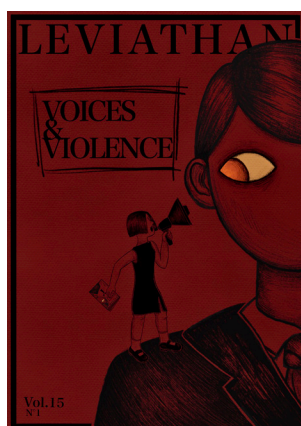


LEVIATHAN

VOICES & VIOLENCE



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Cover Image:
Illustration by Rebeca
Stern

Dear Readers,

I'm thrilled to introduce *Voices & Violence*, our first issue of 2024-25 featuring a record-breaking thirty articles. As a team, we are so excited to have seen this level of student engagement with *Leviathan*, particularly considering our mission has always been to amplify student voices, give space to political critique, and to provide a platform for stories beyond ordinary university spaces. Accordingly, I owe a huge debt of gratitude to the editorial team for their hard work and commitment to each article, enabling us to provide as many students as possible the opportunity to partake in *Leviathan*, while giving due thought and attention to each author. Further thanks goes out to the illustration team, without whom each article would not have been brought to life.

This issue's theme, *Voices & Violence*, draws critical attention to issues often overlooked or understudied. Though the image of the world this issue paints is bleak, hope endures. Our authors have devoted time and attention to shedding light on a plethora of global issues concerning voices and violence, in so doing underscoring the importance of political education and its translation into action.

The articles in this issue are arranged thematically, to build a deeper understanding of how voices and violence relate. This issue begins with Rachel Barlow's critical analysis of how justice systems have failed women subjected to violence, comparing Sarah Everard and Mahsa Amini's deaths in the UK and Iran, respectively. Next, Edith Alderton explores the creative methods of resistance used by Afghan women to combat the oppressive violence of the Taliban, followed by Angelina Castrucci's uncovering of similar female resistance in Iran. Johanna Nesselhauf analyses how the racialisation of geographic space in modern Canada perpetuates bodily violence against Indigenous women, and Abby Johnston-Jones explores how oppressive gender norms and stereotypes of girls and women in Niger, particularly the institution of child marriage, has created a vicious cycle of violence and silence. Whilst Jimena Cardenal thoughtfully analyses the tension between human rights and culture in the case of female genital cutting in Somalia, Renee Phan argues that the resurgence of piracy in the region stems from economic instability and widespread political distrust, emblematic of a failing state system. Next, Claudia Carpenter examines the inherently gendered nature of the British Empire's colonial project in India, highlighting systemic effects continuing today. Rodrigo Ramos comparatively analyses the ongoing impacts of imperialism, understanding East Timor's difficulty with economic development as the result of several instances of violent, authoritarian and imperial rule, with Zikra Zuhuree exploring the neocolonial aspects of China and India's race to establish their power in South Asia.

The first of several articles analysing LGBTQ+ issues, Tharun Venkat questions whether South Africa, as the 'Rainbow Nation', has fulfilled its constitutional mission of equality, arguing that the compounding impacts of racial discrimination and economic inequalities detrimentally affects Queer South Africans. Subsequently, Gina Goodfellow analyses the continuities between the imposition of homophobia by Western imperial powers and Israel's modern pinkwashing practices, and Madeline Schwarz highlights how Canada's LGBTQ+ movement has effectively excluded Two-Spirit and Indigenous voices. Utilising the documentary, *All Out! Dancing in Dulais* (1986), Joe Ellis aspires to paint a picture of solidarity between Queer activists and striking

miners over shared experiences of oppression at the hand of neoliberal violence. Ruby Scott goes on to critically analyse how social media's distortion of reality perpetuates hate speech in the context of 'Israel/Palestinian' online discourses, and Adelaide Tricaud examines the power of language in solidifying and stratifying social hierarchies in France. Similarly, Imaan Shamsi analyses the role of linguistic divisions in India and Pakistan as contributing to nationalism and its violent manifestations.

