

# Understanding Gender Mainstreaming in Modern Law Enforcement

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## Introduction

The way we distinguish between men and women is generally based on biological sex differences. An approach to the issue based on gender (rather than sex) examines how societies relate to biological diversity. Societies around the world have developed a variety of models based on different understandings and expectations for male and female roles within society. Worldwide, the roles of women and men—that is, gender—are defined by historical, cultural, and religious factors.

Gender inequality is still prevalent in today's world. According to the United Nations report *World's Women 2010*, statistical research has shown that “progress in ensuring the equal status of women and men has been made in many areas, including school enrollment, health, and economic participation. At the same time, it makes clear that much more needs to be done, in particular to close the gender gap.”<sup>1</sup> Societies continue to place limitations on individuals' access to work as well as the ability to enjoy certain rights based on their gender. In the twenty-first century, this is a subject of utmost importance that cannot be ignored.

The “gender mainstreaming” model has proven to be an effective tool in reversing the negative trajectory of gender inequality. Unfortunately, the gender mainstreaming concept is often misunderstood or misinterpreted, met with skepticism, or flatly rejected. Despite numerous publications and much academic research, there remains a pervasive need to talk about gender mainstreaming and to examine this issue in greater detail as it pertains to specific fields.

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<sup>1</sup> UN Secretary-General Ban Ki-Moon, *The World's Women 2010: Trends and Statistics* (Geneva: United Nations, 2010); available at <http://unstats.un.org/unsd/demographic/products/Worldswomen/WW2010pub.htm>.

This article will focus on one particular dimension of this issue, gender mainstreaming in the field of law enforcement. As a senior law enforcement practitioner, I firmly believe that no modern state administration system can be effective without a gender mainstreaming strategy and action plan.

### **The Significance of Gender Mainstreaming**

The objective of this article is to highlight the impact and positive changes that gender mainstreaming has made in the process of modernizing law enforcement institutions and to present a toolkit for those administrations who are ready to employ a gender mainstreaming program or for those who are in the nascent stages of implementation. Numerous studies have shown that gender equality in the realms of law enforcement and security directly contributes to comprehensive security. UN Security Council Resolution 1325, adopted on 31 October 2000, “reaffirmed the important role of women in the prevention and resolution of conflicts and in peace-building, and stressed the importance of their equal participation in all efforts for the maintenance and promotion of peace and security, particularly in decision-making.”<sup>2</sup>

As for the direct relationship between law enforcement reform and gender, the authors of the *Toolkit on Police Reform and Gender* summarize the situation thus:

Security threats and crimes are committed against all sections of society; however, police organizations throughout the world continue to be predominantly male with poor representation from certain groups. Policing has traditionally been regarded as ‘men’s work’ because it is associated with crime, danger, and coercion. Recruitment processes ... sometimes eliminate female candidates or men that do not have ‘correct’ masculine attitudes. However, by having a more representative police service—one that reflects the ethnic, religious, geographic, sex, tribal, and language makeup of the community—the credibility, trust and therefore the legitimacy of the service, will grow in the eyes of the public. Increasing the number of female personnel can have concrete operational benefits.<sup>3</sup>

The most remarkable benefits of gender mainstreaming are:

- An improved security situation
- Increased public support of law enforcement activities
- Increased transparency
- The possibility to develop specific capabilities
- Decreased discrimination and increased acceptance of social diversity
- The strengthening of societal acceptance of female role models.

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<sup>2</sup> See <http://www.un.org/womenwatch/osagi/wps>. Report of the UN Secretary-General, “Gender Mainstreaming in Peacekeeping Activities,” 13 February 2003; available at <http://daccess-ods.un.org/TMP/693589.001893997.html>.

<sup>3</sup> Angela Mackay, Tara Denham, and Christina Yeung, *The Gender and Security Sector Reform Toolkit* (Geneva: DCAF, 2008).

