base and connect you to allies.</p>	<p>Requires significant support to be impactful (e.g., number of signatures, support from prominent individuals).</p> <p>Written format can be easy for decision makers to ignore or sideline (as compared to a group of people, e.g., demonstration or sit in).</p>
<p><b>Naming and shaming</b></p>	<p>Useful for holding decision makers accountable (e.g., if they promised to take a certain action).</p> <p>Exposes information that decision makers or decision influencers may be trying to hide.</p> <p>Can be used to build a support base for further mobilization (e.g., protests, sit in).</p>	<p>Potential for social or political backlash.</p> <p>Less effective when decision makers are prepared to collaborate.</p> <p>Needs to catch the attention of the public, decision makers, and decision influencers to be effective.</p>

Tactics should always be directed at defined advocacy targets; be strategic about the best use of your resources (see *Tool #8 on page 38 for some helpful guiding questions*). Also, consider the impact your tactics might have on your relationship with those targets. A more confrontational tactic, like protests or naming-and-shaming, can be effective in getting decision makers' attention, but calling out their shortcomings or inaction could affect your relationship negatively. Which tactic you choose should be driven by who your advocacy targets are and what will be most persuasive to them, but also carefully balanced with additional factors like risk, resources/capacity, and the political climate.

- The **operating environment** sets the stage for your advocacy campaign. The accessibility and openness of the constitution-making process and its associated decision makers and decision influencers is particularly pertinent. In situations where actors in the constitution-making process are accessible and open to input, it may be easy to present your recommendations and work directly with different decision makers and decision influencers. In situations where those actors are not accessible or are otherwise uninterested in considering your recommendations, you might contemplate a more confrontational approach (with activities like protests) to bring attention to your cause or to show decision makers that a critical mass supports your initiative. You might also consider what other groups are doing and whether those actions are having an impact (e.g., if other organizations are organizing protests, that are not having an effect, it could influence which tactic you choose.)
- Consider carefully the **potential risks** that accompany your chosen tactics. This includes thinking about whether your tactics will result in the change you want to see. It also includes the safety and security of your staff, partners, and stakeholders.
- Your coalition must have the **capacity and ability** to carry out the tactics that you've chosen. If you are a small and relatively unknown organization, a large-scale protest may not be achievable without more well-established partners. You must have the resources and expertise to carry out your planned activities.
- Timing is everything! **Strategic timing** takes into account that different moments in time present different opportunities and constraints for your advocacy campaign. Remain flexible enough to take advantage of opportunities or moments when your advocacy targets are paying attention, but also be aware of when the space for engagement is shrinking or expanding. Your advocacy needs to be timely—find out when debates are scheduled to happen so that you can advocate for issues that have not already been decided.

## Developing an action plan

An action plan requires you to get really specific about how you are going to address your core problem. It will also help make sure your advocacy strategy is coherent. Your action plan should include the following four elements. (For a sample template, see *Tool #10 on page 40*.)

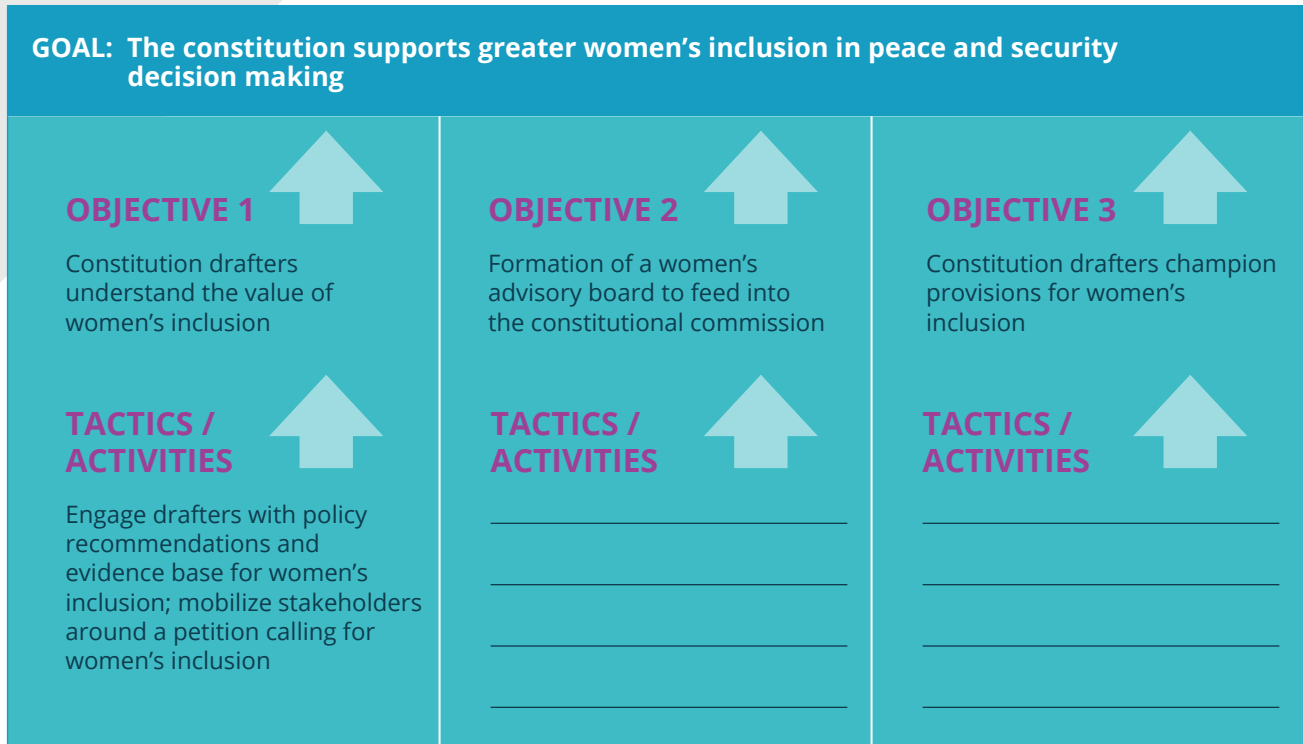
- **Goal and objectives:** Include these details to stay focused and ensure that your tactics and activities are truly in service of your broader mission.
- **Tactics/activities and advocacy targets:** It is not enough to only list your tactics and activities. Identifying your target audience will force you and your partners to be specific about what your tactics and activities are meant to achieve. Keeping track of this information will also feed directly into your monitoring and evaluation plan.
- **Responsibilities:** The action plan must indicate who will do what and when. This will help to foster accountability and transparency. A timeline, including the preparation and follow-up required, will help streamline and organize your activities. Set deadlines and benchmarks. Think about strategic timing and any key dates or events that you can leverage.
- **Resources:** Estimate human, financial, and other resources you need for every part of every activity in the action plan. You should take into account the actual event, as well as costs associated with planning and preparation.

By capturing all of these important details in one document, you can see how the components (goal, objective, advocacy targets, tactics, etc.) build on one another to create a strategy for change. (See *Figure #3 for a Planning Framework that shows how goals, objectives, and tactics/activities fit together*.)