Haikal Adzmir and Aisyah Ab Halim both highlight the oppression faced by ethnic minorities in Southeast Asia in the cases of Rohingya refugees and a crisis of statelessness and post-genocidal symbolic violence toward Sri Lanka's Tamil community, respectively. Gabrielle Yurin likewise looks at the experience of ethnic minorities, arguing that Atatürk's policies aiming to construct Turkish republicanism resulted in policies of forced assimilation and ethnocide endured by Kurds. Elham Khosravipour analyses violence against the Kurdish population, this time in Iraq and at the hands of the Ba'th Party. Ragna Engseth examines the changing policies affecting an increasingly securitised stance toward Russian-speaking minorities in Estonia after Russia's February 2022 full-scale invasion of Ukraine. Drawing on similar themes of securitisation theory, Jerome Daugny considers whether national security policies should supersede the law and the potential dangers of such a system. Daniel Cook analyses whether policies in El Salvador aimed at curbing gang violence have brought about security and safety, at the expense of democratic institutions. Allyson Crow highlights how systemic violence against journalists and the resulting cementing of silence zones enables corruption and the decline of democracy in Mexico.

Qixuan Ding considers the difficulty in defining and enforcing an internationally-recognised definition of hate speech, noting the delicate 'tightrope' between preventing the harm induced by hate speech and protecting freedom of speech. Next, Gideon Eriaye analyses the knock-on effects of sanctions on Venezuela's citizenry, highlighting how sanctions can serve to instantiate authoritarianism, perpetuate repression and cause socio-political unrest. Mahrukh Khurshid analyses how the framing of the US's involvement in torture at Guantánamo Bay as exceptional and necessary has allowed prisoners, often innocent, to be left behind without recourse to remedies. Echoing the theme of being 'left behind', Jitka Burian argues that historical legacies from Soviet occupation, widespread secularism and a generally homogenous population have resulted in left-leaning parties failing to address the oppression faced by marginalised groups in the Czech Republic. Finally, Adrian Chung intertwines first-person accounts and historical sources to analyse the impacts of the continuing division of North and South Korea on families split across both sides of the border.

The team at Leviathan thank you for taking the time to read these articles. As some articles deal with heavy and/or sensitive topics we encourage you to read carefully and thoughtfully. Every author has written about a topic for a particular reason, and I commend their efforts in raising awareness of those political groups, and people, often underrepresented or subject to violence. As the array of topics covered in this issue demonstrates, voicelessness and violence go hand in hand. Accordingly, we hope that this edition may serve, at least partially, to give voice to those subjected to violence.

Sincerely,

Grace Hitchcock
Editor-in-Chief

Eleanor Doyle
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EVERARD AND AMINI: THE USE OF STATE VIOLENCE TO REPRESS WOMEN'S VOICES

by Rachel Barlow

Illustration by Lucy Wellington



This article discusses violence against women, including the murders of two women and the lack of sufficient justice served for them. Some readers may find this content distressing.

To secure increased equality and freedom, popular participation must be encouraged and protected, and citizens must have political freedoms, including the right to protest, which they can use to influence decision-making. This is especially vital for groups that have historically been excluded from decision-making, and are oppressed by existing social and political systems, such as women. However, attempts to

empower or protect historically marginalised groups, including women, can often reproduce the very same unequal systems of power, especially in judicial processes concerning violence against women (Deer and Barefoot, 2018). Because the state is inherently violent (Alimahomed-Wilson and Williams, 2016, p.3), patriarchy and other systems of oppression serve to repress women's voices through violence.

The cases of Sarah Everard and Mahsa Amini, analysed in this article using most different systems design, perfectly illustrate the use of state violence to exert control over women, repress their voices, and maintain the status quo, in both a democratic and an authoritarian

regime. This article will argue that regardless of regime type, state violence is used to repress women's voices across the world, to maintain gendered systems of oppression.

State violence is understood as an instrument of control used by states to maintain the status quo to protect systems of oppression it continually benefits from (Koch, 2016, p.3). It is characterised by undue force used by a regime against citizens, focused on a particular group the state perceives as a threat (Torres, 2018, p.384). It does not just concern direct physical violence, but instead includes all 'purposeful entrenchment of inequalities,' where the state reinforces power imbalances and social and cultural repression (Torres, 2018, pp.382–383). This purposeful entrenchment of inequality has repeatedly been weaponised against women, extending well into the modern day, notably in the UK and Iran.