## Definitions

Before any in-depth discussion of gender mainstreaming, it is important to understand the terminology used in the field. In 1997, the United Nations Economic and Social Council (ECOSOC) elaborated its definition of “gender mainstreaming.” It stated that

mainstreaming the gender perspective is the process of assessing the implications for women and men in any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality.<sup>4</sup>

It is imperative to see the difference between some terms commonly used in these discussions. Gender mainstreaming should be incorporated into different aspects of society, such as legislation, general administration, education, and the workplace. Gender mainstreaming includes a strategy and an action plan with a toolkit of various practices to achieve the final goal of gender equality. It clearly recognizes the biological differences between women and men, but does not accept any gender-based differences regarding equal rights, responsibilities, and opportunities available to women and men. This is a core element of human rights.

Gender balance, on the other hand, refers to the degree to which men and women hold certain positions. Examining gender balance in certain key areas can reflect how societies or organizations have applied the principles of gender mainstreaming. We can use it as a statistical indicator for the current moment, or take samples backwards in time to describe the dynamic changes in gender balance.

## Implementing Gender Mainstreaming at the National and International Levels

A gender mainstreaming strategy and action plan can be observed at two levels. First, we can examine this issue at the level of individual sovereign states through their administration systems. Second, one can examine the implementation of gender mainstreaming within law enforcement, peacekeeping, and crisis management engagements by global or regional organizations. For this article, I will use as examples the United Nations (UN), European Union (EU), and the Organization for Security and Cooperation in Europe (OSCE).

In December 1979, the United Nations General Assembly adopted the “Convention on the Elimination of All Forms of Discrimination against Women” (CEDAW).<sup>5</sup> Considered to be the “International Bill of Rights” for women, it paved the way for actions on both the international and state levels to battle discrimination. More recently,

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<sup>4</sup> United Nations ECOSOC, “Report of the Economic and Social Council for 1997,” A/52/3, September 1997; available at <http://www.un.org/documents/ga/docs/52/plenary/a52-3.htm>.

<sup>5</sup> Full text available at <http://www.un.org/womenwatch/daw/cedaw/cedaw.htm>.

the United Nations Security Council adopted Resolution 1325 on “Women and Peace and Security” on 31 October 2000.<sup>6</sup> Resolution 1325 is a fundamental document for all three international organizations listed above. It urges member states to ensure the increased presence of women at all decision-making levels in national, regional, and international institutions, and states that the perspective of gender should be incorporated into peacekeeping operations, recognizing the special needs of women and girls during repatriation, resettlement, rehabilitation, reintegration, and post-conflict reconstruction. Further, the resolution encourages member states to implement gender mainstreaming studies into military and police training. Since military and police forces are closely integrated into the system of state administration, gender mainstreaming should be applied to the whole state administration structure.

In 2005, the European Council welcomed a document prepared by the General Secretariat on the implementation of UNSCR 1325 in the context of the European Security and Defense Policy (ESDP). Consequently, in 2006, the EU General Affairs and External Relations Council adopted a new policy on “Gender Equality and Gender Mainstreaming in Crisis Management.”<sup>7</sup>

Regarding the OSCE, it is important to highlight the 2004 OSCE “Action Plan for the Promotion of Gender Equality.”<sup>8</sup> The Action Plan contains the priorities concerning gender equality within the OSCE administrative body and for its participating states. It covers the issue of gender equality within the organization, gender mainstreaming in all sectors, and the priority areas of gender equality.

### *The Need for a Gender Mainstreaming Strategy and Action Plan*

There are two important observations to make regarding the current need for a strategy and action plan for gender mainstreaming. The first relates to timing. Gender mainstreaming does not date back only to 2000, but has much deeper roots. The documents mentioned above can be seen as the cumulative result of several developments resulting in the milestone of UNSCR 1325. For the most part, these organizations are now in the advanced implementation phase of gender mainstreaming as a means to achieve gender equality.

The second observation is that the organizations examined here are in direct relationship with their member states, especially regarding the role of the military and law enforcement organizations in peacekeeping operations. These regional and global organizations can adopt the concept of gender mainstreaming for their staff—as they indeed have done—but those organizations can hardly implement gender mainstreaming effi-

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<sup>6</sup> United Nations Security Council Resolution 1325 on Women, Peace and Security, S/RES/1325(2000), 31 October 2000; available at [www.un.org/events/res\\_1325e.pdf](http://www.un.org/events/res_1325e.pdf).

