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Liberal democracy from beneath?

A study of norm internalization in post-war Liberia

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Abstract

Research on norm internalization and local ownership in peace processes has not often been combined in peace and conflict studies. This paper sets out to see on the one hand, to what degree liberal democratic norms has spread in Liberia since the ending of the civil war, and on the other hand, if the peace process, – characterized by hybridity – could explain the norm internalization process. Through process tracing, empirical research has been done using both governmental statements, future goals, and actual implementation of laws. This is later analyzed with the goal of answering the question: to what degree has liberal democratic norms spread in post-war Liberia? The empirical study shows that Liberia has reached what is called stage one in the norm 'life-cycle' – the norm of liberal democracy has diffused and been adopted by the local political elite – swell as stage two, where the norm is institutionalized. Though, stage three – full internalization of the norm – is not fully reached. The analysis suggests that the hybridity in the peace process has lowered the risk for the adopted norms to be suppressed through friction, and that perhaps a hybrid peace process is a fruitful environment for a norm internalization process.

Keywords: norm internalization, liberal democracy, Liberia, women's rights, property rights, access to justice, hybridity
Word count: 10 000

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1. Introduction

After 14 years of being tormented by two civil wars, Liberia finally reached ceasefire in 2003. During the peace negotiations between the warring parties, mass protests engaged the public thanks to strong - mainly female led - civil society organizations. They demanded progress in the conversations between the parties, and put pressure on including issues concerning women's rights in the final deal. The same year, the Accra Comprehensive Peace Agreement was signed by the three warring parties and observed by several civil society groups engaged in the design of the deal (Fuest 2008; Prasch 2015). Since then, the political elite has been striving for democracy and joining the international economy. Peace processes are sometimes seen as an open window for new attitudes, ideas, and norms to be internalized in a society, and in later years there have been an increase in interest for the role of local actors in shaping norms, especially in relation to the 'global' (Lorentzen 2020: 15, 17).

The case of Liberia gives an interesting opportunity to examine norm internalization including the friction between the 'global' and the 'local', and how global norms of liberal democracy can be socialized in a post-conflict society. This paper sets out to study Liberia's norm internalization process, by process tracing two aspects of liberal democracy: women's access to justice and women's property rights.

1.1. International support in Liberia

The Liberian civil war between 1989 and 2003 killed almost 150,000 people, displaced numerous people – leading to around 850,000 refugees in the near countries – both internally and externally, and caused for the judicial system to collapse. The fighting was between mainly government forces and fighters from the opposition, the National Patriotic Front of Liberia (NFPL), led by Charles Taylor (Dennis 2006).

During the whole conflict, the Economic Community of West African States (ECOWAS) tried to start several initiatives with the goal to reach a peaceful settlement, a work the United Nations supported. In 1990, an ECOWAS observer force was established, and in 1992 the Security Council enforced a ban on arms in Liberia, while the Secretary-General selected a Special Representative to help with negotiations between ECOWAS and the fighting parties. In 1993, the Security Council initiated the United Nations Observer Mission in Liberia (UNOMIL), with the task to support ECOWAS's observer force, the Military Observer Group (ECOMOG) in broking peace and creating an agreement in Cotonou, Benin. However, the fighting resumed because of delayed implementation of this peace agreement (UNMIL 2021b).

In 1997, the UN observed the first elections since the start of the war, thanks to a ceasefire. This led to the United Nations Peace-building Support Office in Liberia (UNOL) to be established, led by a Representative of the Secretary-General. The purpose of UNOL was to promote national reconciliation and appropriate governance, while helping to mobilize international support for the operation of different reconstruction and development projects. In the later years, UNOL was given the responsibility to assist the Liberian government in areas of human rights, management of elections, and creating a peacebuilding strategy which includes both political ambitions, and respect towards human rights. This work was however delayed when the government and the opposition party leaders failed to compromise over key issues of governance. This caused the United Nations to deploy international troops to Liberia, and with the Secretary-General to leading a now multidimensional UN peacekeeping operation (UNMIL 2021b).

In conjunction with the end of the second civil war in 2003, Leymah Gbowee, among others, started the grassroot peace movement Women of Liberia Mass Action for Peace (LMAP). They led large-scale non-violent protests in Monrovia with the purpose of pushing forward a just peace agreements. LMAP were present at peace negotiations at ECOWAS offices and used methods such as threatening to take of their shirts if the men in the room tried to leave before progress had been made. This movement stretched beyond socioeconomic classes and religion; muslims and christians, poor and rich walked side by side in the protests with the same goal: improving the situation of women in Liberia. The action of LMAP and other grassroot movements led to several movements to be present at the signing of the peace agreement (Prasch 2015: Fuest 2009).

In 2003, the Accra Comprehensive Peace Agreement was signed by the warring parties, and they requested a force to be deployed by the UN to Liberia to support the new transitional government and to establish the peace agreement. Eventually, the United Nations Mission in Liberia (UNMIL) was established, with the goal of being a ”multidimensional operation composed of political, military, police, criminal justice, civil affairs, human rights, gender, child protection, disarmament, demobilization and reintegration, public information and support components, as well as an electoral component in due course.”. The UNMIL officially completed its mandate in 2018 (UNMIL 2021b).

1.2. Purpose and research question

The purpose of this paper is two folded: first, to see to what degree liberal democratic norms have spread in post-conflictual Liberia. This partly because of interest in the country’s progression in building a sustainable, liberal democracy after many years of civil conflict. Also, partly because of the rather unique model of peacebuilding the country has taken on since 2003. This is connected to the other purpose: to see if the Liberian hybrid model of peace processing – high local

ownership with several international collaborations – could on the one hand, be connected to the level of norm internalization, and on the other hand, be a more sustainable alternative to the classic peacebuilding led by international organizations. The debate concerning peacebuilding from above versus peacebuilding from the bottom is continuing to engage researchers, and therefore there is interest in studying a case such as Liberia to gain a larger picture of the development towards liberal democracy. This, to perhaps acquire a deeper understanding on wether this type of peacebuilding is both sustainable in being rooted in the local context, but still reaches the universal goal of spreading liberal democracy.

Through a method of process tracing, I will follow the national development in two areas: access to justice for women, and property rights for women. This to narrow down the research but still get a fair picture of the norm internalizations process within the chosen case.

The purpose of this study is to be fulfilled by answering the question: *to what degree has norms of liberal democracy spread in post-war Liberia?*

2. Theory

2.1. Norm internalization

There are two categories of norms: a ”generic category of social norms that provides ’reasons’ which appear persuasive to decision-makers”, which is to be seen as a more general description of sociocultural information, and a ”specific category of procedural norms which entail ’instructions’ that are applicable under given circumstances” (Wiener 2004: 199).

