



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ  
سُبْحَانَ اللَّهِ عَمَّا يُشْرِكُونَ  
اللَّهُ أَكْبَرُ  
سُبْحَانَ اللَّهِ عَمَّا يُشْرِكُونَ

سُبْحَانَ اللَّهِ عَمَّا يُشْرِكُونَ  
اللَّهُ أَكْبَرُ  
سُبْحَانَ اللَّهِ عَمَّا يُشْرِكُونَ



Tad Schnauffer II  
*Editor-in-Chief*

Juhi Kansra  
*Managing Editor*

Kirsiah McNamara  
*Publication Designer*

### **Editorial Team**

Leslie Archambeault

Juliana Ennes

Karl Beck

Joseph Gillis

Bridgette Burkholder

Niki Huntsman

Thomas Cyrs

Tanner Kenney

Michael Jay Depp

Dieter Lehmann

Henrike Diesing

Stevin Azo Michels

Katherine Dobosz

Alexandra Raymond

The Center for Global Affairs at New York University's School of Professional Studies educates and inspires students to become global citizens capable of identifying and implementing solutions to pressing global challenges. Its flagship is the Master of Science in Global Affairs (MSGA) program.

New York University SPS Center for Global Affairs  
15 Barclay Street, New York, NY 10007

This journal and its content is the copyright of Perspectives on Global Issues (PGI) - © PGI 2014. All rights reserved.



Cover Photo © Alexandra Clare  
Shariya camp in Dohuk, Iraq: February 2015

# Letter From the Editor

Nearly five months into 2015, conditions around the world remain dire, and for no population has this been more true than for women. Gender and conflict are inextricably related issues, and the series of ongoing revolutions that have erupted since 2011 have had an unequivocally negative effect on women in these warring regions.

As a result of these conflicts and crises, we have witnessed dynamic increases in the number of refugee populations worldwide. The ongoing unrest prompted the United Nations High Commissioner for Refugees (UNHRC) to conclude last summer that more than 50 million people worldwide were living as refugees, the highest levels since World War II. The explosive growth of this population has had a profound impact on women, who make up the majority of this marginalized group. Many of the women and their children who have been displaced are living in extraordinarily poor conditions as a result of ongoing conflicts that hold little potential for resolution in the near future. The Islamic State, Boko Haram, Al Qaeda, and other non-state actors continue to control sizable areas and several established governments are threatening global stability through sponsoring the spread of violence. Russia's continuing actions in Ukraine have been a source of concern and tension to the international community, and heads of state, civil society, and nongovernmental organizations alike struggle to manage the humanitarian disruptions caused by this territorial dispute. Most armed conflicts have a differential effect on women and men, with women often the majority of victims of sexual violence, for instance. However in some of these conflicts the targeting of women has taken on new dimensions. From Boko Haram's kidnappings in Nigeria to ISIS's treatment of Yazidi women in Iraq, some non-state actors have made an attack on women's basic rights and mobility a foundational component of their political projects.

This edition of Perspectives on Global Issues

(PGI) examines intersections of conflict and gender relations around the globe. I would like to highlight a few articles from this edition.

Dalia Amin writes about the struggles women face while living in refugee camps and provides guidelines on how to mitigate the problems women face. This article is timely as the number of refugees continues to increase and their conditions continue to deteriorate.

The issue also features a piece by Hayley Chesnik on the culture of sexual and gender-based violence in South Africa. Her article outlines the high percent of rape and domestic violence within South African households. In addition, she covers the concept of "femicide" and why it is so high in the country.

I would like to highlight two faculty articles: the first is by Srdja Popovic who is the author of "Blueprint for revolution" and Slobodan Djinojic who is Chairman of Centre for Applied Nonviolent Action and Strategies (CANVAS). They are both adjunct lecturers at NYU's Center for Global Affairs. Professors Popovic and Djinojic have contributed a compelling piece that details the growing use of non-violent tactics in contemporary revolutionary movements. The second article is from Dr. Colette Mazzucelli who is a Professor at NYU's Center of Global Affairs. Dr. Mazzucelli's piece describes an experiment that adapts techniques from architecture to address truth and reconciliation efforts in relation to Guatemala's past and applies these in local spaces.

The spring 2015 edition of PGI hopes to shed light on the many gender issues that both shape and are greatly influenced by the actions of non-state actors and regional conflicts. These are pressing issues of our time. We hope the analyses presented in this should have profound implications for academics, policy-makers, and world leaders alike.

— Tad Schnauffer II, *Editor-in-Chief*

# Table of Contents

## **Empowering Women or Hollow Words?**

Gender References in Peace Agreements  
*Lori Perkovich* \_\_\_\_\_ 6

## **When Equal Rights are Wrong**

Are women entitled an equal right to family planning...or something greater?  
*Leslie Archambeault* \_\_\_\_\_ 13

## **He Beats Me Because He Loves Me**

Changing the Culture of Sexual and Gender-Based Violence in Contemporary  
South Africa  
*Hayley Chesnik* \_\_\_\_\_ 21

## **The Struggle to Survive**

Women's Burden in Refugee Camps  
*Dalia Amin* \_\_\_\_\_ 29

## **Empowering Syrian Refugee Women in Jordan and Lebanon**

Bridging Humanitarian Policy and Scholarly Research  
*Inga Ingulfsen* \_\_\_\_\_ 38

## **The Curious Case of 'Climate Refugees'**

*Bridgette Burkholder* \_\_\_\_\_ 45

## **Resurrecting the Draft**

A Case for More Peace  
*Nathan J Kornfeld* \_\_\_\_\_ 52

## Faculty Highlights

### **The (Nonviolent) Revolution against Revolution**

*Srdja Popovic and Slobodan Djinnovic* \_\_\_\_\_ 59

### **Uncovering the Future in Guatemala's Past**

*Colette Mazzucelli* \_\_\_\_\_ 66

## Short Pieces

### **Unregulated Civilian Drones Endanger our Skies**

*Austin Schiano* \_\_\_\_\_ 71

### **Leymah Gbowee's Mighty Be Our Powers**

A Personal Look into the Power of Women During Liberia's Conflict  
*MaryBeth Bognar* \_\_\_\_\_ 73

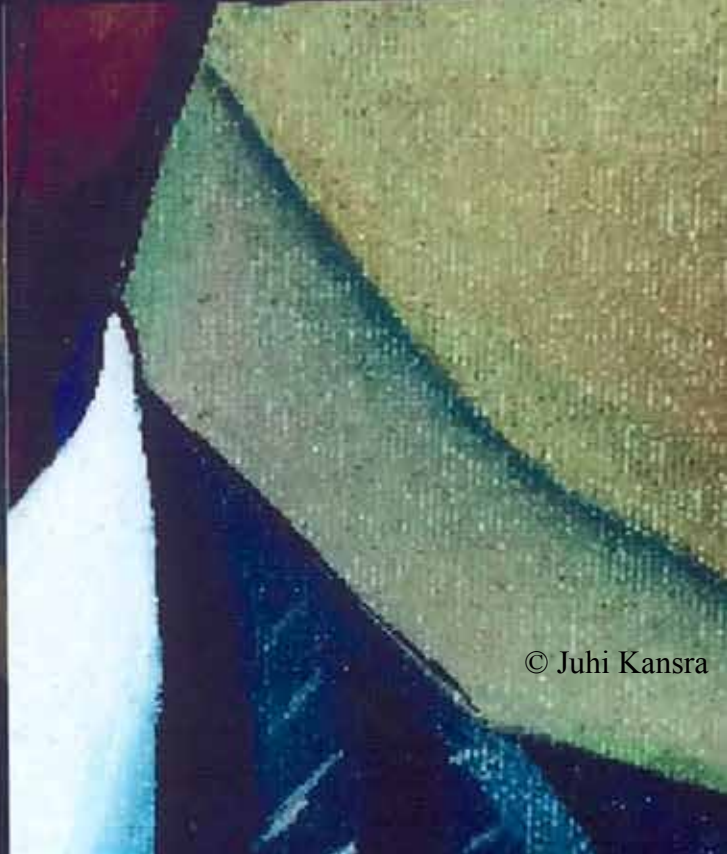
**Article Sources** \_\_\_\_\_ 77



## **Gender equality**

"Freedom cannot be achieved unless women have been emancipated from all forms of oppression."

Nelson Mandela



# Empowering Women or Hollow Words? Gender References in Peace Agreements

*Lori Perkovich*

## Introduction

The inclusion of women in peace processes is crucial because it changes the discourse from viewing women primarily as victims, but instead as political actors and agents of change. The inclusion of explicit references to women, girls and gender in peace agreements is significant because the agreements are a central component in furthering women's rights in conflict-affected countries. These documents sometimes function as de facto constitutions and, therefore, have the ability to pave the way for a new legal and political organization of state and society post-conflict.<sup>1</sup> Peace agreements often stipulate the participation by groups in government, funding, equality, and protection of human rights. The original research presented in this paper examines the scope of the references regarding women, girls and gender in peace agreements from 2009 to 2014 using quantitative and qualitative measures. A database was created to catalog and analyze gender language. Three categories were created in order to illustrate the quality of references and differentiate between easily implemented statements and those that will require further clarification. Qualitative measures were used in comparing two case studies: the Comprehensive Agreement on the Bangsamoro, Philippines (2014), and the Agreement Between the Government of Sudan and The

1 Christine Bell, "Peace Agreements: Their Nature and Legal Status," *American Journal of International Law*, No. 100 (2006): 373-412, <http://ssrn.com/abstract=1133550>, 375.

"Peace Processes," *Peace Women*, Accessed 20 Oct. 2014, [http://peacewomen.org/security\\_council\\_monitor/handbook/chapters?adhocpage=3752](http://peacewomen.org/security_council_monitor/handbook/chapters?adhocpage=3752), 1.

Justice and Equality Movement (JEM) – Sudan on The Basis of The Doha Document For Peace In Darfur and the JEM Ceasefire, Sudan (2013).

## Literature Review

Historically, the inclusion of gender-responsive provisions in peace agreements ranked low on the list of conditions imposed by negotiating parties. Several scholars suggest the obstacles to adding gender equality reforms in peace agreements stems from the fact that most negotiations happen in private among men who are focused on military concerns, and in ending the warfare stage of the conflict and making power-sharing arrangements.<sup>2</sup>

In 2000, the United Nations Security Council (UNSC) Resolution 1325 mandated the "inclusion of women in the prevention, management and resolution of conflict."<sup>3</sup> This resolution was viewed by many as a game changer for women's participation in peace processes. However, an alternative perspective posits Resolution 1325 as "confused and confusing."<sup>4</sup> Ellerby and Anderlini find the lan-

2 Christine Bell, C & O'Rourke, "Peace Agreements or Pieces of Paper: UN Security Council Resolution 1325 and Peace Negotiations and Agreements," *Peace Agreement Database* (2010), <http://www.transitionaljustice.ulster.ac.uk/tjidata-base.html>, 3. Chandra Lekha Sriram, "Making rights real? Minority and gender provisions and power-sharing arrangements," *The International Journal of Human Rights*, No.17:2 (2013), 278, 10.1080/13642987.2013.752947.

3 Bell & O'Rourke, *Peace Agreement Database*, 2.

4 Kara Ellerby, "(En)gendered Security? The Complexities of Women's Inclusion in Peace Processes," *International Interactions: Empirical and Theoretical Research in International Relations*, No. 39:4 (2013): 435-460, [http://www.tandfonline.com/toc/gini20/39/4#.VF1R\\_YfktO4](http://www.tandfonline.com/toc/gini20/39/4#.VF1R_YfktO4), 439.

guage problematic because all sections are open to interpretation and not clearly defined.<sup>5</sup> Ellerby explains that historically, prevention meant prevention of war; whereas today, it is often used when discussing sexual and gender-based violence. This suggests that a standard of explicit definitions regarding the pillars of Resolution 1325 is absent.<sup>6</sup>

## Significance of gender language

Why does gender language matter? Though references to gender or women do not necessarily indicate a “gender perspective” in a peace agreement, Bell and O’Rourke explain that it is not possible to have a gender perspective without the references to gender or women.<sup>7</sup> The scholars doubt whether these agreements will provide serious change for women without their active participation in the process.<sup>8</sup> Clear language is important because sexual violence and other issues found in ceasefires and peace accords establish the basis for peacebuilding plans such as monitoring, implementation and consequences for violations of the agreement.

## Quotas to ensure participation of women in politics

Bell and O’Rourke emphasize the importance of specifying a certain number of seats in government in peace agreements.<sup>9</sup> In their research, they found that quotas in peace accords for female participation in politics are slowly on the rise, spe-

---

5 Sanam Anderlini, “What the Women Say: Participation and UNSCR 1325,”

MIT Center for International Studies, *International Civil Society Action Network*, (2010), Available at [http://web.mit.edu/cis/pdf/Women\\_Report\\_10\\_2010.pdf](http://web.mit.edu/cis/pdf/Women_Report_10_2010.pdf), 282.

6 Ellerby, “(En)gendered Security?”, 440.

7 Bell & O’Rourke, *Peace Agreement Database*, 2.

8 Bell & O’Rourke, *Peace Agreement Database*, 3.

9 Christine Bell, & O’Rourke, “Peace Agreements or ‘Pieces of Paper? The Impact of UNSC Resolution 1325 on Peace Processes and their Agreement’ *International and Comparative*,” *Law Quarterly*. No. 59 (2010), 954.10.1017/S002058931000062X, 963.

cifically with regard to indigenous women. For instance, in the negotiation of the Justice and Equality Movement (JEM) and the Sudan People’s Liberation Movement/Army (SPLM/A), specific allocations were made for Darfuri women to participate in the Sudanese government.<sup>10</sup>

While acknowledging the rise in provisions for quotas and an increase in access to political institutions,<sup>11</sup> C. L. Sriram offers a less optimistic picture of approaches to female representation in peace agreements, including quotas. Sriram sites Democratic Republic of Congo’s Pretoria agreement (2002), which provided for “appropriate representation of women.” This type of generic language without a “set-aside” or mechanisms for implementation will not translate to tangible participation. Sriram also explains that when caps are attached to quotas, sometimes it creates barriers and limits participation opportunities. The Philippines Mindanao agreement (1996) included quotas but used a 15 percent cap. She suggests that quotas might not translate to legitimate participation or the creation of policies that bolster women’s rights because a position in government does not necessarily translate to legitimate participation or lead to changes regarding citizen’s rights.<sup>12</sup>

## United Nations data on gender language and women’s participation

The 2012 United Nations Security Council report offers statistics on recent inclusions of references in peace agreements to women, peace and security. The report states that in 2010 and 2011, 22 percent of signed peace agreements contained women, peace and security references, and 30 percent in 2012.<sup>13</sup> Out of 33 peace negotiations in 2008, only 11 (4 percent) out of 280 participants

---

10 Bell, & O’Rourke, Bell, & O’Rourke, 2010, *Law Quarterly*, 960.

11 Sriram, *Making rights real*, 283.

12 Sriram, *Making rights real*, 283.

13 Pablo Castillo Diaz, “Women’s Participation in Peace Negotiations: Connections Between Presence and Influence,” *United Nations Fund for Women*, (2010) [http://www.unifem.org/attachments/products/0302\\_Womens\\_ParticipationInPeaceNegotiations\\_en.pdf](http://www.unifem.org/attachments/products/0302_Womens_ParticipationInPeaceNegotiations_en.pdf), 9.

were women. ‘Participants’ mean people taking a range of roles from advisors to witnesses, and among these, only 7 percent of negotiators were women.<sup>14</sup> From 1992 to 2011, 9 percent of 31 peace agreements had female negotiators. Eight countries had 4 percent female signatories and two had 2.4 percent female chief mediators.<sup>15</sup> However, research from 2010 by Pablo Diaz showed that women were still struggling for a place at the negotiating table.<sup>16</sup>

Though research by Professor Christine Bell and Dr. Catherine O’Rourke shows an increase in gender references since Resolution 1325, the concern of the research in this paper is not solely the quantity of gender references but the quality of the language. Is it vague? Do the gender references in agreements from 2009-2014 essentialize women by emphasizing the protection of women and girls instead of their participation in negotiations and society? Or do these mentions merely tick the boxes off of a checklist that meets international legal standards for women, peace and security? This new research looks at gaps and identifies good and bad practices.

## Background and Findings

In 2010, Bell and O’Rourke wrote the most comprehensive study on the inclusion of references to women and gender in peace agreements. The research analyzed 585 documents between 1990 and 2010, 399 signed prior to Resolution 1325 and 186 after the resolution.<sup>17</sup>

For this study, I analyzed 145 documents, of which 31 referenced women and gender in peace agreements and ceasefires from 2009-2014. The data showed that 114 out of 145 (79 percent) documents do not have any references to gender or

female signatories. For 141 documents, the names of signatories were available. In these, just 10 female signatories appeared in agreements that had gender references, and 22 female signatories were found in cases of agreements without any gender content. The catalog includes the type of reference, a description of the language and the section of the agreement where the language appears. The gender references were coded and 14 categories were created.

In the current research, gender references appear in 21 percent of the agreements, an increase of 5 percent from the 16 percent found across 20 years of agreements in the Bell and O’Rourke study (1990-2010) but a decrease of 6 percent from the 27 percent of agreements with gender content in the specific nine-year period after the passage of Resolution 1325 as reviewed by Bell and O’Rourke. For this research, I created 14 categories (2009-2014) and found a total number of 133 gender references. Most categories ranged from zero to three gender references, with the highest number of mentions in the following categories: Quotas (nine), Women/Girls (seven), Governance (11), General Development/Education (seven), Socio-economic (six) and Women/Sexual Violence (12).

A review of the data shows that from 2009-2014, the highest number of gender references are found in agreements signed during 2011, 2012, and 2013. The numbers are well dispersed among most of the categories with 64 gender mentions in 2011 and 41 in 2013. However, the 16 references in 2012 occur in the categories of Governance, Quotas, General Development and Education, Women and Sexual Violence and Women and Girls. In 2009, there are two references that pertain solely to socio-economic issues, and in 2010, six mentions are spread among the categories of governance, prosecution and legislation, violence against women, girls in conflict and women and girls. In 2014, four references appear in the categories of women and sexual violence, violence against women, women combatants and socio-economics.

For the purpose of this study, I created three categories to describe the level and significance of the language used regarding references to women

---

14 Pablo Castillo Diaz, “Women’s Participation in Peace Negotiations”, 3.

15 Pablo Castillo Diaz, “Women’s Participation in Peace Negotiations”, 5.

16 Pablo Castillo Diaz, “Women’s Participation in Peace Negotiations”, 2.

17 Bell, C & O’Rourke, 2010, *Law Quarterly*, 945.



and gender.

### *Category 1*

Generic Blueprint Reference: A statement that mentions a UNSC Resolution, Committee on the Elimination of Discrimination against Women (CEDAW) and other conferences on women and gender, or a generic gender reference.

### *Category 2*

Statement of Intent: Implies intent to take action on women's participation or protection, using terms such as "meaningful" or "appropriate" participation, "equal and effective, adequate," or "giving due consideration" to women's needs, but these vague phrases are open to interpretation.

### *Category 3*

Specific Proposition/Quotas: A specific statement that is a clear policy directive, and includes a percentage allocation for funding or quota provision for women's representation in the ongoing peace process or seats in government. Most of the references occur in categories two or three, which implies intent and specificity. The references in years 2011 and 2013 are in categories that will have the most bearing on the lives of women. In 2011, 46 Statement of Intent references and 13 Specific Propositions or Quotas were included in agreements; and 17 Statement of Intent references and 16 Specific Propositions or Quotas appeared in 2013. There are 18 (14 percent) total Generic Blueprint references, 79 (59 percent) Statements of Intent and 36 (27 percent) instructions for Specific Provisions/Quotas.

## **Case Studies**

### *The Comprehensive Agreement on the Bangsamoro (2014), Philippines*

#### **Progressive gender provisions**

The Comprehensive Agreement on the Bangsamoro (2014) empowers women through significant provisions regarding socioeconomics, political positions, decommissioned females officers,

as well as security and policing. The Annex on Revenue Generation and Wealth Sharing offers the most specific example of funding for women in section "XII. Gender and Development." It stipulates that 5 percent of official public development funds must be allocated for women, "for support programs and activities for women in accordance with a gender and development plan."<sup>18</sup>

The Annex on Normalization (2014) provides socioeconomic programs for decommissioned female officers of the Moro Islamic Liberation Front (MILF).<sup>19</sup> The inclusion of economic provisions for decommissioned female officers is significant because women are often excluded from benefits in disarmament, demobilization and reintegration (DDR) processes. Furthermore, where DDR programs do include women, they often do not differentiate in their provisions for men and women. This can be problematic in situations where women would receive cash yet are not allowed to have access to money in their household.

#### **Generic language and matters of concern**

The Annex on Power-Sharing in the Framework Agreement on the Bangsamoro (2013) includes numerous provisions for women in government. For instance, to ensure women's participation, one provision states that in accordance with basic Bangsamoro law, women must participate in government, though specific minimum percentages are not indicated.<sup>20</sup> The document also stipulates that the Bangsamoro Council of Leaders,<sup>21</sup> comprised of governors, mayors, one member of each indigenous community, and chaired by the Deputy Chief Minister, must include a female representative.<sup>22</sup> The agreement also uses imprecise language

---

18 "Philippines, State Annex on Revenue Generation and Wealth-sharing to the Framework Agreement on the Bangsamoro (FAB) (2013)," [peacemaker.un.org](http://peacemaker.un.org), (accessed October 2, 2014), 7.

19 Philippines Annex on Normalization (2014), 7-8.

20 "Philippines, Annex on Power-Sharing to the Framework Agreement on the Bangsamoro (FAB) (2013)," [peacemaker.un.org](http://peacemaker.un.org), (accessed October 2, 2014), 3.

21 Philippines, Annex on Power-Sharing (2013), 7

22 Philippines, Annex on Power-Sharing (2013), 4.

such as “establishment of appropriate mechanisms for consultations for women” and “special development programs and laws for women,” but does not describe the mechanism for achieving these consultations, nor the specific type of programs or laws envisaged.

Though sections of the peace agreement make detailed references to females in policing, women are not mentioned in the policing section of the Annex on Normalization.<sup>23</sup> This is a missed opportunity to include women in the implementation, resolution and monitoring phases of the peace process. Female police officers help in decreasing the fears of women reporting crimes and improve responses to domestic and sexual violence, which are prevalent crimes post-conflict, yet this was not made a requirement. Both the Government of the Philippines (GPH)-MILF Decision Points on Principles as of April 2012 and the Framework Agreement on the Bangsamoro 15th October 2012 address the rights of women and specify “protection from violence.”<sup>24</sup> These statements call for the protection of women but they do not prescribe punishment for those who cause harm to women. In order to prevent violence against women, there must be justice for victims and an end to impunity. This process should also include consultations with women to determine priorities for justice initiatives. Justice is a necessary component for recognizing past abuses in order to build public confidence going forward and prevent future conflict.

Aspects of provisions for future justice options in The Annex on Power Sharing and Framework Agreement are also of concern because of the references to Sharia law and customary justice. This leaves the door open for Sharia law to be used to solve disputes that would typically be heard in the judicial system. Women have limited rights under Sharia law and these references do not bode well.<sup>25</sup>

*Agreement Between the Government of Sudan and The Justice and Equality Movement-Sudan on The Basis of The Doha Document For Peace In Darfur Sudan; and Sudan Ceasefire JEM (2013), Sudan*

The 2013 Sudanese peace process featured three documents: the Agreement Between the Government of Sudan and The Justice and Equality Movement-Sudan on The Basis of The Doha Document For Peace In Darfur Sudan; Sudan Ceasefire JEM (2013); and Protocol on the Participation of JEM-Sudan at the different levels of Government and on the Integration of its Forces. The latter does not include any references to women or gender.

### **Progressive gender provisions**

Gender references in the Sudan peace agreement and ceasefire focus mainly on security of women, exploitation of girls and women’s involvement in the peace process. However, there is a progressive provision for the empowerment of nomadic women specifying that they must receive education.<sup>26</sup> The clause also states that the Darfur Regional Authority (DRA) must create a Social Welfare Fund with provisions for women, and the fund must be a minimum of 50 million US dollars.<sup>27</sup> In the Sudan Ceasefire JEM (2013), specific language is used referencing the establishment of sub-units that must include women during the monitoring phase as a means to report on issues and violations ceasefire.<sup>28</sup> The document specifies that all issues regarding violence against women must be heard in a “gender sensitive and competent manner,” which does identify one of the constraints associated with interviewing women.<sup>29</sup>

---

23 Philippines Annex on Normalization (2014), 1.

24 Philippines GPH-MILF (2012), 2.

25 Philippines, Annex on Power-Sharing (2013), 9.

---

26 Sudan & The Justice & Equality Movement (2013).”  
peacemaker.un.org, 7.

27 Sudan & The Justice & Equality Movement (2013).”  
peacemaker.un.org, 8.

28 Sudan Ceasefire, 2013, peacemaker.un.org, 10.

29 Sudan Ceasefire, 2013, peacemaker.un.org, 13.

## Generic language and matters of concern

The Sudanese agreement raises cause for concern in areas where general phrases are used regarding the role of women in peacemaking and violence against women. Additional areas of concern are the absence of references to women in sections of the document that determine participation in government and the participation of girls and women in militias, and their subsequent demobilization. The Ceasefire guarantees women the right to protection. It states that “specific measures for vulnerable groups such as women” will be created but does not explain the measures. Instead of providing specific details, the document often makes sweeping and generic references such as, “facilitate the UN-AMID (United Nations–African Union Mission in Darfur) mandate UNSC Resolution 1935.”<sup>30</sup> Phrases such as “refrain from all acts of violence” against women<sup>31</sup> and “gender-based violence and sexual exploitation” are also used.<sup>32</sup> These statements describe violent crimes against women but do not stipulate the penalties for violations of the terms. With regard to the militias and children, a blueprint statement is employed to explain that recruitment of boys and girls under 18 is not allowed, and is a violation of the 1949 Geneva Conventions.<sup>33</sup> All armed forces must comply with implementation of the agreement that calls for the release of women and girls under “control or influence” of the military. Communication regarding their release must be passed through the chain of command to all armed forces and unconditional release of girls from the armed forces is mandatory through action plans. Moreover, it states that girls are to be treated as victims, not perpetrators. Though the language is descriptive, the details for implementation are vague.<sup>34</sup>

The Philippines agreement is evenly balanced with regard to the type of inclusions of women and gender, such as government, peace process, security and socio-economics and has 15 gender

references. It does not have any Generic Blueprint references, but does have ten references to gender in the Statement of Intent category and five in the

## Specific Provisions/ Quotas

The Sudanese agreements also have 15 total references to women or gender, primarily focused on security of women, gender-based violence and provisions for limited participation in the peace process. Among the Sudanese agreements, there are five Generic Blueprint references, six references in the Statement of Intent category and four in the Specific Provisions/ Quotas.

Both agreements do a good job of explaining where women should be included in the implementation process post-conflict. The documents often detail the types of resources that should be provided for them, but in some cases the specifics on target minimum numbers of seats for women in political assemblies, or target minimum public resources for allocation to services to address women’s needs remains the missing link between the documents and implementation. Women should be in their own category regarding distribution of funding. Women should also have specific consideration, separate from indigenous individuals, regarding allocation of positions during various stages of the peace process such as negotiations, security, implementation and monitoring, as well as in determining government positions. With regard to participation in the peace process, both processes featured women in the negotiations, though the extent of their participation and influence is extremely difficult to ascertain outside of field research, and is therefore beyond the scope of this study.

## Conclusion

The inclusion of references to women and gender in peace agreements is important for women’s rights, but it is not just quantity that matters. Quality and the use of precise language are even more crucial for implementation of the documents.

30 Sudan Ceasefire, 2013, [peacemaker.un.org](http://peacemaker.un.org), 3.

31 Sudan Ceasefire, 2013, [peacemaker.un.org](http://peacemaker.un.org), 3.

32 Sudan Ceasefire, 2013, [peacemaker.un.org](http://peacemaker.un.org), 5.

33 Sudan Ceasefire, 2013, [peacemaker.un.org](http://peacemaker.un.org), 6.

34 Sudan Ceasefire, 2013, [peacemaker.un.org](http://peacemaker.un.org), 6.

There needs to be a move away from using language such as “meaningful participation” because it often cannot be implemented. Without further explanation and without clear provisions, there is a risk that obstacles will block women from achieving their goals.

This study shows a slight increase in gender references of 5 percent of agreements from the 16 percent in the Bell and O’Rourke study. More importantly, it is promising that the majority of the references fell in categories that showed an increase in either intent or direct action in commitment to the empowerment of women. Though the two case studies, Comprehensive Agreement on the Bangsamoro, Philippines (2014); and the Agreement Between the Government of Sudan and The Justice and Equality Movement (JEM) – Sudan on The Basis of The Doha Document For Peace In Darfur and the JEM Ceasefire, Sudan (2013), are two of the best examples of progressive gender language between 2009-2014, there is still room for improvement.

The findings in this study show that gender language in peace agreements is evolving in a positive manner. Peace agreements lay the groundwork for future societies. They determine whether women are recognized and respected or remain discriminated against and undervalued as citizens.

# When Equal Rights are Wrong: Are women entitled an equal rights to family planning...or something greater?

*Leslie Archambeault*

## **Introduction**

This paper explores the right to family planning under international human rights law, and questions whether an equal right is enough to meet the requirements of dignity and equality. This paper argues that international human rights law, and its underlying rationale, entitles women a sole and autonomous right to make family planning decisions, or at the least, something greater than an equal right. Part one lays out the basis of the right to family planning under international law. Part two evaluates the right in Mexico, discussing a constitutional provision granting equal rights to family planning, and its potentials for abuse. Part three concludes the paper with a summary of the arguments made for an interpretation of the right vested solely in the woman, based on women's human rights.

## **The Right**

This paper first aims to discuss the right to family planning: what it means and from what the right derives. The 1994 International Conference on Population and Development described family planning as the human right of being able to decide whether to have children, and to further plan the number and spacing of children. The right to found a family has explicit protection as an enumerated right under international human rights law. The right to plan a family derives from the rights to dignity, equality, non-discrimination, and health. Commentary by the committees mandated to analyze and interpret these rights, such as

the Human Rights Committee (HRC), the Committee on Economic, Social and Cultural Rights (CESCR), and the Committee on the Elimination of Discrimination against Women (Committee), includes both entitlements and duties as a part of the right to family planning. Significantly, such duties obligate states to provide and ensure access to contraception and information, to aid in family planning decision-making. The 1994 International Conference on Population and Development was a turning point for recognition and application of family planning rights for women when 179 governments declared that meeting women's needs in education and reproductive health was essential for individual quality of life, state, and world development as a whole.<sup>1</sup> At its essence, family planning is a right to have children "by choice, not by chance."<sup>2</sup>

### *Dignity and equality*

International human rights law is predicated on the belief that all human beings are equal and entitled to inherent dignity. The first line of the Universal Declaration of Human Rights (UDHR) recognizes the "inherent dignity and...equal and inalienable rights of all members of the human family."<sup>3</sup> Using a more instrumentalist rationale,

---

1 UNFPA & the Danish Institute for Human Rights (DIHR), *Reproductive Rights are Human Rights: A Handbook for National Human Rights Institutions*, HR/PUB/14/6, United Nations: 2014., p. 5.