Beginning with the foundations of the state, Iran and the UK have vastly diverging political systems, especially with regard to political and civil rights. Iran is an authoritarian regime, which aims to prevent accountability, exert control over citizens, disable activism, and censor dissenting voices (Glasius, 2018). In contrast, the UK operates as a parliamentary democracy, meaning its systems and institutions look very different to those established in Iran. The Iranian state is a theocracy, operating under Islamic Sharia law (Milani, 2015, p.55h), in contrast to the United Kingdom, where legislation is introduced and passed by elected Members of Parliament (delegates voting in line with their constituents' preferences), implementing representative democracy. Mechanisms for the UK public to provide legislative input include referenda, petitions and parliamentary consultation (Gordon, 2018, p.199). Contrastingly, power is highly concentrated in the hands of the Iranian Supreme Leader, who can make '*hokm-e hokumati*' laws (executive orders) of his own free will, which everyone in Iran must follow (Milani, 2015, p.55). The Assembly of Experts has little tangible power, due to the absence of checks and balances that could hold the executive to account (Milani, 2015, p.55). In stark contrast, a range of checks and balances are available to MPs in the UK Parliament to hold the Prime Minister to account. These include Prime Minister's Question Time where the

opposition can publicly question policies and the work of government, limits to the percentage of MPs who can be hired by the government as ministers or aides (limiting bias) and the Backbench Business Committee which allows MPs who are not in government or do not have a ministerial role to influence which debates are had and how they unfold, free from government control. Perhaps most importantly, the UK legislature has the power to dismiss the executive from office (Benwell and Gay, 2011, pp.4–5). In Iran, judges are appointed by the Supreme Leader, who also has extensive control over media (Milani, 2015, p.56), whereas legal (Gordon, 2018, pp.197-98) and media institutions (Dunleavy, 2018, p.122) in the UK are independent and represent additional opportunities for governmental accountability. Given democracy is characterised by protected political rights, popular participation, and freedom of speech and assembly - all of which are embedded in political institutions as demonstrated above - the UK should be a safe environment that encourages activism and seeks to uplift popular voices (BenYishay and Betancourt, 2014, pp.553-555). Therefore, it follows that the two states should have entirely different attitudes to popular protest, and Iran would be the sole perpetrator of state violence as a method of control and repression. However, in practice this is not the case.

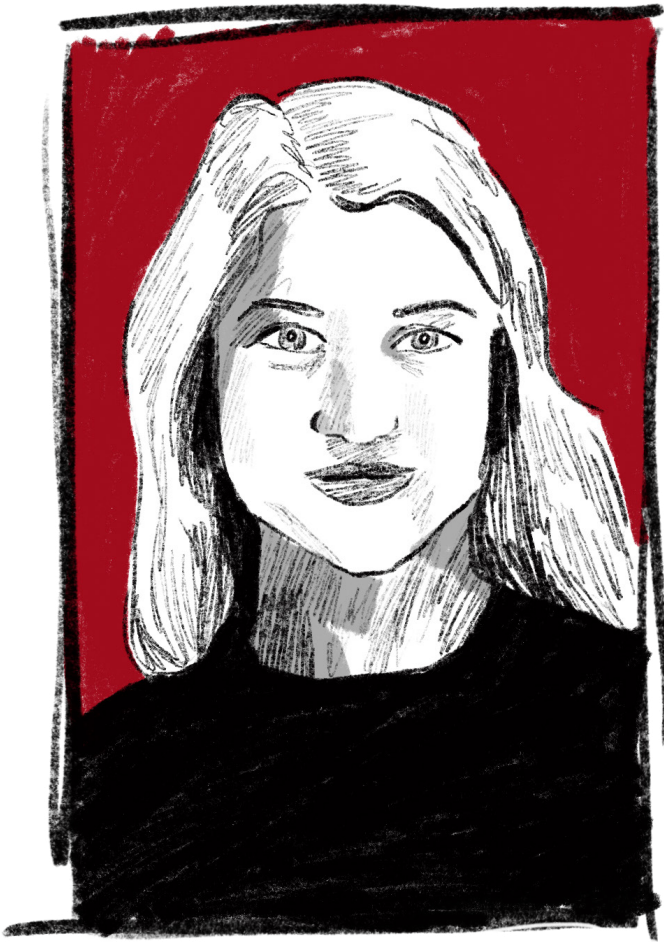
Despite differing political appearances, both the UK and Iran have a record of turning to state violence against protestors and have instituted increasingly authoritarian controls to counter activism. The Iranian state has historically been intolerant and violent, often targeting activists, students, NGO workers, and journalists to quash dissent (Alemzadeh, 2023, p.557). Violent policing is on the rise, and tactics have become increasingly extreme in an attempt to maintain control over the people. This is particularly evident in the frequent deployment of the Islamic Revolutionary Guards Corps – professional anti-riot units –, and use of tanks, heavy armour, helicopters, and machine guns against civilians during street protests, including over inflated fuel prices in 2019 (Shahi and Abdoh-Tabrizi, 2020, pp.1-2). Another tool frequently used is 'digital shutdowns' to prevent communication, access to reliable information, and digital documentation – in 2019, internet access in Iran was fully disabled for a 7-day period (Shahi and Abdoh-Tabrizi, 2020, pp.1-2).