The norm ’life-cycle’ is a three-stage process in which norms are internalized in a new context via a ’trickle-down’ movement (see figure 1). This is primarily used to explain how international norms spread on a macro-level, across regions and states. The first stage is an emergence of the new norm in the new context, in which ’norm entrepreneurs’ invites state actors to adopt their idea. In the development to the second stage, there is a brink at which a larger mass of state actors – relevant such – endorse the norm. The second stage is therefore characterized by a wider acceptance of norms and a socialization phase. The third stage includes internalization, and here the norm in question is beginning to be endorsed to the level where it is simply taken for granted. It is possible for this norm cycle to not reach termination; in several cases, the emergence of norms does not reach the brink to the second stage (Finnemore & Sikkink 1998: 895). This process is also described as the most commonly used ’liberal community thesis'; by starting at the elite level, an international organization can easier impose certain norms through a supranational context and let them trickle down to the domestic context. Whether this process is successful or not depends on the force of the norm itself; does the norm in itself have a high level of validity? (Weiner 2004: 196).

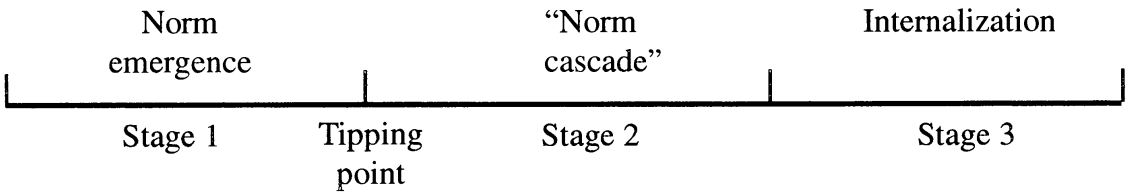


Figure 1, Finnemore & Sikkink 1998.

This linear scale from presenting an idea to it being fully socialized and internalized in a society is also a scale of norm diffusion. In a post-conflictual state, an international norm is internalized in this society in the same process as viewed above. Some suggest that these stages can be divided in levels of *diffusion* (stage one), *institutionalization* (stage two), and *internalization* (stage three). Here, the diffusion phase is the rhetorical adoption of the 'global' norm on the highest political level in the domestic context, and institutionalization would involve legal adoption and implementation into domestic policies and practices, to finally reach internalization on an individual level (Zimmerman 2016: 103). The issue with viewing norm diffusion in this linear manner is that it loses the true dynamics. Norms can be seen as a processual phenomenon that is both creating structures and being constructed at the same time. It is something constantly adapting to the current context, which may be changing itself in the same process. (see figure 2).This construction and reconstruction of norms happen partly through discursive encounters, in which language has sort of an anchoring effect of the norm. And at the same time, there is a constant re-articulation of the norm; the norm is constantly being spoken in different terms as the context changes with the internalization. This rearticulation is a part of the forward-movement in the process. It is through repeated speech acts that norms reveal themselves in society (Zimmerman 2016; Lorentzen 2020).

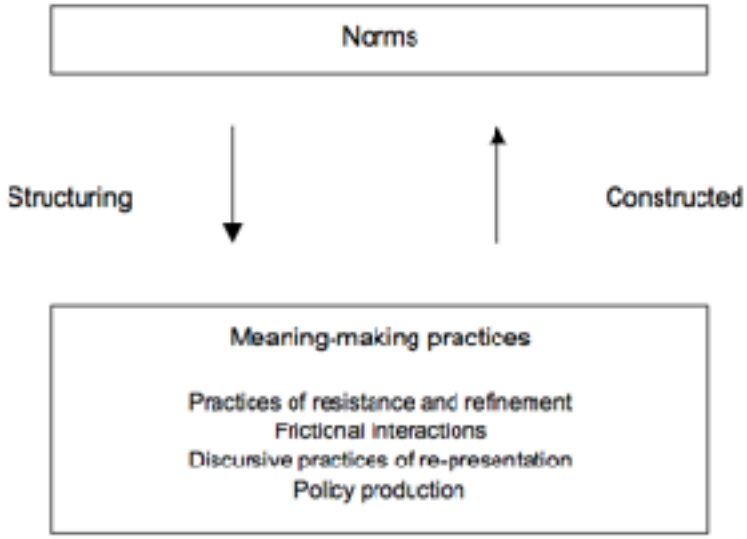


Figure 2, Lorentzen 2020

2.2. Hybridity and friction when the ’global’ meets the ’local’

Hybridity is a term that has become more and more fluently used in research on ’post-liberal’ peacebuilding, especially as there has been a normative shift in this field. Hybridity appoints the practice, norms, etc., that is developed through the interaction between different groups, perspectives, and practices, especially between international and domestic actors. The term is both used when speaking of how local actors interact with global actors by hybridizing, cooperating as well as opposing, and how peacebuilders try to impose institutional models that are more connected to the local context (Zimmermann 2016: 106). The interaction between the international and the local is of great importance, and the chance of these norms getting accepted in the domestic context depends on the domestic learning, communication, and institutional structure (Wiener 2004: 196). In the discussion of norm diffusion between the ’global’ and the ’local’, there is the acknowledgment that this process is multi-directional and goes both ways.

However, there is still a discourse that creates the picture of the global/ international as the provider of the norm, and the local as the receiver. There are also assumptions of the global norms being prominently ’good’ and that the goal is for this norm to be implemented and accepted in the local context. This argues against the view of norms as both structuring and constructed, and multi-directional, since the international actors are not seen as a party that can be affected by the existing local norm; there is no mutual trade of norms, it is a single way street from above. This mainly applies to the macro level, where the local is bundled up to a single unit instead of discussed as a differential and multifaceted group of actors. This ’friction’ between the two parties can be described as a power of resilience against any form of movement, in any direction. So in this case, with a ’clear’ linear development, friction is a power that decreases that movement forward. However, it is also a way to see how international actors relate and present their ideas and practice to the local context, and also unveils the often exotified localness (Lorentzen 2020: 31; Wiener 2004: 196-7; Björkdahl & Höglund 2013: 294).