2 *Id.*

3 United Nations (UN) General Assembly, Universal Declaration of Human Rights, December 10, 1948, 217A (III), Preamble

equality and dignity are also proclaimed as necessary for peace,<sup>4</sup> and to “promote social progress and better standards of life in larger freedom.”<sup>5</sup> The first article of the UDHR declares, “[a]ll human beings are born free and equal in dignity and rights....”<sup>6</sup> The International Covenant on Economic, Social and Cultural Rights (ICESCR)<sup>7</sup> and the International Covenant on Civil and Political Rights (ICCPR)<sup>8</sup> also recognize inherent rights to dignity and equality in their respective preambles, as well as more explicitly in distinct provisions.<sup>9</sup>

The importance that these three legal documents give to dignity and equality cannot be over-emphasized. All human rights derive from these two complex concepts. Much of women’s human rights law evolved from application of these two underlying rights to women as members of the human family. The Vienna Declaration significantly affirmed that “women’s rights are human rights,”<sup>10</sup> a phrase often repeated in promotion of women’s rights. It is further important to note the recognition of equality and dignity as the derivation from which all other rights emanate, a concept which must then inform the interpretation of all the enumerated rights that follow. Therefore, implementation and application of all human rights through the enactment of various domestic legal frameworks must ensure that the inalienable and inherent equality and dignity of all human beings is realized and addressed.

---

4 *Id.*

5 *Id.*

6 *Id.*, Article 1

7 International Covenant on Economic, Social and Cultural Rights (ICESCR), Dec. 16, 1966, S. Treaty Doc. No. 95-19, 6 I.L.M. 360 (1967), 993 U.N.T.S. 3., Preamble

8 International Covenant on Civil and Political Rights (ICCPR), Dec. 16, 1966, S. Treaty Doc. No. 95-20, 6 I.L.M. 368 (1967), 999 U.N.T.S. 171, Preamble

9 UN General Assembly, *supra* note 3, Art. 7 states that “all are equal before the law and are entitled without any discrimination to equal protection of the law....;” ICESCR, *supra* note 7, Article 3: states that parties to the covenant “undertake to ensure the equal right of men and women to the enjoyment of all...rights.”

10 United Nations World Conference on Human Rights, Vienna Declaration, A/CONF.157/23, 32 ILM 1661, 1993; UNFPA, *By Choice not by Chance: Family Planning, Human Rights and Development*, 2012; UNFPA & DIHR, *supra* note 1, p.4.

## *Non-discrimination*

The right to non-discrimination emanates directly from the rights of dignity and equality. The right to equality must conceptually include the right to non-discrimination. It is a violation of international human rights to discriminate against a person for a range of criteria, including on the bases of sex, sexual orientation, and marital status.<sup>11</sup> The principle of non-discrimination is written into the UDHR, the ICCPR and the ICESCR (also referred to as the International Bill of Human Rights) using roughly similar language.

In addition to the International Bill of Human Rights, the Convention to Eliminate All Forms of Discrimination against Women (CEDAW) explicitly delineates women’s right to not be discriminated against on the basis of their sex, or social constructions of gender.<sup>12</sup> The Convention and the committee created by it to interpret and report on its implementation understand that formal legal equality is not enough to combat discrimination. CEDAW allows for the use of temporary special measures, or affirmative action programs.<sup>13</sup> Although these types of measures treat men and women differently, they are considered necessary to the realization of substantive equality, due to the historical oppression of women.<sup>14</sup> The Committee explains that formal legal approaches are insufficient to women’s realization of de-facto equality.<sup>15</sup> Treating women identically to men is not enough; “[r]ather, biological as well as socially and culturally

---

11 UN Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 20, Non-discrimination in Economic, Social and Cultural Rights, E/C.12/GC/20, 2009; UNFPA & DIHR, *supra* note 1, p. 77

12 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), G.A. res. 34/180, 34 U.N. GAOR Supp. (No. 46), 1981: CEDAW defines discrimination against women as “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status...of human rights....”

13 *Id.*

14 CEDAW Committee, General Recommendation no. 25, On article 4, paragraph 1, on temporary special measures, HRI/GEN/1/Rev.7, 2004.

15 *Id.*

constructed differences between women and men must be taken into account.”<sup>16</sup> Equality under the law will not solve the problem of women’s historic subordination, rather a large-scale policy overhaul aimed at “a redistribution of resources and power between men and women,” is required.<sup>17</sup>

The Committee on Economic, Social and Cultural Rights (CESCR) also discussed the equal enjoyment of rights. CESCR recognized that women are especially vulnerable to violations and equal enjoyment of their human rights on the basis of gender norms, by “virtue of the lesser status ascribed to [women] by tradition and custom, or as a result of overt or covert discrimination.”<sup>18</sup> CESCR also noted the intersectionality of factors that can result in a “compounded disadvantage”<sup>19</sup> to women who fall under several categories of discrimination like race, religion, and class.

CESCR also stressed the importance of substantive equality, and was concerned with “the effects of laws, policies and practices, and with ensuring that they do not maintain, but rather alleviate...inherent disadvantage.”<sup>20</sup> It has pointed out state obligations to adopt measures “to prevent, diminish and eliminate the conditions and attitudes which cause or perpetuate substantive or de facto discrimination.”<sup>21</sup> CESCR reminded states to focus specifically on groups that have faced historical prejudice. Women are such a group, and must therefore be treated in a manner that rectifies long-standing inequality, instead of “merely comparing the formal treatment of individuals in similar situations.”<sup>22</sup> Lastly, CESCR recognized the frequency with which discrimination occurs

in families,<sup>23</sup> and reiterated that states must adopt measures to address discrimination in the private sphere.<sup>24</sup>

### *Rights to found a family and to health*

The International Bill of Human Rights recognizes the family as a fundamental unit of society, and explicitly protects the right to marry and found a family.<sup>25</sup> The Human Rights Council (HRC) recognized that states adopting family planning policies should ensure that such policies are compatible with international human rights principles, and are not discriminatory.<sup>26</sup>

The CEDAW Committee highlights that “[t]he responsibilities that women have to bear and raise children affect their right of access to education, employment and other activities related to their personal development.”<sup>27</sup> The Committee further noted that the “number and spacing of...children [has] a similar impact on women’s lives...affect[ing] their physical and mental health, as well as that of their children.”<sup>28</sup> The Committee explicitly declared that women are “entitled to decide on the number and spacing of their children.”<sup>29</sup> General Recommendation 21 lends additional support to this paper’s argument that it is women alone who hold the right to decide on the number and spacing of their children when it stated that such a decision as whether and when to have children “while preferably made in consultation with spouse or partner, must not nevertheless be limited by spouse, parent, partner, or Government.”<sup>30</sup>

The HRC points out that states might fail to

---

16 *Id.*; and see also CESCR General Comment no. 16, Article 3: the equal right of men and women to the enjoyment of all economic, social and cultural rights, E/C.12/2005/3, 2005, para. 5: “Substantive equality for men and women will not be achieved simply through the enactment of laws or the adoption of policies that are, prima facie, gender-neutral.”

17 CEDAW Committee, *supra* note 14.

18 CESCR General Comment no. 16, Article 3: the equal right of men and women to the enjoyment of all economic, social and cultural rights, E/C.12/2005/3, 2005, para. 5

19 *Id.*

20 *Id.*, paras. 7-8

21 *Id.*

22 CESCR, *supra* note 11, para 8

---

23 *Id.*

24 *Id.*

25 UN General Assembly, *supra* note 3, Article 12: “No one shall be subjected to arbitrary interference with his privacy, family, home..., and Article 16; ICCPR, *supra* note 8, Article 17, and 23; ICESCR, *supra* note 7, Article 10.

26 Human Rights Council, General Comment, number 19, 1990, para 5.

27 CEDAW Committee, General Recommendation no. 21, Equality in marriage and family relations, A/49/38,1994, para 21.

28 *Id.*

29 *Id.*

30 *Id.*, para 22

respect a woman's privacy, specifically in relation to her biological reproductive functions in child-bearing.<sup>31</sup> Although the comment referred to the danger of legislation that required a husband's consent before undergoing sterilization, the principle holds true for all family planning scenarios. The state has an interest in ensuring its own survival through population control measures, however a woman's right to control her own body and life nearly always trumps this state interest. For example, states can promote policies to encourage reproduction, including tax benefits and social service grants to women in relation to the number of children they produce, but the state cannot force a woman to have children, and cannot in any way obstruct her right to decide the number and spacing of any children she may have.<sup>32</sup>

Lack of effective family planning measures may directly harm a woman's prospects for education, income, and quality of life.<sup>33</sup> Due to recognition that women play a key role in the advancement of states' development goals, including reducing poverty and increasing economic growth, states have at least superficially supported family planning rights. Further research found that fewer children allow a family and the government to spend more per child, increasing quality of life for all, and directly correlating to an increase in economic development, as both mother and children enter the workforce.<sup>34</sup>

In addition, the right to enjoyment of the highest attainable standard of health can be found in ICESCR<sup>35</sup> and was discussed at great length by CESCR. As a social right, it contains both freedoms from limitations and duties owed by states.<sup>36</sup> CESCR explained that the right includes "the right

to control one's health and body, including sexual and reproductive freedom, and the right to be free from interferences."<sup>37</sup> The right obligates states to ensure "a system of health protection which provides equality of opportunity for people to enjoy the highest attainable level of health."<sup>38</sup>

The CEDAW Committee found that states have an obligation to "respect, protect and fulfil women's rights to health care,"<sup>39</sup> and states must not obstruct women from pursuing health goals.<sup>40</sup> General Recommendation 24 states that laws must not "restrict women's access to health services... on the ground that women do not have the authorization of husbands, partners, parents or health authorities, because they are unmarried or because they are women..."<sup>41</sup> The Committee reminds states that the provision of health services must be "consistent with the human rights of women, including the rights to autonomy, privacy, confidentiality, informed consent and choice."<sup>42</sup>

## Case study: Mexico

Despite the recognized right to family planning, women remain hampered in efforts to effectively decide if and when to have children, largely due to entrenched gender norms. Stemming from years of patriarchal oppression, rigid gender norms enforce beliefs and behaviors and affect achievement of a myriad of human rights, including the right to family planning.<sup>43</sup> Women and girls are often taught to be submissive and passive about their reproductive health; whereas a hegemonic masculinity socializes boys and men to be dominant in

---

31 Human Rights Council General Comment number 28, para 20A

32 UNFPA & DIHR, *supra* note 1, p. 104

33 UNFPA, *supra* note 10, p.1; UNFPA & DIHR, *supra* note 1, p. 108.

34 UNFPA, *Sexual and Reproductive Health for All: Reducing Poverty, Advancing Development and Protecting Human Rights*, 2010; UNFPA & DIHR, *supra* note 1, p.108.

35 ICESCR, *supra* note 7, Article 12

36 CESCR, General Comment no. 14, The right to the highest attainable standard of health, E/C.12/2000/4, 2000, para. 8

---

37 *Id.*

38 *Id.*

39 CEDAW Committee, General Recommendation no. 24, Women and Health, A/54/38, 1999, para. 13

40 *Id.*

41 *Id.*, para 14; see also *Id.*, para 21: barriers "that women face in gaining access to health care services...[include] the requirement for preliminary authorization by spouse, parent or hospital authorities..."

42 CEDAW Committee, *supra* note 39, para 31, emphasis added.

43 UNFPA, *supra* note 10, p. 40



matters of sex as key to “being a man.”<sup>44</sup> Rigid gender stereotypes are learned, socially constructed, and reinforced throughout various levels of society, including among peers, communities, within institutions, and significantly, within families.<sup>45</sup>

Focusing on the fact that men are often taught that responsibility for family planning resides with the woman does not address systemic gender inequalities.<sup>46</sup> Governments must adopt policies that compensate for “historical and social disadvantages that prevent women...from enjoying equal opportunities.”<sup>47</sup> If women hold the brunt of the responsibility for family planning, and suffer the drastic consequences of poor choices, they must be allotted a greater share of the right. Equality in the right to decide is not enough. International attention has stressed that men can “exert considerable influence in couples’ fertility preferences.”<sup>48</sup> However, the question that is not being asked is whether women’s human rights are best served by an increase in male attention to family planning.

### *Family Planning in Mexico*

Mexico has made significant gains in reproductive healthcare and women’s rights since the 1970s. Rights-based policies are evidenced in the 1974 General Population Law, which guaranteed free and universal, government-provided family planning services, including contraception.<sup>49</sup> Additionally, the constitution was amended to guarantee that “[e]very person has the right to decide, in a free, responsible and informed manner, the number and spacing of his or her children.”<sup>50</sup> It is this last development, the Equal Right to Choose Clause (herein as the Clause) with which this pa-

---

44 *Id.*

45 *Id.*, p. 41

46 *Id.*, pp. 40-41

47 *Id.*, p. 41

48 *Id.*, p. 41

49 Guttmacher Institute, *Unintended Pregnancy and Induced Abortion in Mexico: Causes and Consequences*, 2013 p.10.

50 Constitute Project, Mexico’s Constitution of 1917 with Amendments through 2007, [https://www.constituteproject.org/constitution/Mexico\\_2007.pdf?lang=en](https://www.constituteproject.org/constitution/Mexico_2007.pdf?lang=en) (last visited December 14, 2014)

per takes issue, for reasons that will be discussed.

Despite a state interest and promotion of family planning, unintended pregnancies in Mexico remain extensive. This correlates with increases in clandestine and unsafe abortions.<sup>51</sup> The Guttmacher Institute claimed that “behind almost every induced abortion [in Mexico] is an unintended pregnancy.”<sup>52</sup> The study estimated that more than half of all pregnancies in Mexico are unintended.<sup>53</sup> One highlighted reason is the lack of information about availability of contraception, and how to effectively and consistently use modern contraceptive methods.<sup>54</sup> Within the unintended pregnancies statistics, an estimated 19% end in unplanned births, 30% result in an abortion, the majority of which are illegal and unsafe, and 6% end in miscarriages.<sup>55</sup>

In evaluating why the number of unintended pregnancies remains high, despite family planning initiatives, three factors must be taken into consideration. First, the use of contraception has remained high, but uneven. Research suggests that although the majority of women reports using contraception, not all do so effectively.<sup>56</sup> Often contraception is used inconsistently or incorrectly. Modern forms of contraception are not always the norm; traditional, less effective methods are used by many rural women.<sup>57</sup> Second, access to high quality reproductive health services remains lacking. A decentralization of family planning services resulted in some regions maintaining much lower qualities of care than others. Decentralization allowed for budgeting decisions to be made ad hoc—each local government able to choose whether to fund or defund family planning services.<sup>58</sup> The Guttmacher Institute reported that “four in 10 Mexican women of childbearing age fall into the

---

51 On demand abortion is illegal in 31 of 32 of Mexico’s districts. Therefore almost all abortions are practiced clandestinely in dangerous and unhygienic places, using unsafe and unregulated methods.

52 Guttmacher Institute, *supra* note 59, p.4.

53 *Id.*

54 *Id.*, p.6

55 *Id.*, p.42

56 *Id.*, p.70

57 *Id.*

58 Guttmacher Institute, *supra* note 59, p. 10

category of having poor access to quality care.”<sup>59</sup>

Third, issues of pervasive gender based inequality create a barrier. One-fifth of “sexually active single women with good access still have unmet needs to contraception.”<sup>60</sup> There remains a strong stigma against non-procreative sexual activity, particularly extramarital. Women attempting to access family planning services must overcome this stigma among their peers and family, and must often face judgmental service providers. Women are frequently misinformed or lack education about reproductive health issues, including methods and appropriate uses of contraception, and their own right to receive it free of charge. Lastly, pervasive gendered power imbalances result in a lack of autonomy for women to make significant life decisions, including a “related inability to negotiate contraceptive use with sexual partners.”<sup>61</sup> Although men are generally thought disinterested in family planning and contraception, “[t]he very low prevalence of male dominated methods confirms the persistence of machismo in Mexico today.”<sup>62</sup> For example, only seven percent of married and unmarried couples report using condoms as their chosen method of family planning, and only two percent rely on vasectomy; the use of women’s sterilization is more prevalent.<sup>63</sup> These statistics and general beliefs in male indifference fail to take into consideration increasing calls for men’s rights, particularly in arguing against liberalizing abortion rights.

### *The Mexican Supreme Court*

Mexico’s Constitution established a right for “[e]very person...to decide, in a free, responsible, and informed manner, the number and spacing of his or her children.”<sup>64</sup> The gender neutrality evident in the Clause is problematic because of its lack of clarity in what this right entails, and who it

protects. The Supreme Court has made both progressive and conservative decisions regarding reproductive rights and sexual liberty. The Court’s back and forth on the issue of reproductive rights caused one commentator to wonder whether the court suffered “collective multiple personality disorder.”<sup>65</sup>

In 1994, the Court ruled that lack of consent for sexual intercourse between a husband and a wife was not rape but the crime of undue exercise of the right to “carnal debt.” In 2005, the court reversed this ruling in the Conjugal Rape case. The decision directly cited the Clause, holding that although procreation is the sole purpose for marriage, this purpose cannot result in one spouse forcing sexual intercourse upon the other. The Court held that it is “the right of every person to decide not just regarding her sexual freedom and the free disposition of her body, but to determine when the perpetuation of the species shall be attempted.”<sup>66</sup> However, the decision worryingly maintained procreation as the goal of marriage, and explicitly discussed the Clause as a right exercised jointly by husband and wife, discounting non-procreative sexual intercourse within and outside the bonds of marriage.

In 2008, the Court issued a plurality decision on a constitutional challenge to a law decriminalizing abortion in the first trimester.<sup>67</sup> The law was challenged by the federal attorney general and the National Commission of Human Rights through joint claims. Both plaintiffs argued that the decriminalization of abortion was unconstitutional because it violated a fetus’ right to life,<sup>68</sup> and was also a violation of men’s rights to family planning

---

59 *Id.*, pp. 65-66.

60 *Id.*, p.66

61 *Id.*

62 *Id.*, p.75

63 *Id.*

64 Constitute project, *supra* note 51, article 4, emphasis added.

---

65 Alejandro Madrazo & Estefania Vela, *The Mexican Supreme Court’s (Sexual) Revolution?*, Texas Law Review, Vol. 89: 1863, p.1890

66 *Id.*, p.1872

67 It is significant to note the difference between decriminalizing the act of abortion, and recognizing the act as a right. These divergent conceptions create different state obligations, and different legal protections for women. Although decriminalization is a significant first step toward achievement of reproductive rights, it is not by any means enough to establish full equality.

68 Past cases declared that life begins at conception, in terms of constitutionally protected rights.

under the Clause. Although the justices agreed the decriminalization was not per se unconstitutional, their separate opinions differed greatly in reasoning, and failed to analyze the Clause or reproductive rights more generally. The court framed the question as “whether the state has the obligation to criminalize a specific type of conduct, and not if the criminalization of a particular type of conduct affects or violates...” the protected constitutional rights of others.<sup>69</sup>

Both of the above referenced cases resulted in decisions that promoted the reproductive rights of women, yet the court’s avoidance of a direct discussion on what that right entails and a failure to interpret the Clause is troubling, particularly in view of its mercurial recent holdings. Within the more than 1300 page plurality opinion of the Decriminalization case, the court rarely referred to reproductive rights, a right seemingly essential to the issue in question. This is particularly strange because both plaintiffs initiating invoked and asked for interpretation of the Clause as central parts of their claims. The plurality decision did touch briefly on the men’s rights rationale to the challenge, but instead of elaborating on how the Clause should balance maternal and paternal rights; the court instead used a reasonableness standard that makes little contextual sense. The plurality simply stated that the core of the challenge was really a “lack of reasonableness of the decriminalization, and not a direct challenge to its constitutionality.” Although the court did indicate that men’s rights under the Clause did not affect the constitutionality of decriminalization of abortion, it failed to explain how the rights of both men and women interact under the law. Lastly, in direct contrast to the Conjugal Rape decision, the court held that actually, “the right to be a father or mother” is not a right to be exercised jointly after all but rather must be understood to be an individual right,<sup>70</sup> but fails to say which individual parent has the greater legal standing.

As is to be expected with a plurality opinion, the justices weighed in at length, with some of the opinions particularly useful in promoting women’s

---

69 Madraza & Vela, *supra* note 66, p.1887

70 *Id.*, p.1888.

rights. However, because these opinions are merely ancillary they fail to make what could have been a significant legal step forward. Justice Cordero for example, held that,

“in matters of gestation men are not equal to women, and it is through the subjection to control through the criminal law that the latter are devalued as persons and reduced to instruments of procreation, which makes discrimination evident, when it is only they that are criminally punished.”<sup>71</sup>

Justice Meza criticized the lack of discussion of women’s reproductive rights by the court. In strong dicta he reproached the state for its failure to implement effective family planning policies “sufficiently and efficaciously enough so that couples can decide in a free and responsible manner the number and spacing of their children.”<sup>72</sup> Justice Meza pointed out that the Clause requires state provision of education on birth control methods, as well as access.<sup>73</sup>

The court’s decisions on issues of reproductive rights, although seemingly progressive, are problematic. Its approach to the constitution as a set of changeable cultural values fails to recognize fundamental rights as universal, inherent, and inalienable. Additionally, the court fails to link together its decisions on reproductive rights, not building upon its own precedents. Historically the court is hampered by a tradition in which reasoning for precedents is irrelevant for future cases. This creates an environment where the court can change its mind frequently, using very different rationales, and leaves issues of fundamental rights subject to the whim of individual justices on any given day.

## Conclusion

Part one of this paper established the firm grounding under international law of a woman’s right to decide if and when to have children. Additional commentaries and recommendations on the various implications of the right make clear that due to the extreme effects having a child has on

---

71 *Id.*, p. 1889

72 *Id.*

73 *Id.*

a woman, the right rests with her, if not solely, at least to a greater extent. Any laws or policies that promote this right must be non-discriminatory in their application towards women, who have been historically oppressed under patriarchal societies and legal systems. Since women face the greater burden and consequent violations to the full realization of a plethora of other protected human rights, any law or policy that provides men with an equal right to decide if and when to have a child is discriminatory and a violation of women's human rights.

Part two discussed these issues under Mexican domestic law. In Mexico, pervasive gender constructs, including hegemonic machismo in matters of family planning, make clear that women are not yet substantively equal in family life. Social stigmas, access to services, access to information about rights, high violence against women, and rigidly adhered to gender roles make it difficult for a woman to make autonomous family planning decisions. Due to these factors, the Clause, if strictly interpreted, must be considered a violation of women's human rights.

The Court's decisions failed to fully discuss the Clause and its implications. For example, it has not explained what the legal result would be when a woman wants to keep an unintended pregnancy and her partner or spouse does not. Nor has it considered when a man may want a child, but a woman does not, outside the context of marital rape. Gendered power imbalances ensure that there are many ways a man could force the issue of having a child on his partner, most significantly through lying to her, or by using societal pressure to coerce compliance. Years of patriarchal norms of submissiveness cannot be rectified overnight. The court did not address the history of women's oppression and continued power dynamics in society as a whole and in the family more particularly. Assuming that men and women have equal knowledge, access and power to obtain family planning services is a dangerous assumption to make, and puts women's health and reproductive rights directly at risk.

In conclusion, women have a guaranteed

right to decide if and when to have a child. This right is not, and should not be framed in terms of equality of the right held by men. Although it is important for men to be involved in family planning responsibilities, women bear the brunt of the consequences for poor reproductive health decisions and thus should be afforded the greater right. Mexico's Right to Choose Clause is one example of equality in family planning that is particularly limiting to women, and if applied or interpreted strictly, violates women's human rights. In a world where fetal rights are increasingly being used to subsume those of women, men's rights arguments simply add fuel to the fire. It is long past time to recognize that women's rights to dignity, equality, autonomy and self-determination demand something more than equal rights in family planning contexts.

# He Beats Me Because He Loves Me

## Changing the Culture of Sexual and Gender-Based Violence in Contemporary South Africa<sup>1</sup>

Hayley Chesnik

### Setting the Stage: The Pernicious Linking of Sex, Gender, Identity, and Violence in South Africa

Due to the high-profile gang rape of seventeen-year-old Anene Booysen and the murder of Reeve Steenkamp by her Olympic track star boyfriend Oscar Pistorius, February 2013 has heightened awareness of sexual and gender-based violence (SGBV) in South Africa. Suddenly the spotlight was on a country where violence against women and the LGBT community is so endemic that it routinely slips past public consciousness into the realm of normalcy and widespread social acceptance. The national statistics are no less shocking than the sadistic crimes they represent. South Africa has the world's highest rates of violence against women for a country not in conflict.

The South African Medical Research Council (MRC) found that a quarter of South African men of all racial groups surveyed from both rural and urban areas in the KwaZulu-Natal and Eastern Cape provinces admitted to raping someone, with forty six percent of them saying they had raped someone multiple times.<sup>1</sup> Despite the fact that South Africa has the highest per capita rate of reported rape in the world,<sup>2</sup> only one in twenty five

women who have been raped report it to the South African Police Services, according to a joint study by the MRC and Gender Links.<sup>3</sup>

The MRC also estimates that a South African woman is killed every eight hours by her intimate partner, making "femicide" a leading cause of death among women in South Africa and five times higher than the global average.<sup>4</sup> The use of the poorly termed "corrective rape" of mostly black lesbians (i.e. the rape of a lesbian woman as a means of "curing" her homosexuality) has also risen significantly over the past few years in South Africa as a severe hate crime against a person's sexual orientation and gender identity. The outrageously high levels of violence against women have come to brand South Africa with some very unflattering names: "the rape capital of the world," "the worst place to be gay," "a nation of rapists," etc.<sup>5</sup> On top of this, long-term impunity, social tolerance, and resistance at the highest levels of the country to address this issue have led to the de-facto legal normalization of SGBV within male-female relations.

---

*ing Women for Gender Equity*, 69: (2006), 73.

3 Mercilene Machisa, Rachel Jewkes, Colleen Lowe Morna, and Kubi Rama, "The War at Home: Gender Based Violence Indicators Project," (2011), Accessed November 1, 2014, <http://www.genderlinks.org.za/article/the-war-at-home---gbv-indicators-project-2011-08-16>

4 Naeemah Abrahams, Shanaaz Mathews, Rachel Jewkes, Lorna J Martin, and Carl Lombard, "Every Eight hours: Intimate Femicide in South Africa 10 years later!," *South African Medical Research Council* (2012), Accessed April 18, 2014, <http://www.mrc.ac.za/policybriefs/everyeighthours.pdf>.

5 Janet Smith, "We are a nation of rapists," *Pretoria News*, (2012), Accessed September 14, 2014, <http://www.iol.co.za/pretoeria-news/opinion/we-are-a-nation-of-rapists-1.1284848#.VRNc7jvF9LY>

---

1 Rachel Jewkes, Yandisa Sikweyiya, Robert Morrell, and Kristin Dunkle, "Understanding Men's Health and Use of Violence: Interface of Rape and HIV in South Africa," *South African Medical Research Council* (2009), Accessed September 18, 2014, <http://www.mrc.ac.za/gender/interfaceof-rape&hivsarpt.pdf>

2 Dean Peacock, Bafana Khumalo, Eleanor McNab, "Men and gender activism in South Africa: observations, critique and recommendations for the future," *Agenda: Empower-*

Andrew Harding recently asked in a BBC News article, “Will South Africans ever be shocked by rape? South Africa seems numb, unable to muster much more than a collective shrug in the face of almost unbelievably grim statistics.”<sup>6</sup> Domestic and international newspapers (i.e. The Daily Maverick, Mail & Guardian) have since heralded Anene Booysen’s murder as “the answer” that South Africa was looking for. But what, then, was the question? And will this “answer” finally have the power to bring about concrete change in the lives of South African men and women? The international community has been made well aware that rape is not a new phenomenon in the country. So, why are generations of South African men continually asserting their masculinity through horrific acts of sexual violence and what does it mean for the identity of men and boys in South Africa to be so closely bonded to violence?

For a true awakening, one that will continually inflame the country with fury and revulsion at SGBV, we must first truthfully understand the seeds of this grave issue, which has spread cruelty and malice across an entire nation. To be more direct, we cannot resolve violence against women without addressing the construction (and re-construction) of masculinity in the context of post-apartheid South Africa. Indeed, it is the patriarchal values and attitudes that underpin society which lie at the root of violence against women and LGBT individuals. Gender-transformative work therefore “requires that masculinities—black, white, straight, queer—be radically revisited and transformed in the interests of a country that is not just gender-equitable on paper,”<sup>7</sup> as Pumla Dineo Gqola bluntly puts it. Our current understanding of how to achieve a gender-just society—i.e. by changing culturally ingrained gender identities and patriarchal values (which are linked to SGBV)—is still in its infancy. Although gender-transformative work is a daunting task, we cannot move towards

---

6 Andrew Harding, “Will South Africans ever be shocked by rape?,” *BBC News*, Accessed August 28, 2014, <http://www.bbc.com/news/world-africa-20971240>

7 Pumla Dineo Gqola, “How the ‘cult of femininity’ and violent masculinities support endemic gender based violence in contemporary South Africa,” *African Identities*, 5:1 (2007): 117.

gender equality without breaking down the processes and values that are rooted in the oppression of others, namely women and other marginalized groups.

## The Multiple Constructions of Masculinity in South Africa

While much literature has focused on the masculinities of white Western men, the study of masculinities in Africa has yet to be fully developed. South African white masculinity has been associated with hegemonic Afrikaner masculinity that came out of nineteenth century British colonial rule and extended into Afrikaner nationalism during the National Party’s political rule in apartheid South Africa. Institutions such as sports (especially rugby) and the school system, according to Dr. Robert Morrell, further helped British settlers establish Afrikaner masculinity amongst white men as exclusively hegemonic in South Africa.<sup>8</sup> This form of white, puritan, heterosexual and Afrikaner masculinity was constructed in direct contrast to black masculinity.

A new black masculinity emerged following the end of WWII and the coming of apartheid “in which men lost jobs, lost their dignity, and expressed their feelings of emasculation in violent ways.”<sup>9</sup> Morrell additionally underscores how African and white men were hierarchically related through the meaning of the word ‘boy’ as expressed and used in South African English. In the South African context of white colonization over black people, this offensive term, ‘boy’, invokes a process of emasculation: “class and race oppression had a specific gender impact on black men—it emasculated them. They were called ‘boys,’ treated as subordinates, and denied respect...where black men resisted class and race oppression, they were also, simultaneously, defending their masculinity. This often involved efforts to re-establish or

---

8 Robert Morrell, “Of Boys and Men: Masculinity and Gender in southern African Studies,”

*Journal of Southern African Studies*, 24(4): 1998, 605-630. 9 Morrell, 630.

perpetuate power over women.”<sup>10</sup> Historical constructions of masculinity that grew out of apartheid and colonialism have thus been particularly linked to the high levels of SGBV after the country’s transition to democracy. Due to poverty and high male unemployment, violence and masculine identity are deeply interconnected and mutually reinforcing as economic conditions continue to foster violent behavior in South Africa’s male citizens.

## **Constructing, Reconstructing, and Deconstructing Discourses on Sexual and Gender-Based Violence in South Africa**

Containing social and cultural assumptions, discourses are different ways of speaking that send powerful messages and promote certain truths.<sup>11</sup> When studying SGBV and the multiple constructions of masculinity, discourse analysis is especially relevant. What men and women say, and how they say it, is one component of violence. To quote Vasu Reddy and Cheryl Potgieter, “violence can be treated not simply in terms of its socio-political context that inscribes events, but also as a type of ‘conversation’ and ‘dialogue’ that opens up when people speak about such violent events.”<sup>12</sup> Such “gender-talk” can thus reflect the underlying gender power hierarchies that produce SGBV.