It is clear that Iran's regime is oppressive and firmly authoritarian, and protests there can expect to be met with severe, large-scale, state violence.

In the United Kingdom, the manifestation of authoritarian principles is somewhat different, as the country is considered to have taken an 'authoritarian turn', with oppressive laws amassing over recent years in contradiction with its human rights commitments (Ahmed, 2024). As studied in other contexts, governance can be 'fluid' in democratic states, meaning individuals and small groups of policymakers are able to steer legislation drastically according to their preferences (Glasius, 2018, p.523). Individuals and small groups of policymakers with authoritarian leanings within the Conservative government have been able to steer legislation drastically, independent of the UK's liberal democratic foundations. This is exemplified by its post-2020 agenda on policing and crime, which clearly intended to restrict the fundamental right to peaceful protest through two key pieces of legislation (Webber, 2021, p.106). The Covert Human Intelligence

Sources (Criminal Conduct) Act 2021 gave police power to maintain public order 'as they see fit', without any judicial approval or oversight, giving them advance immunity (Webber, 2021, p.109) when they harm the public through state violence. The Public Order Act 2023 restricted protest markedly, lowering the threshold for 'disruptive' protest that needs police intervention, extending stop and search powers to peaceful protest, and introducing the ability for police to prevent protest entirely (Feeley-Sprague, 2023). This legalised new forms of state violence and made it significantly easier to perpetrate, furthering the trend of immunity for police when they commit violent or invasive acts. This increasingly violent and invasive method of policing without accountability is evidenced by responses to the 'Black Lives Matter' movement and 'Just Stop Oil' environmental protestors. The 'over policing' of Black British communities – and especially Black British women – exemplifies state violence targeted towards minority groups, consisting of unnecessary use of tasers, targeted stop and search, and disproportionate restraint and use of force, resulting in increased likelihood of death in police custody (Joseph-Salisbury, Connelly and Wangari-Jones, 2020, p.26). Likewise, the increasingly authoritarian policing of environmental groups is demonstrative of state violence being deployed against perceived threats. This has included dispersing peaceful protests by force using riot gear, punching and striking activists, procuring military-style weapons to respond to protest – water cannons, rubber bullets – and group containment as a form of 'collective punishment' (Pickard, 2019, pp.143-144). Police tactics have also expanded to include surveilling protestors 'likely to cause disorder' and infiltrating protest groups, actively seeking a pretext for conviction (Pickard, 2019, p.145).

Evidence from the UK therefore illustrates that its advertised tolerance and political freedom are purely symbolic; instead the state aims to control the population to prevent dissent and accountability, similarly to Iran. It also clearly indicates that state violence is not only present in authoritarian regimes, but rather varies in severity and is exercised with different tools between non-democratic and democratic states. Many of the methods used by the Irani government would not be accepted in the UK due to greater scrutiny, so more subtle methods are employed, with legal backing



to prevent accountability. While the scale of state violence is massively different, the two regimes have their attitude towards activism, and desire for control, in common.

State violence is especially important to consider in Everard and Amini's cases because it is disproportionately harmful to women as a historically and currently oppressed group. Gendered hierarchies are embedded in cultures across the world, including in military activity, economic policy, and bureaucratic structures, creating lasting power imbalances (Anglin, 1998, p.147). As women have historically lacked access to political power, those gendered structures are embedded in law and reproduced in policy in a repeating cycle of structural violence (Torres, 2018, p.389). This allows violence at the hands of the state to occur continually and without accountability, where it is legitimised and subsequently normalised.