Your action plan, however, is not etched in stone. It needs to be flexible—unexpected challenges may arise, contextual factors might force you to make changes to the plan, or you might even realize that the assumptions you made about the decision-making process are incorrect.

Try to include all your platform members in the action planning process and consult as widely as possible with others. Making the process inclusive will strengthen it and creating space for lively discussion about the plan will increase buy-in and commitment. There are various tools to help prioritize and organize your ideas. (*Tool #9 on page 39 offers one approach for building consensus. You can also repurpose tools from other steps like the SWOT (Strengths, Weaknesses, Opportunities, and Threats) analysis from Tool #7 on page 32 or the actor mapping exercise in Tool #4 on pages 22 and 23.*)

**FIGURE 3: PLANNING FRAMEWORK EXAMPLE**



### Risk analysis

Advocacy planning should include a process for identifying, analyzing, and managing risks. At its core, advocacy is about challenging the status quo, so your actions could be perceived as a threat to those with power. If the space for free expression is shrinking in your country and activists are being arrested at an increasing rate, it is important to take this into consideration as you decide which tactics to deploy.

At a minimum, failing to assess risk can lead to limited results and ineffective partnerships. In contexts where violence is a common tool used by the government and/or other influential parties, failure to assess risk can have much more significant consequences and can put people's lives in danger. Certain advocacy tactics, such as sit-ins or marches, may entail more risk than others. Even public debates that highlight both sides of an issue can turn into heated events if the context or operating environment is highly volatile. The purpose of assessing risk, however, is not to become so aware of the risks that you become paralyzed and do nothing. This process is meant to inform and strengthen your advocacy strategy.

You can try to minimize risk with analysis and planning, including careful selection of advocacy tactics, messages, and messengers. Risk management is often a question of weighing opportunity costs. Sometimes speaking out strongly may be better than losing legitimacy by keeping quiet. Such decisions must be made responsibly, collaboratively, and with recognition that platform members may be affected differently by different risks. (See Tool #11 on page 41 for a sample risk assessment.)



# PLANNING FOR ACTION TOOLS

- 8** **Questions for Tactics, Targets, and Timing** is an initial conversation that must take place prior to completing the Action Plan. The guidance and questions posed will shape the framework of your advocacy strategy.
- 9** The **Consensus Building Exercise** is a five-step process to support the narrowing of priorities and decision making within your coalition.
- 10** The **Action Plan Template** requires you to get very specific about who is responsible for what parts of your advocacy strategy. The tool helps you clearly map out your advocacy targets and how you intend to influence them. The action plan can also create accountability by assigning specific tasks and can be used to inform monitoring and evaluation.
- 11** Use the **Risk Analysis Template** to illuminate not only what you want to happen, but what *could* happen. Understanding the risks of this work, and deciding collectively how to deal with those risks, is essential.

## TOOL #8 | QUESTIONS FOR TACTICS, TARGETS, AND TIMING

### OVERALL DIRECTION AND GROUNDING

*To be effective, your coalition must agree on a shared goal for your advocacy campaign. While coalition members may individually have different missions or serve different constituencies, all members must work toward the same overarching goal for the purposes of your advocacy. The problem you identified may serve as a basis for your goal.*

- What is your goal? What do you hope to achieve?
- What intermediary steps (i.e., “objectives”) need to happen to meet your goal?
- What are some obstacles or barriers that might prevent you from reaching your goal?

### IDENTIFYING THE WHO

*Every advocacy activity should be directed at a defined advocacy target. You have to be strategic about who you target, as well as the best way to use your resources and access to influence those individuals/groups. Your actor map may be a useful resource for identifying and narrowing advocacy targets.*

- Who are your advocacy targets? Whose support or action do you need to achieve your objectives?
- What kind of relationship do you have with them? Are they allies or opponents? **For allies** – What kind of support will they need to help achieve your shared goals? **For opponents** – What will bring them around to your cause? Or what can you do to mitigate their influence against your cause? **For those who are agnostic** – What will bring them around to your cause?

### IDENTIFYING THE HOW

*The operating environment and the accessibility and openness of the constitution-making process sets the stage for your advocacy campaign. Consider what tactics will convince your advocacy targets to take action, but also the potential risks that accompany those tactics. This includes thinking about how your advocacy targets will react (e.g., decision makers may not react positively to a protest that shames them for inaction), as well as the safety and security of your coalition and staff. Your coalition must have the capacity and ability to carry out the tactics that you have chosen.*

- Considering your operating environment and your advocacy targets, what kind of tactics would best support the achievement of your goal?
- What actions by you and your partners are required to make those tactics impactful? Based on your available resources and relationships, will you be able to successfully carry out those tactics?
- What are some potential risks associated with those tactics?