In the post-apartheid context, South Africa’s national crisis of violence has manifested itself in multiple and oftentimes competing narratives of SGBV, each laden with different historical, political, social, and cultural meanings. In these competing discourses, SGBV can either be constructed as normal, inevitable, and socially tolerable or as unacceptable, intolerable, and never justified. South African feminist researcher Simidele Do-

sekun further highlights that gender discourses are a uniquely feminist issue if women are not given the critical lens through which to understand SGBV and why it occurs at the levels it does in South Africa.<sup>13</sup> However, SGBV is not solely a feminist issue but also a political, social, and economic issue—especially when put into discourse. Mapping how SGBV is talked about through these multilayered and problematic discourses in South Africa is therefore important for the study of rape and gender perceptions as well as the development of violence prevention strategies.

The most important discourses shaping the conversation on SGBV in South Africa that need to be transformed are those that subjugate individuals and reproduce the very gender power structures that keep patriarchy and oppression in place. These are the discourses that reiterate patriarchal gender norms and victim blaming, both of which blend together and are grounded in historical justifications for this violence as well as discussed in racial contexts. Multiple institutions (including the state, the church, and the family) further perpetuate these discourses through their trivialization of violence or preaching of acceptance of violence.<sup>14</sup> In fact, Shireen Hassim cites a 2005 study reporting that many religious leaders across different faiths even support “domestic violence if they believe the partner was ‘justified’ in using violence and they frequently sanction discourses of ‘the good wife’ by persuading her to tolerate her husband’s violence and to reconcile with him.”<sup>15</sup> These discourses consequently serve to justify and normalize SGBV in South African society, whether it occurs in the private or public sphere.

## **Responding to Gender-Based Violence: Emerging Programs in the Field**

---

10 Robert Morrell, “Men, Movements, and Gender Transformation,” *The Journal of Men’s Studies*, 10:3 (2002): 322.

11 S. Whitehead & F. Barrett, “The Sociology of Masculinity,” *The Masculinities Reader* (Cambridge: Polity, 2005): 21.

12 Vasu Reddy and Cheryl Potgieter, “‘Real men stand up for the truth’: discursive meanings in the Jacob Zuma rape trial,” *Southern African Linguistics and Applied Language Studies*, 24(4): 2006, 511.

---

13 Simidele Dosekun, “‘Rape is a huge issue in this country’: Discursive constructions of the rape crisis in South Africa,” *Feminism & Psychology*, 23:4 (2013): 533.

14 Shireen Hassim, “Democracy’s Shadows: Sexual Rights and Gender Politics in the Rape trial of Jacob Zuma,” *African Studies*, 68(1): 2009, 67.

15 *Ibid.*

## *Community Education, Outreach, and Dialogue*

Some civil society organizations that seek to mobilize communities around the promotion of gender equality and safe, healthy relationships between intimate partners have used community dialogue and education programs to raise public awareness around SGBV. Community education is a particularly effective tool to reach and interact with South African men and women in their own communities.<sup>16</sup> It further localizes outreach work to individual communities, improves active citizen engagement, and increases the possibility of having a better turnout of public participation at events.<sup>17</sup>

The Ekurhuleni Pride Organising Committee (EPOC), a community organization formed in 2009, specifically works to educate and raise public awareness of severe hate crimes targeted at LGBTI individuals in the Ekurhuleni Municipality. When asked about the level of homophobia in the KwaThema Township (located within the Ekurhuleni Municipality), EPOC members claimed that part of the problem of discrimination stems from sexism, stereotypes and destructive personal mindsets. Ntsupe Mohapi, EPOC chairwoman, thus explained that, “community awareness is the most important part”<sup>18</sup> of fighting for equality and breaking down the stigma associated with homosexuality. EPOC therefore hosts community retreats and outreach programs as strategic methods to engage with community members, educate them about hate crimes based on sexual orientation, and transform the behaviors and heterosexist values of people in their own communities that lead to violence against the LGBT community.

Like EPOC, People Opposing Women Abuse (POWA), a feminist, women’s rights organiza-

tion formed in 1979, also believes in the value of community awareness as a helpful tool to combat SGBV. Tiny Moloko, a counselor and social worker at POWA, mentioned that the key goal of talking about SGBV in their community outreach programs (across the entire Gauteng region) is to “change the mindset” of local men and women who view gender violence as acceptable.<sup>19</sup> Community education programs ultimately empower people with public information and inform them about how this information impacts their own personal lives.<sup>20</sup> By emphasizing the communal responsibility to address this social problem, education and outreach programs can have a positive and lasting change in communities as they work to shift societal norms and cultural attitudes that lead to SGBV. Awareness-raising outreach programs have subsequently become a valuable strategy employed by many organizations working to address SGBV and promote citizen engagement.<sup>21</sup>

## *Direct Support Services*

Direct support services in organizations (such as domestic violence shelters or agencies) often include the provision of shelter and housing, counseling and therapy, and specific empowerment programs including legal, economic, training and development support.<sup>22</sup> The delivery of these service provisions to survivors of SGBV provides them with immediate basic needs (such as shelter and protection) and is also a vital component in their path to recovery.

POWA’s wide range of direct services include three different shelters that accommodate women and their children (for a period of one to six months), second-stage housing (located in Berea, South Africa) that is available for up to one year for employed women, and one hour sessions of

---

16 Peacock, 75.

17 Emily Stanley, “Engendering Change? An Analysis of How NGOs Work on the Problem of Violence Against Women in South Africa,” *Journal of Politics & International Studies*, 8: (2012/2013): 203.

18 Ntsupe Mohapi, Personal Interview, 9 June 2014.

19 Tiny Moloko, Personal Interview, 11 June 2014.

20 Stanley, 301.

21 Ibid.

22 Larry Bennett, Stephanie Riger, Paul Schew, April Howard, and Sharon Wasco, “Effectiveness of Hotline, Advocacy, Counseling, and Shelter Services for Victims of Domestic Violence,” *Journal of Interpersonal Violence*, 19(7): 2004: 815.



face-to-face counseling for all of their clients. The first organization in South Africa to establish shelters (in 1981), POWA also pioneered the idea and implementation of second stage housing in 2009. Their staff underscores the dangers facing female victims of domestic abuse who attempt to leave an abusive relationship. They noted that many times these women are simply unable or unwilling to leave an abusive partner in part because of their fear of being discovered by their intimate partner or their belief that they have no other place to go for safety. The provision of a safe space for women to reside and receive much needed assistance is paramount in helping these women escape from their abusive relationships. Discussing the value and importance of direct service provisions, Tiny Moloko stated it best when she claimed that advocacy organizations in South Africa “can’t do away with frontline services.”<sup>23</sup>

### *Legal Empowerment and Court Support Services*

The underreporting of rape and other sexual offenses to the police is in large part due to the survivor’s fear of secondary trauma in the criminal justice system along with fear of humiliation, shame, and retaliation by the perpetrator.<sup>24</sup> The inability of police to properly investigate sexual offences and treat victims of sexual violence with sensitivity further adds to their burden. Consequently, many survivors do not want to go through a Court trial and relive their traumatic experiences over again in front of an audience. Legal empowerment interventions such as pre-trial consultation, however, help SGBV survivors better understand their constitutional rights, lessen their anxieties during the trial process, and seek justice for their experiences of abuse.<sup>25</sup>

One example of an initiative committed to

<sup>23</sup> Tiny Moloko, Personal Interview, 11 June 2014.

<sup>24</sup> Helen Wells and Louise Polders, “Anti-gay hate crimes in South Africa: prevalence, reporting practices, and experiences of the police,” *Agenda: Empowering Women for Gender Equity*, 2-3(67): 2006, 35.

<sup>25</sup> Lucinda van den Heever, Personal Interview, 19 June 2014.

legal services is the Legal Advice and Training project at the Saartjie Baartman Centre for Women and Children, a one-stop center for abused women and their children in Cape Town. This program offers cost-free legal support to their female clients from the Centre’s full-time legal advisor and paralegals in an effort to increase women’s awareness of their legal rights and enable them to access the legal system. The Legal and Advocacy Department at POWA also empowers their female clients to testify in Court by offering them Court preparation along with women-centered and rights-based legal counsel, including face-to-face advice on how to prepare for and respond to questions when cross-examined by a defense attorney in Court. Staff counselors at POWA further noted that providing legal support as a frontline service to female victims of abuse helps build a better case for conviction against the perpetrator in addition to helping the victims heal their wounds. To once again echo Tiny Moloko’s words on the importance of court support programs, “you can’t deal with domestic violence and not empower women with legal rights.”<sup>26</sup>

### *Economic and Financial Empowerment Programs*

The absence of women’s economic independence not only reflects extreme gender inequalities in society but also leads to SGBV within sexual relationships. Men are essentially given an added layer of control, economic control, over their female partners, which they then use to limit their female partner’s movement, deny them money, and keep them financially bound to the relationship. Women’s economic disempowerment (based in patriarchal norms) is therefore a key factor in the persistence of SGBV in South Africa. Economic empowerment programs—which are critical in giving women autonomy and freedom over their own lives—work to shift traditional gender norms and create new, positive gender roles that are empowering for both men and women.

Ann Hilton, the Economic Justice and Entre-

<sup>26</sup> Tiny Moloko, Personal Interview, 11 June 2014.

preneur Manager at Gender Links, an NGO that promotes gender equality through governance and the media, manages the organization's Entrepreneurship Programme. In this program, which "teaches life skills and business training to help women become self-reliant, autonomous and free to negotiate their lives,"<sup>27</sup> Hilton works personally with female survivors of SGBV to improve their economic independence. In an interview with Hilton at the Gender Links headquarters in Johannesburg, she highlighted that women who "don't believe they can survive economically outside of their abusive relationship even if it is unstable and tenuous" are therefore often unable to leave.<sup>28</sup> However, strengthening women's financial situation puts these women in a much better position to leave their abusive partner. Having trained well over a thousand women in entrepreneurship workshops, Gender Links is testing the relationship between financial independence and the levels of SGBV, showing the importance of skills development and training for women.

### *Personal Empowerment Programs*

According to Sarah Frances Gordon and Anthony Collins, "the social invalidation that women receive when they disclose their experiences of gender-based violence creates a cycle of underreporting and sends the message that women's experiences and identities are not valued."<sup>29</sup> Yet, sharing one's individual story of violence, however, can be an empowering act. Participatory programs that encourage survivors of abuse to speak out and tell their story help to break down the discourses of shame and victim blaming that render survivors of abuse voiceless. In doing so, these programs vali-

---

27 Ann Hilton, "Southern Africa: Economic inequality fuels gender violence," *Gender Links*, 2014, Accessed 25 November 2014, <http://www.genderlinks.org.za/article/southern-africa-economic-inequality-fuels-gender-violence-2014-11-25>.

28 Ann Hilton, Personal Interview, 11 June 2014.

29 Sarah Frances Gordon and Anthony Collins, "'We face rape. We face all things': Understandings of gender-based violence amongst female students at a South African university," *African Safety Promotion Journal*, 11:2 (2013): 102.

date the experiences of survivors and de-normalize the social acceptance of SGBV.

Recognizing the power of memory and storytelling in personal and collective healing, the Khulumani Support Group in Cape Town works to transform individuals' experiences of violence into opportunities for empowerment. This strategy first aims at healing people's emotional and internal wounds that are still lingering from physical tragedies. Personal healing programs emphasize the need for organizations with goals of social change to seriously address the impact of violence on individuals' personal lives before combating the social inequalities that lead to their disempowerment. As a member-run organization, the Khulumani Support Group takes into account how people that have experienced violence should be viewed as well as how they should view themselves. In fact, Khulumani members emphasize that reclaiming one's identity after being assaulted and victimized is key to the empowerment of individual survivors of abuse.

### **Recommendations and Strategies for Change**

Local interventions and frontline services directed at changing the existing gender norms in male-female (sexual) relationships are critical in developing zero tolerance levels for sexual violence. For these interventions to be successful, however, they must be sustainable over the long-term. Community-based prevention efforts must also be accompanied by the following recommendations and strategies for change:

#### *De-normalize Patriarchal Attitudes that are Accepting of Violence*

To deconstruct South Africa's gender hierarchy and allow a space in which there could be the establishment of more equal power relations in the country, SGBV prevention strategies must acutely challenge and de-normalize deeply seeded patriar-

chal gender attitudes.

### *Deconstruct Hegemonic Masculinity*

Men and boys must be lead down a gender transformative path in which their behavior and attitudes do not depend upon traditional concepts of male dominance and sexual entitlement—which features strongly in the social construction of masculinity.<sup>30</sup> This process of deconstructing South African masculinity must replace current forms of hegemonic masculinity with alternative, positive models of masculinity that promote equality and respect for women.

### *Alter the Language and Coverage of GBV in the Public Media*

Rather than highlighting only the most brutal cases of sexual violence and diverting public attention away from the conditions that make SGBV permissible in society, the South African public media must modify the language employed in news reporting in order to boost a positive portrayal of women and LGBT individuals and use their influence to reflect and communicate discourses that highlight the everyday nature of SGBV in South African culture.

### *Increase the General Population's Understanding of Constitutional Human Rights*

Institutions including the criminal justice system, civil society, the Commission on Gender Equality, and the South African Human Rights Commission, all have a part to play in promoting a culture that is respectful of human rights in South Africa by ensuring that the general public understands their constitutional rights as well as how to

enforce them. Greater awareness of the meanings of SGBV will lead to more effective rape and sexual assault prevention campaigns.

### *Engage Men in GBV Prevention Efforts*

Civil society organizations in South Africa must continue to promote men's positive role and involvement in preventing violence and promoting gender equality in South Africa. They must also work to engage and organize men and boys in community activism at the local level.

### *Improve the Criminal Justice System*

As the most visible sector of the state, the South African criminal justice system's ill handling of sexual offense cases reflects the country's poor institutional response to sexual violence. The South African Police Services must be reformed to include better police management, penalties for police brutality, and increased police training on gender inclusiveness and sexual offense investigations in order to encourage victims of SGBV to report their crimes and seek out support.

### *Increase the Effectiveness of Gender Ministries in the State*

The South African government must work to increase the capacity and effectiveness of the Women's Ministry by respecting its mandate and funding its stated goal of developing national plans to respond to gender violence.

### *Implement a National Strategic Plan to Combat SGBV*

After the unsuccessful implementation of a National Action Plan to combat gender-based violence in 2006, the current South African government has recommitted to developing and monitoring a five-year (2014-2018) National Strategic Plan

---

30 Rachel Jewkes and Naeemah Abrahams, "The epidemiology of rape and sexual coercion in South Africa: an overview," *Social Science & Medicine*, 55(7): 2002: 1238.

(NSP) to end SGBV. However, progress towards the implementation of this plan has been incredibly slow since the Women's Ministry suspended the National Council of Gender-Based Violence's work on developing the NSP in 2014. The South African government must move forward with the implementation of the NSP and ensure that all relevant stakeholders in the country are involved in its development.

## Conclusions: The Way Forward

After three hundred years of colonization followed by fifty years of apartheid, we cannot expect a complete gender transformation in South Africa during the twenty years that the country has experienced democracy. SGBV is deeply rooted in patriarchal gender attitudes and exacerbated by the country's economic problems including high unemployment, poverty, and a massive wealth gap. However, when pressed to single out the driving force behind South Africa's gender violence epidemic, University of Cape Town Researcher Helen Moffett identifies one salient factor: "I believe the cause of sexual violence lies in the construction of dominant masculinities found in all patriarchal social systems."<sup>31</sup> Yet, what is most concerning about the astronomical levels of SGBV in the country are the narratives that serve to normalize and justify this violence in society. The dominant discourses of SGBV in South Africa place the responsibility of avoiding rape on women, blaming them if they fail to do so and ridiculing them if they come forward to seek justice and accountability. There is seemingly no stigma attached to perpetrating SGBV in the country, and South African women themselves have been known to state in tragically ironic terms—"he beats me because he loves me."<sup>32</sup>

If we are to truly transform the deeply entrenched gender attitudes that accept violence and

sustain gender inequalities in South Africa, then we must press beyond fixed understandings and traditional concepts of masculinities and femininities to reconstruct the gender order in South Africa and allow for a multiplicity of gender identities that support and respect one another. This is no simple mission. It will take a collective effort from the state and civil society to end SGBV in the country. While South Africa has undergone sweeping changes to become a nation that champions democratic politics and human rights, redefining masculinity and challenging the endemic nature of SGBV will be a defining battle in the trajectory of this country's future.

---

31 Helen Moffett, "'These Women, They Force Us to Rape Them': Rape as Narrative of Social Control in Post-Apartheid South Africa," *Journal of Southern African Studies*, 32:1 (2006): 137.

32 Tiny Moloko, Personal Interview, 11 June 2014.

# The Struggle to Survive Women's Burden in Refugee Camps

*Dalia Amin*

## Background

According to the UN Refugee Agency (UNHCR) currently there are approximately 16 million people<sup>1</sup> who have escaped harsh conditions and are granted temporary residence in neighboring countries' refugee camps or urban areas, with limited access to basic human needs and rights. The 1951 United Nations Convention relating to the Status of Refugees, and its 1967 Protocol defines a refugee as "a person outside of his or her country of nationality who is unable or unwilling to return because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion."<sup>2</sup> The 1951 Convention also grants rights for refugees that include "access to the courts, to primary education, to work, and the provision for documentation, including a refugee travel document in passport form"<sup>3</sup> Based on this legal document, millions of people are eligible for international protection and access to services under the United Nations mandate.

To support the large number of people seeking refuge around the world, many national and international organizations work along side UNHCR to provide legal and physical protection to refugees. In most cases, people fleeing their home countries are housed in refugee campsites. Although the camps provide displaced individuals temporary access to shelter, food, and water, they still lack

many resources and services. There are a number of basic characteristics of camp life that challenge the 1951 Convention, and provide refugees with limited support and freedom. Refugees in camps live on limited support payment and food vouchers, with little to no cash allowance. They are prevented from finding paid work and are required to live according to the host government's choice of residency and possess limited geographical mobility.<sup>4</sup>

The population that is most impacted in campsites by the challenges above are women and girls. They face gender specific risks and are less likely than men and boys to have access to their rights, due to their gender roles and relative positions in society.<sup>5</sup> Women and girls often lack appropriate legal protection, education, and health services in the camps. They risk higher rates of discrimination, and sexual and gender-based violence. In many cases the physical design of a camp and the practices implemented by camp management aggravate the lack of protection women and girls already face.

This paper will explore the problems refugees face in camps, with special attention to the challenges that women and girls experience. Various physical, social, economic, and political dynamics will be addressed to expose the negative practices within camps and their impacts on women and girls. Finally, a number of recommendations will be presented to change camp conditions and de-

---

1 "Who We Help - USA for UNHCR." USA for UNHCR. The UN Refugee Agency, n.d. Web. 30 Nov. 2014.

2 The 1951 Convention Relating to the Status of Refugees. See also the 1967 Protocol

3 Ibid.

---

4 Diken, Bulent. "From Refugee Camps to Gated Communities: Biopolitics and the End of the City." *Citizenship Studies* 8 (2004): 91-93. Web. 30 Nov. 2014.

5 "Women." UNHCR News. The UN Refugee Agency, n.d. Web. 13 Nov. 2014.

crease the struggles that refugee women and girls endure in camps.

## The Problem with Refugee Camps

While most camps' conditions today have improved, much development is still needed to fully relieve refugees from miserable living situations. Although every refugee camp is different depending on the host government's support and the region, there are a number of similar concerns in most camps, which include:

### *Population*

Most camps are populated with thousands of displaced people, which makes them difficult to manage and to provide appropriate quality services. In addition, such camps sites create security issues and advance the spread of disease.<sup>6</sup>

### *Length of Stay*

Camps are meant to be temporary spaces that can give a refugee population a place to live until they can return to their home, they are not meant to be permanent homes or settlements.<sup>7</sup> However, on average a displaced individual can spend up to five or more years in exile.<sup>8</sup> The extent of stay can easily cause more problems, as most camps are not produced to host people comfortably for long periods of time.

### *Location*

Most refugee camps are located outside cities, in rural areas far from the host community

and government facilities. This strategy isolates the refugee population and limits their movement within the country.<sup>9</sup> Such actions stem from fear of integration into the host community, which can lead to marriages with nationals and the granting of citizenship to the displaced people. Most refugee populations have minimal movement and spend most of their time behind fences with no permission to access the local community.

### *Economic Barriers*

In addition to social barriers, the host governments have in-state economic barriers. Refugees are not provided with transportation into the cities and thus do not have access to viable economies.<sup>10</sup> Furthermore, the camp-based economic opportunities are limited since there is no supply chain for production and exportation prospects.<sup>11</sup> Thus, many refugees live in conditions that make them reliant on services from international organizations, which raises frustration and fuels an increase in violence. Again, the location and isolation of camps limits refugees from enjoying free travel and access to a viable market for economic growth. All this is done to encourage repatriation of the refugees and bring about their ultimate removal from the country.

### *Rights Differ*

Depending on the host country, the rights offered to a displaced person are different and can lack full protection compared to that of a permanent resident. The legal language in all international agreements protecting the status of refugees is vague and there is no definition of "protection" in the 1951 convention. This allows each country to individually decide what protection will look

---

6 Diken, Bulent. "From Refugee Camps to Gated Communities: Biopolitics and the End of the City." *Citizenship Studies* 8 (2004): 91-93. Web. 30 Nov. 2014.

7 "Life in a Refugee Camp." *Global Issues* (n.d.): n. pag. Web. 2 Nov. 2014.

8 "Protracted Refugee Situations: The Search for Practical Solutions." *The State of the World's Refugees* (n.d.): n. pag. Web. 23 Nov. 2014.

---

9 Diken, Bulent. "From Refugee Camps to Gated Communities: Biopolitics and the End of the City." *Citizenship Studies* 8 (2004): 91-93. Web. 30 Nov. 2014.

10 "Humanitarian Space." *The Problem With Refugee Camps (Architecture, Design, Planning)*. Humanitarian Space, 7 May 2014. Web. 30 Nov. 2014.

11 *ibid.*

like for refugees in their country.<sup>12</sup> For example, if someone is a refugee in Egypt, they have the right to legal protection; but they have no right to education, health care, and employment, as Egypt withheld those particular rights when it signed the 1951 Convention.<sup>13</sup> This is problematic as the refugees in Egypt and other countries with such agreements, can withhold rights and strategically remove incentives for refugees to encourage their departure.

### *Camp Structure*

Refugee camps are set up by governmental agencies and international organizations, and are often developed quickly and designed to provide basic needs for the short-term.<sup>14</sup> Over the years camp structures have not developed; in many cases slums are recreated every time a refugee crisis has occurred. A typical camp set up often includes, tents constructed of cheap materials providing limited protection from natural elements, or containers placed in rows that do not allow privacy and circulation.<sup>15</sup> Current architects and designers are more focused on building technologies, rather than social systems. Every year designers create new refugee shelter technologies that are too expensive and require complex logistics to implement. Instead, the focus should be placed on building social capital and creating political and legal systems that can meet the demands of the displaced people.

### *Communication*

There is a communication gap between the professionals working in the camps and the refugee population. Most aid agencies and operations personnel have strict rules on interaction between staff and refugees, which translates into limited site visits and interaction with the refugee popula-

12 Ibid.

13 Ibid.

14 Bartolacci, James. "How Refugee Camp Architecture Is Capturing the Power of Shade." *Architizer*. N.p., 14 Mar. 2014. Web. 03 Nov. 2014.

15 Ibid.

tion.<sup>16</sup> In addition, most aid workers are fearful of the displaced population and are unfamiliar with the political and legal substructures that are needed to develop a functional camp infrastructure and support system. Due to the lack of interaction with the refugee population and little donor interest, aid has decreased which has caused slow implementation of programs, halting progress in refugee communities.

All members of a household in refugee camps endure the problems outlined above. However, women and children are most affected by the physical, social, and economic restriction placed on refugees.

### **Status of Women & Girls: Problems in Camps**

According to UNHCR, women and children constitute half of the world's refugee population.<sup>17</sup> They encounter gender-specific risks in situations of displacement, are the first to lose their rights, and most vulnerable to experience discrimination and to endure violence.<sup>18</sup> During displacement, support structures break down and women become primary targets for sexual and gender-based violence (SGBV), including "rape, forced impregnation, forced abortion, trafficking, sexual slavery, and the intentional spread of sexually transmitted infections, including HIV/AIDS."<sup>19</sup> These are only some of the many difficulties women and children endure on route to a camp, at their arrival and during their stay.

The insecure locations of camps allow for cross-border attacks on refugees, which increases risks for women and girls, making them targets for SGBV and vulnerable to as they look for firewood

16 "Humanitarian Space." *The Problem With Refugee Camps (Architecture, Design, Planning)*. Humanitarian Space, 7 May 2014. Web. 30 Nov. 2014.

17 "Women." UNHCR News. The UN Refugee Agency, n.d. Web. 13 Nov. 2014.

18 Ibid.

19 "UNHCR Handbook for the Protection of Women and Girls: Chapter 1: Introduction to Protecting Women and Girls." UNHCR News. The UN Refugee Agency, Mar. 2008. Web. 30 Nov. 2014.

or water outside the camps.<sup>20</sup> In addition, women and girls are not fully protected by camp judicial systems and have little or no financial resources to stand on their own. The lack of appropriate resources in the camps weakens the progress of women and girls and discourages their participation in decision-making processes.<sup>21</sup> Overall, women and girls living in camps become victims of serious human rights violations, and as a result face a number of issues, some of which are explored below.

### *Sociological Concerns*

**Role Changes and Strain:** In many cases women undergo role changes, where they either lose their freedom to travel, work, and socialize; or they gain more personal and financial freedom within the camps. In either case, women face difficulties with the sudden change of role. A married woman may have to work and care for her children, doubling her responsibilities. As a working mother, she will still be required to maintain traditions and cultural practices and will be responsible for passing them down to her children as well. In addition to having mixed feelings about all the new roles, an employed refugee woman may also endure domestic violence, as her husband may perceive her increased financial status as a challenge to his masculinity.<sup>22</sup>

**Early Marriage:** Due to limited economic opportunities, lack of basic protection, and the fear of sexual violence, child marriage is common for girls in displaced communities.<sup>23</sup> Such communities consider early marriage as a source of extra economic support, as men are willing to pay families for their young, virgin daughters. Early marriage removes girls from family and friends and causes psychological isolation and many health problems. For example, “a girl under 15 is five

times more likely to die in childbirth than a grown woman.”<sup>24</sup> In recent years, the number of child marriages in refugee camps have increased due to conflict and insecurity, further disadvantaging women and girls.

**Education:** Due to cultural, economic, and social factors, girls often lack access to schools within refugee camps. Also, families in need tend to keep their daughters at home to care for their younger siblings. In addition, there are a limited number of schools that have proper infrastructure and latrines for girls,<sup>25</sup> causing parents to worry about the safety and privacy of their daughters. The girls that do attend school, face challenges in getting there and fear becoming victims of SGBV. Furthermore, the student and teacher ratios are skewed, and many teachers lack professional teaching experience. Moreover, they apply violence in the classroom or lack understanding of sensitive issues for girls.<sup>26</sup> Generally in displaced settings, girls’ access to an education is much lower than boys’ as they face discrimination en route to, and at schools within camps.<sup>27</sup>

**Family Separation:** Unaccompanied or separated women and girls are most at risk, as they lack resources to travel and lack knowledge about their rights. Often, girls who have been separated or are traveling alone, fall victim to traffickers and disappear during the course of the migration toward a safe space.<sup>28</sup> Those that do reach camps may be invited to live with relatives or join a child-headed household. In either case, these children have reduced education and employment opportunities and are unable to seek legal support, causing further emotional issues and an increased feeling of abandonment and neglect.<sup>29</sup>

---

20 Ibid.

21 Ibid.

22 World Health Organization, Adolescent Pregnancy, Fact Sheet 364, 2012

23 “How Young Is “Too Young”? Comparative Perspectives on Adolescent Sexual, Marital, and Reproductive Transitions.” (n.d.): n. pag. Save the Children, 2014. Web. 14 Nov. 2014.

---

24 World Health Organization, Adolescent Pregnancy, Fact Sheet 364, 2012

25 “Module 4: Children and Education in Refugee Camps.” Children and Education in Refugee Camps. Unite for Sight, n.d. Web. 30 Nov. 2014.

26 Ibid.

27 Ibid.

28 “UNHCR Handbook for the Protection of Women and Girls: Chapter 1: Introduction to Protecting Women and Girls.” UNHCR News. The UN Refugee Agency, Mar. 2008. Web. 30 Nov. 2014.

29 Baltimore, Maryland. “Trafficking Risks for Refugees.”



## *Physiological Concerns*

**Health Care:** Refugee women tend to have poor health and camps rely on foreign aid to fund camp health facilities. Women and girls living in camps are more likely to be diagnosed with diarrheal diseases, malnutrition, malaria, measles, and other infectious diseases.<sup>30</sup> Women are also at a higher risk of contracting HIV/AIDS, as females are likely to be forced to engage in sex work and be raped in camp settings.<sup>31</sup> The lack of access to emergency health services, long-term care, and the low number of female physicians disadvantage female refugees' everyday.

**Reproductive Health Issues:** In most camps there is insufficient access to reproductive health services. Refugee women are more likely to have complications during pregnancy and childbirth. Women in camps face high rates of miscarriages, low birth weight of babies, unsafe abortions, and female genital circumcision.<sup>32</sup> Women and girls will also face discomfort and embarrassment during physical and internal examinations due to lack of female health professionals.

**Diet and Nutrition:** Nutritional deficiencies are common in refugee camps, and women and girls are more likely than men to be malnourished.<sup>33</sup> Inadequate intake of nutrients, the loss of more nutrients through menstruation, or the lack of a well-balanced diet and food shortages are all causes of poor health among female refugees.<sup>34</sup> In addition, clean water in refugee camps may be difficult to obtain and as a result women and children may become victims of dehydration.

---

Lutheran Immigration and Refugee Service, Nov. 2011.

Web. 15 Nov. 2014. Pg. 8

30 Toole, M.J., and Waldman, R.J. "The Public Health Aspects of Complex Emergencies and Refugee Situations." *Annual Review of Public Health* 18 (1997): 283-312. Accessed on 4 August 2010.

31 Chen, M., et al. "Reproductive health for refugees by refugees in Guinea II: sexually transmitted infections." *Conflict and Health*. 2.14 (2008). Accessed on 4 August 2010.

32 Costa, Daniela. "Health Care of Minority Women." *Australian Family Physician* 36.3 (1979): 151-54. Peace Women. Mar. 2007. Web. 08 Nov. 2014.

33 Foster, Jennifer. "Refugee Women." *Refugee Health - Immigrant Health*. N.p., May 2005. Web. 30 Nov. 2014.

34 Ibid.

**Rape and Sexual Abuse:** Female refugees are vulnerable to rape and sexual abuse in camps due to lawlessness, and may be forced to exchange sex for survival.<sup>35</sup> In many societies, women are commonly seen as inferior to men and as a symbol of honor for the family. Thus, if a woman is violated, she is socially isolated and subjected to further violence. In addition, women and girls in camps are at risk of domestic violence and abuse at the hands of foreign troops and nongovernmental staff – the same people that are entrusted with their protection. In general, there are limited services for victims of sexual violence, and health facilities lack professional staff with appropriate training.