<sup>7</sup> Council of the European Union, “Council Conclusion on Promoting Gender Equality and Gender Mainstreaming in Crisis Management,” 2760<sup>th</sup> General Affairs Council meeting, Brussels, 13 November 2006; available at [www.eulex-kosovo.eu/training/?id=5&material=20](http://www.eulex-kosovo.eu/training/?id=5&material=20).

<sup>8</sup> Organization for Security and Cooperation in Europe Ministerial Council, “OSCE Action Plan for the Promotion of Gender Equality,” MC/DEC/14/04, Sofia, 7 December 2004; available at [www.osce.org/odihr/19333](http://www.osce.org/odihr/19333).

ciently without direct involvement of and support from their member states. Since these organizations are staffed for the most part by seconded or contracted officers from the member states, it is crucial that the countries that contribute police and/or military contributing assets themselves have embraced the concept of gender mainstreaming. It is clear that those organizations cannot achieve concrete achievements in gender mainstreaming without the active participation of their member states. Even more effort is needed from the member states, most notably in the implementation of a strategy and action plan.

As I have argued, the implementation of a gender mainstreaming strategy should be conducted at the state level. In examining some examples, we will see that the overall picture is mixed. In my research I have found that some states have made no progress in gender mainstreaming; indeed, in some cases, the issue is simply ignored. In reviewing these states' law enforcement strategies or development programs (if such programs exist), there is no mention of a gender mainstreaming strategy or any related issues.

On the opposite end of the spectrum are states such as Spain and Sweden, where gender mainstreaming was long ago recognized as a priority and incorporated into the development programs of their law enforcement institutions. In 1979, the first women entered the Spanish National Police as police officers. After the fall of the Franco regime, the Spanish government wished to change the image of the police as a repressive force to that of a modern police service. As a result, women represented 8.7 percent of Spain's National Police force in 2007.<sup>9</sup> Also in 2007, a high-level panel called the "Observatory on Women" was established. The panel is co-chaired by the Director of Police and Civil Guard, and its aim is to analyze how women can get equal access to services during the admissions process and, further, to facilitate the integration of women into these law enforcement agencies.

Also in 1979, Sweden approved its Gender Equality Law, which fostered a policy of non-discrimination in the police force. They established an independent gender ombuds-person position to promote gender mainstreaming nationwide. The Swedish example presents a rich variety of different programs, such as the "National Plan on Diversity" and regular training programs for police management on equality, discrimination, and gender promotion, to name a few. Due to the gender mainstreaming program in the Swedish police, women currently represent more than 25 percent of the police force, including management.<sup>10</sup>

At the state level, the first gender mainstreaming activities in Western Europe date back to the late 1970s and early 1980s. Several remarkable developments have demonstrated some critical different aspects of gender mainstreaming efforts. One of the key elements is equal access afforded to men and women to join law enforcement services as well as equal opportunities for promotion. By using statistical data, we can measure and analyze gender balance at different organizational levels such as executive, low, middle,

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<sup>9</sup> Organization for Security and Cooperation in Europe, Strategic Police Matters Unit, Conference on Gender Balance in Police Management Positions, Spain, June 2007.

<sup>10</sup> Ibid.

and upper management. This is only one crucial indicator. The next section will introduce several other indicators that can be used to measure the success of gender mainstreaming programs.

### *Basic and Special (Advanced) Indicators*

The indicators presented in this section are tools that can be used to compare and control our actions against defined goals in the area of gender mainstreaming. I would argue that there is a need to distinguish between basic and special indicators. The basic indicators should be used prior to the implementation of a gender mainstreaming strategy and action plan, while the special indicators are more helpful during the implementation phases. The following basic indicators should be considered to assess the crucial points of the strategy and action plans.

