



## Policy Brief: **Fostering Citizen Participation in the Development of Legislation**

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***This policy brief is part of a series derived from a three-year field program on the role of women in Rwanda. More broadly, these briefs provide policymakers, donors, and program planners with strategies for the consolidation of democracy in post-conflict societies.***

Participatory processes are critical to improving governance in post-conflict countries. Involving the public in creating legislation increases a government's legitimacy and the likelihood that nascent democracies remain stable and continue to develop. Yet post-conflict societies, especially those unaccustomed to democracy, require extra support to open legislative and other policymaking processes.

In the post-genocide era, the Rwandan government has used consultation with the public to rebuild a decimated society, in particular around the ratification of the 2003 constitution, the genocide law, the 1999 inheritance law, and the ongoing land reform. Though the richness of interplay with the public varies—at times the emphasis is on information dissemination rather than true dialogue—consultation is seen as the ideal method for developing legislation. Parliamentarian Faith Mukakalisa explains that this process is necessary because “there is no way you can make law without going to the people.”

Rwandan women parliamentarians have proven particularly committed to public participation. In August 2006, the first substantive bill to emerge from the legislative rather than the executive branch was the “Draft Law on Prevention, Protection and Punishment of Any Gender Based Violence.” The bill was sponsored by the Forum of Rwandan Women Parliamentarians (Forum des Femmes Rwandaises Parlementaires, or FFRP) and four male co-sponsors. One of the hallmarks of the legislation is the extent to which the FFRP consulted the public in its development.

Before the bill was drafted, male and female parliamentarians went to their districts to gather information about gender-based violence, using town hall meetings to increase understanding and awareness of the issues surrounding the problem. In addition to building constituent ownership and generating useful data, consultation increased the likelihood that a sensitive issue like gender-based violence would be addressed effectively and that men and women would hear each other's perspectives. Later, referencing the consultative process helped defuse objections to portions of the bill during debate in the Chamber of Deputies. Public involvement is also expected to ease the law's passage and implementation, as parliamentarians will feel they must be accountable to their local constituents.

The gender-based violence bill is exceptional in its extensive inclusion of data and suggestions gathered from open consultations. A comparison of reports from the public feedback and the draft bill shows that drafters included specific and identical recommendations from the consultations in the final language.

International policymakers, donors, and program directors should understand the importance of consultative policymaking in post-conflict governments. The Rwanda case demonstrates that women often can facilitate those efforts.

## Findings and Recommendations

**Finding:** The legislative branch grows stronger when it engages in participatory policymaking.

→ **Recommendation:** Include training on consultative policymaking for members of parliament and caucuses.

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**Finding:** Women members of parliament tend to enable and support the use of participatory process.

→ **Recommendation:** Work with women legislators to encourage their leadership in community outreach around policymaking

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**Finding:** Public consultations help build the legitimacy of legislation, provide useful data on matters of public concern, and employ dialog to sensitize the public on policy issues.

→ **Recommendation:** Encourage and fund the use of consultative processes in the development of legislation, particularly for policies addressing socially sensitive issues.

→ **Recommendation:** Promote consultations structured to solicit feedback and at the same time, educate the public about legislative topics and policies.

→ **Recommendation:** Require that funding proposals earmark resources for public consultations.

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**Finding:** The participation of male and female constituents in public consultations generates useful information about the cultural beliefs and attitudes perpetuating social problems. This process also gives men and women an opportunity to hear one another's perspectives.

→ **Recommendation:** Ensure that consultations are open to the general public; and encourage the participation of men and women, with the option of separate sessions to ensure that both contribute to the dialogue.

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**Finding:** The participation of male and female parliamentarians in public consultations frames issues as broad social problems rather than the concerns of just one group and facilitates understanding of the gendered perspectives on issues.

→ **Recommendation:** Ensure that both male and female policymakers participate in public consultations.

→ **Recommendation:** Train women parliamentarians to find the broadest frame possible for their issues, and to look for ways in which that broader problem impinges distinctly on men and women.

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