## *Psychological Concerns*

**Post-Traumatic Stress Disorder:** Women and girls are significantly more at risk of mental health problems. Former experiences, effects of conflict, and relocation to a camp all trigger stresses. Women in refugee camps face trauma, depression, and various anxiety disorders; however, post-traumatic stress disorder is the most common.<sup>36</sup> The majority of camps provide no mental support and patients rarely access services outside the camps, all of which perpetuates the cycle of vulnerability.

**Adaption Stress:** Upon arrival in a new country and campsite, it is difficult to maneuver the camp structure. Women and girls must transform a tent into a home, cook, clean, and look after children, in addition to seeking a source of income. There is great stress associated with relocation, as refugee women need to learn a new language, understand new customs and protocols and do so with limited support.

## **Physical Structure in Camps & Women**

The design of a camp is essential in ensuring

---

35 Baltimore, Maryland. "Trafficking Risks for Refugees." Lutheran Immigration and Refugee Service, Nov. 2011.

Web. 15 Nov. 2014.

36 Foster, Jennifer. "Refugee Women." *Refugee Health - Immigrant Health*. N.p., May 2005. Web. 30 Nov. 2014.

that women and girls are comfortable and have resources at their disposal. There are a number of ways in which the physical structure of refugee camps disadvantage women.

### *Lack of Privacy*

Most standard camp structures lack privacy. Tents are set-up close to one another allowing neighbors to hear and see everything. In addition, all members of the family share the same tent space, not allowing for individual space for women and girls in the family.<sup>37</sup> In many cases, newly married men and women continue to live with their large immediate families due to lack of tents and space.<sup>38</sup> Finally, public restrooms and the small number of washing facilities lack individual stall doors for further privacy,<sup>39</sup> which places women in a vulnerable situation again.

### *Lack of Accessibility*

Women and girls lack comprehensive assistance and services and those that exist are difficult to access. Girls have to walk far from home to reach overcrowded schools and female patients tend to travel on foot, due to lack of infrastructure and transportation to and from hospitals. In addition, elderly, pregnant, and sick women have the most difficulty accessing water and sanitation facilities due to lack of ramps, public pathways with handrails and other user-friendly services.<sup>40</sup>

### *Lack of Safety*

Women and girls are exposed to different risks; they lose their freedom of movement and capacity to earn due to the physical layout of the camps. Due to lack of firewood and clean water at a convenient location in the camp, girls scrounge for firewood outside the camps and further put themselves at risk of physical and sexual abuse.<sup>41</sup> Additionally, due to limited power supply in the camps women and girls are restricted to their tents at night and require male companions to move around the camp after sunset. Furthermore, the protection mechanisms present within camps disadvantage women, as there are no female-only spaces for women and girls to report protection concerns and speak with female officers.<sup>42</sup>

### *Lack of Long-term Perspective*

Designers do not create plans for camps with a long-term perspective. They design camps to be used for a few months for a small number of people, when in reality camps tend to grow in size and outlive original plans.<sup>43</sup> Due to overpopulation, services become scarce and facilities are not readily accessible. In addition, developers in their architecture layouts do not include spaces for separate female police officer tents, schools for girls at the secondary level, female community gathering space and facilities where girls can play.<sup>44</sup> Finally, harsh weather conditions and natural disaster concerns are rarely considered when selecting a camp location and developing layout plans.

---

37 "The Ideal Design of a Refugee Camp." Design for Self Reliance. N.p., 29 Nov. 2011. Web. 30 Nov. 2014.

38 Vick, Karl. "As Syrian Refugees Settle In For Second Winter in Jordan Camp, Newlyweds Search for Privacy." N.p., 17 Nov. 2013. Web. 30 Nov. 2014.

39 Monsen, Lauren. "Are Refugee Camps Safe?" Share America. N.p., 24 Sept. 2014. Web. 30 Nov. 2014.

40 "Accessible Wash Facilities: To Promote Inclusion of Persons with Disabilities, Injuries and Other Vulnerabilities." Handicap International. N.p., Nov. 2012. Web. 16 Nov. 2014.

---

41 Lent Hirsch, Michele. "The Safest Prey: When Refugee Camps Become Sites of Violence." Women Under Siege Project. N.p., 21 Feb. 2012. Web. 12 Nov. 2014.

42 "Still Not Safe: Violence against Women and Girls of the Nuba Mountains." International Rescue Committee. N.p., Mar. 2012. Web. 16 Nov. 2014.

43 "The Ideal Design of a Refugee Camp." Design for Self Reliance. N.p., 29 Nov. 2011. Web. 30 Nov. 2014.

44 Ibid.

## Power Structure in Camps & Women

In addition to the physical layout of camps placing women and girls at a disadvantage, the power structure also affects the livelihood of women. Power structures within camps can determine a woman's access to resources, decision-making processes, and political participation in the camps.<sup>45</sup> To better understand the power structures in camps, it is important to explore the three factors below, where refugee women are most disadvantaged.

### *Aid Community*

Upon arrival at a camp, refugee women and girls will experience power hierarchies. Depending on whether they are labeled as a refugee, they will gain international legal rights; otherwise, they may not qualify for protection and aid.<sup>46</sup> The simple act of labeling gives the aid community power over the individual, as refugees become dependent upon the aid organization for services and resources. In most cases, the aid community has positive intentions in supporting the refugees; however, in some cases women and girls are manipulated and exploited. An aid agency can develop a camp structure that allows men to make all decisions, which can result in fewer services for women and girls. In addition, the aid community can ignore gender issues and construct a gender-biased environment that can further push women and girls towards harmful living and work conditions.<sup>47</sup>

### *Decision Making*

In general, refugees are excluded from the decision-making process; however, when they are consulted, it is the male population that represents the beneficiary group. Individual women's voices

and women's organizations are absent within the power structure and as a result many incorrect assumptions are made about gender relations in the refugee community, further exacerbating existing gender inequalities.<sup>48</sup> Women have dependents, work, and participate in the domestic sphere sometimes even as heads of households. They play a vital role within the camp community and without their participation in decision-making processes, the social, economic, and political status of women in the camps cannot improve.

### *Control of Resources*

In refugee communities, access to food aid and other resources can increase a refugee's social status; therefore, it is important to note that when armed groups gain control of food distributions and other supplies, they have leverage to force refugee men to join their insurgent groups. They are also able to exploit women and girls to participate in prostitution in exchange for food and other supplies.<sup>49</sup> In addition to external control over resources, internal petty corruption allows men to gain power over food distributions. Male section leaders within camps control the distribution of goods. In many cases these men create a patronage system that favors some refugees and not others, further disadvantaging women heads of households.<sup>50</sup> As more men are involved in the process of distributing resources, women are continually being left in the domestic sphere.

The exclusion of women from positions of power is prominent in refugee camps. To address the issues women face, it is important to understand the power and representation women have and their struggles domestically and within public decision-making sectors.

---

45 McLean, Heather. "Gender and Power Structures in Refugee Camps: Social Changes Following Refugee Movements." (n.d.): n. pag. Asia Pacific Press. 1999. Web. 14 Nov. 2014. >.

46 Ibid.

47 Ibid.

---

48 Ibid.

49 Ibid.

50 Ibid.

## **Recommendations: What needs to change?**

To meet the needs of female refugees it is important for both the host government and aid agencies to work together to address the current gaps within refugee camps. Below are recommendations that can be applied to most refugee communities.

### *Understand the community and identify the needs*

There is never enough time to prepare for an emergency situation and to design a camp system before a conflict arises. However, once people are displaced and seek protection, the host government, national and international aid agencies and humanitarian aid workers need to take appropriate steps to avoid further conflict and harm to the refugees, especially vulnerable population such as women and girls.

Before, or as one establishes a system for the refugees, it is important that an assessment of the location where the camp will be created and of the people that are moving into this space be conducted. Since each community is different, with a unique religious, political, economic, and social structure, it is important to identify any historical precedent of crisis in that society, the cultural norms and where women fit into that society's power structure to best address protection risks women and girls will endure.

By understanding the political, social, and economic structure of the refugee community, developers and designers of camps can create a system that involves the female perspective in all areas of camp life in a culturally sensitive manner. In addition, all external and internal support staff can develop a long-term plan that best addresses the changing needs of the refugee community. Women should be invited to participate in the development of the physical and power structure of the camp and they should be assigned roles in the fields of protection and promotion of women's rights.

### *Listen to the women and make changes*

By listening and involving women in the development process of the camp, developers and aid agencies can identify the specific and unique needs of women and girls. Below are areas that need most attention and consideration.

#### **Power Structure:**

*Political Needs:* Women and men should be equally represented in all decision-making bodies; women should be able to participate in elections without discrimination. A gender perspective should be integrated in all operations, including creating roles for women within the camp military, police and civilian personnel, such as camp managers and section leaders.

*Economic Needs:* It is important that women have access to an income and can qualify for aid packages. Both the female and male heads of households should receive packages and have equal access to services provided by host government and aid organizations. Services should be available for women to learn new vocational skills and sell their goods to host communities or the camp population.

*Promotion and Protection Needs:* It is important to mobilize and support civil society organizations that have a particular mission to promote and protect women's rights. In addition, it is essential that survivors of SGBV and early and forced marriage have access to unbiased police and legal services and safe homes. Furthermore, a select group of female police officers should be trained to investigate, monitor, and report violations that occur against women and girls' rights within the camps.

*Aid Agencies:* To ensure that aid agencies and other national and international organizations are not ignoring gender issues, all organizations should be required to submit reports that indicate how they are addressing and combating gender inequalities within their camp practices. Programs should be developed to promote the leadership and empowerment of women and girls, and such programs and events should occur on a continual basis

and be altered to meet demands of the changing population.

Before arrival at the camp, each humanitarian worker should be required to go through training on the social, cultural, and historical background of the refugee community and the host government, to avoid unprofessional interaction with the population and so they can identify areas of improvement. In general, all national and international employees should be required to communicate and interact with camp refugees on regular bases. Donors, aid workers, volunteers and the host government should work together to develop a system that avoids permanent displacement of the refugee population.

### **Physical Structure:**

*Camp location & structure:* Developers and designers should avoid building in flood areas and if possible should establish the camp close to urban areas. In addition, they should create a layout that allows women and girls to move around the camp freely and safely. Proper lighting features should be installed; and secure access to firewood, clean water and sanitation stations should be prioritized. All services should be within the camp in a central, accessible location. The materials used to develop these spaces should be easily assembled and provide protection from the natural elements.

*Community Facilities:* To encourage female development and boost morale, simple spaces should be developed for women and girls so they can play, learn, and interact with other females in the community. Playgrounds, transportable gardens, and cultural centers should be in the development plan of each refugee camp. A transportable garden will allow women and men to grow a limited number of crops and be self-sufficient. Playgrounds and community centers will allow for refugees to part take in activities and promote their culture to their children through music, art, and religious traditions practices.

*Security Facilities:* For female police officers to work comfortably, they should have female only lavatories and have the same access to information and services as male police officers. Every three

rows of tents should have a team of two male and two female officers. Officers should be able to locate a safe home for victims of SGBV until proper services become available to them. In addition, the host government should work with the aid organizations to ensure that perpetrators are prosecuted.

*School Facilities:* Designers need to ensure that girl's education is a priority and that space is allocated for girls to attend school at the primary and secondary level. Each school facility should also have an all-female restrooms and place for girls to play. If the schools are far, safe transportation should be made available.

*Health Facilities:* Safe and accessible clinics and hospitals should be available to women and girls 24/7. Female professional staff and health officials should be hired and fully trained to service victims of sexual and domestic violence. Counselors and mental health physicians should have separate space to provide psychosocial care to patients in private. In addition, to prevent the spread of disease and to promote healthy habits, women should have access to individual and clean washing and sanitation spaces.

To develop and sustain a refugee camp system that promotes and protects women and girls, partnerships need to be developed at the national and international level among political parties, donors, civil society and aid organizations and the refugee communities. It is very important that a long-term response and a solution-based approach be applied at the beginning of every refugee crisis, with women and girls at the center of the development and execution process. To promote gender equality within refugee camps, the approach and recommendations outlined in this paper need to be applied immediately.

# Empowering Syrian Refugee Women in Jordan and Lebanon

## Bridging Humanitarian Policy and Scholarly Research

*Inga Ingulfsen*

### Introduction

More than 1.7million Syrian refugees, 78% of which are women and children, were registered in Jordan and Lebanon alone as of November 2014 (UNHCR 2014b; Charles and Denman 96). The refugee situation in the two countries is protracted, leaving the refugees dependent on scarce local and international resources to meet their basic livelihood needs. The disadvantages created by mass displacement are gendered, as illustrated by the challenges faced by Syrian women and children in Lebanon and Jordan. Since the 1990s gender has been mainstreamed in the policies of humanitarian agencies, emphasizing the participation and empowerment of women. However, critical research has revealed that the ways in which gender is incorporated is problematic and that efforts to empower refugee women sometimes end up reinforcing existing inequalities (Fiddian-Qasmiyeh; Olivius). This is a reflection of the problematic power dynamics between humanitarian agents and the populations that depend on their assistance. Humanitarian assistance to refugees takes place in a context of dependency and scarce resources, but the agencies delivering services are not formally accountable to the populations they aim to empower (Anderson and Rieff; Kaldor). How could a review of the scholarly literature on refugee women's empowerment inform policies directed toward Syrian women in Jordan and Lebanon?

This paper begins by analyzing the basic structures of the refugee situation in Jordan and Lebanon through a lens of resource scarcity and then goes on to analyze the gendered nature of the crisis within the same framework. By examining

the existing bodies of policy that address refugee women's empowerment and reviewing the critical scholarly literature on the effects of these policies, this paper hopes to draw attention to inherent contradictions in existing policies. A lens of resource scarcity allows an illustration of how some of the mechanisms identified in the scholarly literature relate to the current crisis in Jordan and Lebanon and suggest ways to incorporate lessons from existing research in future policy. This paper argues that future policy would benefit from a higher priority of accountability measures and a stronger commitment to feminist analysis of local gendered power dynamics informed by local experts. The Women's Refugee Commission (WRC) already has found evidence that an ad-hoc approach to gender in the humanitarian response in Jordan has had detrimental effects for Syrian refugees. The need to critically examine the way gender is mainstreamed by agencies working in protracted refugee situations is therefore imperative. Rhetoric of empowerment is empty without a clear understanding of the structural barriers that prevent refugee women from taking control of their lives.

### The Syrian Crisis: A Protracted Refugee Situation

The Syrian refugee crisis has started to take the form of a protracted refugee situation (PRS) and has put strains on already scarce resources in Jordan and Lebanon. The UNHCR defines protracted refugee situations (PRS) as those:

...in which refugees find themselves in a long-lasting and intractable state of limbo. Their

lives may not be at risk, but their basic rights and essential economic, social and psychological needs remain unfulfilled after years in exile. A refugee in this situation is often unable to break free from enforced reliance on external assistance (UNHCR 2006, 106)

Although the UNHCR also uses the criteria of a minimum refugee population of 25,000 having been displaced for five years or longer (ibid), the situation in Jordan and Lebanon has been escalating over the past three years; the refugee population in the two countries combined has surpassed 1.7million and there is little indication that the conflict in Syria will end in the near future (UNHCR 2014b).

As defined by the UNHCR, and as the concept applies to the Syrian crisis, a PRS is also characterized by resource scarcity and aid dependency. Zetter and Ruaudel's analysis of the development challenges in Jordan and Lebanon lends support to this understanding of the current situation. They conducted a mapping and meta-analysis of the UNCHR's 2014 Syrian Regional Response Plan based on a review of situation reports, project evaluations, studies by intergovernmental agencies, host governments, humanitarian agencies and donors (Zetter and Ruaudel 6). They found that refugee population faces severe livelihood needs as families have depleted their resources and have limited access to income-generating activities. Syrian refugees do not receive work permits in Jordan and Lebanon, and only around 30% of the working-age refugees find some form of sporadic, unskilled work (Zetter and Ruaudel 6). Increased competition for work has caused downward pressure on wages. Since most of the refugees in Jordan and all the refugees in Lebanon live in urban communities, they have less access to aid and experience higher living costs because they have to pay rent. These factors combine to increase the indebtedness, risk of eviction, financial insecurity, and food insecurity of the refugees, leading them to undertake coping strategies, such as early marriage, prostitution and survival sex, that disproportionately affect women and children<sup>1</sup> (Zetter and

Ruaudel 6-7).

Zetter and Ruaudel illustrate how the influx of Syrian refugees has strained already scarce resources in Jordan and Lebanon. The cost of rent has been rising, pricing parts of the local population out of the market. The crisis has impacted fragile local labor markets. In Lebanon, unemployment has doubled and reached 20%. The use of vouchers and cash transfers for refugees has led to rising prices for basic goods. An estimated 170,000 additional Lebanese have been pushed into poverty, in a country of 4.4million where 25% of the population was living on less than US\$4 per day even before the onset of the crisis. The crisis has influenced macro-economic trends in two ways. Violent conflict and mass migration create an unstable political and security situation that reduces investor and consumer confidence and the arrival of refugees strains government resources. Zetter and Ruaudel found that the influx has had a negative impact on existing shortfalls in public services such as health, education, water, and power. Economic performance in the form of tax revenue, growth, profits, private consumption, and investment, declined in both countries, most dramatically in Lebanon. Regional trading patterns have been disrupted by violent conflicts, further exacerbating these negative trends (Zetter and Ruaudel 7-8).

These socio-economic factors, along with the limited legal status of refugees in Jordan and Lebanon, increase the vulnerability of the refugee population and poor local populations alike, causing tension between the two groups. A recent report from the International Rescue Committee indicates that the hospitality of Jordan and Lebanon has reached a breaking point. Lebanon formally closed its borders in October, and Jordan, while its borders remain formally open, has introduced limitations and increased controls. These measures have caused a decrease in the number of refugees leaving Syria while the conflict continues, effectively trapping displaced Syrians inside the country (NRC and IRC 9).

While the economic and social pressures created by the crisis suggest a need for a transition from humanitarian assistance to long-term development

---

1 See section III

strategies, funding continues to be allocated on a short-term basis and funding targets have failed to be reached. For example, only around half of the funding requirements of the UNHCR have been met (UNHCR 2014b). The Syrian refugee crisis in Jordan and Lebanon therefore should be understood as protracted, and as taking place in a context of severe resource scarcity.

## **The Gendered Effects of the Refugee Crisis**

The effects of mass displacement are gendered, meaning they affect women, men, girls and boys in different ways. In an analysis focused on resource scarcity, this means that access to resources are affected, not only by an individual's refugee status, but also by gender roles and societal norms in source- and host communities. Women and children make up 78% of the Syrian refugee population (Charles and Denman 96-97) and have been disproportionately affected by the depletion of resources outlined above. Women find themselves occupying new roles as heads of household with even less access to work than Syrian men. When surveyed by UN Women, Syrian refugee women explained that they were afraid to leave the house to access food or services because they did not have a male guardian. Some women explained that they had chosen to send their young sons to work for this reason (UN Women 3). Syrian refugee women have reported that their main concerns are livelihood needs, such as paying for rent and health services, and gaining access to education for their children (UNHCR 2014a).

The refugee situation also puts women at a high risk of experiencing gender-based violence (GBV) (Charles and Denman 96). Looking particularly at the link between loss of education and GBV among refugee women in Lebanon, Charles and Denman demonstrate how GBV is linked to loss of resources. Refugee women and girls, and sometimes boys, experience GBV as a direct short-term effect of survival strategies. This is the case with intimate partner violence in early marriage, prostitution and survival sex, a form of prostitu-

tion that does not occur by choice but by desperation, to gain access to basic livelihood needs, often under pressure from the community as a whole or the family. In the long-term, loss of education for Syrian children represents a missed opportunity to advance gender equality and is likely to impact fertility rates, maternal and offspring health, rates of GBV, political participation, and the financial independence of Syrian women (Charles and Denman 106, 108). Gender thus represents a separate dimension of disadvantage in the context of the PRS in Jordan and Lebanon, in addition to the rich/poor refugee/citizen dimensions outlined above.

## **Empowerment of Refugee Women in Humanitarian Policy**

Gender mainstreaming has evolved as a concept in international policy over the past four decades, and the gendered effect of displacement has gained wide recognition among policymakers. Walby defines gender mainstreaming in the following way:

Gender mainstreaming is a process that seeks to advance gender equality by revising all mainstream policy arenas...simultaneously intended as a way of improving the effectiveness of mainline policies by making visible the gendered nature of assumptions, processes and outcomes (Walby 453-454).

The approach was formally adopted by the UN in 1995 at the Beijing Conference and has spread, largely through transnational processes, to a wide range of policy areas (ibid), including humanitarian aid in general, and those policies affecting refugee women in particular. Relevant policy documents concerning gender in humanitarian assistance to refugees include the 1990 UNHCR Policy on Refugee Women, the 1991 UNHCR Guidelines on the Protection of Refugee Women, the 2001 UNHCR Practical Guide to Empowerment, and the Inter-Agency Standing Committee's (IASC) Gender Handbook in Humanitarian Aid from 2006.

The 1990 UNHCR policy rests on the principle that the needs and resources of refugee women



should be integrated into every aspect of program planning and implementation to ensure equitable services and protection. ‘Mainstreaming refugee women’ in UNHCR’s policy means enabling women to participate and contribute to projects, not just in terms of their traditional social roles as mothers and wives but in light of the economic roles women take on in the refugee situation. The objective of mainstreaming is to make program design more appropriate to the needs of refugee women, prevent women from becoming isolated, dependent, or from taking on unwanted social roles (UNHCR 1990 5-6). The UNHCR policy fits Walby’s definition in that it is meant to ensure equitable services, and thought to improve program efficiency and outcomes.

Later policy documents emphasize ‘empowerment’. The IASC Gender Handbook in Humanitarian Aid states that “[g]iven the inequalities and discrimination that women and girls face, their participation and empowerment are crucial to making real and sustainable improvements” (IASC 22). Empowerment is not understood as a service that can be delivered, rather it depends on a transformation of existing power structures and a strategy to promote socially disadvantaged groups’ self-reliance and control of resources (IASC 3). UNHCR’s Practical Guide to Empowerment provides “seven UNHCR Good Practices to empower women in different situations of displacement and return... [asserting] that specific initiatives with women can and do facilitate gender equality through the empowerment process” (UNHCR 2001 4). The existing policy framework emphasizes the particular vulnerabilities and protection needs of women. At the same time, its objective is to empower refugee women through participation in order to increase the equity, efficiency, and sustainability of programs, and promote gender equality.

## **Lessons from the Literature: Instrumentalization of Refugee Women in Aid**

What lessons can be drawn from the scholarly literature and studies on previous efforts by

humanitarian agencies to promote gender equality through empowering refugee women? Critical voices from the global civil society literature have emphasized the problematic relationship between local communities and the organizations that provide humanitarian assistance. Anderson and Rieff are particularly concerned that agencies gain legitimacy by claiming to represent disadvantaged populations, while not being held formally accountable to these populations (Anderson and Rieff 11). Mary Kaldor shows how this relationship becomes problematic in situations of aid dependency and scarce resources. Because agencies bring much needed resources while not being subject to democratic processes, rather than empowering local communities, their activities sometimes end up reinforcing existing inequalities and power structures (Kaldor 92). With local governments overwhelmed by the influx of refugees, this power dynamic is necessarily at place in Jordan and Lebanon, although it is fundamentally an empirical question exactly how humanitarian actors influence local communities.

Gender mainstreaming in humanitarian policy adds another layer to this dynamic. A separate category of disadvantage and inequality is added to the refugee situation because the effects of displacement are gendered. The language of UNHCR policy on refugee women reveals the tension between this fact of gendered disadvantage and the policy objective of empowerment. In this language, refugee women are at once essentialized as vulnerable and in need of special protection, and identified as equal partners in program planning and capacity building (Hyndman 248). In a way this language is a reflection of reality because refugee women are not essentially one or the other. While these concepts are not mutually exclusive, they are contingent upon the “historical and geographical context of a particular humanitarian situation” into which humanitarian actors bring power and resources (Hyndman 248-249). For Hyndman this illustrates the need to incorporate flexible feminist politics in humanitarian assistance. According to her, the UNHCR organizational culture is rigid, leaving the analysis of the local context up to fieldworkers once they arrive on sight (Hyndman 253).

How has this tension in humanitarian policy influenced previous efforts to empower refugee women? Critical feminist scholars have conducted studies to examine how refugee women have been affected by humanitarian agencies' gender policies. Elena Fiddian-Qasmiyeh's study of the Sahrawi refugee camp in Algeria revealed how the Sahrawi women were able to exploit the rhetoric of humanitarian actors to obtain financial and political support for their cause (Fiddian-Qasmiyeh 67).

The group was idealized by the international humanitarian community based on what was understood as their egalitarian approach to gender relations and their active participation in projects. In 2001, the UNHCR declared the Sahrawi refugee women a 'unique case' of good gender mainstreaming practices (Fiddian-Qasmiyeh 68-70; UNHCR 2001 27-29). Fiddian-Qasmiyeh goes on to demonstrate how the Sahrawi women, closely tied to the separatist Polisario Front in Western Sahara, were able to channel aid and attention directly to their group by appealing to this rhetoric. The study reveals that resources mainly reached those women who were already 'empowered', marginalizing those refugee women who did not fit the 'ideal' image of a Sahrawi woman, particularly young mothers who did not have the opportunity to enroll in education programs or take part in political life in the camp (Fiddian-Qasmiyeh 78).

Elisabeth Olivius has conducted studies in refugee camps in Thailand and Bangladesh. She makes the argument that a shift in humanitarian policy toward neo-liberal management strategies has led to the de-politicization of gender in project planning. Gender mainstreaming has become a management tool to increase the efficiency of aid, promote self-sufficiency, and decrease aid dependency among refugees. The policy language is technical, and gender features as a matter of 'best practices' or 'practical solutions'.<sup>2</sup> The case for gender mainstreaming is made on the basis of 'in-

---

2 Note even the language in the title of the 2001 UNHCR document: *A Practical Guide to Empowerment: UNHCR Good Practices on Gender Equality Mainstreaming*.

vestment in women's human capital' rather than a commitment to gender equality per se. Advancing gender equality depends on the ability to contest gendered power structures and politics in a given society. The technical and administrative policy language does not lend itself well to this type of contestation. Instead Olivius claims that neoliberal management strategies seek out targets of 'empowerment' to create self-regulating subjects. This mechanism is especially problematic in humanitarian crises, where the subjects by definition are not self-sufficient (Olivius 96-98).

Olivius' results indicate that the 'empowerment tools' brought in by aid workers sometimes end up challenging existing structures and advancing gender equality, while in other cases they reinforce existing inequalities. Where women's participation is instrumentalized as a means to greater program efficiency, the structural causes of the challenges faced by women are at risk of being ignored. In the case of child nutrition programs in a refugee camp in Bangladesh, aid workers viewed the participation of women as central in solving the problem due to their inherent qualities as caretakers and mothers. The women could be empowered through education to address the issue, believed to be caused by the mothers' 'traditional knowledge' about care practices and their 'dependent' and 'passive' roles as refugees. The real cause of the problem was structural food insecurity in the region as a whole, a problem beyond the scope of the camp setting and UNHCR control. Thereby, including women as a means to improve outcomes can end up transferring responsibility for complex problems onto the refugees (Olivius 105-106).

In Olivius' study of a camp on the Thai-Burmese border, women were included in the management of food distribution. Their participation was initially thought to improve outcomes due to their inherent qualities as women. In this case, despite the instrumental rationale, the process advanced the position of the women, exposed gendered expectations, and gave the women access to spaces of contestation. The refugee women mobilized to challenge the depoliticized concepts of gender presented by the aid workers (Olivius 113-114, 117). The different outcomes in the two cases speak to

the inherent contradictions in the dominant policy framework.

Despite the potential for positive change, the risk of negative impact, illustrated by the Bangladeshi case and Fiddian-Qasmiyeh's study, suggests a need to incorporate gender in ways that do not allow funding to be conditional upon certain 'idealized' practices or responsibility to be transferred onto structurally disadvantaged populations. As indicated by Hyndman, this danger is heightened by the fact that aid workers are expected to evaluate local conditions once they arrive in the field. This too represents an unreasonable transfer of responsibility. What are the implications of these findings for the current crisis in Jordan and Lebanon? How can we incorporate the lessons from this critical research in future policy? Can we conceptualize a different framework for mainstreaming gender that would make humanitarian actors more accountable toward the refugees they aim to assist?

## **Discussion: Implications and Lessons for the Syrian Crisis**

No comprehensive data or studies have been presented yet on the effects of gender mainstreaming in Jordan and Lebanon. It is therefore too early to draw conclusions about whether and how the mechanisms presented by Olivius and Fiddian-Qasmiyeh affect Syrian refugees. However, understanding the situation as protracted and occurring in a context of resource scarcity allows us to identify underlying structures that have been present in previous cases, and to question the applicability of existing frameworks of empowerment. A recent report from WRC on gender in the humanitarian response in Jordan also gives some evidence to the challenges involved in incorporating gender. We know from UNHCR reports that Syrian refugee women cite basic livelihood needs as their main concern (UNHCR 2014a). We also know that most of these women live in urban communities, further limiting their access to resources, which in turn directly puts them at a heightened risk of experiencing GBV (Charles and Denman). These are the basic structural and resource-related barriers

we can identify. Empowerment as a tool to mainstream gender in this context is unlikely to succeed without careful analysis of the complex power dynamics already at play: between local governments and refugees, between refugee men and women, between local disadvantaged populations and refugees, and between local women's groups and governments. Aid workers are constrained by limited funds and pressure to prioritize and distribute these funds along various dimensions of disadvantage and need. Can these aid workers reasonably be expected to mainstream gender in a way that does not foster the types of mechanisms observed in the Bangladeshi and Algerian camps?

The WRC report from Jordan indicates that efforts have been made to transfer the responsibility for conducting gender analysis and overseeing gender mainstreaming to specialized actors. In the latest regional response plan in Jordan, gender markers were included for each response area as a result of the work done by a GenCap advisor, a specialized advisor solely responsible for incorporating gender in program planning (WRC 6). However, the advisor only arrived in March 2013, in response to the failure to incorporate gender in the initial phase of the humanitarian response. Some examples included high rates of sexual assault and health complications for women in the Zaatari camp because gender was not considered in camp design (WRC 6, 8-12). Further, the report revealed that existing standard operating procedures were not followed to ensure that UN agencies held themselves accountable where they failed to protect vulnerable groups (WRC 13-14). Despite existing frameworks and guidelines on mainstreaming, the WRC report concludes that gender continues to be incorporated in an ad-hoc manner and emphasizes the need for careful analysis of local conditions. However, the perspective of the report is technocratic and focused on improving existing frameworks of mainstreaming.

Based on the analysis and review of the literature presented in this paper, the limits of gender mainstreaming stem from the fact that the existing policy framework presents mainstreaming as a tool of empowerment that can be brought in by external actors and applied in the field. Based on

existing research, the language and assumptions built into this framework are themselves problematic and contribute to the lack of accountability of humanitarian agencies to vulnerable populations.

The WRC report gives an example of a missed opportunity to incorporate existing local capacities and knowledge. Jordanian feminist organizations have been at the forefront of capacity building and empowerment of the urban refugee women. Local Jordanian feminists know how to use existing institutional pathways to give women access to resources and claim their rights. The humanitarian actors overlooked this important resource as well as important government agencies in their response in Jordan (WRC 14-15).