The protests in response to Sarah Everard and Mahsa Amini's deaths perfectly exemplify this trend of control through state violence, in response to women making their voices heard. Following the kidnap, rape, and murder of Sarah Everard by serving Metropolitan Police officer Wayne Couzens in 2021 (Morton, 2021), a vigil was held by feminist activists at Clapham Common in London to 'highlight the risks to women's safety and to campaign for changes in attitudes and responses to violence against women' in the UK (Lowerson, 2022, p. 287). Despite this demonstration being neither violent nor obstructive, police restrained protestors and pinned them to the ground, violating the UK's Human Rights Act (1998), for which protestors received a formal apology and financial compensation (Dalton, 2023). Given that there was no risk to public safety and it was ruled that the police used unnecessary violence, it is clear this response stemmed from a desire to suppress women's voices and restrict their ability to speak out on the topic of misogyny, especially considering the murder which fuelled the activism was perpetrated by a police officer.

The violent death of Mahsa Amini in custody of Iranian modesty police followed a similar trajectory, igniting anti-regime street protests in 160 territories under the slogans 'Woman, Life, Freedom' (*zan, zendegi, azadi*) and 'Death to the Dictator' (Amnesty International, 2023).



Because Amini was arrested under strict modesty laws prohibiting the removal of headscarves, a feminist movement was formed through the mass outrage her death caused (Khatam, 2023). The Iranian police launched a 'brutal, extralegal and violent' crackdown (Alemzadeh, 2023, p.557), killing 500 demonstrators and arresting more than 15,000 (Khatam, 2023, p.299). This demonstrates that women cannot use their voices freely in Iran, and activism is met with swift, extensive state violence. Considering Amini was detained under a law targeted only at women's autonomy and freedom, and protests against her unjust death were met with the same gendered repression from the state, it is clear that state violence directed at women is extremely harmful.

Viewing the cases comparatively, we can see that women's voices are similarly repressed using state violence in two contrasting regimes. Comparatively evaluating the governmental regime of both a democracy and autocracy and both states' responses to protest, it is clear that regime type is not the most important factor in either tolerance of activism nor

respect for political rights. The cases differ in that they took place in vastly different environments, but the very similar state responses illustrate the lack of significance regime type holds here. Both used decisive force to exert control over the people, and responded negatively to women using their voices, despite their right to do so in the UK.

Ultimately, having comparatively analysed the cases of Mahsa Amini in Iran and Sarah Everard in the UK, it is clear that state violence is used to repress women's voices across the world, regardless of regime type. In both democratic and authoritarian regimes, the state has employed unjustified violence against protestors in an attempt to exert control over them. Violent and invasive acts by the police are supported by British and Irani law and institutions, despite the harm inflicted on women in both the UK and Iran. Such state violence is used to protect the status quo in both countries, by silencing the voices of women advocating for change to the systems that continue to justify and perpetuate gendered oppression.