2.3. Local ownership of peacebuilding

Local ownership refers to what degree local actors control both the design and the implementation of political processes, even so in a post-conflictual context. Since about 20 years back there is a strong narrative that international and local peacebuilding processes have different priorities. Since the 1990’s, there has been a change of discourse, now presenting the local as a vital part of peacebuilding. The theory of local ownership suggest that peace can not be implemented by external powers – military or other – since it has to be a slow process that is characterized by sensitive patience, and flexible strategies that are carefully adapted to the political context. John Paul Lederach’s theory – often presented as ’peacebuilding from below’ – is another way to describe local ownership. As a

communitarian perspective, the wish is to let indigenous actors be more prominent in the process, in order to develop a more sustainable peace that can be nurtured in and from the local context (Donais 2009: 3-4, 6).

In larger parts of studies within international relations, the relationship between the global and the local is presented as two separate entities. The ’global' represents ”universality, hegemony and a transcending of borders and place”, and the ’local' represents ”particularity, authenticity, and immobility”. Criticism against the studies on ’the local turn’ and local ownership often leans against this binary and stagnant description of the global and the local presented as well in the chapter above (Lorentzen 2020: 33-34). Some authors suggest that the ’local’ is not only not a part of the international, but neither the national; the ’local’ is civil society. It is represented in mobilization on a smaller scale, working for peace in everyday life, which may give them high social legitimacy as a peacebuilding party. In some cases, the local acts in the invisible yet have the power to implement structures and ideas from below (Mac Ginty & Richmond 2013: 770). There is also the issue of romanticizing the local context. To avoid the postcolonial tendencies liberal peacebuilding sometimes is connected with, there is a will of acknowledging the local as a real party. However, there is a lack of a constructivist perspective which leads to this stagnant view of the locals (Björkdahl & Höglund 2013: 291: Donais 2009: 11-14).

The benefits of local ownership in peace processes and the transition from war to peace are plenty. Peacebuilding instances that have a deeper connection to the local context – that is: structures, hierarchies, culture, and so on – allow for an easier process of implementing its strategies more efficiently. This because civil society accepts the used methods easier if there is a connection to the already existing circumstances. The obstacles for the implementation of peace – such as subjects that are too taboo, the history of the society, and the local narrative – are considerably easier to get over if local actors have the chance to find their own solutions. There is no blueprint to peacebuilding (Autesserre 2014: 64; Donais 2009: 10, 11).

2.4. Liberal democracy

A democratic rule of state assumes that three rights – political, economic, and social – exists in form of the right of participation in political processes, the right to take part in a just distribution of resources, and the right to exist without oppression. Thus democracy can be understood as both a political system, a part of a capitalist economic system, as well as a belief system where the people have the freedom to choose to enjoy the material benefits that come with economic development. On one hand, liberal democracy has issues with its close ties to the capitalist system, since it can undermine democratic values of self-development and self-sufficiency. On the other hand, liberalism in liberal democracy stands for the belief that within the state, all individuals should have the freedom to aspire to their own social, economic, and political preferences (Lynn 1999; Held 2006; Mukand & Rodrik 2020: 789-90).

The inclusion of women's perspective, gender equality, and female empowerment are essential for a democracy to even exist. The freedom aspect of liberal democracy – civil rights, social and economic freedom, etc – are as fundamental for the quality of democracy as institutions and governance, since these institutions needs active participants from civil society. If women are not active participants, then the democracy become biased and meager. Today, democratization goes hand in hand with women's rights, as they are dependent of each other (Moghadam 2008).

2.5. Women in an international and political context

In feministic research on International Relations, one can find two major phenomena that are highlighted: 1) that both the state and the financial market – both in theory and in practice – are gendered and driven by masculine

assumptions and structures, 2) that the most common conceptualization of both political and economic organization is male-dominated, and ignore the female experience and women's contributions to political and economical life. These phenomena have resulted in a lacking perspective of women's contribution to post-conflict society and international relations (Youngs 2004: 76).

If women have limited access to law, low income at the verge of poverty, and viewed as lesser than men in a cultural and social context, the barriers to injurious behavior could be smaller than in contexts where women are protected by legal and political equality. Some researchers pose the question that it may be of higher value to focus on the informal legal systems and social norms that affect women in different ways, than on formal legal protections and status. This because the status of women in society is structured by social norms rather than legal institutions. Even though legal institutions may have a "dampening effect on social norms", these would not be dampening enough. The other side of the coin suggests that laws and judicial progression do have an impact on the security and social status of women in the long run. Legal norms can for one create a space where social norms have to defend themselves, which raises issues and highlights certain structures (Ní Aoláin et al. 2011: 28-30, 34).

Studies on development have shown a trend where women who are in control of the financial means, prioritize to meet the needs of the household such as nutritious foods, doctor's appointments, and health supplies. Women who have some sort of impact on the private finances are more likely than men in the same position to prioritize the family interests. These type of micro-practices – on the individual/family level – has an impact on the socio-economic development on the macrolevel, the whole society. This suggests that hierarchic and social changes within the household build a stronger foundation for the same changes to happen on a broader and larger scale (Ní Aoláin et al. 2011: 260).

2.6. Theoretical framework

The theoretical ambition is to combine theories and apply those to an empirical study, and on the way perhaps generate a new theoretical perspective. The theoretical framework used in this paper is therefore a composition of local ownership, norm internalization theory, and hybridity as a bridge to combine the two. When analyzing the research and result, this framework will be used as a sounding board for testing the result and trying to answer the research question.

Norm internalization is seen here as a mainly linear process, but that often can be hindered by frictional relationships between global and local actors in the socialization process. Norms travel from top to bottom, in a ’trickle down’-process, which has no real time limit. Local representation also recognizes the importance of including the local context when designing both peace and institutions in a post-conflict society, since the acceptance of the public is deemed to be of great importance when stabilizing this peace. Yet there is a risk of friction when the ’global’ impose and meet with the ’local’, in a so called ’hybrid design’.

Added to this is also liberal democracy which is described as a political system where both economic liberalism and capitalism, political freedom, and civil rights are equally important. Female representation and equality is a fundamental part of liberal democracy. Women’s rights are therefore of high interest when studying cases liberal democracy, hence the choice of aspects presented in the next chapter.

3. Research design and method

3.1. Variables of liberal democracy

In this study, I will examine the evolution of liberal democratic norms in Liberia through process tracing. The years that are examined are from 2003, when the Accra Comprehensive Peace Agreement was signed, up until 2020. I have chosen two aspects of liberal democracy to observe in this study:

(I) Access to justice for women.

Access to justice is a part of civil rights existing in a liberal democracy. Access to justice can be defined as serving two fundamental principles of the legal system, 1) that the system ought to be accessible to all individuals, equally, and 2) the system ought to lead to individually and socially just outcomes (Mor 2017: 630). In the International Bill of Human Rights, it says that every human is equal before the law and that every human has the right to be ”protected by the rule of law” and article seven states that all are ”entitled without any discrimination to equal protection of the law” (A/RES/217(III)A-E).