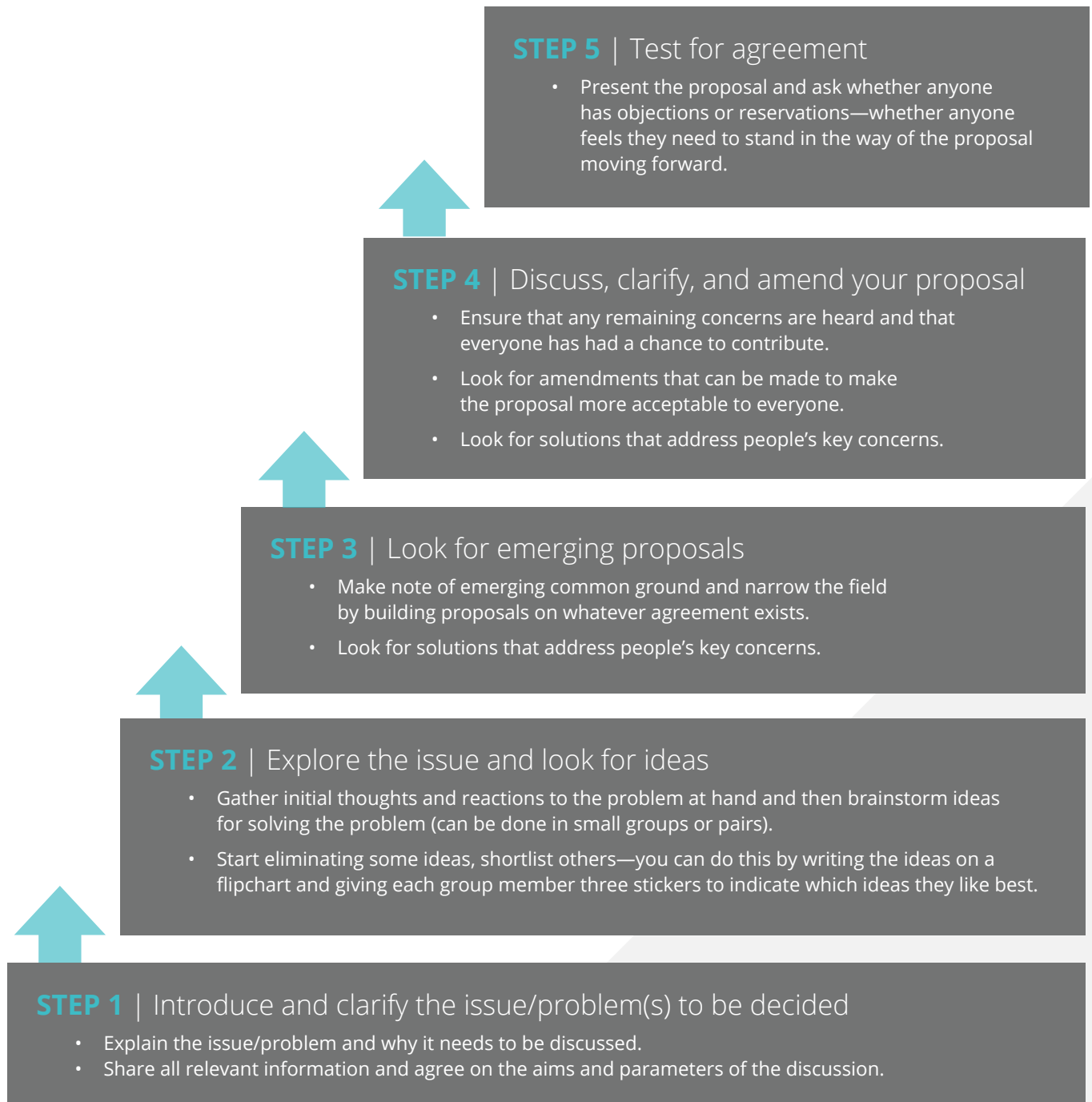
### STRATEGIC TIMING

*Timing is everything! Different moments in time present different opportunities and constraints for advocacy. You want to remain flexible enough to take advantage of opportunities or moments when your advocacy targets are paying attention, but you also want to be aware of when the space for engagement is shrinking. Your advocacy needs to be timely—you don't want to be advocating for issues that have already been decided!*

- What is happening in the constitution reform process now? How can you link what is happening now to the importance of your cause?
- Are there any upcoming events (e.g., elections, important meetings, stakeholder engagement, debate on specific issues) that you could mobilize around to elevate and bring attention to your cause?

## TOOL #9 | CONSENSUS-BUILDING EXERCISE

Consensus building is a critical component of coalition management. Members must agree on and support the coalition's priorities and activities. There are many ways to approach consensus building. This five-step process presents a broad framework that can be used in any number of situations—from deciding the coalition's structure to determining the advocacy activities in support of a particular objective. Consensus building can be a taxing activity, particularly when the stakes are high. Taking a break when people are tired can be a useful tactic; it gives people a chance to regroup and come back to the problem refreshed. It is also important to understand when consensus is simply not possible. You don't want things to become so heated as to damage relationships among platform members.



Adapted from Seeds for Change, *A Consensus Handbook* (Lancaster, UK: Seeds for Change, 2013), [www.seedsforchange.org.uk/handbookweb.pdf](http://www.seedsforchange.org.uk/handbookweb.pdf).

## TOOL #10 | ACTION PLAN TEMPLATE

**CORE PROBLEM:** \_\_\_\_\_

**GOAL:** \_\_\_\_\_

OBJECTIVE 1	Tactics/Activities	Advocacy Target(s)	What action do we want the advocacy target to take?	Timeline	Resources Needed (human, financial, in-kind, etc.)	Point Person(s)
<b>OBJECTIVE 2</b>						

## TOOL #11 | RISK ANALYSIS TEMPLATE

Use the guiding questions below to chart identified risks. Make sure to discuss major risks in the immediate term, as well as other risks that you need to start managing now.

1. **Risks:** Identify any risks you might be facing in carrying out your advocacy tactics. What could go wrong? Could your actions provoke a negative backlash and put your organization, staff, or the people you work with in danger? What are the ways that your advocacy tactics could affect your stakeholders?
2. **Impact:** What is the potential level of impact of each risk on your organization/coalition, your staff, and the external people you work with?
  - HIGH: A catastrophic impact that threatens the future existence of your organization/coalition/movement and endangers people’s lives or could lead to a potential reversal of the issue you are trying to change.
  - MEDIUM: Some damaging effects in the short term but with few consequences in the longer term.
  - LOW: A noticeable impact that has little effect on the organization/coalition, your staff, the people you work with, or your advocacy.
3. **Likelihood:** How likely it is that the risks or negative outcomes will actually happen?
  - HIGH: Likely to take place in the next X months or years or may already be taking place.
  - MEDIUM: Could potentially happen in the next X months or years.
  - LOW: Would be very surprising if it happened.
4. **Mitigation strategies:** For risks that have a HIGH impact and HIGH likelihood, develop clear strategies that might help minimize their impact/likelihood or avoid them altogether, if possible. What could you do to reduce the risk to the organization/coalition, your staff, and the people you work with if your advocacy does not work as planned? What would you need to have in place? Who would have the authority to take action?

RISK	IMPACT / LIKELIHOOD	WAYS TO REDUCE IMPACT OR LIKELIHOOD	WHO WILL TAKE ACTION ON MINIMIZING THIS RISK?

# Advocate and mobilize for change

This is where you put your plan into action! As mentioned previously, this guide primarily shares guidance for working with decision makers and decision influencers, shaping their inputs and how they advocate within the constitution-making process. This direction can support the efforts of women who themselves are decision makers or decision influencers, as well as women in civil society who are working outside of the process.

## Develop recommendations

Recommendations are the backbone of your external communications. To achieve change, you must convey the core problems but also present solutions to those who have the capacity to solve them. Your recommendations are those solutions.

Strong recommendations require you to get very specific about who your advocacy targets are and what action you want them to take. Your recommendations will draw from your research and analysis as well as the ideas generated during the action planning process. Developing an advocacy strategy begins by looking at the big picture and slowly narrowing your focus. Drafting recommendations is part of that narrowing process.

A recommendation includes three components: an objective (**what** change you want to achieve), an advocacy target (**who** can support that change), and an action (**how** the individual/organization/institution can support that change). There are many ways to achieve an objective and it will likely take multiple actions from multiple actors. In other words, there may be several “hows” and “whos” for each “what.” In short, your recommendations outline one or more components of what needs to happen in order to address your core problem. *(For additional guidance on drafting recommendations, see Tool #12 on page 46.)*

Consider the following example:

**FIGURE 4: SAMPLE RECOMMENDATION WORKSHEET (SEE TOOL #12)**  
Drafted by women members of a constitution commission

<b>CORE PROBLEM</b>	Constitution-making process is happening behind closed doors and members of the public are unable to access what is happening
<b>GOAL</b>	Increase accountability and transparency in the constitution-making process
<b>OBJECTIVE 1 (WHAT)</b>	Strengthen civil society involvement and inclusion in the process
<b>RECOMMENDATION 1</b>	<b>(WHO)</b> The constitution commission <b>(HOW)</b> establishes regulations or structures to allow civil society observers in the process
<b>RECOMMENDATION 2</b>	<b>(WHO)</b> Civil society organizations and the constitution commission <b>(HOW)</b> develop a task force to discuss mechanisms for promoting accountability

These recommendations can be transformed into a more cohesive policy statement:

*The ongoing constitution-making process is highly exclusionary to the detriment of the public at large and subsequently the future of this country. Despite repeated calls for increased transparency and accountability, the constitutional process continues to proceed behind closed doors. To remedy this situation, the Constitution Commission should strengthen civil society involvement and inclusion in the process. Specifically, the Commission should:*

- *Establish regulations or structures to allow civil society observers in the process.*
- *Work with civil society organizations to develop a task force to discuss additional mechanisms for promoting accountability.*

You can use your recommendations as talking points or as a policy document to give to decision makers and decision influencers you meet with. (See a sample policy document from Libya at [www.inclusivesecurity.org/wp-content/uploads/2013/01/Recommendations-on-Women-and-the-Libyan-Constitution-English.pdf](http://www.inclusivesecurity.org/wp-content/uploads/2013/01/Recommendations-on-Women-and-the-Libyan-Constitution-English.pdf))

## Strategic messaging

Messaging to different audiences is a critical component of advocacy. The most effective advocates build rapport with a range of individuals and groups, like decision makers, civil society organizations, journalists, and stakeholders. Understanding these audiences will help you shape your message in a way that is convincing, whether you are asking a decision maker to support a particular constitutional provision or inviting another organization to join your platform.

Below, we offer a few general rules that will help you deliver your message effectively. (See *Tool #15 on page 49 for additional advice on crafting a persuasive message.*)

- **Know your audience.** Your advocacy targets include individuals/groups who can help you achieve your goal; therefore you must think strategically about how to deliver your message in a way that will inspire them to take action. They need to understand what they are being asked to do, why they should do it, and what will happen if no action is taken. To craft a persuasive message, you need to know your advocacy target's interests, agenda, and what will convince them to act. (See *Tool #13 on page 47 for guiding questions to consider when assessing your target audience.*)
- **Have a clear structure.** Grab your audience's attention, make your case, and leave them with a clear idea of what you want. You want to influence how they see your core problem, which can be done by sharing compelling information that will shape their perspective. Use the problem/solution/action framework to structure your message. (*Tool #14 on page 48 provides additional guidance on the problem/solution/action framework.*)
- **Incorporate supporting evidence.** You need your audience to be interested in and remember what you tell them. Be prepared to share a short story to bring to life your core message. Show them how the world would be different if your recommendations were implemented. Consider sharing one or two easy-to-digest statistics. Think about what type of evidence will resonate with your audience.
- **Tailor your message.** Take what you know about your audience and infuse it into all parts of your message. Think about who should speak—what type of person will build trust and rapport with your advocacy target? Who in your platform is best placed to deliver your message? What is the best way to frame your message? When engaging with decision makers or decision influencers, it may be useful to incorporate current political rhetoric into your message or link your demands to “hot” issues getting the most attention (often political structure or decentralization). This strategy was particularly impactful for women in Rwanda who framed their message to complement the government's established priorities. (See *Example #8 on the next page*)

## EXAMPLE #8 | USING STRATEGIC MESSAGING TO BUILD ON POPULAR POLITICAL THEMES (RWANDA)

Women in Rwandan civil society were particularly adept at incorporating political rhetoric from the transition process into their constitutional agenda. The constitutional process in Rwanda evolved out of the political transition following the 1994 civil war and genocide that pitted the Hutu and Tutsi communities against each other. During the transition process, the opposition-turned-government Rwandan Patriotic Front (RPF) made commitments to gender equality, and women capitalized on this rhetoric as a way to gain seats in the constitution-drafting body. Although some remained skeptical of the sincerity of the RPF's commitment to women's inclusion, the party

nominated women to three of the twelve seats on the Legal and Constitutional Commission.<sup>66</sup> Throughout the drafting process, women in civil society continued to couch women's rights and gender equality within the framework of priorities that the government had articulated. For example, Collectifs Pro Femmes/Twese Hamwe, a coalition of 41 organizations, lobbied for gender equality, non-discrimination, gender mainstreaming, and the development of a national gender policy, arguing that "it was necessary to protect gender equity in family and political life in the Constitution, not only to address women's marginalization, but to promote peace, unity, and reconciliation in

Rwanda."<sup>67</sup> They highlighted how housing shortages, limited food production, needs of orphans, and the financial and social challenges facing female-headed households threatened the fragile peace and stability the state had accomplished.<sup>68</sup> They explained how peace, unity, and reconciliation could not be achieved without women's inclusion and promoted the vital role for women in the state's social, political, and economic reconstruction plan.<sup>68</sup> At every turn, women in civil society linked their problems and solutions to the government's problems and solutions, and framed their objectives within the government's twin goals of unity and reconciliation.

### Mobilize your support base

The purpose of mobilizing your stakeholders is to create a broad support base for your advocacy campaign. By cultivating this base, you are demonstrating to decision makers and decision influencers that there is a critical mass behind your agenda. This is particularly important in constitution-making processes because there are many competing interests and often the loudest and most powerful voices are the ones that gain traction.

Mobilizing stakeholders generally entails bringing attention to your core problem, as well as your efforts to address it, and asking others to support you and join your cause. Through this process, you might even gain additional perspectives on the problem, its drivers, and alternative solutions. Much like messaging, mobilization requires strategic thinking to identify the needs and interests of stakeholders and what it will take for them to support your cause.

Strategies for mobilization largely depend on the context (e.g., what you are trying to achieve, what is happening inside the constitutional process, the overall political environment) as well as what resources you have available. Tailored guidance is, therefore, outside the scope of this report, so we included some additional resources for mobilization in Tool #16 on page 50 (e.g., awareness raising and education on the constitution-making process, engaging with the media, or even launching a social media campaign).



# ADVOCACY AND MOBILIZATION TOOLS

- 12** The **Recommendations Worksheet** provides a simple framework for crafting clear, targeted recommendations that are anchored in your objectives and overall goal. These recommendations include three components—an objective (**what** you want to change), an actor/advocacy target (**who** can make that change), and an action (**how** that actor can contribute to the change you want to achieve).
- 13** The **Audience Assessment Worksheet** encourages strategic thinking about your target audience and how to frame your recommendations in a way that will compel them to take action.
- 14** The **Messaging Worksheet** builds on the audience worksheet and is where you will draft the primary content of your messaging talking points. This worksheet introduces a three-part framework (problem, solution, action) as a clear and structured method for organizing your advocacy message.
- 15** **Tips for Crafting Your Message** provides general guidance for preparing talking points. Your recommendations may be short and direct, but your messaging needs to be targeted and delivered with finesse.
- 16** **Mobilization Tactics** includes a list of sample mobilization activities and resources that provide further guidance for planning and execution.