This illustrates how assistance to refugees occurs in a context where neither the refugees themselves nor the aid workers have detailed knowledge about needs and opportunities. Identifying ‘needs of women, boys, girls and men’ or adding ‘gender markers’ to services in camps will not address the barriers to empowerment faced by refugee women who struggle to meet livelihood needs in urban communities. Local knowledge is key and is not built into or given priority in existing policy frameworks.

Based on a review of the critical literature and the basic structure of the current crisis, this paper argues that existing frameworks are limited in their ability to empower Syrian refugee women in Jordan and Lebanon. Existing policy does not include strong mechanisms for accountability nor does it incorporate local activists and experts in program planning. Instead today’s framework assumes that ‘best practices’ exist that can be adapted and redesigned to benefit refugee women in various contexts of displacement (UNHCR 2001).

This paper suggests that a comprehensive approach to gender and a commitment to protect refugee women begins with an acknowledgement of the limited resources and knowledge possessed by humanitarian agencies, and a high priority assigned to accountability measures. Based on a review of the literature, this would require a move away from administrative guidelines, and toward a stronger commitment to the political project of

feminism focused on mobilizing local experts and activists to analyze local power dynamics. Contrary to the argument made by Anderson and Rieff (11) that NGOs should divorce from a claim of representation and focus on delivering ‘expertise’, it is precisely because their expertise is limited while their assistance is needed that their main priority should be to strengthen channels of accountability. Gender operates in complex relationships to other categories of disadvantage and requires careful analysis and research to make sure humanitarian policy empowers rather than marginalizes refugee women.

# The Curious Case of ‘Climate Refugees’

*Bridgette Burkholder*

*“No national leader in the history of humanity has ever faced this question: ‘Will we survive or will we disappear under the sea?’ Climate change is the single greatest challenge facing us. It is threatening to our lives, our security and the wellbeing of every single human being living...”*

- Tuvalu Prime Minister Enele Sopoaga, speaking at the 2014 Lima United Nations climate conference

Climate change is unfortunately but unavoidably one of the greatest challenges the world will face this century. It is not just an environmental issue, but a humanitarian one as well. Extreme weather events and changing environments caused by climate change will drive millions from their homes in search of new land and livelihoods. In 2009, Antonio Gutierrez of the United Nations High Commissioner for Refugees (UNHCR) predicted, “climate change will become the biggest driver of population displacements, both inside and across national borders, within the not too distant future.”<sup>1</sup> It is impossible to determine the exact number of people that will be impacted by climate change, but it is certain that their numbers will outstrip any known refugee crisis that the modern world has experienced.

If carbon emissions continue on current trends and sea levels rise about as much as expected, 177 million people around the world will be at risk

from flooding caused by rising sea levels.<sup>2</sup> Over 250 million people in more than 100 countries have already been affected by desertification. Wetter areas will get wetter and drier areas will continue to dry out, making them unsuitable for human inhabitation. The hottest days seen today will become the coldest days in the future. People forced to migrate due to climate change will be one of the most important humanitarian issues in the coming decades, and yet how to deal with their plight has been grossly under analyzed thus far.

This paper will first analyze how existing legislation surrounding refugees does not apply to those displaced by climate change. Next, it will explore different gaps in the discourse surrounding climate refugees. Finally, it present different frameworks for analyzing the future of climate refugees.

## **What is a refugee?**

It would seem logical in a paper such as this one to begin with a definition of what exactly is a climate refugee. This is a problem because a legal definition does not exist for “climate refugees”

Created in response to increasing refugee movement in post-WWII Europe, the 1951 UN Convention Relating to the Status of Refugees (the Refugee Convention) gives the most widely recognized legal definition as to what is a refugee. A refugee, as defined by Article 1 of the Convention,

---

1 Fleming, Melissa. “Climate change could become biggest driver of displacement: UNHCR chief”. *UN High Commissioner for Refugees*. 16 Dec 2009. <http://www.unhcr.org/4b2910239.html>

---

2 Alsch, Gregor, David Leonhart and Kevin Quely. “Flooding risk from climate change”. *The New York Times*. 23 Sep 2014. [http://www.nytimes.com/2014/09/24/upshot/flooding-risk-from-climate-change-country-by-country.html?\\_r=1&abt=0002&abg=0](http://www.nytimes.com/2014/09/24/upshot/flooding-risk-from-climate-change-country-by-country.html?_r=1&abt=0002&abg=0)

is someone who is “unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.”<sup>3</sup> Natural disasters or climate change related events are glaringly omitted from this definition. Since the Refugee Convention was created based on a military situation and climate change was not widely recognized in 1951, this is unsurprising.

What is surprising, however, is that no new definition for climate refugees has been created since. Roger Zetter, the Director of Refugee Studies at Oxford University stated it clearly when he said, “There are well-established international, regional, and national legal instruments, covenants and norms to protect the rights of people forcibly displaced by conflict, persecution, natural disasters and development projects. It is therefore surprising that a similar framework to protect people forced to move because of climate-induced environmental change does not exist.”

One important distinction to make when discussing refugee issues is the difference between a “refugee” and an “internally displaced person”. In 1998, the UN adopted the “Guiding Principles on Internal Displacement” that addressed the needs of internally displaced peoples worldwide, and defined an internally displaced person (IDP) as, “persons or groups of person who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters.”<sup>4</sup> It should be noted that this is a non-binding document, but it has been widely accepted by UN members. Before these Guiding Principles were established, refugee status and aid were only given to those who had to cross an international border to seek safety. Many of the peoples affect-

ed by climate change will be forced to relocate, but not necessarily to cross international borders. “Climate IDPs” may be an even greater population than climate refugees.

One pertinent example of Climate IDPs came from Typhoon Haiyan, one of the strongest tropical cyclones ever recorded, which hit the Philippines in November of 2013. Haiyan devastated much of the Philippines, killing thousands, causing billions of dollars of damage, and instantly creating a humanitarian crisis from which the small island nation is still recovering. Most of the people affected by Haiyan did not leave the Philippines; they simply relocated, whether temporarily or permanently, to another part of the country. Intrastate migration provides an entirely different set of challenges.

## Mind the gaps

There has been a huge increase in the knowledge of climate change within the global community in the last 50 years. Beginning with the conference in Stockholm in 1972, there have been major political and scientific conferences and meetings over the past few decades, and in 1988, the Intergovernmental Panel on Climate Change (IPCC) was established with support from UNEP to release reports every five years on climate change. According to Weiss and Thakur (2010), the knowledge gap in regards to climate change has basically disappeared – as of 2007, virtually no one denied the existence of a threat.<sup>5</sup> Less research has been done on the effects of climate on humans, rather than the other way around, but the IPCC releases one Working Group Report that deals exclusively with mitigation and adaptation within each of its Assessment Reports. Despite the existence of ever-present climate skeptics, a knowledge gap does not seem to be the fundamental problem surrounding climate change and those forced to relocate because of it.

Assessing the policy gap surrounding climate refugees is also relatively straightforward, because

---

3 “Convention and Protocol Relating to the Status of Refugees”, United Nations High Commissioner for Refugees. <http://www.unhcr.org/3b66c2aa10.html>

4 “Guiding Principles on Internal Displacement”, United Nations High Commissioner for Refugees, 2001. <http://www.unhcr.org/43ce1cff2.html>

---

5 Weiss, Thomas George., and Ramesh Chandra Thakur. *Global Governance and the UN: An Unfinished Journey*. Bloomington: Indiana UP, 2010.

there is simply not much international agreement on how to deal with climate change, let alone those peoples displaced by it. Because environmental issues cannot be controlled by political boundaries, solutions to these problems are much more difficult to achieve. Solutions to environmental problems require a high amount of cooperation and mutual trust, qualities that are often lacking between countries in regions where environmental problems are felt the most. One of the most promising things to happen in the climate arena in a long time is the US/China climate deal that was announced in November of 2014. The US has long been reluctant to sign on to a climate agreement until China, the world's biggest net emitter of greenhouse gases, would accept a deal as well. China and the US have come to a quiet agreement in which the US pledged to cut emissions sharply by 2017 and China promised to cap its emissions by 2030<sup>6</sup>. The announcement comes just before the Paris climate conference, which will be held in December of next year. Many activists and scientists consider Paris to be the last real chance to produce some sort of global climate compact. The US/China deal could spur other nations into signing onto ambitious greenhouse gas and climate targets, and if that happens then the policy gaps will have to be reassessed.

Most states have no legal obligation to protect their citizens who are forced to migrate because of climate change. One promising exception is The Kampala Convention on Internal Displacement, which was adopted by dozens of African countries in 2009.<sup>7</sup> The Kampala Convention is a regional agreement within the African Union that seeks to “[bind] governments to provide legal protection for the rights and well-being of those forced to flee inside their home countries due to conflict, violence, natural disasters, and other human rights

abuses”.<sup>8</sup> Although this convention was not necessarily created with climate change in mind, it could be applied because of the clause relating to natural disasters. Most importantly, Kampala could be a good precedent for other regions seeking to create a similar treaty. The Kampala Convention focuses on IDPs, but as previously discussed, most of the people displaced because of climate change will probably be IDPs, not refugees. Because every geographic area will face different challenges due to climate change, it makes sense to implement regional agreements as opposed to a universal one. An agreement that would work well in sub-Saharan Africa, for instance, would not be fitting in the South Pacific, due to their geographic and topographic differences.

The ultimate dichotomy of climate change is the disparity between those who cause it and those who are most affected by it. The concept of “common but differentiated responsibilities” is one that appears through many different threads of environmental policy. This reflects the idea that although all the countries of the world must “protect and share the global commons”, there must be an “equity in the allocation of responsibility”.<sup>9</sup> Small island states, for example, emit less than one percent of total global greenhouse gases, but they are some of the most vulnerable to the effects of the emissions, and have no legal recourse to protect their territory and people<sup>10</sup>. These are also some of the poorest countries in the world, and their socioeconomic conditions do not improve their chances of dealing with climate migrants.

---

6 Landler, Mark. “US and China Reach Climate Accord After Months of Talks”. *The New York Times*. 11 Nov 2014. <http://www.nytimes.com/2014/11/12/world/asia/china-us-xi-obama-apec.html>

7 “The Kampala Convention: Progress and Prospects”. Internal Displacement Monitoring Center, 2013. <http://www.internal-displacement.org/sub-saharan-africa/kampala-convention/>

---

8 Ibid.

9 Weiss and Thakur, Kindle location 3238.

10 McAdam, Jane, and Ben Saul, “An Insecure Climate for Human Security? Climate-Induced Displacement and International Law”, University of Sydney Law School, 2008. <http://ssrn.com/abstract=1292605>

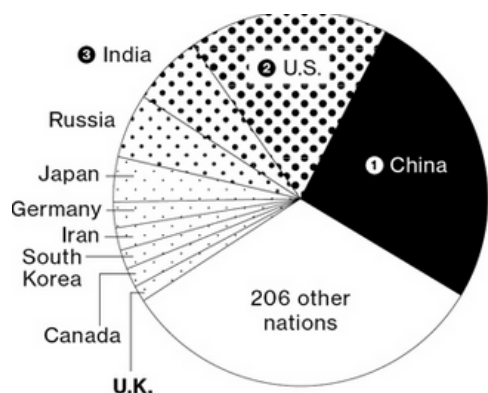


Figure 1: Greenhouse gas emissions by nation

Source 1: Business Week

Those most affected will probably have the lowest adaptive capabilities. In the Marshall Islands, one of the most vulnerable nations in the world to sea level rise, 1200 people have been forced to relocate. To put this in perspective, a migration of the same relative scale in the US would require seven million people to move.<sup>11</sup> Small island nations have been called “the canary in the coal mine” of climate change, but this author believes that is a misnomer. These highly vulnerable nations are not the canary; they are the soldiers fighting on the front lines of a battle that is weighted heavily against them.

The absence of an institution tasked specifically with dealing with climate refugees is perhaps the most difficult gap to overcome. There are many different organizations dealing with certain aspects, but not an all-encompassing group. UNHCR and the International Organization for Migration (IOM) both deal with migration and refugees, but climate refugees do not necessarily fit under their mandates. The UN Disaster Assessment and Coordination under the Office for the Coordination of Humanitarian Affairs (OCHA) can respond quickly to sudden onset disasters, including those caused by climate change, but there needs to be a permanent organization dealing directly with climate migration. I suggest that under the auspices of OCHA a new organization should be formed to

deal specifically with climate induced migration and disaster relief. There should be subcommittees focusing on particular high-risk geographic regions (sub-Saharan Africa, the Caribbean, South Pacific, etc.). Considering that climate change is so multidimensional but that migration ultimately is a humanitarian issue, I think OCHA would be better suited than UNEP or UNHCR in dealing with this issue.

## Potential for violent conflict

One of the most disturbing aspects of climate change is its potential to cause a vicious cycle of migration and conflict. Antonio Gutierrez of the UNHCR stated, “Climate change can enhance the competition for resources – water, food, grazing lands – and that competition can trigger conflict.”<sup>12</sup> Climate change could “increase the risk of civil war in Africa by more than 50 per cent by 2030”, and there have been multiple historic examples of environmental factors contributing to violent conflict.<sup>13</sup> Researchers from Princeton and Berkeley have found that hotter, unstable climactic conditions contribute to three types of violence: “personal violence (such as murder, rape and domestic violence), intergroup violence/political instability and institutional breakdowns (including the collapse of governing institutions and whole civilizations).”<sup>14</sup>

The genocide in Darfur, for example, has often been attributed to conflict driven by a lack of water. Naidoo of Greenpeace says of Darfur, “I am pretty certain that the Darfur conflict will be eventually understood as the first massive resource war that has been brought about as a result of climate impacts”.<sup>15</sup> Even the current conflict in Syria has its roots in climate change. Prolonged climate change induced drought caused dramatic losses in crop yields and a spike in food prices, and farmers were forced to migrate to cities in search of income. Similarly, in the Arab Spring in 2011, high

11 Morales, Alex. “Island Nations Are Now Screaming It: Climate Change Will Sink Us”. *Bloomberg*. 10 Dec 2014. <http://www.bloomberg.com/news/2014-12-10/engulfed-by-rising-seas-islands-gain-moral-voice-at-un.html>

12 Fleming.

13 Ibid.

14 Letman.

15 Ibid.



food prices have been identified as an instigator of conflict.

Increased numbers of people moving into new areas will cause more conflict. The more conflict that is caused, the more refugees that will be created. More refugees, less resources. Less resources, more conflict. More conflict, more migrants. Forced migration due to climate change is an issue that needs to be addressed in depth and planned for so that this pattern will not be perpetuated.

## New tricks, old dog

In their paper on the role international law plays in climate-induced displacement, Saul and McAdam (2008) debate whether the question of climate refugees should be viewed as “new international law, or as the application of a constantly developing international law to new problems”.<sup>16</sup> Can current laws be adapted to fit this new and growing problem of climate change, or does this case call for a true reinvention of the wheel?

There are three options when it comes to closing institutional and policy gaps surrounding climate refugees, each of which comes with its own challenges and difficulties. First, the existing legal principles like the Refugee Convention and the Kampala Convention could be applied to future climate refugee situations. Some have argued that government-induced environmental degradation is a form of persecution. In this case, because of the nature of the home state’s conduct, a case could be made for employing the traditional refugee status under the Refugee Convention. Richard Pearshouse, who works with the health and human rights division of Human Rights Watch (HRW) cites examples such as, “government [unwillingness] to enforce basic health and environmental protective safeguards in Bangladesh, state-sponsored repression of climate and environmental defenders in Russia, or military forces involved in illegal logging in Cambodia”.<sup>17</sup> This argument is

not well developed enough to be effective, as most of the cases are hypothetical at this point.<sup>18</sup>

Alternatively, entirely new laws could be created to address the current legal deficiencies in the case of climate refugees. The lack of political will is a huge obstacle in creating new laws, particularly in the case of climate. Environmental issues have become some of the most politically divisive worldwide, explaining in part the lack of legal consensus up to this point. Framing climate refugees as an international human rights issue may sidestep some of this political bickering and allow more parties to come onboard.

Lastly, existing laws could be changed, adapted, and revised to better fit these developing situations. In the next section, I will explore the possibility of this third option.

## Climate refugees through a human rights lens

Richard Pearshouse of Human Rights Watch succinctly evaluated the link between climate change and human rights, saying, “Climate change will affect many of the most vulnerable in society. It will affect the poor, it will affect religious or ethnic minorities, it will affect women and children. That should say a lot to a human rights organization. It’s going to be the most marginalized who feel those impacts most acutely.”<sup>19</sup> Kathleen Dean Moore, a philosophy professor from Oregon State University, agreed with Pearshouse’s position, positing, “Climate change is damaging food supplies, spreading disease and creating refugees, and it is poised to become the most massive human rights violation the world has ever seen.” Viewing climate change from a human rights perspective could have many benefits for people displaced by climate change. First, it would establish a minimum standard of treatment that States are responsible to provide to individuals within their territo-

---

human-rights-20131217174532837148.html

<sup>18</sup> For further reading, I recommend Angela Williams’ 2008 paper “Turning the Tide: Recognizing Climate Refugees in International Law” from *Law and Policy*.

<sup>19</sup> Letman.

<sup>16</sup> McAdam and Saul, 5.

<sup>17</sup> Letman, Jon. “How climate change destroys human rights”. *Al-Jazeera*. 19 Dec 2013. <http://www.aljazeera.com/humanrights/2013/12/how-climate-change-destroys->

ry or jurisdiction.<sup>20</sup> Creating this standard would forge an easier and more efficient way of establishing whether rights are being compromised and who is responsible for dealing with these issues. Similarly, if complete relocation of a group does occur, the new host state or territory will also be responsible for achieving this minimum standard of treatment.

Perhaps most importantly, using human rights law would give those peoples forced to migrate because of climate some legal recourse for their plight. There are many existing human rights laws and documents that can apply to the rights of climate migrants. The International Covenant on Economic, Social, and Cultural Rights (ICESCR), for example, gives the rights to life, adequate food, and health. The Universal Declaration of Human Rights also has many different articles dealing with issues that will challenge climate refugees. Article 13 gives every person both the right to move within a state, and leave and return to their own country.<sup>21</sup> Article 3 calls for the right to “security of person”. Article 15 protects the right of every person to a nationality.<sup>22</sup>

However, what if one's nationality becomes meaningless? Due to sea level rise, flooding, and desertification, entire countries may cease to exist, and many more will have huge swathes of their territory rendered barren and uninhabitable. The legal definition of a “stateless” person is based on the idea that his or her state has been denied to them by a government, not that his or her state has disappeared.<sup>23</sup> Though people may be literally without their state, they are not protected legally under any statelessness treaties. If all the people of Tuvalu, for example, are forced to migrate to Australia because of sea level rise, will they still exist as Tuvaluans, or will they be forced to give up their state and identity? Another group that will mostly likely face forced migration from changing climate comes from the opposite side of the world. Not only is the melting of sea ice and gla-

ciers causing sea levels to rise, it is forcing indigenous groups from the far north of Canada and Russia from their ancestral homes. These groups rely on the frozen tundra for their food and livelihoods. Melting ice is changing animal migrations and putting entire species in danger, thus changing the way of life for the indigenous peoples. Their identity and culture is inherently attached to their northern heritage and lifestyles, so what happens to their state when they're forced to move south? Warmer arctic temperatures will also bring more exploitation of natural resources from these previously frozen plains, causing even more harm to the locals and their livelihoods. As the ice melts, more oil and gas resources will become open to enterprising nations eager to tap into these formerly inaccessible reserves. Kumi Naidoo of Greenpeace states, “Indigenous peoples, ironically, are the ones who have lived with the greatest respect for nature so it's terribly sad that indigenous peoples yet again pay a very high price for climate impacts”.<sup>24</sup>

There is also in human rights law an idea of “complementary protection”. This protection is usually based on a human rights treaty or on more general humanitarian principles and gives a legal basis for seeking protection (in this case residence) within another state.<sup>25</sup> Complementary protection could allow climate refugees to have safe and legal passage into another state and rights once they resettle.

In 2008, UN Human Rights Council Resolution 7/23 stated that they are “concerned that climate change poses an immediate and far-reaching threat to people and communities around the world and has implications for the full enjoyment of human rights” but does not do more than “recognize” and “take note” and “encourage States to contribute to the study conducted by the Office of the High Commissioner”.<sup>26</sup> Human rights organizations like Human Rights Watch and Amnesty International should start working with environ-

---

20 McAdam and Saul, 9.

21 “Universal Declaration of Human Rights”, United Nations. <http://www.un.org/en/documents/udhr/>

22 Ibid.

23 McAdam and Saul, 9.

---

24 Letman.

25 Macadam and Saul, 9.

26 “Resolution 7/23: Human rights and climate change”. *Human Rights Watch*. 28 March 2008. [http://ap.ohchr.org/documents/E/HRC/resolutions/A\\_HRC\\_RES\\_7\\_23.pdf](http://ap.ohchr.org/documents/E/HRC/resolutions/A_HRC_RES_7_23.pdf)

mental bodies like the Intergovernmental Panel on Climate Change or NGOs like Global Witness and even Greenpeace to produce reports on how climate change is detrimental to human rights. Raising public awareness of this issue is an important step towards reaching resolution.

## **Conclusion**

Climate change threatens to ignite the greatest refugee crisis the world has ever seen, displacing millions of people from their homes and forcing them to seek new places to settle. Migrants fleeing from adverse conditions caused by climate change face a myriad of obstacles not applicable to traditional refugees. There is no legal framework to care for climate refugees, nor even a legal definition of their plight. Climate change is both a humanitarian crisis and a human rights issue, and it cannot be ignored in these forums any longer. Climate change will most affect the marginalized groups in society, and those least able to adapt to the shifting conditions. In order to protect the potentially hundreds of millions of people who will be forced to migrate in the coming decades, both a legal framework and an institution solely devoted to climate refugees must be established. There is an opportunity to make this a reality at the Paris climate conference in 2015. If global action is not taken quickly, forced migration due to climate change will become the greatest humanitarian disaster the world has ever seen.

# Resurrecting the Draft

## A Case for More Peace

*Nathan J Kornfeld*

*“Timothy Leonard, is a strange sort of Quaker: a Quaker who supports universal conscription. His reasoning is compelling in many ways and is clearly motivated by a genuine concern for peace, not war. He argues that, if politicians were voting to send their children into battle, they would avoid war at all costs. So, he supports a universal draft into the military.”<sup>1</sup>*

### Introduction

If the United States reverted to a fair military draft, interventions and casualties in overseas battlegrounds would decrease. It is difficult to make a case for shorter engagements since every military intervention is different. However, the case can be made that casualties could be lessened, domestic politics re-invigorated on topics of foreign affairs and the burden of service could be shared more equally.

There are three main points in this paper. First, soldiers in the volunteer army are not representative of the population as a whole in terms of geography, education or sacrifice. Second, the public has lost its voice on the matters of foreign policy and lastly, Congress, with mostly safe seats, has abdicated its responsibility to approve military interventions. Hampering the effort to reinstate the draft is the opposition of the military establishment to a conscripted combat force.

<sup>1</sup> Universal Conscription: A Way Towards Lasting Peace?, May 30, 2011, Sam Rocha, [www.vox-nova.com](http://www.vox-nova.com)

### Background

Military conscription has been used in four wars involving the United States: World War I, World War II, Korea, and Vietnam. The purpose of military conscription is to provide enough combat troops in a time of war. Each of these wars had its own characteristics in terms of duration of engagement; number of soldiers deployed and numbers of killed and wounded. The first wars to use all volunteers were the Persian Gulf War (1990), Operation Enduring Freedom (2001) and Operation Iraqi Freedom (2003).

Table 1. Certain characteristics of the last five

	<u>Duration</u>	<u>Number Serving</u>	<u>Total Deaths</u>	<u>Wounded</u>
<b>World War I</b>	1917-18	4,734,991	116,516	204,002
<b>World War II</b>	1941-46	16,112,566	405,399	671,846
<b>Korean War</b>	1950-53	5,720,000	36,574	103,284
<b>Vietnam War</b>	1964-73	8,744,000	58,209	153,303
<b>Operation Iraqi Freedom</b>	2003-11	1,900,000	4,488	NA

US involved wars<sup>23</sup>

The two conflicts that will be examined are the Vietnam War and Operation Iraqi Freedom. The Vietnam War represented the last time that the draft was used to enlist involuntarily able-bodied men to serve as combat troops. During this war,

<sup>2</sup> American War and Military Operations Casualties: Lists and Statistics, Hannah Fischer author, Congressional Research Service Report for Congress, July 13, 2005

<sup>3</sup> Number of troops serving in Operation Iraqi Freedom includes Operation Enduring Freedom (Afghanistan) but does note that 3,000,000 tours of duty occurred in the two conflicts

two methods were used to conscript men (women were exempted). The first method of selecting men for the military had the possibility of many deferments with those of more education and financial capability able to manage to stay out of the induction centers. Toward the later part of the war, after it was apparent that fairness wasn't part of the system, the process was changed to virtually no deferments and a draft lottery. Toward the end of the Vietnam War, President Richard Nixon abolished the draft but still required registration with the Selective Service Administration.

Other major democracies, such as the United Kingdom and France, ended conscription in 1957 and 1996, respectively. Both countries ended their draft programs for different stated reasons but domestic politics played a major role. For the French, the "political experience in the Persian Gulf War further undermined their use of conscripts. During that war President Francois Mitterand's government ran into bureaucratic challenges after committing to deploy troops to help drive Saddam Hussein's Iraqi military from Kuwait without National Assembly approval.

*"Since the use of conscripts overseas cannot be justified as defending domestic boundaries, the sudden imposition of unpopular service abroad often undermines the legitimacy of conscription."*

## **Conscription – The Generals say NO**

The military establishment always favors a volunteer military unless enough recruits can't be convinced to enlist. The reason for this is very simple. Drafted soldiers only serve for a short period of time. During the Vietnam War, the service period was two years. In the current volunteer system, recruits sign up for an eight-year term consisting of two years of active service followed by six years in the reserves. However, the military has the ability to extend or recall to active service if circumstances demand it. In the wars in Iraq and Afghanistan, there were 1,900,000 soldiers involved but 3,000,000 tours of duty. For the military, this means fewer soldiers to train (lower cost) and soldiers who are more experienced (more ef-

fective). The downside is that more soldiers have physical and mental issues on returning from multiple tours in combat zones.

In the United States, a valid question is how individuals are recruited and what the characteristics of this group are. The most important aspect of successful recruiting is economic considerations. The army will often go into a community where a factory has been shut down or unemployment is very high and set up a recruiting station. The attractiveness of the Army package is very compelling to this demographic. "The Congressional Budget Office recently estimated that the average active duty service member receives an Army benefits and pay compensation package worth \$99,000."

This type of a package being offered by an Army recruiter is compelling. To take this recruitment technique a step further, "individuals from counties that are worse off socioeconomically bring to the military fewer ex ante educational and occupational skills, then it is more likely that these soldiers may find themselves in roles that increase their proximity to combat."

The difficulty in recruiting is exemplified by the increase in compensations to recruits and the decline in education levels from 90% having high school diplomas to only 79%.

*"From the military officer and non-commissioned officer perspective, we are afraid that a draft will put us in charge of large numbers of unmotivated and low-skilled enlisted service members."*

## **What Does the Public Say about War?**

Data gathered during the Vietnam War strongly suggests that voters who know of someone who has been killed or wounded in a war will be against continuing that effort. This effect crosses party lines with Republicans and Democrats, rich and poor, men and women, black and white and young and old. All groups respond similarly to casualties within their communities. The caveat to this, however, is that more casualties are grouped in poorer areas. Taken together, "if all Americans had seen the costs of war through the lens of the hardest hit

communities, public opinion would have turned against the war more quickly and uniformly than it did.”

When looking at speeches given in Congress about the war in Iraq, the findings from the Vietnam era analysis still held. In districts where casualty rates were high, Congressmen gave 40 percent more speeches critical of the war effort than their peers. “Home state casualties are an important force driving their rhetoric and the signals they send to their constituents.”

The national political leadership generally refrained from bucking the party line, irrespective of the casualty rate in their district or state. The story of the people was different, however. “By the spring and fall of 2006, most Democrats and Republicans were firmly entrenched in their views on the politically charged question of whether U.S. forces should come home from Iraq.”

The group that was still in play however, was the independent voters. Given their small size relative to the two major parties, this voting group moved strongly toward the Democratic candidate, against the war, when there was some connection to a war casualty.

Those with exposure to casualties are more likely to press their politicians for a change in course. Unfortunately, since “the Korean War, the casualty gap has concentrated these costs disproportionately in socioeconomically disadvantaged communities and insulated many other Americans from direct exposure to the human costs of war.”

“Casualties affect public perceptions of policy when they hit close to home, when the sense of loss is direct, immediate and palpable.”

Residents of these poorer communities are less well-equipped to engage in the type of political lobbying that can have a major effect on policy. “The populations with the most to lose in war become those communities with the least to say to their elected officials.”

Combining this effect with the gerrymandering of districts to make Congressional seats safe further reduces the effectiveness of political activism.

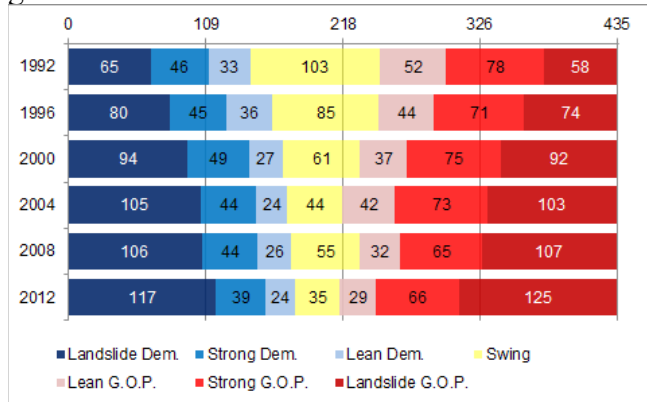
## **Gerrymandering, Safe Seats, Cost to Democracy**

The previous section examined the voting proclivities of people who were personally exposed to a casualty of war, in this case Iraq. The conclusion seems to be that those affiliated strongly with a major party are more likely to continue voting for their candidates. Independents are more likely to swing depending on personal experience with casualties of combat.

One of the social problems highlighted in the analysis is the gap in the composition of the combat troops in terms of socioeconomic and educational achievements. It is the practice of the military to assign individuals with better education/skill sets to postings away from the front lines where they can be more effective. This group of voters exposed to war casualties tends to not have the ability to challenge the political status quo effectively.

A reasonable question is whether the makeup of the House of Representatives can be challenged effectively. In the following chart, it is easy to see how safe seats have been rising steadily since 1992. The number of safe seats has gone from 123 to 242 today. If we add the seats that are strongly leaning, the numbers go from 247 to 347. Making this more worrisome, before the Republican gains in the 2014 elections, they controlled 195 seats considered to be safe or strongly leaning in their direction. It takes 218 seats to control the House. Making no judgment on the peacefulness of the Republican Party, they have in recent history been more prone to embrace foreign military engagements. If we overlay the Republican electoral strength with the concentration of military casualties, it will show that the two overlap.

The following chart shows the progression of this trend toward safe seats.



Crossover voters were almost non-existent in 2012 with only 6 districts out of 347 “safe” districts choosing a Representative that was of a different party than the vote for the Presidential candidate. This polarization of the electorate makes it very difficult for voters from areas affected by war casualties to make a difference. “If individual members of Congress have little chance of losing their seats if they fail to compromise, there should be little reason to expect them to do so.”