(II) Property rights for women.

Property rights are important in a liberal democratic society for many reasons. Partly it is deemed the main factor for reducing poverty and increasing economic development nationwide, but it is also a source of inclusion and liberty. The ones that own property and land rights are included in a larger network of economic development and are allowed access to several economic opportunities. It is also a source of stability and security, with property rights ensuring that your property is your responsibility and yours to gain economically from. Lastly, it is a source of freedom, to be allowed to use your property and land however you want and therefore giving you personal security in being able to be self-supported. A part of

a free, democratic society allows for individual property rights as well as protects them with the support of the judicial system. Property rights can be seen as a necessity to reach individual freedom within the state, thus it has the same status as free speech, religious freedom, and equal access to justice (Joireman 2008: 1242; Mukand & Rodrik 2020: 789).

Also, property and land rights in Liberia are labeled as an important power factor. Two main contributing factors to the country's economy are agriculture and forestry, which contributes to almost 40 percent of the total Gross Domestic Product. They are also industries whose workplaces are dominated by women; 80 percent of agricultural workers and 20 percent of workers in forestry are women. Yet women have very limited access to and control over land (Pope Kai 2019).

Liberal democracy is much more than these two aspects. However, these aspects have been chosen on the grounds of two principles: first, that a vast part of the literature and the larger democratic indexes includes these two aspects as potential scales to measure the degree of liberal democracy in countries, and second, that by choosing two larger aspects and narrowing them down to including a feminist perspective gives a deeper understanding of the inclusivity of the norm internalization. By studying access to justice and property rights for *women*, it is easier to get a picture of the degree of inclusion in this new democracy that is developing in Liberia. Especially interesting since the peace process was marked by large female initiatives for a better and more just future.

3.2. Method

The study will be done with a process-tracing method. This to analyze and see the norm socialization and internalization process through the years of 2003 up until 2020. Process tracing can be described as ”a procedure for identifying steps in a causal process leading to the outcome of a given dependent variable of a particular case in a particular historical context”. It is used to identify the process

that can link a certain set of initial conditions to a certain outcome. By using process tracing accurately, one can access a clearer picture of certain political and social phenomena and evaluate the causality (Vennesson 2007: 224, 231; Collier 2011: 823;). Since the process-tracing method is used, I will present the empirical studies in chronological order to easier show the progress made over time. With this said, a norm internalization process is certainly not always linear, as with most developmental issues. Presenting the empirical research year by year is with the purpose of presenting the study in an accessible manner. The hope is that through this method the reader will access a clearer picture, while the dynamic process still shows.

Not all years between 2003–2020 are brought up in the empirical research. This is because there has been a selection of political, rhetorical, and institutional happenings that has affected women's access to justice and property rights. There is constantly political change happening in Liberia, but only the parts that has affected the two aspects studied in this paper has been chosen to be included in the research.

The choice to do a case study is on the one hand based on the case of Liberia. I find the case interesting enough to not do a comparative study. On the other hand, when researching norm internalization, the research gets more weight to it if there is only one case studied. Four advantages of case study methods are: that they have potential for reaching a high conceptual validity, that it is a strong method for developing new hypotheses, its ability to address causal complexity, and that it explores causal mechanisms in single cases (George & Bennet 2004: 25). It is mainly the first and the second mentioned advantages that I motivate my choice with.

3.3. Why Liberia?

This paper is case study to analyze the situation of Liberia and get an in-depth understanding of the development of certain norms since the end of the civil war.

It is a particularly interesting case when it comes to hybridity and peacebuilding design. The reason for the choice of studying the norm internalization in Liberia is based on the nation's locally rooted peace process. This rather unique experience gives a great opportunity in gaining a larger understanding of norm internalization from the bottom up. There is also the aspect of time; it has been over 17 years since the Accra Peace Agreement was signed, and that amount of time increases the validity for the chosen method of process tracing and answering the research question.

3.4. Literature review

The process tracing of the norm internalization process in Liberia is done by gathering documents deemed as important and/or representative of the rhetoric, institutional, and/or practical political attitude at that certain time. These documents consists of Poverty Reduction Strategies (PRS), National Action Plans (NAP), reports from International collaborators; documents that are signed by one or several departments from the government. In the research I have also included laws that have been implemented over the years, that I have found important to include because of its relevance to either women's property rights or their access to justice. Lastly I have included some articles that represent testimonies from civil society, to include a perspective that is not dominated by eventual political agendas.

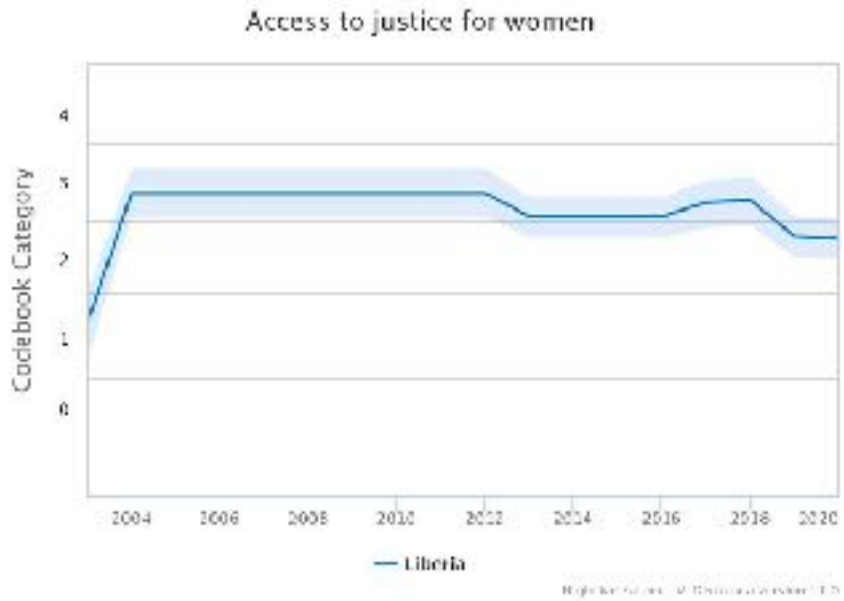
In the empirical chapter, I have included graphs based of Varieties of Democracy's (V-Dem) data collection. V-Dem's ambition is to, in a multifaceted and broad manner, offer new measurements of democracy, to show the terms wide meaning. Through more than 300 indicators they measure different aspects of democracy in countries around the world, with the help of thousands of experts and researchers on each country (Lindberg & Teorell 2013).