## TOOL #12 | RECOMMENDATIONS WORKSHEET

<b>CORE PROBLEM</b>	The issue we want to address.	
<b>GOAL</b>	Our vision of the future or the long-term change we want to see.	
<b>OBJECTIVE</b>	A change that supports one aspect of our goal. <b>WHAT</b> do we want to see happen to address our core problem?	
<b>WHO</b>	<b>WHO</b> has the ability to take action? And what specific action should they take to support the achievement of our objective ( <b>how</b> )?	
	<b>WHO</b> (individual/institution/organization/department):	<b>HOW</b> (the action you want them to take):
	<b>WHO</b> (individual/institution/organization/department):	<b>HOW</b> (the action you want them to take):
	<b>WHO</b> (individual/institution/organization/department):	<b>HOW</b> (the action you want them to take):
	<b>WHO</b> (individual/institution/organization/department):	<b>HOW</b> (the action you want them to take):

**Sample recommendations can be found at:** [www.inclusivesecurity.org/report-type/policy-recommendations/](http://www.inclusivesecurity.org/report-type/policy-recommendations/) and [www.inclusivesecurity.org/publication/recommendations-for-ensuring-womens-inclusion-in-the-libyan-constitution-drafting-process/](http://www.inclusivesecurity.org/publication/recommendations-for-ensuring-womens-inclusion-in-the-libyan-constitution-drafting-process/)

NAME OF ACTOR / ADVOCACY TARGET	LEVEL OF INFLUENCE (LOW, MEDIUM, HIGH)	EXISTING KNOWLEDGE	STANCE ON OUR ISSUE / PREVIOUS ACTIONS	MOTIVATION TO TAKE ACTION	IDEAS FOR MESSAGING
Institution and title	Why do we want to advocate to this individual? What change can they make in support of our advocacy objectives/goal?	What do they know about our issue/problem? How much information do they have?	What previous actions have they taken on our issue? Are they an ally or an opponent?	What are their personal interests? What are the objectives of their job? What will motivate them to take action?	What types of arguments may convince them to take action? What might be the best way to reach them?

## TOOL #14 | MESSAGING WORKSHEET

Using a problem/solution/action formula is an easy way to structure the core content of your message. It may be helpful to refer back to your environmental scan, problem tree, and action plan for ideas and illustrative examples.

### TARGET AUDIENCE:

#### PROBLEM

What is the main issue you are trying to address?

Look back at your problem tree and recall what you identified as the effects of the problem (i.e., the leaves of the problem tree). Use these to convey urgency.

#### SOLUTION

Introduce your proposed solutions—these are the objectives you identified. The solution is what the target audience can help you achieve.

#### ACTION

Deliver 2-3 specific actions they can take.

This is where you describe how the target audience can help you reach your objectives.

Give specific, targeted asks—what can this specific audience do to help achieve your goal?

## TOOL #15 | TIPS FOR CRAFTING YOUR MESSAGE

### **ASSESS YOUR TARGET AUDIENCE.**

Who are they? What do they know? What will convince them to act? If they've taken action on your issue, make sure to thank them for their actions/support.

### **THINK ABOUT WHO SHOULD DELIVER YOUR MESSAGE.**

Being most persuasive may come down to who is delivering the message. Consider who among your platform members will instill the most trust and respect in your audience. It could be that the person best suited to deliver the message shares a similar background with the target audience. Or it could be the oldest or most well-educated person. Think about what qualities or characteristics your target audience will respond to.

### **DEVELOP YOUR OPENING.**

It should include who you are; who you represent; why your message is legitimate (e.g., that you represent the views of X women's organizations/political parties/legal experts across X provinces; that you have conducted X community consultations across X provinces)

### **USE THE PROBLEM/SOLUTION/ACTION FRAMEWORK.**

Spend 20 percent of your time on problems, 80 percent on solutions and actions. The problem and solution are designed to get the target audience bought in, to make them feel a sense of urgency and realize that the problem must be addressed, before you move to your request for action and how they can help you implement those solutions.

### **BE CLEAR AND CONCISE.**

Clearly describe, in straightforward language, the issue at hand and how it can be addressed. Be conscious of your audience and use jargon purposefully—technical jargon (e.g., quotas or proportional representation) might confuse stakeholders, but may build your credibility with decision makers. In certain instances, it may be strategic to have a very specific ask instead of a more generalized one (e.g., "establish a 30 percent quota for women's representation" vs. "more women in parliament").

### **CONVEY URGENCY.**

Convince the target audience that your issue is pressing and requires a timely response. Refer to the Problem Tree (see Tool #2 on page 20) for examples of effects if no action is taken. There should be ample material for you to draw on in constitution-making processes following political transitions or armed conflict.

### **INCLUDE A HUMAN ELEMENT.**

Anecdotes can be very powerful tools for conveying your message. Consider what images or stories might illustrate the problem you seek to address. Whether you are telling your own story or sharing stories of others affected by the problem you are trying to address, you need to know which stories/examples most clearly support and drive home your message.

### **BE PREPARED TO WALK BACK YOUR RECOMMENDATIONS.**

When working with decision makers and decision influencers, your messaging is part of a larger negotiation process. Know what your bottom line is and begin by asking for more. For example, if your goal is a 30 percent quota, start by asking for a 50 percent quota. There is, however, a careful balance to keep in mind—you don't want to ask for so much that your target audience does not take you seriously.

### **DETERMINE WHAT CAN YOU LEVERAGE THAT WILL MOTIVATE YOUR AUDIENCE TO TAKE ACTION.**

If personal anecdotes will be most compelling, use your knowledge and network to identify the right examples. If facts and figures will be most compelling, use your research and knowledge to identify the most compelling statistics, and examples that can bring those facts to life. When engaging with decision makers or decision influencers, think about how you can incorporate current political rhetoric into your message; this can help build your political capital and demonstrate that you know what is at stake.

## TOOL #16 | MOBILIZATION TACTICS

While this guide focuses primarily on working with decision makers, mobilization is an important part of effective advocacy. Mobilization helps gather strength and momentum behind your recommendations and messaging. You want to mobilize stakeholders to show decision makers that there is a critical mass behind your cause.

The best strategies for mobilization largely depend on the context (e.g., what you are trying to achieve, what is happening inside the constitutional process, the overall political environment) as well as what resources you and your coalition have available. The following resources include guidance and tools for a few mobilization activities.