## A Historical Perspective on Reviving the Draft

Army Lieutenant Colonel Paul L. Yingling wrote an excellent and provocative piece entitled “The Founder’s Wisdom” in the *Armed Forces Journal*. The point Yingling makes is that the founding fathers set up a structure for conducting wars that intentionally gave the power to the Congress while making the President Commander-in-chief. The concept was that an army would be raised and paid for when required, not as a large standing military. However, we have moved dramatically away from a conscripted militia asked for by the President and authorized and paid for through normal appropriations by Congress. The power to declare war was given to Congress to insure popular support. While this process isn’t immediate, unless the US is under immediate attack, like it was in the aftermath of 9/11 or Pearl Harbor, there is time to debate the wisdom of entering into a foreign conflict.

An answer to this problem can be a return to

the citizen soldier. Four reasons are given by Lt. Colonel Yingling for returning to the structure of the founding fathers. First, returning to conscription would force Congress to reassert its war powers authority and would also ensure that the burden of service would fall equally across America. Second, a conscripted military would expand or contract to meet its commitments instead of forcing extra tours of duty on volunteer soldiers. An example of this in effect would be the draft lottery implemented at the end of the Vietnam War when people were called to active duty only to the extent needed. Third, conscription will enable the military to select those people with skills and attributes required to fight today’s wars. Unlike the volunteer army, a conscripted military would not require lower standards to meet recruitment needs. Fourth, by returning to Congress for a declaration of war and a draft for staffing, the effort would be less expensive. The military would be smaller and would return fiscal responsibility to the Pentagon.

Sounding a similar theme to other authors, Yingling finishes his discussion with the following quote: “However tactically proficient today’s all-volunteer force may be, it remains isolated from America’s greatest strategic assets: the wisdom and energy of the American people.”

## The Draft Ends, Private Military Contractors Enter

Much of the costs of the wars in Iraq and Afghanistan have been hidden from public view by the use of military contractors. These groups, while contracted by the military, are not under the direct command of the military in the field. The military prefers the volunteer army to a draft because of the longer time in the service. In the same line of thought, the use of contractors supplants volunteers by being both experienced and cheaper. As stated earlier, the Army advertises a package of salary and benefits of more than \$90,000 per year with only 33 percent coming in the form of salary. For contractors, the costs are considerably lower, roughly \$50,000 per year. This way, the military gets a cheaper fighting source at a lower cost that is out of the sight of the US population. It is the

long term benefits that force the cost of the armed services dramatically higher. Additionally, injured and wounded contractors are not counted in the reported totals by the military.

The use of contractors started during the administration of Richard Nixon and got a boost after the Cold War when the Pentagon was getting smaller and Dick Cheney was the Secretary of Defense. “Between the logistics giant Haliburton and a myriad of armed security companies, private military contractors comprise the second largest ‘force’ in Iraq, far outnumbering all non-U.S. forces combined. There are as many as 100,000 civilian contractors and approximately 20,000 private security forces.”

Put into perspective, it is estimated that US forces on the ground in Iraq at one time peaked at only 250,000 soldiers.

Reinstating a draft would make it possible to scale up the military without the huge costs associated with career soldiers and make contractors less desirable. While little support exists for resurrecting the draft to fill combat slots, the original use of a draft, there might be a better way. “One option that might be politically tolerable would be to use a draft to fill positions in areas where combat missions are not occurring...it would increase broad public engagement in American foreign policy, just as fundamental economic troubles in recent years refocused the public on the need for economic oversight and regulation.”

## **Increased Military Technology – A Different Approach to Needing Universal Conscription**

The science fiction movies that we have all watched have shown us death stars, laser weapons, satellite directed precise drone attacks, et al. Today these weapons have become staples of modern warfare. This move toward technology – and away from ground troops -- to fight wars is a revolution of great importance. The question now is whether war will become too easy. The operation of unmanned but armed drones flying over Afghanistan or the cyber-attacks that are launched

from the relative safety of computer installations on home soil epitomizes the disconnect between war and casualties. In this environment, there is a gap between the military and political elite and the citizens. In a speech given by former Secretary of Defense Robert Gates in October 2011 at West Point this issue was addressed. “There is a risk over time of developing a cadre of military leaders that politically, culturally, and geographically have less and less in common with the majority of the people they have sworn to defend.”

The thrust of this speech was that the Army is great but it is part of the US citizenry, not a separate group. Without a draft, the military is at risk of becoming detached from the general population. He goes on to say that the volunteer army is recruiting mostly from the South, Mountain West states and rural areas. Recruiting success continues to decline in the Northeast, West and major cities. Gates states, “a series of demographic, cultural, and institutional shifts have made the military less representative of the American population as a whole, mostly as a consequence of ending the draft”.

The United States military is expected to project American power around the globe, but with few casualties. The way to do this is through new technologies for both deterrence and waging war. As systems get more sophisticated, there will be a bidding war for the services of individuals that have the training or aptitude to operate or create these weapons. Think of hackers as an example of a useful recruit to a software lab. The military will need to compete with private industry for these people if there is no draft. Given the US demographics of an aging population, “substituting robots for warriors doesn’t just save lives; it also substitutes capital for labor and enables performance even if the labor pools shrink.”

By reducing the potential for US casualties on the ground, military action becomes less risky and lowers the barrier to going to war. This in turn feeds into the prior sections which talk about the brake on opinion being the knowledge of someone killed or wounded in battle. It further becomes problematic if Congress is filled with safe seats; the only true practical cost of going to war is eco-



nomic.

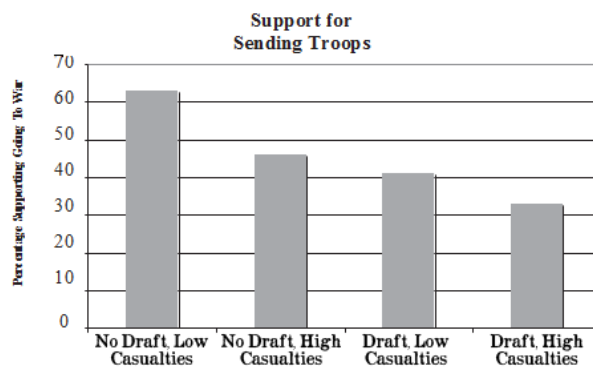
A real time example of war with hidden victims is cyber-attacks. In this case malicious viruses are planted in the enemy's computer system with destruction limited currently to the security and safety of data and infrastructure. For the public at large, this issue relates to them mostly in the context of stolen personal data or credit cards. We as a society are uninformed as to the quantum of destruction of financial value that has occurred. As physical warfare becomes more technologically sophisticated, we, as citizens, could become just as unaware or calloused to a military intervention without casualties. The conclusion from the authors Allenby and Hagerott is that "if technology is making war too easy, the draft is one of the few ways to keep it hard".

The argument of re-establishing conscription as a result of technological advances is counterintuitive. The core of this theory is that the citizenry shouldn't be isolated from the military. In an environment of reduced economic means and an aging population, a draft serves the purpose of giving the military access to cheaper labor than with volunteers, better qualified labor and vests a true cross section in the experience of military service which should bridge the gap between the military and the general population.

### Sampling Attitudes Toward War

In a paper written by Horowitz and Levensky, the authors used data compiled from interviews regarding the attitude of people toward wars given a volunteer vs. conscripted military. Their conclusion was that people generally act in self-interest. One of the hypotheses they tested was whether a draft would decrease public support for a war. Below is a chart showing the findings of the survey which was conducted in December 2008.

Chart 3. Support for Sending Troops into Battle by Experimental Condition



### Experimental Conditions

As can be seen in the above chart, support for sending troops into battle was always higher with a volunteer army. However, the biggest discrepancy in outcomes is when casualties are low. When casualties are predicted to be high, respondents were much more skittish about sending any troops, whether volunteer or conscripted. One conclusion drawn from the data showed that self-interest was a significant motivator in the answers received from the questionnaires. The group showing the biggest aversion to sending drafted troops was men who were likely to be directly affected by a draft. The second group with a similar but less severe bias was the families of those men. This finding coincides with the results taken during the period of the Vietnam War when the draft lottery was used. Respondents with low lottery numbers (likely to be called into service) were dramatically opposed to the war. Those men with high numbers were much less opposed.

In their research, a fair draft would bring in the voices of the elites in society into the debate on military intervention, an important role in garnering support for the deployment. This group is influential in terms of respect and financial capability to bring the discussion/skepticism of the merits of an intervention to light and rally public opinion. In supporting their hypothesis, "all else being equal, reintroducing a draft decreases public support for war across a variety of different conditions (rela-

tive to an all-volunteer force).”<sup>4</sup>

One possible benefit from having a draft is international awareness.<sup>5</sup> “Since there are higher domestic political costs to mobilizing a conscript military—ranging from potential domestic opposition to a heightened risk of audience costs—when mobilization occurs during a crisis situation, other actors on the international stage should view it as especially credible.”<sup>6</sup>

## Political Voices For the Draft

In going through the literature, there are voices on both sides of the argument of whether universal conscription would make a difference in attitudes toward the US going to war and if a military intervention was undertaken, would a draft hasten the end of that engagement. The simple argument for the draft states that if a broad cross-section of the population was forced to serve in the military, the electorate would push for shorter engagements or no engage at all. Representative Charles Rangel wrote in a 2002 op-ed in *The New York Times*: I believe that if those calling for war knew that their children were likely to be required to serve and to be placed in harm’s way there would be more caution and a greater willingness to work with the international community in dealing with Iraq. A renewed draft will help bring a greater appreciation of the consequences of decisions to go to war.<sup>7</sup> To this end, Representative Rangel has introduced legislation in three different sessions of Congress requiring a return to a conscripted military. So far, no hearings on the bill have been held.

In a 2004 hearing on the Iraq war, “Senator

---

4 Michael C. Horowitz and Matthew S. Levendusky, “Drafting Support for War: Conscription and Mass Support for Warfare”, *The Journal of Politics*, Vol. 73, No. 2, April 2011, Pg. 524-534

5 James Fearon, “Domestic Political Audiences and the Escalation of International Disputes”, *American Political Science Review* 88 (3) pg. 577-92

6 Michael C. Horowitz and Matthew S. Levendusky, “Drafting Support for War: Conscription and Mass Support for Warfare”, *The Journal of Politics*, Vol. 73, No. 2, April 2011, Pg. 524-534

7 Charles B. Rangel, “Bring Back the Draft”, *The New York Times*, December 31, 2002

Chuck Hagel (R, NE) [former defense secretary] posited that returning to a draft military would be beneficial because it would force more Americans to confront the costs of war personally by directly bearing and observing the costs of war themselves.”<sup>8</sup>

## Conclusion

The view of restoring the draft as a means to reduce war casualties is far from universal but the consensus is that draft registration and conscription would be very difficult to enact. There is currently one draft bill in the House of Representatives with the purpose of reactivating both registration and the draft. This bill has been introduced every few years and has not been taken up by committee for review.

While a return to the draft would take an extraordinary effort by our divided Congress, the discussion on the topic seems to have picked up. It is possible to turn on the radio or television and hear someone being interviewed about the military and start with “I know it would be almost impossible to implement, but...”. Furthermore, for reasons that are about both partisanship and Middle East concerns, Congress is forcing the issue with the President on the topic of a nuclear Iran. This test of wills seems to be bipartisan and a manner of Congress reasserting its right to ratify treaties. Reengaging the citizenry is still a challenge.

---

8 Michael C. Horowitz and Matthew S. Levendusky, “Drafting Support for War: Conscription and Mass Support for Warfare”, *The Journal of Politics*, Vol. 73, No. 2, April 2011, Pg. 524-534

## The (Nonviolent) Revolution against Revolution

*Srdja Popovic and Slobodan Djinovic*

For centuries, the word “revolution” has carried a subversive, serious, and primarily violent connotation. Grim, malicious men (and only men) secretly plotted the violent overthrow of hated dictators, inciting extended periods of brutal conflict and innumerable casualties. But today, the most successful revolutionaries look a bit different. The social and political revolutionaries of the 21<sup>st</sup> century differ from their historical counterparts in strategy, tactics, organization, and optics – and they are more successful than ever. Strategic nonviolence has overtaken violent revolt as the most widespread form of resistance against a host of oppressive forces: nondemocratic regimes, discriminatory institutions, and dangerous social stigmas.<sup>1</sup> Laying down their weapons, change makers today have instead chosen to pick up ammunition that is more creative: words, humor, and the power of organizing. Nonviolence has become the basis of a framework for those looking to make changes in society, whether they fight for the establishment of democracy or the right to exercise their freedom in current democratic societies. While goals may differ, their tactics are the same. Young women, grandmothers, punk musicians, and thousands in

<sup>1</sup> Although violent extremists, like Al Qaeda or ISIS seem to refute the rise of nonviolence, these groups are not actually social movements, but small groups of ideologically driven outsiders attempting to impose a radical agenda by force. Our research only concerns social movements, and thus does not include terrorist organizations.

between have launched a revolution against revolutions themselves, transforming the way revolutions are fought, won, and sustained.

### Nonviolence Is More Effective

There is a common misconception that violence, while not necessarily condonable morally, is the most effective method to fight oppression and bring about change. By examining 323 cases of resistance around the globe between 1900 and 2006, Maria Stephan and Erica Chenoweth proved in their landmark case *Why Civil Resistance Works* that nonviolent resistance is actually six times more likely to succeed than a violent revolution.<sup>2</sup> A number of factors account for this remarkable rate of success. First, employing nonviolent principles inherently allows for the inclusion of a greater proportion of individuals in the movement. Instead of limiting participation to fighters and high-level strategists, a nonviolent campaign requires more actors: local leaders, recruiters, social media experts, organizers, and protesters, to name a few. Nonviolence gleans its strength from “people power”.

As Martin Luther King, Jr. wrote, “There is more power in socially organized masses on

<sup>2</sup> <http://www.mitpressjournals.org/doi/pdf/10.1162/isec.2008.33.1.7>

the march than there is in guns in the hands of a few desperate men. Our enemies would prefer to deal with a small armed group rather than with a huge, unarmed, but resolute mass of people.”<sup>3</sup> Chenoweth argues that every revolution that involved more than 3.5 percent of a country’s population was successful – and every one of these resistance movements was nonviolent in nature.<sup>4</sup> It is estimated that over 17 million individuals gathered in Tahrir Square to protest peacefully for the resignation of longtime Egyptian president Hosni Mubarak during the 2011 Arab Spring protests that swept throughout Northern Africa and the Middle East. In contrast, the spring 2015 violent Houthis rebellion in Yemen claimed (at the time of writing) at most, 100,000 fighters.<sup>5 6</sup>

A nonviolent campaign includes more individuals through various avenues of direct action: public gatherings, boycotts, strikes, social media campaigns, letter writing, journalism, lobbying, and fundraising. The greater the investment by the public in the campaign, the more likely individuals will be to remain engaged in the struggle. Furthermore, the composition of the movement creates the foundation upon which the new society will be built. Therefore, by including more individuals, the groundwork will already be paved for greater gender inclusion, democracy, and tolerance of diversity.

## Conditions for the success of non-violent social change

Violence, while potentially useful as a coercive force, gains less broad social traction. Joining a violent movement involves greater risk, while a larger, nonviolent movement is better positioned in the political field to garner and maintain support from allies. To join a violent movement requires greater sacrifices: one must make a conscious choice to risk injury or death in fighting for the cause. A vio-

3 [http://mlk-kpp01.stanford.edu/index.php/encyclopedia/documentsentry/the\\_social\\_organization\\_of\\_nonviolence/](http://mlk-kpp01.stanford.edu/index.php/encyclopedia/documentsentry/the_social_organization_of_nonviolence/)

4 <https://www.youtube.com/watch?t=88&v=YJSehRIU34w>

5 <http://www.bbc.com/news/magazine-23312656>

6 <http://yemenpost.net/Detail123456789.aspx?ID=3&SubID=1749&MainCat=2>

lent revolutionary group often acts as a total institution in which individuals commit their lives to a cause, while a nonviolent revolution allows people to participate in the movement while maintaining an identity outside the metaphorical battlefield. For instance, a lawyer who commits herself to a nonviolent cause may still continue to practice as a lawyer, even leveraging her abilities to support the campaign. The cost-benefit analysis of joining a nonviolent movement looks far more appealing to most than taking up arms against an oppressor.

Second, the strategic advantage of a nonviolent movement against an oppressive regime lies in the fact that it greatly reduces the power of the regime’s most powerful weapon: the ability to suppress dissent violently. A violent revolt legitimizes a violent response from authority, whereas state violence against a nonviolent group often results in political backlash for the regime.

The failed Hungarian revolution against the Soviet-controlled government in 1956 demonstrates how violence serves to debilitate resistance groups. In the period leading up to the revolution, social unrest grew substantially as the state of the economy worsened and political repression intensified. The revolution became violent during a peaceful protest on 23 October 1956 in Budapest when security forces open fire on the crowd, killing dozens. In response, the rebels took up arms throughout the country, forced down the Soviet-backed government, and established their own national government. The Soviets then launched an invasion into Hungary and brutally suppressed the revolution, resulting in the deaths of over 2,000 Hungarians and wounding an additional 20,000. In the aftermath of this brief rebellion, the Soviets tightened their grip on Budapest, purging all suspected dissidents and forbidding any mention of the revolution. In the eyes of the Soviet Union, the violence committed by the Hungarian rebels justified a violent response.<sup>7</sup>

On the other hand, the initial success of the First Palestinian Intifada can be attributed to its unique use of nonviolent strategies of resistance against Israel, a highly militarized state. Historically, Pal-

7 <http://mek.oszk.hu/01200/01274/01274.pdf>

estonian resistance to the Israeli occupation had been dominated by guerilla attacks, ordered by a government-in-exile and excluding the majority of the local Palestinian population. The popular uprising was triggered by the deaths of four Palestinian workers whose car was struck by an Israeli tank in Gaza in 1987. The First Intifada was characterized by nonviolent protests, boycotts, and strikes that quickly spread throughout Gaza and the West Bank. For the first time, Palestinian resistance was almost universal, involving individuals at the community level who had never before thought to join a resistance movement. People of all professions, genders, and affiliations were encouraged to join; they encouraged “academics to write poems, songs and slogans...lawyers to organize press conferences... [and] accountants to refrain from preparing tax reports.”<sup>8</sup> Israel, whose arsenals were stocked with highly sophisticated weapons designed to defend a major attack on Israel, had neither precedent nor procedure to address a mass nonviolent uprising. A violent response to a nonviolent campaign would have triggered widespread international condemnation and backlash; therefore, the Israeli government was left virtually powerless against the protesters. Israeli security forces were instructed to “break Palestinians’ bones,” and eventually began to utilize rubber bullets and live ammunition against the protesters.<sup>9</sup> Although the Intifada eventually failed due to internal violence and lack of a unified vision, the uprising resulted in a monumental power shift between the opposing parties. Israel received harsh criticism from the international community for its use of force, and the Palestinian Liberation Organization (PLO), to an extent, was recognized as a legitimate representative of the Palestinian people.

What is seen as an excessive use of violence by the government can unite opposition groups against a common enemy. In the case of post-Arab Spring Egypt, state-backed violence has escalated against those who oppose the military government. The Egyptian opposition spans religious, social,

8 [http://books.google.rs/books?id=5Rn3CgDAymEC&pg=P-G114&redir\\_esc=y#v=onepage&q&f=false](http://books.google.rs/books?id=5Rn3CgDAymEC&pg=P-G114&redir_esc=y#v=onepage&q&f=false) (108)

9 [http://books.google.rs/books?id=5Rn3CgDAymEC&pg=P-G114&redir\\_esc=y#v=onepage&q&f=false](http://books.google.rs/books?id=5Rn3CgDAymEC&pg=P-G114&redir_esc=y#v=onepage&q&f=false) (page 115)

and political lines and often finds itself in battle both against the government and internally – between opposing factions. The main division line pits Islamist groups such as the Muslim Brotherhood against pro-revolution, youth-dominated groups such as the April 6<sup>th</sup> movement.<sup>10</sup> However, recent crackdowns against protesters and civilians have been blind to the political affiliations of any dissidents, who are finding themselves detained and jailed alongside their revolutionary adversaries.<sup>11</sup> Albeit with trepidation, the opposition groups are beginning to find common ground, willing to place ideological differences aside to unite forces against the military regime.<sup>12</sup> As long as the Egyptian government continues to use violence against the nonviolent opposition arbitrarily, it will provide fuel with which the opposition can then turn on the regime itself.

The opposite also holds true – violence against a regime can serve to unite fractioned internal politics and renew force against the opposition. For instance, the NATO bombing of Serbia in 1999 proved a setback to Serbia’s nonviolent movement focused on removing President Slobodan Milošević from power. In response to Serbia’s alleged human rights abuses during the Kosovo War, NATO launched an air campaign against Serbia’s military and governmental infrastructure. As international violence built against the state throughout the seventy-eight day campaign, Milošević’s government was able to coalesce greater support than it had seen previously. The presence of a common enemy (NATO) helped to give Milošević renewed legitimacy and unite his people.

## **Nonviolence Creates Better Societies**

Nonviolent resistance not only proves itself to be a more strategic approach to countering oppression, but it can actually be more effective in creating lasting and genuine democracy. This concept is logical: a party that gains its power through

10 <http://www.aljazeera.com/news/middleeast/2014/06/sisi-unite-egypt-opposition-20146875540616409.html>

11 <http://foreignpolicy.com/2014/12/24/how-egypts-revolution-could-get-back-on-track/>

12 [http://www.usip.org/sites/default/files/USIP\\_0608.PDF](http://www.usip.org/sites/default/files/USIP_0608.PDF)

violence is likely to continue to use violent tactics to maintain that power. A nonviolent campaign inherently embraces democratic values that will be more likely to carry over in the newly established political leadership in the aftermath of the revolution. Chenoweth and Stephan investigate this hypothesis in *Why Civil Resistance Works*, determining that violent campaigns are less likely to create sustainable political, social, and economic conditions than their nonviolent counterparts. They offer three arguments to support this conclusion: first, the engagement of a larger proportion of the population in a nonviolent campaign as compared to a violent resistance movement generally translates to a sustained level of political participation in the new order, as nonviolent organizing often reflects democratic values such as community engagement, shared-decision making, and accountable leaders. Second, a leadership that has come into power through nonviolent methods will be more likely to continue to remain committed to nonviolence when addressing new conflicts. Conversely, a violent takeover will most likely continue to pursue violent avenues to maintain power. Third, violent resistance movements are inherently designed with the power of secrecy and tight control in mind.<sup>13</sup>

South Africa's post-apartheid government exemplifies a successful translation of nonviolent principles from resistance to governance. After South Africa held its first fully democratic and racially inclusive elections in 1994, the African National Congress established a Truth and Reconciliation Commission in order to address publicly the atrocities committed during the apartheid regime, unlike the war crimes tribunals that characterized the post-World War II reconciliation process. In return for full disclosure and acceptance of responsibility, perpetrators were granted amnesty under the new government. By extending this offer of peaceful reconciliation, the South African government demonstrated its commitment to nonviolent principles.<sup>14</sup>

Above all, strategic nonviolent resistance has

the greatest potential for success because it puts power in the hands of those most affected by oppressive power structures. It pits a massive group of people with a wide variety of talents and strategic advantage against a small group of individuals who lack the means to quell a popular, nonviolent uprising. In strategic nonviolence, words and collective actions are actually more powerful than weapons, especially when artfully framed to expose or embarrass a regime.

## Unconventional tactics

Humor and satire have long been employed by political commentators, writers, and academics to comment on social issues and government inefficiency. But humor's strength extends far beyond paper: it can be used effectively as a political tool. The use of humor has become one of the most powerful weapons yielded by nonviolent movements worldwide. Dictators rely on intimidation and threats to maintain a sense of fear in the citizenry. The ability to humiliate and mock repressive rulers is extremely powerful because it robs legitimacy from the regime and instead, puts it in the hands of the people. When people stop being afraid, dictators will find it harder and harder to rule by means of intimidation.

Such was the case with OTPOR! ("Resistance!"), the nonviolent movement that successfully brought down Serbian dictator Slobodan Milošević in 2000. Without ever becoming violent, the members of OTPOR! relied on the power of words and humor to gain traction and debase the repressive leadership. In one of its most widely publicized acts of resistance, OTPOR leaders placed a metal barrel adorned with a portrait of the dictator and a baseball bat in the middle of a busy pedestrian street, along with a sign that read, "Smash his face for just a dinar." A large crowd soon gathered to take their turns at swinging the bat, prompting police response. However, their options to control the crowd were limited: the only violence occurring was directed towards an inanimate object; hardly grounds for arrest. Instead, the police confiscated the barrel, a tactic that landed their picture

<sup>13</sup> *Why Civil Resistance Works* pp. 207-209

<sup>14</sup> <http://wagingnonviolence.org/feature/experiments-with-truth-and-reconciliation/>

on the front page of opposition publications. The move was a great success for OTPOR!, who had managed to embarrass the regime's security forces with no legal backlash.<sup>15</sup>

Inanimate objects were also the leaders of a humorous nonviolent campaign in Barnaul, Siberia. In 2012, an activist group advocating for free and fair elections in Russia attempted to circumvent a law prohibiting unauthorized demonstrations by holding toy protests. In other words, they sent children's toys – Legos, toy soldiers, and stuffed animals - brandishing signs and banners in their place. These “nano-meetings” quickly gained popularity, prompting the local government to enact a ban on public congregations of inanimate objects. The irony of this ban was not lost on activists, who were quick to point to the fact that Russia was apparently intimidated by plastic figurines. Once again, a simple, comical act of nonviolence stumped and embarrassed a historically intimidating government.<sup>16</sup>

## **Nonviolence Is Not Just for Regime Change**

The tenets of nonviolence only apply to not only toppling a dictator, restructuring a nondemocratic society, or fighting against an oppressive government. The success of nonviolence lies in its strategy – its tactics are designed to achieve clear goals: to raise awareness and build support, to pressure lawmakers, and to make meaningful and lasting changes. The same tactics have also been employed in battles around the world, championing human rights, women's rights, LGBT rights, and even environmental activism.

Successful nonviolent campaigns are often designed more like business plans than military objectives: they set clear goals for both the short term and the long term. Nonviolent activists understand that their movements must be fostered and developed incrementally, progressing as they grow in size and capabilities. Leaders often look to the lessons of nonviolent leaders of the past,

---

15 BfR p. 97-123

16 <http://www.bbc.com/news/world-europe-17049745>

such as Martin Luther King, Jr. or Harvey Milk. Milk was the United States' first openly gay elected politician, who gained traction on LGBT issues in San Francisco first by developing his support base to include those outside the LGBT community. He accomplished this by choosing to address a matter that affected a wider demographic: the issue of dog poop in public spaces. In his campaign, he declared that he would address and remedy this issue if elected. The simple, yet appealing nature of his approach attracted him a large following of supporters, who were then more willing to support him as he developed his pro-LGBT platform.<sup>17</sup> Coalition building is a crucial component of social movements, nonviolent campaigns, and contemporary revolutions.

Music and art have always played a role in the nonviolent movement. From the times of anti-Vietnam protesters who wore flowers in their hair and treated the lyrics of anti-war activists like John Lennon as dogma, musicians have been at the forefront of social movements. In the modern day, Russia's all-female, feminist, anti-Putin band Pussy Riot utilizes music, media, and public relations not only to promote a political agenda, but also to make oppression backfire against the Russian government. Three of the band's members were arrested in 2012 after they entered a church screaming, “Mother Mary, please drive Putin away.” Pussy Riot's public protest had placed the Russian government in a Catch-22: either they could pay little attention to the group, allowing them to operate freely and build up anti-Putin sentiment, or they could suppress the group, exposing their fear of instability to the rest of the world. Russia chose the latter option. The women were charged with hooliganism and sentenced to two years in prison. The sentence incited a massive outcry from the international community, who criticized Russia's repression of free speech and disproportionately harsh penalties. European Union foreign policy chief Catherine Ashton condemned the ruling, saying, “Together with the reports of the band members' mistreatment during their pre-trial detention and the reported irregularities of the tri-

---

17 <http://www.politico.com/magazine/story/2015/02/harvey-milks-first-crusade-dog-poop-114811.html>

al, it puts a serious question mark over Russia's respect for international obligations of fair, transparent, and independent legal process."<sup>18</sup>

Similarly, women in Iran have picked up on simple, nonviolent, and effective strategies to embarrass oppressive regime forces. Two Iranian women, Fatma Iktasari and Shabnam Kazimi, realized that the only weapons they needed to fight oppression were men's clothes, which they used to disguise themselves in order to enter a major World Cup soccer match. Women in Iran are banned from attending sporting events, which, under Islamic law, are not considered to be appropriate environments for females. Once inside the stadium, they removed their disguises and captured their victory on camera, their images spreading through social media like wildfire. The Iranian government was faced with a similar predicament to Russia's dilemma with Pussy Riot: a harsh punishment for the women would embarrass Iran both politically and in the sporting world, but allowing their disobedience to go unaddressed would open the door for similar acts of resistance by Iran's female population.<sup>19</sup>

As the power of strategic nonviolent resistance becomes more evident, activists have made clear commitments to nonviolence while their campaigns are in their nascent stages, which has helped to bolster support from international bodies. Hong Kong's Occupy Central movement's handbook, "Manual for Disobedience," clearly states that protesters should "avoid developing hatred in [their] hearts", and explains that the protests must be a model of the values that they are striving to see in their society, namely "equality, tolerance, love, and care."<sup>20</sup> Participants of the Umbrella Revolution spent more than two months in 2014 occupying major locations in Hong Kong, protesting peacefully for free and unregulated elections. Even when faced with violent methods of containment by police forces, the protesters remained peaceful, offering images of smiling students sitting around doing their homework, passing out donations of

food, and meticulously picking up litter. The international community threw its support behind the Hong Kong protesters and their symbolic yellow umbrellas, which they used to shield against pepper spray attacks from police. The United Nations, as well as most Western states, highlighted China's need to uphold freedom of speech and the tenets of democratic elections. The protesters' commitment to nonviolence provided additional grounds for strong international support.<sup>21</sup>

## Nonviolence Works Under Oppression

While the potency of nonviolence is obvious in societies that range from democratic to highly repressive, it may be more difficult to envision how nonviolence may be wielded against a government that relies almost exclusively on violence to maintain power and operates without regard for citizens' protection. Breaking from the often-used mantra of "fight fire with fire," nonviolent movements in countries entrenched in violence face unique difficulties. Nevertheless, their actions can still be effective, especially in establishing a legitimate body committed to peace amidst an environment of violent actors. Such is in the case in the Syrian civil war, which has claimed over 200,000 lives in four years of fighting. The battlefield is saturated with government-backed military forces, dozens of armed rebel factions, internationally backed terrorist groups, and militant jihadist groups such as the Islamic State of Iraq and Syria (ISIS). While nonviolent groups will gain little traction in this arena, Syrian activist Ahmed Zaino understood that weapons would never bring down the regime; it would simply fuel a perpetual cycle of violence. Instead, he chose to torment security forces by rolling Ping-Pong balls painted with the Arabic word for "freedom" down the winding streets of Damascus. The nonviolent movement held dozens of actions in Damascus against President Bashar Al-Assad's security forces, turning the water in public fountains red and playing pro-democracy

18 <http://edition.cnn.com/2012/08/17/world/europe/russia-pussy-riot-trial/>

19 BpR p. 108-110

20 [http://oclp.hk/?route=occupy/eng\\_detail&eng\\_id=28](http://oclp.hk/?route=occupy/eng_detail&eng_id=28)

21 <http://time.com/3471268/hong-kong-student-protest-democracy-global-support-celebrities/>



music from speakers hidden in trees.<sup>22</sup> In Syria in particular, the nonviolent movement focuses its efforts on documenting atrocities committed by violent actors and committing acts of civil disobedience such as strikes and boycotts.