4. Empirical research

Here, the empirical research will be presented in a chronological order, starting from 2003 up until 2020. Each section will be introduced with a V-Dem, to give a quick overview of how the development has gone according to the numbers. These numbers will later be discussed with the findings in documents, laws, and testimonies from civil society in the analysis.

4.1. Access to justice for women

V-dem measures access to justice for women on a scale of zero to four[1]:



[1] 0: Secure and effective access to justice for women is non-existent.
1: Secure and effective access to justice for women is usually not established or widely respected.
2: Secure and effective access to justice for women is inconsistently observed. Minor problems characterize most cases or occur rather unevenly across different parts of the country.
3: Secure and effective access to justice for women is usually observed.
4: Secure and effective access to justice for women is almost always observed (Varieties of Democracy 2021a)

Figure 3, ”Access to justice for women”, Varieties of Democracy 2021a

2003

In 2003, the Accra Comprehensive Peace Agreement was signed in Accra. This led to the end of decades of civil war and was the beginning of a – hopefully – more democratic Liberia. At the end of the war, the justice system in Liberia was weak and corrupt.

2006

In 2006, the Liberian government invited the Carter Center to help them and collaborate in the process of establishing an Access to Justice Project. The aim was to address the critical needs of a functioning and accessible judicial system after the civil war. The project had a particular focus on historically marginalized groups in the rural parts of society, and it partnered with the Ministry of Justice (MoJ) to ”identify rural justice needs, develop and implement civic education messages, and fill immediate short-term gaps to strengthen the formal justice system” (Carter 2008; The Carter Center 2021).

From the start, the Access to Justice Project has made the education of citizens on their fundamental rights and national law a priority. They motivate this by saying that it increases the access and accountability amongst citizens. By providing a number of civil society organizations with knowledge about rights and responsibilities in the every day life, illiterate citizens would get access to this information. This included developing ”community dramas about issues such as criminal procedure, land ownership, the revised rape law, women’s inheritance and property rights, the roles and responsibilities of different local justice actors – including magistrates, judges, and customary chiefs – and means to resolve disputes peacefully”. They also worked with national and local radio to create national radio programs that concern issues surrounding law, access to justice, and other judicial matters (Carter 2008; The Carter Center 2021).

2007

An Interim Poverty Reduction Strategy (iPRS) was established in Liberia in collaboration with the International Monetary Fund (IMF), the World Bank, and other development partners. The iPRS was set to guide the process of development management from July 2006 to June 2008. The main goal with the iPRS was for the government to show commitment to solving the poverty and developmental issues. The areas prioritized in the strategy was presented under the Liberia Reconstruction and Development Committee (LRDC): first, enhancing national security, second, revitalizing economic growth, third, strengthening governance and the rule of law and fourth, rehabilitating infrastructure and delivering basic services (iPRS 2007: 4).

Concerning governance and rule of law, access to justice for women is mentioned one time in the paper. There is however an overall concern of strengthening access to justice for all people, but under the title ”Strengthening the rule of law and respecting human rights”, it says that the government will provide a special focus on women and children in their work of increasing access to justice and legal literacy. The aim is to provide this by improving the Liberian laws, integrating international human rights standards to identify the gaps and eventual reforms that need to be done. Education of judges, prosecutors, public defenders, and lawyers as well as improving law schools and legal education is a high priority to the government. Institutions will be involved to encourage the spreading of democratic culture (iPRS 2007: 65).

Under the title ”Addressing gender inequities”, it says that the government is ”committed to developing new mechanisms and systems of gender mainstreaming in the design, implementation, monitoring, evaluation, and reporting of all policies, plans and program”, followed by the statement that a national gender policy will be developed to create a legal framework to ensure a development based on gender equality. The MoJ and Ministry of Gender and Development (MoG&D) aim to form a program that will strengthen gender justice (iPRS 2007 65). What this means exactly is not specified in the paper.

2008

The 2008 Poverty Reduction Strategy Paper (PRS) established a clear strategy to help rebuild society. In the paper, there are three main pillars of work: stabilizing peace and security, reviving the economy, and supporting governance and rule of law. In the PRS, there is a chapter regarding “Expanding Access to Justice and Enhancing the Protection and Promotion of Human Rights”. Paragraph 8.5.1 “Strengthening the Provision of Legal Aid and Access to Justice”, mentions how the Government will continue to support the provision of Public Defenders. They will also provide a framework to “encourage the provision of legal assistance by civil society and legal professionals in civil cases, as well as support to victims of crime.”. In these areas, “the priority focus will be on the poorest and most vulnerable” (PRS 2008: 92).

Within the PRS, points are being made about the need for decentralization, this stretching out to the rule of law. ”Many raised concerns regarding rule of law, particularly around the lack of knowledge about laws (specifically the rape law), judicial corruption, lack of legal aid, poor monitoring and enforcement, and the practice of resorting to traditional means of justice.” (PRS 2008: 46).

In the PRS, the ”underrepresented” and the ”disadvantaged” is mentioned to describe women, children, and individuals with some sort of disability. Since 2003, these groups have not been able to participate in the new democracy in Liberia, an issue the government wants to solve by strengthening the relationship between governmental institutions, policies, and processes and these marginalized groups (PRS 2008: 84).

One can not assess women’s access to justice in Liberia without acknowledging measures taken to highlight, prevent and fight the high rate of sexual violence against women. In the strategy plan, there is a certain section for issues surrounding gender equality and women’s rights. The work that has been put in since the signing of the CPA is described, such as the National Gender-Based Violence Plan of Action that has been developed, and the creation of a MoG&D.

Concerning judicial areas, the Rape Law that was established in **2005** – and that officially states rape as a criminal act – is mentioned, as well as the Inheritance Act (PRS 2008: 89).

2009

A NAP is developed, and Liberia becomes the first post-conflict country to do so (Gibson Caesar et al. 2010: 7). In this NAP, access to justice for women is stressed upon as a fundamental right and a necessity to close the gender inequality gap in Liberia. With a large focus on sexual violence, the NAP stresses UN Resolution 1820 (Art 4) several times. ”Exhorts all actors to ensure that all victims of sexual violence, particularly women and girls, have equal protection under the law and equal access to justice and stresses the importance of ending impunity for such acts as part of a comprehensive approach to seeking sustainable peace, justice, truth and national reconciliation.” (United Nations S/RES/1820 2008; NAP 2009: 14, 17, 26).