TACTIC	WHY USE THIS TACTIC?	ADDITIONAL RESOURCES
<b>Civic education</b>	<p>Build credibility among stakeholders as a knowledgeable and accessible resource.</p> <p>Stakeholders know little or have limited access to information about the constitutional process.</p>	<p>Committee of Experts on Constitutional Review. <i>Proposed Constitutions of Kenya: Curriculum for Civic Education</i>. (Nairobi, Kenya: Committee of Experts on Constitutional Review, 2010). <a href="http://www.constitutionnet.org/vl/item/proposed-constitution-kenya-curriculum-civic-education">www.constitutionnet.org/vl/item/proposed-constitution-kenya-curriculum-civic-education</a></p> <p>Mathias Kamp. <i>A Guide for Civic Education at the Grassroots Level - Facilitator Skills and Methods of Adult Education</i>. (Kampala, Uganda: Konrad-Adenauer-Stiftung, 2011). <a href="http://www.kas.de/wf/doc/kas_29778-1522-2-30.pdf?111219190922">www.kas.de/wf/doc/kas_29778-1522-2-30.pdf?111219190922</a></p>
<b>Engage the media</b>	<p>Address a gap in the reporting of the constitutional process.</p> <p>Give voice to underrepresented views and rally others who share the same interests.</p> <p>Not enough available resources to do in-person engagement (like civic education).</p>	<p>International Center on Nonviolent Conflict. "Pressing Your Case: Nonviolent Movements and the Media (Parts 1-4)." <a href="http://www.nonviolent-conflict.org/resource/pressing-case-nonviolent-movements-media-part-1/">www.nonviolent-conflict.org/resource/pressing-case-nonviolent-movements-media-part-1/</a></p>
<b>Nonviolent protest</b>	<p>Raise awareness and bring attention to your cause.</p> <p>Show decision makers that a critical mass of society supports your cause.</p>	<p>"Organising Effective Actions," in <i>Handbook for Nonviolent Campaigns</i>, eds. Javier Garate, Subhash Kattel, Christine Schweitzer, and Joanne Sheehan. (London: War Resisters' International, June 2014), 84-144. <a href="http://www.nonviolent-conflict.org/resource/handbook-for-nonviolent-campaigns/">www.nonviolent-conflict.org/resource/handbook-for-nonviolent-campaigns/</a></p> <p>Nadine Bloch and Lisa Schirch. <i>Synergizing Nonviolent Action and Peacebuilding</i>. (Washington, DC: United States Institute of Peace, forthcoming 2018).</p>
<b>Direct community engagement</b>	<p>Build credibility among stakeholders as a knowledgeable and accessible resource.</p> <p>Opportunity to learn more about stakeholders' needs and how those needs align with your cause.</p>	<p>University of Kentucky, Working Group for Community Health and Development. "Community Tool Box: Chapter 3. Conducting Public Forums and Listening Sessions." <a href="http://ctb.ku.edu/en/table-of-contents/assessment/assessing-community-needs-and-resources/conduct-public-forums/main">ctb.ku.edu/en/table-of-contents/assessment/assessing-community-needs-and-resources/conduct-public-forums/main</a></p>

## Monitor and evaluate progress

Monitoring and evaluation can help you make smart decisions about how to use valuable resources, engage with advocacy targets, and attract new supporters. It is the process by which you gather relevant data from past and ongoing activities to analyze your progress and impact. It is also used to inform any adjustments needed for ongoing and future activities. This dimension of advocacy is often neglected, but if you do not do it, how will you know if your efforts are getting you any closer to your goal?

While some organizations have extensive monitoring and evaluation plans with indicators and a detailed data collection process, more is not always better. There may be real value in more nuanced and organized data, but we recognize that not all organizations and platforms have the capacity to develop and manage a fully fleshed-out monitoring and evaluation plan. *(For those looking to develop a detailed plan, additional resources on monitoring and evaluation are listed on page 54.)*

If you are an organization or platform with limited resources for monitoring and evaluation, you can use your Action Plan *(see Tool #10 on page 40)* as a simple tracking tool for what has been implemented, coupled with a reflection session to draw out lessons learned. A reflection session is a facilitated meeting where guiding questions about your past activities will elicit learning that will help you adjust your advocacy strategy or upcoming activities. *(See Tool #17 on page 53 for a list of questions to guide a reflection session.)*

Reflection sessions should be held periodically; often enough so that the learning is applicable to future activities, but not so often that it becomes a burden. Because constitution-making processes are timebound, you may want to hold the first reflection session soon after your first major activity or set of activities, so you can assess and make adjustments to your strategy before the drafting period is over. Reflection sessions should include platform members who played a key role in developing or implementing the action plan.

# MONITORING AND EVALUATION TOOLS

- 17** The **Reflection Session Guide** includes a list of guiding questions to discuss after some of your advocacy activities have been completed. A reflection session is an opportunity to assess your activities and whether they achieved the outcomes you intended. You can conduct a reflection session even if you do not have a monitoring plan or have not been formally collecting monitoring data.



## TOOL #17 | REFLECTION SESSION GUIDE

A reflection session is an opportunity to evaluate past activities and the lessons learned from those experiences. Sessions are best conducted with platform members who have played a key role in developing and implementing the action plan. Assign a notetaker to document the lessons learned and action points.

**What activities did we complete during the time period?**

**How did the activities influence individuals, groups, or institutions to change (if applicable)? How do we know the activities were influential? What is our source of evidence?**

**Have there been any unexpected results, either positive or negative?**

**Which partnerships were challenging during this time period and why?**

**Which partnerships were more effective during this time period and why?**

**Which strategies and/or activities were most effective? Why were they so effective?**

**What should we have done differently? Why?**

**What opportunities and risks do we foresee in the operating environment for the next reporting period?**

# Additional Resources

## CONSTITUTION MAKING

- Melanie Allen, *Constitution Assessment for Women's Equality*. (Stockholm, Sweden: International Institute for Democracy and Electoral Assistance, 2016.) [www.idea.int/sites/default/files/publications/constitution-assessment-for-womens-equality.pdf](http://www.idea.int/sites/default/files/publications/constitution-assessment-for-womens-equality.pdf)
- Markus Böckenförde, Nora Hedling, Winluck Wahiu, *A Practical Guide to Constitution Building*. (Stockholm, Sweden: International Institute for Democracy and Electoral Assistance, 2011.) [www.oldsite.idea.int/cbp/knowledge\\_resources.cfm](http://www.oldsite.idea.int/cbp/knowledge_resources.cfm)
- Michele Brandt, Jill Cottrell, Yash Ghai, and Anthony Regan, *Constitution-making and Reform: Options for the Process*. (Switzerland: Interpeace, November 2011). [constitutionmakingforpeace.org/wp-content/themes/cmp/assets/handbooks/Constitution-Making-Handbook-English.pdf](http://constitutionmakingforpeace.org/wp-content/themes/cmp/assets/handbooks/Constitution-Making-Handbook-English.pdf)
- Christine Forster, *Global Good Practices in Advancing Gender Equality and Women's Empowerment in Constitutions* (New York: United Nations Development Programme, 2016). [www.undp.org/content/dam/undp/library/Democratic%20Governance/WomensRights\\_Constitutions.pdf](http://www.undp.org/content/dam/undp/library/Democratic%20Governance/WomensRights_Constitutions.pdf)
- Silvia Suteu and Ibrahim Draji, *ABC for a Gender Sensitive Constitution: Handbook for Engendering Constitution Making*. (Paris: Euromed Feminist Initiative IFE-EFI, 2015). [www.politicalsettlements.org/files/2016/06/ABC-for-a-Gender-Sensitive-Constitution.pdf](http://www.politicalsettlements.org/files/2016/06/ABC-for-a-Gender-Sensitive-Constitution.pdf)
- Nanako Tamaru and Marie O'Reilly, *How Women Influence Constitution Making after Conflict and Unrest*, (Washington, DC: Inclusive Security, 2018).
- UN Women. Global Gender Equality Constitutional Database. [constitutions.unwomen.org/en](http://constitutions.unwomen.org/en)
- Constitute: The World's Constitutions to Read, Research, and Compare. [www.constituteproject.org/](http://www.constituteproject.org/)