A contemporary nonviolent revolution today looks less like an army poised for battle and more like a mix of a hip marketing agency and a congregation of radical musicians, supported by masses of everyday people: teachers, students, lawmakers, bloggers, and their families. The picture of revolution is no longer one of extremist rebels wielding weapons and crushing dissent. Instead, transparency, crowdsourcing, and humorous methods of nonviolence reign as the most effective and useful tactics in creating long-lasting change. Successful nonviolent activists are now sharing their methods with other eager and hopeful change-makers: organizations like the Center for Applied Nonviolent Action and Strategies (CANVAS) trains activists around the world in strategic nonviolent resistance. As new resources emerge for nonviolent change-makers, the face of nonviolence is likely to evolve over time. It may not be long before revolutions are hosted exclusively on Facebook and cyber-demonstrations replace public gatherings. However, as methods of strategic nonviolence adapt to changing conditions, political systems, and globalization, it is clear that violent revolution is no longer the method of choice.

---

<sup>22</sup> <http://www.everydayrebellion.net/wp-content/uploads/2014/01/Ahmed-US.pdf>

# Uncovering the Future in Guatemala's Past

*Colette Mazzucelli*

*“The destiny of human beings, as I see it, is to experience the world they inhabit – the universe inhabited by the immense scope of the human mind – and to construct that experience, that reality, in works of uncompromised energy, unrestrained by fear.”*

*Lebbeus Woods (1940-2012)*

## Discovering Locality in Guatemala

*“We must respect these spaces that belong to the communities”*

Our lives are distinguished by journeys of discovery. The place we live increasingly connects to voyages we make. Spaces we create through technology-mediated learning, research, and service generate narratives revealing testimonies of human empowerment. Recent treks in Guatemala, walking in a landscape ravaged by incomprehensible violations of indigenous peoples, prompted a link up from my home in Brooklyn to the Guatemalan Forensic Anthropology Foundation (FAFG) in Guatemala City. During a Skype conversation with FAFG Executive Director Fredy Peccerelli, we discussed outreach to the Guatemalan diaspora in Los Angeles and the DC Metro Area. How does the search for truth by families in a country relate to migration experiences of their fellow citizens abroad (Trull 2015, p. 2)?

During the internal armed conflict that ravaged Guatemala for decades in the late 20<sup>th</sup> century,

members of the Maya population forcibly disappeared, the victims of violence legitimized by the State (Henderson, Nolin, Peccerelli 2014, p. 98). Among the 200,000 victims in Guatemala's conflict, the Commission for Historical Clarification (CEH 1999, p. 17) estimates 6,159 were 'victims of forced disappearance' of which 83 percent were indigenous. Further CEH estimates attribute 93 percent of the violations to the State, with the Army bearing the brunt of the responsibility, in contrast to 3 percent attributed to the guerillas and 4 percent to other actors in the conflict (Ibid, p. 42).

Fredy Peccerelli talks publicly of his departure from Guatemala in 1980, the death threats to his father and the life he made in New York during his youth, as well as his first meeting with Clyde Snow while still an undergraduate at Brooklyn College. His journey back to Guatemala in 1995 is part of the story created by Dr. Snow (1928-2014), a pioneering forensic anthropologist who devoted his life to uncovering the truth of historic transgressions perpetrated against local communities by states around the globe (McFadden 2014, p. 1). Dr. Snow is respected as the father of a movement to apply scientific inquiry to uncover human rights violations that states from Argentina to Ethiopia continue to ignore (*The Economist* 2014, p. 2). In Latin America, the continuation of Dr. Snow's work inspires hope for those families who search for their loved ones through exhumations of bones in unmarked graves.

In 1997, the creation of the FAFG established a non-governmental organization (NGO) that began slowly, in painstaking ways, to establish trust with families by documenting evidence to discover what happened in Guatemala (Peccerelli 2014,

*Jumayj Chi Kamayj*). Forensic investigations are undertaken to create spaces to find the disappeared; as a result, evidence is gathered, truth is known, and forced disappearance becomes visible. One case details the story of Military Base No. 21, established in 1971, located outside of *Cobán, Alta Verapaz* (Henderson, Nolin, Peccerelli 2014, pp. 108-10). After its deactivation in 2004, a Regional Training Center for Peace Keeping and United Nations Operations (CREOMPAZ) began to work in a place where victims of forced disappearance lay buried. Names and remains, the identities, of the disappeared remained invisible, hidden underground, for decades.

At the FAFG in Guatemala City's Zone 2 is a plaque in tribute to Clyde Snow. Its design is a replica of the plaques that honor Lou Gehrig, Babe Ruth, Joe DiMaggio and other baseball legends in Memorial Park, an open-air museum in the Bronx's new Yankee Stadium. The choice of this plaque as tribute reveals the specificity of locality in Guatemala. Locality is conceived with reference to the writings of Arjun Appadurai, as "...primarily relational and contextual" (Appadurai 1996, p. 178) something "maintained carefully against various kinds of odds" (Ibid, p. 179). Dr. Snow's plaque lets families of victims "establish a sense of place" (Henderson, Nolin, Peccerelli 2014, p. 110) to the Foundation's location. The Foundation is a place of scientific inquiry apart from the State, which accepts responsibility to put "families first" ahead of the justice system and society (Peccerelli 2015, Skype Interview).

As Fredy Peccerelli explains, the working spaces created by exhumations at a mass grave "belong to the communities" and must be respected "just as the earth around these working spaces must be respected" (Peccerelli 2014, *Jumayj Chi Kamayj*). After his death, Clyde Snow's ashes were spread in the working spaces whose creation he inspired through his life's vocation journeying in the Americas. His legacy connects "exhumation as place-making" (Henderson, Nolin, Peccerelli 2014, p. 110) to the world at large in a common ancestry traced back to him in the Americas, in Argentina, in Chile, in Guatemala, as well as in the United States. In Guatemala, Dr. Snow is revered

as *Jumayj Chi Kamayj*, the Great Grandfather, the Great Elder, he who lives in the wind and in the air, the permanent advisor always on call to Maya families (Peccerelli 2014, *Jumayj Chi Kamayj*).

## **The Family in the Grassroots Transformation of the Cultural Landscape**

The process of exhumations continues in Guatemala given the overwhelming need to respond to families who "want truth," seek justice, "want the bodies back" just as these families "want everyone to know their families did nothing wrong" (Peccerelli 2014, *Jumayj Chi Kamayj*). The diligent work of the FAFG gathers the physical evidence the Guatemalan Army continues to hide, which constitutes "an active and permanent participation in the crime of forced disappearance" (Henderson, Nolin, Peccerelli 2014, p. 108). In Quiché north of the country near the border with Mexico, the working space created to attempt even a small mass grave exhumation "requires an active level of engagement with the cultural landscape" (Ibid, p. 110). Family members participate in the excavation process, evoking "the strong connection the survivors have to the dead" (Ibid).

The experience of locality in Guatemala is that families engage in the grassroots transformation of the cultural landscape as participants in acts of resistance: what is repressed and denied in historical terms is altered in physical space (Ibid). Appadurai's insights are in particular respects still relevant: "A good deal of the violence associated with the foundational ritual (Bloch 1986) is... the force that is required to wrest a locality from previously uncontrolled peoples and places. Put in other terms (de Certeau 1984), the transformation of spaces into places requires a conscious moment..." (Appadurai 1996, p. 183). The family is the protagonist in "a conscious moment" during "the process of excavation and exhuming a mass grave" that Henderson, Nolin and Peccerelli argue is "an act of place making for the victims and survivors" (Henderson, Nolin, Peccerelli 2014, p. 111).

In our 21<sup>st</sup> century world, citizens learn in

spaces increasingly mediated by communications technology and social media. As the Skype interview cited earlier demonstrates, a blended approach to dialogue connects mediated spaces to place-making, thereby allowing citizenship learning to occur in distinct, yet related, local contexts. The workings of identity politics in the Guatemalan diaspora and ‘at home’ in country is a subject ripe for citizenship learning to explore social responsibility, community engagement, and political literacy concerns, integrating a focus on identity, diversity, and social justice in specific moral contexts. Citizenship learning cannot take locality for granted. Guatemalan migration as a response to social violence has led to tightly-knit communities in Los Angeles and the DC Metro Area. Residents in these communities abroad may be traced back in origin to specific localities in their native country.

Migration occurs in waves from Guatemala caused in the conflict years by the urgency to flee political repression and in the post-conflict era primarily by the need to escape severe economic deprivation (Jonas 2013, p. 1). Guatemala is a specific case among Central American countries given the high level of ethnic diversity in society – a pluralism that suffered the onslaught of colonial and State violence over centuries. A visit to the International Training Institute for Social Reconciliation (IIARS) illustrates the initiatives taken in Guatemala to provide a forum to discuss and learn about the problems facing citizens in the field of social reconciliation. These problems result from the armed conflict as well as the long history of racism and social exclusion prevalent in the country. Of particular interest to educators are the learning methodologies and educational materials the Institute develops, which contribute to the work of teachers.

In classrooms the great challenge is to promote ethnic and social relations that are respectful to construct new forms of democratic coexistence in Guatemalan society. These classrooms, as well as the outreach to high schools in the United States, Canada, and elsewhere abroad undertaken by the FAFG, contest the power that continues to subjugate ethnic diversity in Guatemala by ignoring spaces for reconciliation in society. The research

of Ali Mirsepassi provides further reflection: “Democracy is not a “culture,” as in a set of values and practices inherited either through national, geographic or religious sources. Rather it is a fortunate crystallizing moment in time and place that requires great energy and work to be sustained” (Mirsepassi 2010, p. 13). Each grassroots transformation of the cultural landscape in Guatemala provides a “crystallizing moment in time and place” (Ibid) unrestrained by fear.

Commemorations that “reinforce community and individual memory” (Henderson, Nolin, Peccerelli 2014, p. 110) create rituals; the reaffirmation of the connection survivors have to places in the cultural landscape embodies transformation in the “life of a people” (Ibid, p. 99). Each interjects energy in working spaces that empower family members. The Guatemalan locality, nurtured through a systematic reading of bones, by the scientific inquiry that documents the lives of the voiceless to break a “conspiracy of silence” (Zerubavel 2006), is “maintained carefully against various kinds of odds” (Appadurai 1996, p. 179). How, we may ask, is this locality connected to the diaspora experience, particularly in the United States and Canada, made necessary by “uncontrolled social violence” and “one of the world’s highest rates of femicide” with more than 6,500 reported cases over a decade, 2000-11 (Jonas 2013, pp. 4-5)?

## **Wright<sup>1</sup> Space: Diasporic Interventions to Construct Locality**

The indigenous Maya and ladino (mixed) peoples may be distinguished as “two migration streams from Guatemala” without reliable empirical data to visualize the breakdown for either stream (Ibid, p.1). During the 1980s, the close relationship between the internal armed conflict and the economy led to a significant increase in migration for “a combination of political and eco-

---

1 Wright refers to the architect Frank Lloyd Wright (1867-1959) who designed buildings to enhance the human experience.

conomic reasons” (Ibid, p. 2). One reason to focus on the Guatemalan diaspora concerns its cohesive presence as a large congregation in specific areas: 750,000 in Los Angeles; and 250,000 in Langley Park outside DC (Trull 2015, p. 1). Fredy Peccerelli explains: “Over 1.5 million Guatemalans...are there because of the conflict...have people that are missing...that forcibly disappeared” (Ibid, p. 2). In Langley Park, the Guatemalan locality is produced in the search for the peace that finding the remains of a loved one can provide (Ibid, p. 3).

As the FAFG expands its services to the United States, relations between the Guatemalan locality in country and the one in Langley Park or elsewhere are likely to become more intricate. Appadurai cites “the growing divorce” between debates of “an increasingly parochial quality” around globalization, especially in the United States, and those that “characterize vernacular discourses about the global, worldwide,...typically concerned with how to protect cultural autonomy and economic survival in some local, national or regional sphere...” (Appadurai 2001, p. 3). The FAFG’s outreach to the Guatemalan diaspora is likely to mediate constructions of locality. In other words, locality may also be produced by diasporic interventions in civil society. Grassroots activism can persistently contest through place-making what the State continues to ignore.

Given its role as the NGO providing forensic anthropological expertise and services to connect these localities in a global context, the FAFG may begin to open a future translocal space that “dignifies victims of enforced disappearance and other violations by uncovering evidence, disclosing their stories, giving them a name and a proper burial, and reuniting them with family members” (FAFG 2015, p. 2). In thinking about the essence of a potential translocal space, we may return to what Frank Lloyd Wright considered “the true building block of social transformation – the family home” (Wright 2015, p.1). Wright space articulates democratic principles in which diversity and pluralism figure prominently. As he wrote in 1908, “There should be as many kinds (styles) of houses as kinds (styles) of people and as many differentiations as there are different individuals” (Ibid).

In Wright space, interior walls are “minimized to emphasize openness and community” like in the Prairie House design. In reading about Clyde Snow’s home in Norman, Oklahoma, the image of space that remains in mind is “no divide between his work and the rest of his life” (*The Economist* 2014, p. 1). In one account, “...Mr. Snow himself, pipe or unfiltered Camel clamped in his mouth, would wander between the bones and the TV, or the bones and his pot of ever-boiling coffee, sometimes with a skull cradled gently in his hands. He was listening to the stories told by human remains” (Ibid). For Wright, the essentials of architecture opened space that could be genuinely transformative: “...instead of a separate thing set up independently of landscape and site, the building with landscape and site became inevitably one” (Wright 2015, p. 1).

As the experience of place-making anchors the Guatemalan experience of locality, Wright’s search for an ‘organic’ architecture comes to mind whereby “structure would stand as a unified whole, growing from and being a blessing to – the landscape. For Wright, a truly organic building developed from within outwards and was thus in harmony with its time, place, and inhabitants” (Ibid). Wright space is imbued with the architect’s regard for nature inspired by the writings of Transcendentalists – Emerson, Whitman, and Thoreau. In reflecting on the way in which Clyde Snow remains among the Maya, it is significant that the space Wright conceived was guided by Nature “in both material and form” (Ibid). A translocal space, one that nurtures citizenship learning to focus on identity, diversity, and social justice as a complement to place-making, requires an organic character in relation to landscape.

A translocal space must adapt by pushing the boundaries of experience to maintain its autonomy. As the FAFG continues to pioneer scientific inquiry and forensic investigation to contest impunity, the designation of Wright space for diasporic interventions has potential to construct locality through its search for new expression. The FAFG has a vocation to be present for the Guatemalan diaspora “enhancing respect for human rights by uncovering truth, grave by grave, fostering knowl-

edge about the past and providing tools to promote accountability” (FAFG 2015, p. 2). The Foundation’s outreach to high schools, engagement with TED Talks and its acknowledgement that the Holocaust is dominant in the public understanding of genocide necessitate that, in the vocation to be present, the FAFG accepts responsibilities few willingly take.



*Map of Guatemala with cities and rivers identified.*



*Map of Pan America that shows the locations of North America, South America, and Central America, the Caribbean, and all of the countries and territories in the Americas.*

# “Unregulated Civilian Drones Endanger our Skies”

*Austin Schiano*

The unregulated use of drones by civilians poses the significant risk of making our skies unsafe. The increasing capacities of these technologies have begun to pose a serious and immediate threat to the safety of national and international aviation. Such drones, known as Unmanned Aerial Vehicle Systems (UAS), can be used improperly or irresponsibly. While a solution can be found in further and more stringent regulation of UAS technology by national aeronautic agencies including the FAA or international equivalents, current efforts by these institutions have proven inadequate. In wake of the first legal rulings concerning drone technology—which have left proper operation of drones alarmingly ambiguous—it is clear that more must be done. While concerns over government and civilian privacy have been expressed, the ability of UAS technology to interfere with manned aviation is the central concern of this article.

Two of the main problems associated with UAS flight are the height at which drones are flown and the locations where civilians are allowed to operate them. The FAA has stipulated that civilian or model craft are not to fly above 400 feet, as it is above this point that civilian flight models can run the risk of interfering with the operation of manned aviation technologies. Regarding location, FAA flight guidelines concerning responsible UAS operation state that drones are not to be flown within 5 miles of airport locations, are not to be operated near any

manned aircraft, and must not be out of the sight of the civilian operator<sup>1</sup>. Drones, by virtue of their capacity to take photos or video, tend to be flown in public places, with irresponsible flight creating the risk for collision with individuals, surrounding structures, or other aircraft technologies. Such concerns have already been validated, as will be explained below.

Another major problem associated with UAS flight is the fact that they are not always visible on radar screens. This makes them a concern for collision with planes and at risk of being absorbed into an engine—which could result in the catastrophic failure of a civilian airplane. According to FAA experts, the reason why UAS technologies are not seen on radar is due to the fact that they are made with plastic or composites that traditional radar technology cannot detect. This concern regarding composition should therefore be immediately addressed by regulators and the manufacturers of UAS devices.

Jim Williams, head of the FAA drone office, recently substantiated a claim of a 5-6 foot civilian operated drone in Tallahassee, Florida flying at 2,300 feet almost collided with a commercial

---

<sup>1</sup> USA. Federal Aviation Administration. Department of Transportation. Unmanned Aircraft Systems. <http://www.faa.gov/uas>, 1, 25 Sept. 2014. Web.

aircraft.<sup>2</sup> The operator of this drone was then not able to be located—an outcome which should be unimaginable in a situation of such gravity. This was not the only time such an instance has occurred; indeed almost on a daily basis, the FAA receives claims on the improper use of drones and unmanned craft from locations as varied as Dallas, California, Pittsburg, and South Carolina.<sup>3</sup> Protests on a local level have not yet occurred, however those with expertise in the field have expressed concern on the matter.

Safety aviation experts, such as former National Transportation Safety Board member John Goglia, have disputed some claims such as the sighting of a drone at 11,000 feet in California. As stated in an Associated Press report, most small drones are not capable of reaching such heights. Still, despite such debate, the breadth and regularity of claims regarding drones lends itself to legitimate concern.

The first step toward regulation is legal codification, which is a significantly difficult issue for the FAA to tackle. In the first case concerning the use of drone technology, *Pirker vs. Huerta*, Raphael Pirker, a Swiss drone operator, was fined \$10,000 for recklessly flying his drone while making a commercial on the campus of the University of Virginia<sup>4</sup>. The National Transportation Safety Board court, however, ruled in favor of Pirker, citing the fact that since the FAA had not created rules against drones operating below 400 feet in a “formal rule-making process”, that they could not prosecute Pirker for flying his drone. While Pirker’s drone operation did not directly put those on campus in danger, concerns were expressed of this possibility.

The FAA has stated in a press release dated March 7<sup>th</sup>, 2014, that they will appeal the deci-

sion.<sup>5</sup> Piker’s case has highlighted the oversight of the FAA, and while it represents a victory for those looking to freely use drones for commercial purposes, it puts our skies in danger by creating an unacceptable level of risk for aircraft interference. The FAA must therefore take immediate steps to remedy this decision.

To date, civilian drone operators have been able to use this advanced and high-risk technology with relative impunity. As the capacity of drones increases and the cost to purchase these devices goes down, the danger emerging from public use is exponentially amplified. Aircraft regulation institutions must address these shortcomings. Radar technology must be made to detect drones, and institutions granted the ability to disable UAS devices that endanger aircrafts. Operators of civilian drones must be properly educated on how to responsibly use this technology—and if transgressions continue—prosecuted accordingly.

---

2 Associated Press in Washington. “US Getting Near-daily Reports of Drones Flying near Aircraft without Permission.” *The Guardian*. 1-3, 12 Nov. 2014. Web.

3 Associated Press in Washington. “US Getting Near-daily Reports of Drones Flying near Aircraft without Permission.” *The Guardian*. 1-3, 12 Nov. 2014. Web.

4 MICHAEL P. HUERTA V.s RAPHAEL PIRKER. Kramer, Levin, Naftalis & Frankel, LLP 12. NATIONAL TRANSPORTATION SAFETY BOARD OFFICE OF ADMINISTRATIVE LAW JUDGES. 06 Mar. 2014. *Kramer-Levin.com*. US Department of Transportation, Web.

---

5 Federal Aviation Administration. Department of Transportation. *Press Release – FAA Statement - For Immediate Release*. [http://www.faa.gov/news/press\\_releases/news\\_story.cfm?newsId=15894](http://www.faa.gov/news/press_releases/news_story.cfm?newsId=15894). 1, 7 Mar. 2014. Web.



# Leymah Gbowee's *Mighty Be Our Powers*

## A Personal Look into the Power of Women During Liberia's Conflict

*MaryBeth Bogнар*

Upon completing Leymah Gbowee's memoir *Mighty Be Our Powers* the two words that stood out were "hope and courage." As a woman living in Liberia's civil war, Gbowee not only began a movement but also found the words to eloquently portray her personal experience to the rest of the world. Her life's reflection through this memoir teaches its audience about a conflict that otherwise went unnoticed by many. Readers have the unique experience of learning while feeling connected to a personal account.

The audience also has the opportunity to view the role of women in a way often missed by media reports. Gbowee takes issue with how women in war are perceived by the media. The realities that women face on the ground during war and in the rebuilding process are either ignored or misrepresented through a dominant framing of women as victims. Gbowee describes this issue: "Now watch the reports again, but look more carefully, at the background, for that is where you will find the women. You'll see us fleeing, weeping, kneeling before our children's graves. In the traditional telling of war stories, women are always in the background" (ix). Gbowee aims and succeeds in portraying women as leaders and influential figures in the peace building process, rather than only victims. Through the eyes of a woman experiencing firsthand the trauma of war and the lack of support for women's peacemaking efforts, *Mighty Be Our Powers* builds a powerful account of women's agency and survival.

The book is constructed in three sections. Throughout part one of the book, Gbowee focuses on her personal life. She describes common experiences of women in conflict. In the midst of

war, Gbowee found herself the victim of domestic violence. In addition to physical abuse, she had little control over her reproductive choices which resulted in several pregnancies at a time where she lacked the means to raise a family. Her Monrovia-based family as a whole faced hardship that included a lack of healthcare for ongoing illness, extreme poverty, and hunger. Though the family was not wealthy before the war, they were able to live comfortably and without fear. This changed as conflict erupted and included their displacement to a refugee camp in Ghana during a high point of the fighting.

Women are often disproportionately affected by violence during war. Despite this, they typically find themselves without anyone they can open up to. Women are left to handle atrocities such as sexual violence, resulting injuries and trauma, and witnessing deaths alone because society shuns these issues and therefore does not provide adequate assistance or resources. Entering part two of the book, the reader is introduced to a sisterhood that includes stories of other Liberian women. This group became the re-emergence of WIPNET: Women of Liberia Mass Action for Peacebuilding, a group that began during the first civil war in 1989 and arose again with great energy through the help of Gbowee's leadership and other experienced women peace builders.

As a trained social worker, Gbowee held meetings for women to talk and offer support to each other. The women realized they were not alone in what they faced and how they felt. This recognition motivated them to act across religious lines bringing Muslim and Christian women together. As told in the documentary *Pray the Devil Back*

to Hell, based on Gbowee's story, the women decided to hold daily protests in a soccer field. They knew Liberia's President, Charles Taylor, passed them on his way to work. The women were there to be heard and take a step toward ending violence when it seemed no one else would. They wanted the world through the media to see women on this side of war rather than as hopeless victims.

As the WIPNET movement grew, there were signs that peace might be getting closer. Gbowee was even invited to speak to Charles Taylor. Gbowee describes how during her speech she directed her words to a woman leader in the audience, the president of the senate, in order to relay the passionate message that she wanted Charles Taylor to hear. The text alternates between her thoughts during the speech and actual quotes that she used to portray her anxiety and thoughts. Through this event and the attention WIPNET drew, Liberia's leaders agreed to begin peace negotiations. This opens up part three of the book—women's role in the peace building process.

Members of WIPNET, including Gbowee, traveled to Accra for peace talks. As the talks stalled, the women became frustrated knowing more people were dying back home every minute the conflict continued. To take action, the women barricaded themselves around entrances refusing to move until the men made progress. In negotiations, which are male dominated, having women stand up to men and tell them what to do through their actions is unheard of in most African cultures. Gbowee's personality comes through in her writing as she describes the unique circumstance that allowed her to get her point across. As guards arrived accusing the women of obstructing justice, Gbowee responds, "Obstructing Justice? Had he really said that to me? Justice?... 'I will make it very easy for you to arrest me. I'm going to strip naked'" (161). Again, Gbowee goes against cultural norms with a bold move, seeing a woman naked who is not your wife. This concept is taboo and therefore an effective threat that allowed WIPNET members to remain as a barricade. Finally the peace talks began to make progress.

Part three of the book goes on to emphasize how peace building must include the rebuilding of

a broken society. "We had survived the war, but now we had to remember how to live. Peace isn't a moment—it's a very long process" (168). Gbowee continues to show the importance of women's role in this process and the dangers of excluding them. She also highlights the importance of including both victims and perpetrators of violence in rebuilding since for communities to succeed they will need to live side by side peacefully. The reader is given a personal and sympathetic perspective about those who might otherwise just be seen as violent fighters. Gbowee provides accounts of her connection with former child soldiers as she counsels and attempts to reintegrate them back into society.

In the descriptions of reconciliation and rebuilding, I found there could be greater emphasis on bringing men into this process. Though the book shows us how essential women are to rebuilding, men are part of this equation as well. Working together will offer men the opportunity to see women as important partners as they build toward the common goal of a peaceful future. Men and women failing to work together could ignite dangerous misunderstandings between them. This could lead to anger and backlash stemming from men being left out and therefore allowing a disconnect between genders to continue. Though there has not been another civil war, the country still faces challenges such as poverty, violent crime, and human rights abuses.

Other conflict countries have a lot to learn from Gbowee's methods and successes. After winning the Nobel Peace Prize for her work in Liberia, Gbowee now uses her experience to create leadership opportunities for women and girls to continue rebuilding her country. She also leads efforts to build the capacity of women in peace building roles across West Africa. As women continue gaining a strong presence in peace building, the goal is to see them have a seat at the table working with men, rather than at the margins as a separate group. This will give their voices power without the constant fight and energy focused on being heard. Movements such as WIPNET are crucial, but to fully succeed in peace building, women need to be appropriately represented in the process from the beginning.



אברהם וטמן . הנס ויל  
 חנוך זילברשטיין . יצחק זלמן  
 אברהם חזן-לוי . שלום טרצקי  
 משה ינוביץ . שמשון יימי  
 פנחס נהן . אהרון לוי (נגד) . ניסים לוי  
 אהרון לוי (מרקוביץ) . אהרון מורבסקי  
 אורי מילגד . מרדכי מלנין  
 אפרים מקלד . טוביה מרשלשטיין  
 מאיר מרקוביץ . יוסף סוסנבסקי  
 משה סמוביץ . יצחק סטורדיץ  
 עזרא סילדד . משה סמוביץ . יצחק סטורדיץ  
 אברהם ענתור . שלום ערבה  
 בניסים עווד . אהרון פיגלמן  
 רמי פוטש . שלמה פלונסקי  
 אליהו פיסירילו . ישראל פרנקמן  
 נחמן פנטפיל . בנימין קוטנין  
 משה פרקש . אברהם קורנפוב  
 יעקב קופמן . אריה קראוסטן  
 יעקב קסטל . מרדכי רוזן  
 ישראל רוג . מרדכי רוזן  
 ישראל רוג . מרדכי רוזן  
 ישראל רוג . מרדכי רוזן



# Article Sources

## Empowering Women or Hollow Words?

### Gender References in Peace Agreements

- “Agreement Between the Government of Sudan & The Justice & Equality Movement - Sudan on The Basis of The Doha Document For Peace In Darfur (2013).” [peacemaker.un.org](http://peacemaker.un.org), (accessed October 2, 2014).
- Anderlini, Sanam. “What the Women Say: Participation and UNSCR 1325.” MIT Center for International Studies, International Civil Society Action Network. (2010). [http://web.mit.edu/cis/pdf/Women\\_Report\\_10\\_2010.pdf](http://web.mit.edu/cis/pdf/Women_Report_10_2010.pdf).
- Bell, Christine. “Peace Agreements: Their Nature and Legal Status.” *American Journal of International Law*. No. 100 (2006): 373–412. <http://ssrn.com/abstract=1133550>
- Bell, C & O’Rourke. 2010, “Peace Agreements or ‘Pieces of Paper?’ The Impact of UNSC Resolution 1325 on Peace Processes and their Agreement’ *International and Comparative Law Quarterly*. No. 59 (2010). 941-80.
- Bell, C & O’Rourke. “Peace Agreements or Pieces of Paper: UN Security Council Resolution 1325 and Peace Negotiations and Agreements.” *Peace Agreement Database* (2010). [http://www.transitionaljustice.ulster.ac.uk/tji\\_database.html](http://www.transitionaljustice.ulster.ac.uk/tji_database.html).
- Diaz, Pablo Castillo. “Women’s Participation in Peace Negotiations: Connections Between Presence and Influence.” *United Nations Fund for Women*. (2010) [http://www.unifem.org/attachments/products/0302\\_Womens\\_ParticipationInPeaceNegotiations\\_en.pdf](http://www.unifem.org/attachments/products/0302_Womens_ParticipationInPeaceNegotiations_en.pdf).
- Ellerby, Kara. “(En)gendered Security? The Complexities of Women’s Inclusion in Peace Processes.” *International Interactions: Empirical and Theoretical Research in International Relations*. No. 39:4 (2013): 435-460. [http://www.tandfonline.com/toc/gini20/39/4#.VF1R\\_YfktO4](http://www.tandfonline.com/toc/gini20/39/4#.VF1R_YfktO4).
- “Peace Processes.” *Peace Women*, Accessed 20 Oct. 2014. [http://peacewomen.org/security\\_council\\_monitor/handbook/chapters?adhocpage=3752](http://peacewomen.org/security_council_monitor/handbook/chapters?adhocpage=3752).
- “Philippines, Annex on Normalization FAB (2014).” [peacemaker.un.org](http://peacemaker.un.org), (accessed October 2, 2014).
- “Philippines, Annex on Power-Share FAB (2014).” [peacemaker.un.org](http://peacemaker.un.org), (accessed October 2, 2014).
- “Philippines, Framework Agreement on the Bangsamoro (2012).” [peacemaker.un.org](http://peacemaker.un.org), (accessed October 2, 2014).
- “Philippines, GPH-MILF Decision Points on Principles as of April (2012).” [peacemaker.un.org](http://peacemaker.un.org), (accessed October 2, 2014).
- “Philippines, The Independent Commission on Policing and its Terms of Reference (2013).” [peacemaker.un.org](http://peacemaker.un.org), (accessed October 2, 2014).
- “Philippines, State Annex on Revenue Generation and Wealth-sharing to the Framework Agreement on the Bangsamoro (FAB) (2013).” [peacemaker.un.org](http://peacemaker.un.org), (accessed October 2, 2014).
- Sriram, Chandra Lekha. “Making rights real? Minority and gender provisions and power-sharing arrangements.” *The International Journal of Human Rights*, No.17:2 (2013): 275-288. [10.1080/13642987.2013.752947](https://doi.org/10.1080/13642987.2013.752947).
- “Sudan, Ceasefire Agreement between the Government of Sudan and the Justice and Equality Movement-Sudan (JEM) (2013).” [peacemaker.un.org](http://peacemaker.un.org), (accessed October 2, 2014).
- “Sudan, Protocol on the Participation of JEM-Sudan at the different levels of Government and on the Integration of its Forces (2013).” [peacemaker.un.org](http://peacemaker.un.org), (accessed October 2, 2014).