The NAP ensures that there will be some kind of strengthening to the Rule of Law to promote accountability and allow women to access justice easily (NAP 2009: 22). Later on in the paper a clear plan is presented as for how Liberia is to deliver a better access to justice for girls and women. This is sought to happen through: (I) strengthened support for introduction to the paralegal system and the legal aid clinic concept, (II) technical and logistic support for the establishment of a Sexual and Gender-based Violence (SGBV) Crimes Unit in the MoJ, (III) the construction of necessary facilities such as court houses, detainment centers etc.. This to ensure that Court Attorneys and Public Defenders in every county are educated and fork with a gender sensitive perspective (NAP 2009: 22-23).

2011

The United Nations Mission In Liberia (UNMIL) funded a handful of Quick Impact Projects, which saw that new court houses were constructed. The aim was to strengthen the rule of law in Liberia. After these Quick Impact Projects were

completed, they were handed over to the judicial authorities in the country (UNMIL 2021a).

2017

The President of the Security Council asserted worries about the continuance of SGBV towards women and girls in Liberia and urged the government to improve its judicial power to ”combat impunity and hold accountable all perpetrators responsible for such crimes, to reinforce its commitment in this regard, including through the implementation of its national action plan on sexual and gender-based violence and improving women and girls' access to justice.” (UNMIL 2021a).

2018

A cooperation between the United Nations Office on Drugs and Crime (UNODC), the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), and the Office of the United Nations High Commissioner for Human Rights (OHCHR) started a project to balance the efforts already taken to better women's access to legal aid in three West African countries, amongst who Liberia was included. The main focus was on implementing gender-sensitive laws and policies and education for legal aid providers as well as legal empowerment for the women themselves. This approach was deeply rooted in the beliefs in human rights and worked closely with local authorities and civil society. The project aimed to strengthen and increase women's access to justice by increasing the availability of legal services and the capacity of legal aid providers.

2019

A workshop took place in Dakar, where over 20 legal aid experts from the countries participating in the project together with related UN staff started working on the implementation process of the project. Liberia received an action plan where certain priorities were set. In December of 2019, the first of three workshops for legal aid providers was held in Liberia, which included lawyers,

public defenders, bas associations, paralegals, and non-governmental organizations. The workshop aimed to educate about how to improve women's access to justice and legal aid. This project resulted in the improved capacity of several legal aid providers and included some women in the process as well. Skills of how to conduct gender sensitivity in interviews when collaborating with colleagues and identifying solutions for the women seeking help were taught (UNODC 2021).

An updated version of the NAP was written which is to further extend the work with Resolution 1325 in Liberia (NAP 2019).

The president of the Association of Female Lawyers of Liberia (AFELL), Attonery Vivian D. Neal, witnessed another reality than may be shown through the statistics and the governmental reports. Neal stated that there is still a large amount of limitations to women's access to justice in Liberia, especially for victims of SGBV. In her presentation on the current trends of SGBV in Liberia, she said: "The 2018 annual report of Gender Ministry GBV statistics states that of the 2,105 cases reported, 81 percent is sexual violence; 71 percent were female survivors less than 18 years. These numbers do not capture the true state of the violence women and girls face as many more cases are not reported or are disposed of through the out of court settlement,". Since so few of these cases lead to prosecution and punishment for the attacker, access to justice for SGBV survivors are still low (Daily Observer 2019).

4.2. Property rights for women

V-dem categorizes property rights on a scale from zero up to five[2]:

Figure 4, "Property Rights for Women", Varieties of Democracy 2021b

2006

A Community Rights Law was voted in the Liberian Legislature, a law that allowed for whole communities to own property in form of land, collectively. Since only men were involved in decision-making surrounding land issues traditionally, women in the rural communities continued to be without power or right to the land they owned according to law (Pope Kai 2019).

[2] 0 = Virtually no women enjoy private property rights of any kind.
1 = Some women enjoy some private property rights, but most have none.
2 = Many women enjoy many private property rights, but a smaller proportion enjoys few or none.
3 = More than half of women enjoy most private property rights, yet a smaller share of women have much more restricted rights.
4 = Most women enjoy most private property rights but a small minority does not..
5 = Virtually all women enjoy all, or almost all, property rights (Varieties of Democracy 2021b)

The Carter Center partnered up with the MoJ to start the Access to Justice Project. This included developing ”community dramas about issues such as criminal procedure, land ownership, the revised rape law, women’s inheritance and property rights, the roles and responsibilities of different local justice actors – including magistrates, judges, and customary chiefs – and means to resolve disputes peacefully.”. This was implemented with an especially large focus on the rural communities, where the level of alliteration is high (Carter 2008; The Carter Center 2021).

2007

In the iPRS, property rights are mentioned three times. First, to address how limitations to land and property rights amongst the majority of Liberians was a contributing factor to the evolution of the Liberian conflict. Second and third, it is mentioned in the plan to increase the protection of intellectual property rights (that is, patent rights, copyrights, trademark, and design rights) (iPRS 2007: 1, 51). Besides this, the issue of property rights for women is not mentioned at all in the paper.

2009

In the NAP, several paragraphs are stressing the importance of women’s property rights. The government expresses a goal to increase women’s access to both housing and natural resources, something that will in time strengthen their abilities to participate in managing environmental issues as well. There is a lot of weight put into the meaning of education, both when it comes to managing land as well as property rights, land, and inheritance. The NAP encourages this education to continue, to even further increase the number of female landowners with knowledge of their contractual and property rights (NAP 2009: 34).

2010-2020

Between the years 2010 and 2020, the Liberian government have partnered up with Landesa and USAID to identify, recognize, and evaluate both statutory and

customary laws connected to the framework for property rights (Landesa 2021; Landesa 2018).

2010-2012

Landesa in collaboration with the National Land Commission designed a Customary Tenure Study to improve certain tenure security of the rural communities. This was the first collaboration between the three parties (Landesa 2021).

2011-2012

The USAID supported another study called Women's Land Rights Policy Recommendations, where the aim was to gain knowledge about women's and girl's property and land rights under both statutory and customary law. The study resulted in new policy recommendations to the Land Commission via the Land Rights Policy, on how to secure and establish land tenure security for this group. It also provided recommendations on how to better the fairness and effectiveness of the current framework for property within Liberian governance, through both legal and non-legal approaches (Landesa 2021).

2012-2013

A Women's Land Rights Task Force was established, with the MoG&D as well as the Land Commission sat as co-chairs. This Task Force succeeded to provide several critical notes on the process of developing a land policy, assuring for statutory protection of women's property rights and that the voices of the women in the rural communities to be heard (Landesa 2021).