## ADVOCACY

- Carrie O'Neil and Nanako Tamaru, *Advocacy for Inclusive Security Curriculum*. (Washington: Inclusive Security, June 2017). [www.inclusivesecurity.org/training-resources/](http://www.inclusivesecurity.org/training-resources/)
- Ritu Sharma. *An Introduction to Advocacy: A Training Guide*. (Washington, DC: Women Thrive Worldwide, 2014). <https://womenthrive.org/resources-to-improve-your-advocacy/>
- Lisa Vene Klasen and Valerie Miller, *A New Weave of Power, People, and Politics: The Action Guide for Advocacy and Citizen Participation*. (Just Associates, March 2007). [justassociates.org/en/resources/new-weave-power-people-politics-action-guide-advocacy-and-citizen-participation](http://justassociates.org/en/resources/new-weave-power-people-politics-action-guide-advocacy-and-citizen-participation)
- Sofia Sprechman and Emily Pelton, *Advocacy Tools and Guidelines: Promoting Policy Change*. (Atlanta: CARE International, January 2001). [www.careclimatechange.org/files/toolkit/CARE\\_Advocacy\\_Guidelines.pdf](http://www.careclimatechange.org/files/toolkit/CARE_Advocacy_Guidelines.pdf)

## SAFETY AND SECURITY

- Enrique Eguren Fernandez and Marie Caraj, *New Protection Manual for Human Rights Defenders*. (Brussels: Protection International, 2009). <https://www.protectioninternational.org/wp-content/uploads/2012/04/Protection-Manual-3rd-Edition.pdf>
- Shaun Bickley, *Personal Safety & Security Handbook*. (CARE International, 2014). [www.care.org.au/wp-content/uploads/2014/12/CI-Personal-Safety-and-Security-Handbook-2014.pdf](http://www.care.org.au/wp-content/uploads/2014/12/CI-Personal-Safety-and-Security-Handbook-2014.pdf)

## MONITORING AND EVALUATION

- Irene Guijt and Jim Woodhill, *Managing for Impact in Rural Development: A Guide for Project M&E*. (Rome: International Fund for Agricultural Development, 2002). [www.ifad.org/documents/10180/17b47fcb-bd1e-4a09-acb0-0c659e0e2def](http://www.ifad.org/documents/10180/17b47fcb-bd1e-4a09-acb0-0c659e0e2def)
- John Paul Lederach, Reina Neufeldt and Hal Culbertson, *Reflective Peacebuilding: A Planning, Monitoring and Evaluation Toolkit*. (Notre Dame: The Joan B. Kroc Institute for International Peace Studies, University of Notre Dame, 2007). [dmeforpeace.org/learn/reflective-peacebuilding-planning-monitoring-and-evaluation-toolkit](http://dmeforpeace.org/learn/reflective-peacebuilding-planning-monitoring-and-evaluation-toolkit)

## Endnotes

- 1 The authors acknowledge the non-binary nature of gender as well as the need for constitution-making processes that are inclusive far beyond women's participation. The scope of this report, however, is limited to the experiences of individuals who identify as women. Further research and exploration into constitutional processes that are inclusive of all genders is encouraged.
- 2 This guide is informed by Inclusive Security's research project on Women's Roles in Constitution Reform. See Nanako Tamaru and Marie O'Reilly, *How Women Influence Constitution Making after Conflict and Unrest* (Washington, DC: Inclusive Security, 2018).
- 3 For information on gender-equality provisions in constitutions around the world, see, for example, Christine Forster, *Global Good Practices in Advancing Gender Equality and Women's Empowerment in Constitutions* (New York: United Nations Development Programme, 2016).
- 4 The electoral law calls for parties to include at least 30 percent of candidates of each gender on their electoral lists. See Law 1475 of 2011, Article 28(1), [www.secretariassenado.gov.co/senado/basedoc/ley\\_1475\\_2011.html](http://www.secretariassenado.gov.co/senado/basedoc/ley_1475_2011.html). Constitution of Colombia (1991), Article 40.
- 5 Constitution of Kenya (2010), Articles 97 and 98.
- 6 International IDEA, "What is a Constitution? Principles and Concepts," International IDEA, August 2014. [www.constitutionnet.org/sites/default/files/what\\_is\\_a\\_constitution\\_0.pdf](http://www.constitutionnet.org/sites/default/files/what_is_a_constitution_0.pdf).
- 7 Interview with Sana Ben Achour in Tunis, Tunisia, October 3, 2016.
- 8 For example, see Vivien Hart, "Democratic Constitution Making," United States Institute of Peace Special Report no. 107, July 2003; Jamal Benomar, *Constitution-Making and Peace Building: Lessons Learned From the Constitution-Making Processes of Post-Conflict Countries* (New York: United Nations Development Programme, 2003); Michele Brandt, Jill Cottrell, Yash Ghai, and Anthony Regan, *Constitution-making and Reform: Options for the Process* (Geneva: Interpeace, 2011); Jason Gluck and Michele Brandt, *Participatory and inclusive constitution making: Giving voice to the demands of citizens in the wake of the Arab Spring* (Washington: USIP, 2015); Laurel E. Miller, "Designing Constitution-Making Processes: Lessons from the Past, Questions for the Future," in *Framing the State in Times of Transition: Case Studies in Constitution Making*, ed. Laurel E. Miller (Washington: United States Institute of Peace, 2010), 628.
- 9 See Brandt et al., *Constitution-making and Reform*, 249-256.
- 10 Angela M. Banks, "Expanding Participation in Constitution Making," *William & Mary Law Review* 49, no. 4 (2008), 1065; Rirhandu Mageza-Barthel, *Mobilizing Transnational Gender Politics in Post-Genocide Rwanda* (New York: Routledge, 2015), 111.
- 11 Dina Francesca Haynes, Fionnuala Ní Aoláin, and Naomi Cahn, "Gendering Constitutional Design in Post-Conflict Societies," *William and Mary Journal on Women & Law* 17 (2011), 516. Also see Christine Bell, *On the Law of Peace: Peace Agreements and the Lex Pacificatoria* (Oxford: Oxford University Press, 2008), 56-57.
- 12 Haynes et al., "Gendering Constitutional Design," 513; Bell, *On the Law of Peace*, 60-61; Christine Bell and Catherine O'Rourke, "Peace Agreements or Pieces of Paper? The Impact of UNSC Resolution 1325 on Peace Processes and their Agreements," *International and Comparative Law Quarterly* 59 (2010).
- 13 For example, see Chapter 3 on constitution reform in Tunisia in Tamaru and O'Reilly, *How Women Influence Constitution Making after Conflict and Unrest*.
- 14 "Constitutional Reform: Comprehensive Peace Agreement," Peace Accords Matrix, University of Notre Dame, [peaceaccords.nd.edu/provision/constitutional-reform-comprehensive-peace-agreement](http://peaceaccords.nd.edu/provision/constitutional-reform-comprehensive-peace-agreement); Women's Caucus, Constituent Assembly Secretariat, Nepal Law Society, and International IDEA, *Women Members of the Constituent Assembly: A study on contributions of women in constitution making in Nepal* (Kathmandu: Women's Caucus, Constituent Assembly Secretariat, Nepal Law Society; Stockholm: International IDEA, 2011), 51.
- 15 Ibid.
- 16 Ibid.
- 17 Government of Nepal, The Interim Constitution of Nepal, Act 2063 (January 15, 2007), Article 63(5); Government of Nepal, Election to Members of the Constituent Assembly Act 2064 (June 22, 2007), Article 7.
- 18 Women held 12.5 percent of seats elected through first-past-the-post compared to 28 percent of seats elected through proportional representation. Women's Caucus et al., *Women Members of the Constituent Assembly*, 62.
- 19 Government of Tunisia, "Decree Law No. 35 on Election of the National Constituent Assembly," Article 16 [aceproject.org/ero-en/regions/africa/TN/tunisia-decree-no.-35-dated-10-may-on-the-election](http://aceproject.org/ero-en/regions/africa/TN/tunisia-decree-no.-35-dated-10-may-on-the-election).