## When Equal Rights are Wrong

Are women entitled an equal right to family planning...or something greater?

UNFPA & the Danish Institute for Human Rights (DIHR), *Reproductive Rights are Human Rights: A Handbook for National Human Rights Institutions*, HR/PUB/14/6, United Nations: 2014., p. 5.

United Nations (UN) General Assembly, Universal Declaration of Human Rights, December 10, 1948, 217A (III), Preamble

International Covenant on Economic, Social and Cultural Rights (ICESCR), Dec. 16, 1966, S. Treaty Doc. No. 95-19, 6 I.L.M. 360 (1967), 993 U.N.T.S. 3., Preamble

International Covenant on Civil and Political Rights (ICCPR), Dec. 16, 1966, S. Treaty Doc. No. 95-20, 6 I.L.M. 368 (1967), 999 U.N.T.S. 171, Preamble

UN General Assembly, *supra* note 3, Art. 7 states that “all are equal before the law and are entitled without any discrimination to equal protection of the law....;” ICESCR, *supra* note 7, Article 3: states that parties to the covenant “undertake to ensure the equal right of men and women to the enjoyment of all...rights.”

United Nations World Conference on Human Rights, Vienna Declaration, A/CONF.157/23, 32 ILM 1661, 1993; UNFPA, *By Choice not by Chance: Family Planning, Human Rights and Development*, 2012; UNFPA & DIHR, *supra* note 1, p.4.

UN Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 20, Non-discrimination in Economic, Social and Cultural Rights, E/C.12/GC/20, 2009; UNFPA & DIHR, *supra* note 1, p. 77

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), G.A. res. 34/180, 34 U.N. GAOR Supp. (No. 46), 1981: CEDAW defines discrimination against women as “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status...of human rights....”

CEDAW Committee, General Recommendation no. 25, On article 4, paragraph 1, on temporary special measures, HRI/GEN/1/Rev.7, 2004.

CESCR General Comment no. 16, Article 3: the equal right of men and women to the enjoyment of all economic, social and cultural rights, E/C.12/2005/3, 2005, para. 5: “Substantive equality for men and women will not be achieved simply through the enactment of laws or the adoption of policies that are, prima facie, gender-neutral.”

CEDAW Committee, *supra* note 14.

CESCR General Comment no. 16, Article 3: the equal right of men and women to the enjoyment of all economic, social and cultural rights, E/C.12/2005/3, 2005, para. 5

CESCR, *supra* note 11, para 8

UN General Assembly, *supra* note 3, Article 12: “No one shall be subjected to arbitrary interference with his privacy, family, home...., and Article 16; ICCPR, *supra* note 8, Article 17, and 23; ICESCR, *supra* note 7, Article 10.

Human Rights Council, General Comment, number 19, 1990, para 5.

CEDAW Committee, **General Recommendation no. 21, Equality in marriage and family relations**, A/49/38,1994, para 21.

Human Rights Council General Comment number 28, para 20A

UNFPA & DIHR, *supra* note 1, p. 104

UNFPA, *supra* note 10, p.1; UNFPA & DIHR, *supra* note 1, p. 108.

UNFPA, *Sexual and Reproductive Health for All: Reducing Poverty, Advancing Development and Protecting Human Rights*, 2010; UNFPA & DIHR, *supra* note 1, p.108.

ICESCR, *supra* note 7, Article 12  
 CESCR, General Comment no. 14, The right to the highest attainable standard of health,  
 E/C.12/2000/4, 2000, para. 8  
 CEDAW Committee, General Recommendation no. 24, Women and Health, A/54/38, 1999,  
 para. 13  
 CEDAW Committee, *supra* note 39, para 31, emphasis added.  
 UNFPA, *supra* note 10, p. 40  
 Guttmacher Institute, *Unintended Pregnancy and Induced Abortion in Mexico: Causes and  
 Consequences*, 2013 p.10.  
 Constitute Project, Mexico's Constitution of 1917 with Amendments through 2007,  
[https://www.constituteproject.org/constitution/Mexico\\_2007.pdf?lang=en](https://www.constituteproject.org/constitution/Mexico_2007.pdf?lang=en) (last visited Decem-  
 ber 14, 2014)  
 Guttmacher Institute, *supra* note 59, p.4.  
 Constitute Project, Mexico's Constitution of 1917 with Amendments through 2007,  
[https://www.constituteproject.org/constitution/Mexico\\_2007.pdf?lang=en](https://www.constituteproject.org/constitution/Mexico_2007.pdf?lang=en) (last visited Decem-  
 ber 14, 2014)  
 Guttmacher Institute, *supra* note 59, p.4.  
 Constitute project, *supra* note 51, article 4, emphasis added.  
 Alejandro Madrazo & Estefania Vela, *The Mexican Supreme Court's (Sexual) Revolution?*,  
 Texas Law Review, Vol. 89: 1863, p.1890  
 Madrazo & Vela, *supra* note 66, p.1887

## **“He Beats Me Because He Loves Me”**

### Changing the Culture of Sexual and Gender-Based Violence in Contemporary South Africa

Andrew Harding, “Will South Africans ever be shocked by rape?,” *BBC News*, Accessed August 28, 2014, <http://www.bbc.com/news/world-africa-20971240>  
 Ann Hilton, Personal Interview, 11 June 2014.  
 Ann Hilton, “Southern Africa: Economic inequality fuels gender violence,” *Gender Links*, 2014, Accessed 25 November 2014, <http://www.genderlinks.org.za/article/southern-africa-economic-inequality-fuels-gender-violence-2014-11-25>.  
 Dean Peacock, Bafana Khumalo, Eleanor McNab, “Men and gender activism in South Africa: observations, critique and recommendations for the future,” *Agenda: Empowering Women for Gender Equity*, 69: (2006), 73.  
 Emily Stanley, “Engendering Change? An Analysis of How NGOs Work on the Problem of Violence Against Women in South Africa,” *Journal of Politics & International Studies*, 8: (2012/2013): 203.  
 Helen Moffett, “‘These Women, They Force Us to Rape Them’: Rape as Narrative of Social Control in Post-Apartheid South Africa,” *Journal of Southern African Studies*, 32:1 (2006): 137.  
 Helen Wells and Louise Polders, “Anti-gay hate crimes in South Africa: prevalence, reporting practices, and experiences of the police,” *Agenda: Empowering Women for Gender Equity*, 2-3(67): 2006, 35.  
 Janet Smith, “We are a nation of rapists,” *Pretoria News*, (2012), Accessed September 14, 2014, <http://www.iol.co.za/pretoria-news/opinion/we-are-a-nation-of-rapists1.1284848#.VRNc7jv-F9LY>  
 Larry Bennett, Stephanie Riger, Paul Schew, April Howard, and Sharon Wasco, “Effectiveness

- of Hotline, Advocacy, Counseling, and Shelter Services for Victims of Domestic Violence,” *Journal of Interpersonal Violence*, 19(7): 2004: 815.
- Lucinda van den Heever, Personal Interview, 19 June 2014.
- Mercilene Machisa, Rachel Jewkes, Colleen Lowe Morna, and Kubi Rama, “The War at Home: Gender Based Violence Indicators Project,” (2011), Accessed November 1, 2014, <http://www.genderlinks.org.za/article/the-war-at-home---gbv-indicators-project-2011-08-16>
- Naeemah Abrahams, Shanaaz Mathews, Rachel Jewkes, Lorna J Martin, and Carl Lombard, “Every Eight hours: Intimate Femicide in South Africa 10 years later!,” *South African Medical Research Council* (2012), Accessed April 18, 2014, <http://www.mrc.ac.za/policybriefs/everyeighthours.pdf>.
- Ntsupe Mohapi, Personal Interview, 9 June 2014.
- Pumla Dineo Gqola, “How the ‘cult of femininity’ and violent masculinities support endemic gender based violence in contemporary South Africa,” *African Identities*, 5:1 (2007): 117.
- Rachel Jewkes and Naeemah Abrahams, “The epidemiology of rape and sexual coercion in South Africa: an overview,” *Social Science & Medicine*, 55(7): 2002: 1238.
- Rachel Jewkes, Yandisa Sikweyiya, Robert Morrell, and Kristin Dunkle, “Understanding Men’s Health and Use of Violence: Interface of Rape and HIV in South Africa,” *South African Medical Research Council* (2009), Accessed September 18, 2014, <http://www.mrc.ac.za/gender/interfaceofrape&hivsarpt.pdf>
- Robert Morrell, “Of Boys and Men: Masculinity and Gender in southern African Studies,” *Journal of Southern African Studies*, 24(4): 1998, 605-630
- Robert Morrell, “Men, Movements, and Gender Transformation,” *The Journal of Men’s Studies*, 10:3 (2002): 322.
- Sarah Frances Gordon and Anthony Collins, “‘We face rape. We face all things’: Understandings of gender-based violence amongst female students at a South African university,” *African Safety Promotion Journal*, 11:2 (2013): 102.
- S. Whitehead & F. Barrett, “The Sociology of Masculinity,” *The Masculinities Reader* (Cambridge: Polity, 2005): 21.
- Shireen Hassim, “Democracy’s Shadows: Sexual Rights and Gender Politics in the Rape trial of Jacob Zuma,” *African Studies*, 68(1): 2009, 67.
- Simidele Dosekun, “‘Rape is a huge issue in this country’: Discursive constructions of the rape crisis in South Africa,” *Feminism & Psychology*, 23:4 (2013): 533.
- Tiny Moloko, Personal Interview, 11 June 2014.
- Vasu Reddy and Cheryl Potgieter, “‘Real men stand up for the truth’: discursive meanings in the Jacob Zuma rape trial,” *Southern African Linguistics and Applied language Studies*, 24(4): 2006, 511.

## **The Struggle to Survive**

### **Women’s Burden in Refugee Camps**

- “Accessible Wash Facilities: To Promote Inclusion of Persons with Disabilities, Injuries and Other Vulnerabilities.” Handicap International. N.p., Nov. 2012. Web. 16 Nov. 2014. <<file:///Users/anonymous/Downloads/HI-WASHFACILITIESRECOMMENDATIONSZAATARI-CAMP.pdf>>.
- Baltimore, Maryland. “Trafficking Risks for Refugees.” Lutheran Immigration and Refugee Service, Nov. 2011. Web. 15 Nov. 2014. <<http://3A%2F%2Fdigitalcommons.unl.edu%2Fcgi%2Fviewcontent.cgi%3Farticle%3D1003%26context%3Dhumtraffconf3>>.
- Bartolacci, James. “How Refugee Camp Architecture Is Capturing the Power of Shade.” Architizer. N.p., 14 Mar. 2014. Web. 03 Nov. 2014. <<http://architizer.com/blog/sun-brella-shade-refugee/>>.

- Chen, M., et al. "Reproductive health for refugees by refugees in Guinea II: sexually transmitted infections." *Conflict and Health*. 2.14 (2008). Accessed on 4 August 2010.
- Costa, Daniela. "Health Care of Minority Women." *Australian Family Physician* 36.3 (1979): 151-54. PeaceWomen. Mar. 2007. Web. 08 Nov. 2014. <[http://www.peacewomen.org/assets/file/Resources/Academic/Health-Disp\\_HealthRefWomenVol36\\_AFP\\_Mar2007.pdf](http://www.peacewomen.org/assets/file/Resources/Academic/Health-Disp_HealthRefWomenVol36_AFP_Mar2007.pdf)>.
- Diken, Bulent. "From Refugee Camps to Gated Communities: Biopolitics and the End of the City." *Citizenship Studies* 8 (2004): 91-93. Web. 30 Nov. 2014. <<http://www.tandfonline.com/doi/pdf/10.1080/1362102042000178373>>.
- Foster, Jennifer. "Refugee Women." *Refugee Health - Immigrant Health*. N.p., May 2005. Web. 30 Nov. 2014. <[https://bearspace.baylor.edu/Charles\\_Kemp/www/refugee\\_women.htm](https://bearspace.baylor.edu/Charles_Kemp/www/refugee_women.htm)>.
- "How Young Is "Too Young"? Comparative Perspectives on Adolescent Sexual, Marital, and Reproductive Transitions." (n.d.): n. pag. Save the Children, 2014. Web. 14 Nov. 2014. <[http://www.savethechildren.org/atf/cf/%7B9def2ebe-10ae-432c-9bd0-df91d2eba74a%7D/TOO\\_YOUNG\\_TO\\_WED\\_REPORT\\_0714.PDF](http://www.savethechildren.org/atf/cf/%7B9def2ebe-10ae-432c-9bd0-df91d2eba74a%7D/TOO_YOUNG_TO_WED_REPORT_0714.PDF)>.
- "Humanitarian Space." *The Problem With Refugee Camps (Architecture, Design, Planning)*. Humanitarian Space, 7 May 2014. Web. 30 Nov. 2014. <<http://www.thehumanitarianspace.com/2014/05/the-problem-with-refugee-camps.html>>.
- Lent Hirsch, Michele. "The Safest Prey: When Refugee Camps Become Sites of Violence." *Women Under Siege Project*. N.p., 21 Feb. 2012. Web. 12 Nov. 2014. <<http://www.womenundersiegeproject.org/blog/entry/the-safest-prey-when-refugee-camps-become-sites-of-violence>>.
- "Life in a Refugee Camp." *Global Issues* (n.d.): n. pag. Web. 2 Nov. 2014. <[http://www.goethe.de/ins/uy/prj/jug/pro/1\\_int\\_refugee.pdf](http://www.goethe.de/ins/uy/prj/jug/pro/1_int_refugee.pdf)>.
- McLean, Heather. "Gender and Power Structures in Refugee Camps: Social Changes Following Refugee Movements." (n.d.): n. pag. Asia Pacific Press. 1999. Web. 14 Nov. 2014. <<https://digitalcollections.anu.edu.au/bitstream/1885/40408/3/cem99-9.pdf>>.
- "Module 4: Children and Education in Refugee Camps." *Children and Education in Refugee Camps*. Unite for Sight, n.d. Web. 30 Nov. 2014. <<http://www.uniteforsight.org/refugee-health/module4>>.
- "Monsen, Lauren. "Are Refugee Camps Safe?" *ShareAmerica*. N.p., 24 Sept. 2014. Web. 30 Nov. 2014. <<https://share.america.gov/refugee-camps-safe/>>.
- "Protracted Refugee Situations: The Search for Practical Solutions." *The State of the World's Refugees* (n.d.): n. pag. Web. 23 Nov. 2014. <<http://www.unhcr.org/4444afcb0.pdf>>.
- "Still Not Safe: Violence against Women and Girls of the Nuba Mountains." *International Rescue Committee*. N.p., Mar. 2012. Web. 16 Nov. 2014. <<file:///Users/anonymous/Downloads/StillNotSafe.pdf>>.
- The 1951 Convention Relating to the Status of Refugees.
- "The Ideal Design of a Refugee Camp." *Design for SelfReliance*. N.p., 29 Nov. 2011. Web. 30 Nov. 2014. <<http://designforselfreliance.wordpress.com/2011/11/29/the-ideal-design-of-a-refugee-camp/>>.
- Toole, M.J., and Waldman, R.J. "The Public Health Aspects of Complex Emergencies and Refugee Situations." *Annual Review of Public Health* 18 (1997); 283-312. Accessed on 4 August 2010.
- "UNHCR Handbook for the Protection of Women and Girls: Chapter 1: Introduction to Protecting Women and Girls." *UNHCR News*. The UN Refugee Agency, Mar. 2008. Web. 30 Nov. 2014. <<http://www.unhcr.org/47cfab342.html>>.
- Vick, Karl. "As Syrian Refugees Settle In For Second Winter in Jordan Camp, Newlyweds Search for Privacy." N.p., 17 Nov. 2013. Web. 30 Nov. 2014. <<http://world.time>>.



com/2013/11/07/looking-for-shelter-and-a-little-privacy-in-jordans-largest-syrian-refugee-camp/>.

“Who We Help - USA for UNHCR.” USA for UNHCR. The UN Refugee Agency, n.d. Web. 30 Nov. 2014. <<http://www.unrefugees.org/what-we-do/who-we-help/>>.

“Women.” UNHCR News. The UN Refugee Agency, n.d. Web. 13 Nov. 2014. <<http://www.unhcr.org/pages/49c3646c1d9.html>>.

World Health Organization, Adolescent Pregnancy, Fact Sheet 364, 2012

## **Empowering Syrian Refugee Women in Jordan and Lebanon**

### **Bridging Humanitarian Policy and Scholarly Research**

Anderson, Kenneth, and David Rieff. “‘Global Civil Society’: A Sceptical View”. In Anheier, Helmut K., Mary Kaldor, and Marlies Glasius, eds. *Global Civil Society 2005/6*. Sage, 2005.

Charles, Lorraine, and Kate Denman. “Syrian and Palestinian Refugees in Lebanon: the Plight of Women and Children” *Journal of International Women’s Studies* 14.5 (2013): 96. Print.

Fiddian-Qasbiyeh, Elena. “‘Ideal’ Refugee Women and Gender Equality Mainstreaming in the Sahrawi Refugee Camps: “Good Practice” for Whom?” *Refugee Survey Quarterly* 29.2 (2010): 64. Print.

Hyndman, Jennifer. “Managing Difference: gender and culture in humanitarian emergencies” *Gender, Place & Culture: A Journal of Feminist Geography* 5.3 (1998): 241. Print.

Inter-Agency Standing Committee, *Gender Handbook in Humanitarian Aid* (IASC, 2006) online [http://www.humanitarianinfo.org/iasc/documents/subsidi/tf\\_gender/IASC%20Gender%20Handbook%20%28Feb%202007%29.pdf](http://www.humanitarianinfo.org/iasc/documents/subsidi/tf_gender/IASC%20Gender%20Handbook%20%28Feb%202007%29.pdf)

Kaldor, Mary. *Global Civil Society: An Answer to War*. Cambridge: Polity, 2003.

Norwegian Refugee Council and International Rescue Committee, *No Escape: Civilians in Syria Struggle to Find Safety Across Borders*, (NRC and IRC, 2014), online [http://www.nrc.no/arch/img.aspx?file\\_id=9187536](http://www.nrc.no/arch/img.aspx?file_id=9187536)

Olivius, Elisabeth. “Displacing Equality? Women’s Participation and Humanitarian Aid Effectiveness in Refugee Camps.” *Refugee Survey Quarterly* 33.3 (2014): 93. Print.

UNHCR, *UNHCR Policy on Refugee Women* (Geneva: UNHCR, 1990), online <http://www.unhcr.org/3ba6186810.html>

UNHCR, *Guidelines on the Protection of Refugee Women* (Geneva: UNHCR, 1991), online <http://www.unhcr.org/3d4f915e4.html>

UNHCR, *A Practical Guide to Empowerment: UNHCR Good Practices on Gender Equality Mainstreaming*, (Geneva: UNHCR, 2001), online <http://www.unhcr.org/3bbc24532.html>

UNHCR, *The State of the World’s Refugees*, (Geneva: UNHCR, 2006), online <http://www.unhcr.org/4444afcb0.pdf>

UNHCR, *Woman Alone: The fight for survival by Syria’s refugee women* (UNHCR, 2014a), online <http://www.refworld.org/pdfid/53be84aa4.pdf>

UNHCR, “Syria Regional Refugee Response” (Inter-agency Information Sharing Portal, 2014b), online <http://data.unhcr.org/syrianrefugees/regional.php>

UN Women, *Gender-Based Violence and Child Protection Among Syrian Refugees in Jordan, With a Focus on Early Marriage* (Amman: UN Women, 2013), web <http://reliefweb.int/sites/reliefweb.int/files/resources/Report-web.pdf>

Walby, Sylvia. “Introduction: Comparative gender mainstreaming in a global era” *International Feminist Journal of Politics* 5.4 (2005): 453. Print.

Zetter, Robert and Héloïse Ruadel. “Development and protection challenges of the Syrian refugee crisis.” *Forced Migration Review* 47 (2014): 6. Print.

## The Curious Case of ‘Climate Refugees’

- Alsich, Gregor, David Leonhart and Kevin Quely. “Flooding risk from climate change”. The New York Times. 23 Sep 2014. [http://www.nytimes.com/2014/09/24/upshot/flooding-risk-from-climate-change-country-by-country.html?\\_r=1&abt=0002&abg=0](http://www.nytimes.com/2014/09/24/upshot/flooding-risk-from-climate-change-country-by-country.html?_r=1&abt=0002&abg=0)
- Biermann, Frank, and Ingrid Boas. “Preparing for a Warmer World: Towards a Global Governance System to Protect Climate Refugees”. *Global Environmental Politics*, 2010(10) (1), pp 60-88.
- “Convention and Protocol Relating to the Status of Refugees”, United Nations High Commissioner for Refugees. <http://www.unhcr.org/3b66c2aa10.html>
- Fleming, Melissa. “Climate change could become biggest driver of displacement: UNHCR chief”. UN High Commissioner for Refugees. 16 Dec 2009. <http://www.unhcr.org/4b2910239.html>
- “Guiding Principles on Internal Displacement”, United Nations High Commissioner for Refugees, 2001. <http://www.unhcr.org/43ce1cff2.html>
- Landler, Mark. “US and China Reach Climate Accord After Months of Talks”. The New York Times. 11 Nov 2014. <http://www.nytimes.com/2014/11/12/world/asia/china-us-xi-obama-apec.html>
- Letman, Jon. “How climate change destroys human rights”. Al-Jazeera. 19 Dec 2013. <http://www.aljazeera.com/humanrights/2013/12/how-climate-change-destroys-human-rights-20131217174532837148.html>
- “The Kampala Convention: Progress and Prospects”. Internal Displacement Monitoring Center, 2013. <http://www.internal-displacement.org/sub-saharan-africa/kampala-convention/>
- McAdam, Jane, and Ben Saul, “An Insecure Climate for Human Security? Climate-Induced Displacement and International Law”, University of Sydney Law School, 2008. <http://ssrn.com/abstract=1292605>
- Morales, Alex. “Island Nations Are Now Screaming It: Climate Change Will Sink Us”. Bloomberg. 10 Dec 2014. <http://www.bloomberg.com/news/2014-12-10/engulfed-by-rising-seas-islands-gain-moral-voice-at-un.html>
- “Resolution 7/23: Human rights and climate change”. Human Rights Watch. 28 March 2008. [http://ap.ohchr.org/documents/E/HRC/resolutions/A\\_HRC\\_RES\\_7\\_23.pdf](http://ap.ohchr.org/documents/E/HRC/resolutions/A_HRC_RES_7_23.pdf)
- “The Responsibility to Protect”. United Nations: Office of the special adviser on the prevention of genocide. <http://www.un.org/en/preventgenocide/adviser/index.shtml>
- Rieff, David. “R2P: RIP”, New York Times, New York: NY, 2011. [http://www.nytimes.com/2011/11/08/opinion/r2p-rip.html?pagewanted=all&\\_r=0](http://www.nytimes.com/2011/11/08/opinion/r2p-rip.html?pagewanted=all&_r=0)
- Weiss, Thomas George., and Ramesh Chandra Thakur. *Global Governance and the UN: An Unfinished Journey*. Bloomington: Indiana UP, 2010

## Resurrecting the Draft: A Case for More Peace

- American War and Military Operations Casualties: Lists and Statistics, Hannah Fischer author, Congressional Research Service Report for Congress, July 13, 2005
- Amy Belasco, “Troop Levels in the Afghan and Iraq Wars, FY2001-FY2012: Cost and Other Potential Issues”, Congressional Research Service, July 2, 2009
- Andrew J. Bacevich, “Unequal Sacrifice”, *The Nation*, September 20, 2010
- Brad Allenby and Mark Hagerott, “*Universal Conscription as Technology Policy*”, *The Military of the Future*, February 5, 2014 [<http://issues.org/30-2/brad/>]
- Charles B. Rangel, “Bring Back the Draft”, *The New York Times*, December 31, 2002

- Douglas L. Kriner and Francis X. Shen, *The Casualty Gap* (Oxford University Press), 2010, viii
- Maj. Tobias Switzer, "Conscription: pro and con", *Armed Forces Journal*, September 1, 2010
- Dr. Robert Gates Thayer Award Speech, <https://www.youtube.com/watch?v=z-I0F79U7NQ>, October 2011
- Faes of the Fallen, *The Washington Post*, February 2013
- James Fearon, "Domestic Political Audiences and the Escalation of International Disputes", *American Political Science Review* 88 (3) pg. 577-92
- Joseph Paul Vasquez III, "Blackwater's Rise and the Draft's Demise", *Yale Journal of International Affairs*, Spring/Summer 2010
- Marcela Gaviria and Martin Smith, "Private Warriors" (Frontline) WGBH and PBS, [www.pbs.org/wgbh/pages/frontline/shows/warriors/etc/synopsis.html](http://www.pbs.org/wgbh/pages/frontline/shows/warriors/etc/synopsis.html)
- Martin Shaw, "War, Peace and British Marxism, 1895–1945," in *Campaigns for Peace: British Peace Movements in the Twentieth Century*, ed. Richard Taylor and Nigel Young (Manchester, UK: Manchester University Press, 1987), 42.
- Members, and Their Families, *The National Academies Press*, 500 Fifth Street, N.W. Washington, DC 20001, page 17
- Michael C. Horowitz and Matthew S. Levendusky, "Drafting Support for War: Conscription and Mass Support for Warfare", *The Journal of Politics*, Vol. 73, No. 2, April 2011, Pg. 524-534
- MILITARY COMPENSATION: ARMY BENEFITS, <http://www.goarmy.com/benefits/totalcompensation.html#chart>
- Nate Silver, "As Swing Districts Dwindle, Can a Divided House Stand?", *New York Times* 538 blog, December 27, 2012
- Paul L. Yingling, "The Founders' Wisdom", *Armed Forces Journal*, February 1, 2010
- Universal Conscription: A Way Towards Lasting Peace?, May 30, 2011, Sam Rocha, [www.voxnova.com](http://www.voxnova.com)

## **The (Nonviolent) Revolution against Revolution**

- Alexander, Ruth. "Counting Crowds: Was Egypt's Uprising the Biggest Ever?" *BBC News*. 16 July 2013. Web. <<http://www.bbc.com/news/magazine-23312656>>
- Almasmari, Hakim. "Thousands Expected to Die in 2010 in Fight against Al-Qaeda." *Yemen Post Newspaper Online*. 10 Apr. 2010. <<http://yemenpost.net/Detail123456789.aspx?ID=3&SubID=1749&MainCat=2>>
- Bayoumi, Alaa. "Could Sisi Unite Egypt's Opposition?" *Al Jazeera English*. 8 June 2014. Web. <<http://www.aljazeera.com/news/middleeast/2014/06/sisi-unite-egypt-opposition-20146875540616409.html>>
- Hellyer, H. "Could Egypt's Opposition Learn to Get Along?" *Foreign Policy Could Egypt's Opposition Learn to Get Along Comments*. 24 Dec. 2014. <<http://foreignpolicy.com/2014/12/24/how-egypts-revolution-could-get-back-on-track/>>
- Pearlman, Wendy. *Violence, Nonviolence, and the Palestinian National Movement*. Cambridge: Cambridge UP, 2011. Print.
- "Report Of The Special Committee On The Problem Of Hungary." *United Nations General Assembly*. 1 Jan. 1957. Web. <<http://mek.oszk.hu/01200/01274/01274.pdf>>
- Ridd, Karen. "Why Civil Resistance Works: The Strategic Logic of Nonviolent Conflict." *Peace Research* 44/45.2 (2013): 218,221,224.
- Sallam, Hesham. "Opposition Alliances and Democratization in Egypt." *United States Institute of Peace*. 1 June 2008. Web. 14 Apr. 2015. <[http://www.usip.org/sites/default/files/USIP\\_0608.PDF](http://www.usip.org/sites/default/files/USIP_0608.PDF)>.

## Uncovering the Future of Guatemala's Past

- Arjun Appadurai. *Modernity at Large*. University of Minnesota Press, 1996.
- Arjun Appadurai, ed. *Globalization*. Duke University Press, 2001.
- Laura S. Dushkes. *The Architect Says*. Princeton Architectural Press, 2012.
- FAFG. Biography. Fredy Armando Peccerelli Monterroso. 2015.
- The Economist*. *Clyde Snow Stories in bones*. May 2th 2014.
- Erica Henderson, Catherine Nolin, and Fredy Peccerelli. Signifying a Bare Life and Making Place through Exhumation: Cobán CREOMPAZ Former Military Garrison, Guatemala. *Journal of Latin American Geography* 13 (2) 2014: 97-116.
- Susanne Jonas. "Guatemalan Migration in Times of Civil War and Post-War Challenges." *Migration Policy Institute*. March 27, 2013.
- Robert D. McFadden. "Clyde Snow, Sleuth Who Read Bones From King Tut's to Kennedy's, Dies at 86." *The New York Times*. May 16, 2014.
- Ali Mirsepassi. *Democracy in Modern Iran*. New York University Press. 2010.
- Fredy Peccerelli. *Jumayj Chi Kamayj* Recovering Guatemala's Disappeared, video. 2014.
- Skype Interview*. Fredy Peccerelli and Erica Henderson with Colette Mazzucelli. April 9, 2015.
- Armando Trull. "How Forensic Analysis May Bring Closure To Guatemalan Families in the D.C. Area." *WAMU* 88.5. February 11, 2015.
- Frank Lloyd Wright Foundation*. <http://www.franklloydwright.org/home/index.html>. 2015
- Eviatar Zerubavel. *The Elephant in the Room*. Oxford University Press, 2006.

## Unregulated Civilian Drones Endanger Our Skies

- Arthur, Charles. "UK's First Drone Conviction Will Bankrupt Me, Says Cumbrian Man." *The Guardian*. 1-2, 2 Apr. 2014. Web.
- Associated Press in Washington. "US Getting Near-daily Reports of Drones Flying near Aircraft without Permission." *The Guardian*. 1-3, 12 Nov. 2014. Web.
- Burns, Matt. "Commercial Drones Are Now Legal, According To Federal Ruling." *TechCrunch*. 1-3, 07 Mar. 2014. Web.
- Federal Aviation Administration. Department of Transportation. *Press Release – FAA Statement - For Immediate Release*. [http://www.faa.gov/news/press\\_releases/news\\_story.cfm?newsId=15894](http://www.faa.gov/news/press_releases/news_story.cfm?newsId=15894). 1, 7 Mar. 2014. Web.
- Lardinois, Frederic. "FAA Appeals Commercial Drone Ruling, Cites Safety Concerns." *TechCrunch*. 1-3, 7 Mar. 2014. Web.
- Michael p. Huerta v.s Raphael Pirker. Kramer, Levin, Naftalis & Frankel, llp 12. National Transportation Safety Board office of Administrative Law Judges. 06 Mar. 2014. *Kramer-levin.com*. US Department of Transportation, web.
- Robillard, Kevin. "Judge Strikes down Small Drones Ban." *POLITICO*. N.p., 03 June 2014. Web.
- Serna, Joseph. "As Hobby Drone Use Increases, so Do Concerns about Privacy, Security." *Los Angeles Times*. 1-4, 21 June 2014. Web.
- USA. Federal Aviation Administration. Department of Transportation. *Unmanned Aircraft Systems*. <http://www.faa.gov/uas>, 1, 25 Sept. 2014. Web.