2013

When it comes to actual judicial measures, Liberia has implemented laws that protect women's land rights in three different contexts: acquisition, customary law, and marriage. The Land Rights Policy from 2013 demands inclusion swell as an equal approach to women in land matters, both in the purchasing of community

land – whether or not a marital or family situation changes – as well as when it comes to customary law, practice, and the administration of land. The Constitution, Domestic Relations Law, and Decedent Estates Law (this includes the Equal Rights for Customary Marriages Law), all implement women's property and land rights (Landesa 2018: 2).

2017

The UNMIL Deputy Special Representative of the Secretary General (DSRSG), Yacoub El Hillo, pushed the government to accelerate the passing of the new land rights bill, suggesting that a reform would ”correct a lot of systematic issues that have contributed to tension and conflict with the communities, the government, the concessions and everybody”. The DSRSG also pointed out that the issues of land and property, when treated correctly, is a chance to ”create equity, access to prosperity and economic development” (UNMIL 2021a).

In a statement by the President of the Security Council on Liberia Peacebuilding Plans and Election Preparations, the Land Rights Bill is mentioned as a fundamental part of overcoming ”societal and structural inequities”, and sends a message to the Liberian government to remember the importance of passing the bill soon (UNMIL 2021a).

2018

Liberian President George Weah signed the new Land Rights Act into law, an act that is the first Liberian law that recognizes women's land rights. Hitherto, there was only the Inheritance Law from 2003 that recognized land rights for some women, and most women were rarely considered as valid participators in decisions considering land and property. The Land Rights Act defines women as part of the community and therefore able to engage in decisions considering governance of land and every woman – married or not – is allowed and able to own land both collectively and privately (Pope Kai 2019).

Loretta Alethea Pope Kai, Programme Director at Foundations for Community Initiatives (FCI) – a local NGO based in Monrovia, Liberia – raises the issues

with these new laws and how they are still not doing enough for women's land rights. For the last ten years, the Foundation for Community Initiatives (FCI) has collaborated with the government and other NGOs to create a law that addresses the land rights of women, a collaboration that reached a climax in 2018 with the Land Rights Act. However, the organization raises continued concerns about gender equality in Liberia. A huge problem for individuals, and more specifically women, is the high rate of illiteracy (Pope Kai 2019). In 2017, only 48,3% of the Liberian population over the age of 15 were literate, and only 34,1% of women in the same age group (UIS 2021). Without literate women, the Land Rights Act can not be fully lived and brought to practice. Therefore, education is key in acknowledging these rights for women throughout all parts of society (Pope Kai 2019).

2020

The Former Chief Justice of the Supreme Court of Liberia and Counsellor, Frances Johnson Allison, suggested that there is plenty more that the government can do on the judicial arena. She suggested actions such as ”public awareness campaigns to inform the people about women's equal property rights”, as well as: ”Train judges, magistrates, police, and relevant local and national officials on laws relating to women's equal property rights and their responsibility to enforce them. Ensure that court systems can handle women's property right claims fairly and efficiently, and establish national legal aid systems with capacity to handle women's civil property claims and establish shelters for domestic violence victims and women who have suffered property rights violations,”. She also mentioned some factors that contribute to the violations of women's property rights, naming ”discriminatory laws, customs, biased attitudes, unresponsive authorities, and ineffective courts” (Worzi 2020).

5. Result

Since 2003, both property rights and access to justice for women has improved, especially on a judicial level. In 2020, the opportunities for women to both get help in legal cases and access larger information about their legal rights, as well as in owning their own land and property, has improved.

Looking at V-Dem's statistic on access to justice for women, the access to women has gone from a 1 in 2003 – ”secure and effective access to justice for women is usually not established or widely respected” - to a 3 – ”secure and effective access to justice for women is usually observed” – and down to approximately 2 in 2020, which suggest that ”secure and effective access to justice for women is inconsistently observed. Minor problems characterize most cases or occur rather unevenly across different parts of the country.”.

Concerning women's access to justice, the issues with a high degree of SGBV has been at the center of the discourse amongst the politicians and international organizations. Here, the most prominent solution has been increased information to the illiterate parts of the civil society, this through both workshops and education for legal employees but also through creative methods such as theater dramas, radio and TV. The institutional changes has appeared through an extended Rape Law, which widens the definition of the crime and therefore includes more cases. This is a decision that increases access to justice for women, it is argumented.

V-Dem's statistics on property rights for women suggests that property rights has risen from a 3 – ”more than half of women enjoy most private property rights, yet a smaller share of women have much more restricted rights” – to a 4 or 5 – ”most women enjoy most private property rights but a small minority does not” or ”virtually all women enjoy all, or almost all, property rights” – where it has been since 2006.

When it comes to property rights for women, the rule of law has since the signing of the peace agreement certainly evolved from a rather scarce inheritance law that did not acknowledge women as eligible land owners, to a Land Rights Act that do. The several collaborations and projects evolved together with international organizations has constantly pushed the agenda for including women in issues concerning land and property, a rhetoric that reached real action and institutional change with the 2018 Land Rights Act.

Testimonies from civil society actors does however show that there is still a great deal of work to be done on the ground. The laws implemented has yet to be normalized and socialized in, especially, the rural communities where illiteration is high.

So, when answering the question; to what degree has liberal democratic norms spread in post-war Liberia? The answer is: on a high political level, the norm of liberal democracy has diffused and been adopted into the local political agenda. There has also been an institutionalization of the norms, however it has not fully internalized at the grassroot level in civil society. In sum, the norm of liberal democracy has reached a stage two of the norm ’life-cycle’, but has yet to be taken as a given ideal within civil society.

6. Analysis

Diffusion

The diffusion of the liberal democratic norms can be connected to stage one in the norm 'life-cycle' that was presented earlier. Especially the UNMIL has been the leading international force in promoting certain institutional changes and ideals towards democracy in Liberia. This meeting between the 'global' and the 'local' has since developed into a multifaceted collaboration in different directions, partly with focus on law and order and women's rights. These liberal democratic ideal – a clear aim for the UNMIL forces – was first planted through ECOWAS and UNOMIL, which could have helped with the adoption of the norm by the Liberian political elite.

The high and consistent level of collaborations between the local and the global also shows that there has constantly been a goal to spread and implement the values that both the international organizations and the government strive to establish in the country. In the iPRS, the PRS, and the NAP, the rhetoric suggest that liberal democratic values are a part of the ideal form of governance. Here, the norm presented and promoted by the 'global' has been adopted by the 'local', and stage one is therefore reached.