- 20 Carolyn O. Arguillas, "At least 2 Lumads, 2 women in 15-member GPH-MILF Transition Commission," *MindaNews*, October 27, 2012, [www.mindanews.com/peace-process/2012/10/at-least-2-lumads-2-women-in-15-member-gph-milf-transition-commission/](http://www.mindanews.com/peace-process/2012/10/at-least-2-lumads-2-women-in-15-member-gph-milf-transition-commission/); International Crisis Group, *The Philippines: Renewing Prospects for Peace in Mindanao* (Brussels: International Contact Group, July 2016), 6; Conciliation Resources, *Operationalising women's 'meaningful participation' in the Bangsamoro: political participation, security and transitional justice* (London: Conciliation Resources, September 2015), Appendix 3.
- 21 Amira Yahyaoui, "Observing the National Constituent Assembly," in *The constitution of Tunisia* (Amman: United Nations Development Programme, September 2016), 1.
- 22 *Ibid.*, 3. Such as introducing vote traceability to find out how Assembly members were voting; putting the Assembly's diary online, when the Assembly itself published nothing on its website; publishing the biographies of Assembly members; publishing member absences; and live-tweeting the plenary sessions in French to enable dual nationals who did not have a sufficient knowledge of Arabic to follow the debates; translating and posting online several documents on the functioning of the Assembly, as well as the working drafts of the Constitution.
- 23 *Ibid.*
- 24 *Ibid.*
- 25 Gisela Geisler, "Parliament is another terrain of struggle: Women, Men and Politics in South Africa," *The Journal of Modern African Studies* 38, no. 4 (December 2000), 613.
- 26 Leslie Hill, "Redefining the Terms: Putting South African Women on Democracy's Agenda," *Meridians* 4, no. 2 (2004), 115-116; Shereen Hassim, "A Conspiracy of Women: The Women's Movement in South Africa's Transition to Democracy," *Social Research* 69, no. 3 (Fall 2002), 705-706.
- 27 Geisler, "Parliament is another terrain of struggle," 613.
- 28 Sheila Meintjes, "The Women's Struggle for Equality During South Africa's Transition to Democracy," *Transformations* 30 (1996), 57.
- 29 *Ibid.*, 59.
- 30 *Ibid.*, 61.
- 31 Cheryl McEwan, "Engendering citizenship: gendered spaces of democracy in South Africa," *Political Geography* 19, no. 5 (June 2000), 635; Meintjes, "The Women's Struggle for Equality," 59.
- 32 Gay W. Seidman, "Gendered Citizenship: South Africa's Democratic Transition and the Construction of a Gendered State," *Gender and Society* 13, no. 3 (June 1999), 293.
- 33 Interview with Farida Labidi in La Marsa, Tunisia, September 27, 2016; Interview with Mehrezia Labidi in Tunis, Tunisia, October 4, 2016; National Democratic Institute, *Tunisia's National Constituent Assembly: Gender Assessment* (Washington, DC: National Democratic Institute, March 2014), 9.
- 34 International IDEA, Center of Arab Women for Training and Research, Netherlands Institute for Multiparty Democracy, *Workshop on Lessons Learned by NCA Female Members* (Tunis: International IDEA, Center of Arab Women for Training and Research, Netherlands Institute for Multiparty Democracy, 2014), 62.
- 35 *Ibid.*, 63.
- 36 Tamaru and O'Reilly, *How Women Influence Constitution Making after Conflict and Unrest*.
- 37 International Crisis Group, *The Philippines: Renewing Prospects for Peace in Mindanao*, 6; Interview with Froilyn Mendoza via phone, August 9, 2016.
- 38 Nerea Bilbatua, "Speaking up: indigenous voices in the Philippines' peace process," *Insight on Conflict*, March 8, 2015.
- 39 Interview with Froilyn Mendoza via phone, August 9, 2016.
- 40 *Ibid.*
- 41 *Ibid.*
- 42 Draft Bangsamoro Basic Law, Article II, Sec. 22. Also see, Article X, Sec. 2, 21; Article XII, Sec. 5; Article XIII, Sec. 6; Article XIV, Sec 2(4), 10, 17.
- 43 International Crisis Group, *The Philippines: Renewing Prospects for Peace in Mindanao*, 7, 9.
- 44 Ina Andolong, "Dureza: Peace talks with communists to resume in August; Jailed communist officials may be released soon," *CNN Philippines*, July 19, 2016, [cnnphilippines.com/news/2016/07/19/dureza-peace-talks-communists-resume-august-jailed-communist-officials-release.html](http://cnnphilippines.com/news/2016/07/19/dureza-peace-talks-communists-resume-august-jailed-communist-officials-release.html).
- 45 Christine Bell and Kimana Zulueta-Fuelscher, *Sequencing Peace Agreements and Constitutions in the Political Settlement Process* (Stockholm: International IDEA, November 2016).
- 46 Vivien Hart, "Democratic Constitution Making," 5-6.
- 47 Convention on the Elimination of All Forms of Discrimination against Women (1979), Article 7.

- 48 United Nations Security Council, Resolution 1325 (2000), October 31, 2000, [documents-dds-ny.un.org/doc/UNDOC/GEN/N00/720/18/PDF/N0072018.pdf?OpenElement](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N00/720/18/PDF/N0072018.pdf?OpenElement).
- 49 Jill Cottrell and Yash Ghai, *The Role of Constitution-Building Processes in Democratization – Case Study: Kenya* (Stockholm: International IDEA, 2004), 6-7.
- 50 Ibid., 12.
- 51 Focus group with Sophia Abdi in Nairobi, Kenya, August 4, 2016.
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For more information on Inclusive Security's project on women's roles in constitution reform, see [InclusiveSecurity.org/constitutions](https://www.inclusivesecurity.org/constitutions).

**INCLUSIVE SECURITY** is transforming decision making about war and peace. We're convinced that a more secure world is possible if policymakers, security sectors, and conflict-affected populations work together. Women's meaningful participation, in particular, can make the difference between failure and success. Since 1999, Inclusive Security has equipped decision makers with knowledge and tools that strengthen their ability to develop inclusive policies and approaches. We have also bolstered the skills and influence of women leaders around the world. Together with these allies, we're making inclusion the rule, not the exception.

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