- *Strategy and action plan.* Is there any Gender Mainstreaming strategy or action plan? If there is, at which level does it exist? What are the lessons that have been learned from development and/or implementation? If there is no gender-specific strategy and action plan, what other binding (or non-binding) legal documents exist related to gender issues? Is there any position assigned to this issue, such as a gender mainstreaming expert?
- *Access to law enforcement service.* Is there any gender-based regulation that may limit access (application) to employment with law enforcement agencies? If there are any gender-based criteria addressed during the application process, what are the primary aims and effects? Is it a discriminatory or supporting action? For example, a gender supportive approach might be noted in a vacancy announcement such as, "Preference will be given to equally qualified women candidates."
- *Numbers of men and women within the service.* The most important number to calculate is the general ratio of men to women within a particular agency. However, there are additional areas that should receive study. The ratio can be examined at different working levels, such as executive, lower, middle, and upper management. Another approach would calculate the ratio at Station, Headquarters, and Main Headquarters levels. Or we can view the gender ratio by age group categories, or within different departments. All approaches would present different views, and when combined would give a complete picture of the effectiveness of previous gender mainstreaming efforts. Generally, statistics will show a relatively low number of female officers, that most female officers are concentrated at the executive level, and that only a very few have been promoted up to the top management level.

The following indicators are more specific and less generic, and can be used to measure and analyze the implementation of the strategy and action plan.

- *Education and training.* The whole staff should attend training programs about gender mainstreaming in order to inculcate shared perception of the issue's im-

portance. There are two fundamental points. The subject should be incorporated into the basic training provided to new police employees; in addition, future officers should be thoroughly trained in the subject during their academic program. These officer candidates should understand, accept, and further support gender mainstreaming, since they will be responsible for shaping the culture of the law enforcement agency in the future. It is also vital to achieve a change of attitude at the highest commanding levels; therefore, specially designed training should be given to flag officers.

- *Internal and external gender-sensitive approach.* An internal approach refers to the development of gender-sensitive policies within the service. Examples of this are a paternity/maternity leave policy and the application of non-discriminatory mechanisms for recruitment, promotion, and mentoring. The external approach focuses on the role of the law enforcement service in the broader community context. Security and safety needs vary by community, and also differ for each member of the community depending on factors such as age, gender, and location. Law enforcement service members should understand these differences and be able to apply different approaches. When this is accomplished, the community will come to expect gender-sensitive behavior from their law enforcement services. Additionally, gender-sensitive operational protocols should be implemented when dealing with gender-specific cases such as domestic violence or rape. Additionally, there is a need to implement gender-sensitive outreach capabilities.
- *Gender-specific regulations, codes of conduct, and policies.* All regulatory measures that may block gender mainstreaming should be removed, and regulations promoting gender mainstreaming should be implemented. All internal regulations, including codes of conduct, policies, guidelines, etc. should be reviewed to ensure that they are in alignment with the gender mainstreaming strategy and action plan.

## Conclusion

Modern law enforcement models cannot address the current security environment without implementing gender mainstreaming. The motto should be: Think Gender. Due to historical, cultural, and religious factors, law enforcement agencies—as integral parts of their societies—long ignored the importance of gender mainstreaming, and created a working environment characterized by high degrees of gender inequality. Significant changes started during the 1980s and 1990s—changes that are still under way. But progress has been uneven, and some agencies remain essentially unchanged. The global picture is extremely mixed, which is why we should use all means available to promote gender mainstreaming. The first step is to understand that gender-based discrimination is a violation of fundamental human rights. Discrimination due to stereotypes and ignorance is no longer acceptable.

Meaningful change with respect to gender inequality starts by changing the views of leadership, and continues with the creation of a gender mainstreaming strategy and action plan. It requires the commitment of extensive effort and time, as our earlier examples show that even forty years has not been long enough to achieve proper gender balance within law enforcement services. There remains much to do.

This article is meant to highlight the importance of gender mainstreaming for law enforcement agencies and security forces around the world. The aim is not only to present one perspective on gender mainstreaming, but also to highlight some useful indicators for those who wish to promote the subject and for those who are practitioners of it.

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