On the elite level, there has certainly been a clear aim from the government to spread the norm that women's access to justice and property rights are of great importance in a liberal, democratic, and economically developed society. This is particularly shown in the Poverty Reduction Strategy Plan from 2007, and later on in the National Action Plan from 2011. These documents surely put weight on these two issues – especially as building blocks for something bigger. They are part of a new ideal state, where liberal values of human rights and individualism are defined in every category of the society's foundation.

Institutionalization

The institutionalization is a part of stage two in the norm internalization process. The Liberian government has since 2003 started both local projects and signed new laws. In one way, this could be a sign that institutionalization of the liberal democratic norms has started. The 2018 Land Rights Act was a large step in recognizing women's rights, which is advocated for in the several PRS-papers, the NAP, and the projects mentioned above. Here we can see how the idea, the discourse of liberal democracy, is put into practice.

Then there is the discussion on whether social norms are affected by laws or not, and if legal institutions hold the power to change social structures. If not, one can imagine that a eventual backlash is to come. If the social structures and already existing norms were to be stronger than the political agenda, the Liberian society would – or will – probably lash back at the new laws and institutions that the government presents.

However, it could also be accepted. The dampening effect legal institutions can have on social structures could be strong enough for this institutionalization of the 'global' to be accepted and further rooted in the 'local'. Then the life-cycle of the democratic, liberal norms could continue.

Internalization

The last stage of the norm life-cycle is the internalization stage. When analyzing the empirical research, is it possible to say that Liberia has reached this stage where the diffusion from the 'global' has not only been accepted by the 'local' political elite, but civil society as well? The answer is a predominant 'no'.

Commentaries and testimonies from civil society organizations reveal that even though there has been a institutionalization of the liberal democratic norms, and that these ideal has been a part of the political agenda since 2003, the fruit is still yet to be harvested. The social structures has not been deeply affected by this new discourse, and this is not a strange occurrence. Even though the norm internalization process is presented as linear, it is not a promise of constant

progression. And as stated earlier, the already existing norms could create a backlash for the new ideas.

When looking at the V-Dem's graphs presented in the empirical chapter, one could assume that the situation in Liberia has improved considerably since 2003. The level of both aspects measured are at a relatively high level and the curve is barely moving since around 2006. V-Dem collects their data through several aspects and with the help of experts, but when comparing the empirical study to their graph there is a dissonance between the two. V-Dems graphs reflects the diffusion and institutionalization that is presented in this study; they reflect what happens on the elite level. But in Liberia, there is a difference between political agenda and reality.

This comes to show the difference between the stages of norm internalization; just because a norm is institutionalized and politicized, it does not automatically affect the lives of individuals in civil society. Especially in a case as Liberia, where illiteracy is a serious issue in the rural communities. There are still high levels of crimes committed against women, and the norm of men being the head of the household is still intact.

However, since these organizations are talking about these issues, the institutional changes the government has tried to establish, and their shortcomings, in reality, there may be a social change on the way. If the norm was not that women should be able to own their property or have access to legal aid, then it would not be brought up as an issue within these organizations. This can perhaps be seen as a sign that the spreading of the norm has taken speed and trickled down to civil society actors on the grass-root level.

Hybridity

Could the high level of hybridity in the design of Liberia's peace process give any further explanation to the country's norm internalization process thus far? Could the close ties between the 'global' and the 'local' have affected the process in any way?

As stated above, even though the liberal democratic norm is not a given on the grassroot level yet, it has started to trickle down slowly. This goes to see in the commitment from civil society actors, who are putting pressure upwards on the institutionalization process. Hybridity can in some cases lead to friction, but it seems as in this case, the friction is absent and instead, civil society is starting to engage in these political questions. One answer to why this is, could perhaps be hybridity itself. It seems as though the PRS-papers, the NAP, and the design of the peace process as a whole is quite contextual; the focus is in many cases on women's rights and on land issues. This is two questions that are closely tied to the Liberian experience.

The experience of a high level of SGBV in Liberia was one of the reasons for the high representation of female-led grassroot actors during the peace negotiations, as it was seen as a most prominent issue to be dealt with after the war. Not only does this experience show in the political discourse since 2003, in the wishes of strengthening women's rights and freedom, but perhaps it has also worked as a catalyst for the liberal democratic norm to be accepted?

If civil society organizations had not been involved with the peace negotiations if the government would not decide the collaborations themselves if the UNMIL would have taken bigger responsibility for the peacebuilding process, would the norm internalization go in the same direction? The friction between the global and the local, that could eventually halter the internalization process, is if not completely at loss at least minimal in comparison to if an international organization had gone in and dominated the peace process.

7. Final discussion

The norm internalization is yet to be fulfilled in post-war Liberia, but the liberal democratic norm is on its way to be a given part of the Liberian community. This paper has tried to give a more clear picture of how the norm internalization process has appeared up until now, and to what degree this process is succeeding. In addition to this, if the hybrid design of the peacebuilding and the close relationship between the ’global’ and the ’local’ has had any impact on this process. After analyzing the empirical research, one could reach the conclusion that the liberal democratic norm has reached stage two – and touching stage three – on the norm ’life-cycle’. And one could form the hypothesis that hybridity could simplify norm diffusion from ’global’ to ’local’.

The result of this study does not show on any clear correlation between hybridity and a frictionless norm internalization. This is suggested to be further tested on similar cases as Liberia, to test the hypothesis and get a deeper understanding of the relation between the ’global’ and the ’local’, hybridity, and norm internalization. By studying the same case but with other aspects of liberal democracy, one could reach another conclusion than the one in this paper. To get a deeper understanding of the case of Liberia, this could be an interesting research topic.

In an academic climate where cosmopolitan and cultural relativistic values naturally meet and are compare, the interest for finding a balance and harmony between the two is seemingly growing. And the discussion on what sustainable peacebuilding is and what responsibility the international community has to implement and secure this, is surely a debate that will continue. The hope with this paper is to have added another perspective and knowledge to that debate, and the research field as a whole.

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Illustrations

Figure 1: Finnemore, Martha & Sikkink, Kathryn. 1998. ”International Norm Dynamics and Political Change”. International Organization 52 (4), pp. 887-917.

Figure 2: Lorentzen, Jenny. 2020. Normative Encounters between the ‘Global’ and the ‘Local’: Women, Peace and Security in Mali and Rwanda. Lund University.

Figure 3: Varieties of Democracy. 2021a. *Access to justice for women, Liberia.* https://www.v-dem.net/en/analysis/VariableGraph/ (Accessed: 2021-04-27)

Figure 4: Varieties of Democracy. 2021b. *Property rights for women, Liberia*. https://www.v-dem.net/en/analysis/VariableGraph/ (Accessed: 2021-04-27)

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