Bibliography

- Ahmed, Y. (2024) 'Labour Needs to Arrest UK's Authoritarian Slide', *Human Rights Watch*, July 9. Available at: <https://www.hrw.org/news/2024/07/09/labour-needs-arrest-uks-authoritarian-slide> (Accessed: 11 December 2024)
- Alemzadeh, M. (2023) 'Iran Protests and Patterns of State Repression', *Iranian Studies*, 56(3), pp. 557–561. Available at: <https://doi.org/10.1017/irn.2023.16>
- Alimahomed-Wilson, J. and Williams, D. (2016) 'State Violence, Social Control and Resistance', *Journal of Social Justice*, 6, pp. 1–15. Available at: <https://transformativestudies.org/wp-content/uploads/State-Violence-Social-Control-and-Resistance.pdf>
- Amnesty International, 2023. *Iran: Leaders gathered at UN must act over Mahsa Amini's death and anti-protest violence*. Available at: <https://www.amnesty.org.uk/press-releases/iran-leaders-gathered-un-must-act-over-mahsa-aminis-death-and-anti-protest-violence> (Accessed 17 December 2024)
- Anglin, M. (1998) 'Feminist perspectives on structural violence', *Global Studies in Culture and Power*, 5(2), pp. 145–151. Available at: <https://doi.org/10.1080/1070289X.1998.9962613>
- Benwell, R. and Gay, O. (2011) *The Separation of Powers*. Research Briefing, House of Commons Library, pp. 1–11. Available at: <https://researchbriefings.files.parliament.uk/documents/SN06053/SN06053.pdf> (Accessed: 11 December 2024)
- BenYishay, A. and Betancourt, R. (2014) 'Unbundling democracy: Political rights and civil liberties', *Journal of Comparative Economics*, 42(3), pp. 552–568. Available at: <https://doi.org/10.1016/j.jce.2014.06.001>.
- Dalton, J. (2023) 'Women arrested at vigil for murdered Sarah Everard win Met Police payout and apology', *The Independent*, 14 September. Available at: <https://www.independent.co.uk/news/uk/home-news/sarah-everard-protests-arrest-clapham-common-b2411033.html> (Accessed: 16 October 2024).
- Deer, S. and Barefoot, A. (2020) 'THE LIMITS OF THE STATE: FEMINIST PERSPECTIVES ON CARCERAL LOGIC, RESTORATIVE JUSTICE AND SEXUAL VIOLENCE', *Kansas Journal Of Law And Public Policy* 28(3), pp. 505–526. Available at: <https://www.semanticscholar.org/paper/THE-LIMITS-OF-THE-STATE%3A-FEMINIST-PERSPECTIVES-ON-Barefoot/d403a558bea67d1fecfc42434fd566cfe8ff2c5f#cited-papers>
- Dunleavy, P. (2018) 'The interest group process' in P. Dunleavy, A. Park, and R. Taylor, (eds) *The UK's Changing Democracy: The 2018 Democratic Audit*. London: LSE Press. Available at: <https://doi.org/10.31389/book1>
- Gordon, M. (2018) 'How Democratic and effective is the UK national government?' in P. Dunleavy, A. Park, and R. Taylor, (eds) *The UK's Changing Democracy: The 2018 Democratic Audit*. London: LSE Press. Available at: <https://doi.org/10.31389/book1>
- Feeley-Sprague, O. (2023) 'The Public Order Bill: Explained', *Amnesty International*. Available at: <https://www.amnesty.org.uk/blogs/campaigns-blog/public-order-bill-explained> (Accessed: 16 October 2024).
- Glasius, M. (2018) 'What authoritarianism is ... and is not: a practice perspective', *International Affairs*, 94(3), pp. 515–533. Available at: <https://doi.org/10.1093/ia/iiy060>
- Joseph-Salisbury, R., Connelly, L. and Wangari-Jones, P. (2020) "'The UK is not innocent': Black Lives Matter, policing and abolition in the UK', *Equality, Diversity and Inclusion: An International Journal*, 40(1), pp. 21–28. Available at: <https://doi.org/10.1108/EDI-06-2020-0170>
- Khatam, A. (2023) 'Mahsa Amini's killing, state violence, and moral policing in Iran', *Human Geography*, 16(3), pp. 299–306. Available at: <https://doi.org/10.1177/19427786231159357>
- Koch, B. (2016) 'Terror, Violence, Coercion: States and the Use of (Il)legitimate Force', in *State Terror, State Violence: Global Perspectives*. Wiesbaden: Springer Fachmedien, pp. 1–10. Available at: https://doi.org/10.1007/978-3-658-11181-6_1
- Lowerson, A. (2022) 'Proportionate? The Metropolitan Police Service Response to the Sarah Everard Vigil: Leigh v Commissioner of Police of the Metropolis [2022] EWHC 527 (Admin)', *The Journal of Criminal Law*, 86(4), pp. 287–291. Available at: <https://doi.org/10.1177/00220183221101957>
- Milani, A. (2015) 'The Authoritarian Resurgence: Iran's Paradoxical Regime', *Journal of Democracy*, 26(2), pp. 52–60. Available at: <https://dx.doi.org/10.1353/jod.2015.0034>
- Morton, B. (2021) 'Sarah Everard: How Wayne Couzens planned her murder', *BBC News*, 30 September. Available at: <https://www.bbc.com/news/uk-58746108> (Accessed: 16 October 2024).

Pickard, S. (2019) 'Excessive force, coercive policing and criminalisation of dissent. Repressing young people's protest in twenty-first century Britain /// Fuerza excesiva, vigilancia policial coercitiva y criminalización de la disidencia. Reprimir la protesta de los jóvenes en la Gran Bretaña del siglo XXI', *Revista Internacional de Sociología*, 77, pp.139-152. Available at: <https://doi.org/10.3989/ris.2019.77.4.19.002>

Shahi, A. and Abdoh-Tabrizi, E. (2020) 'Iran's 2019–2020 Demonstrations: The Changing Dynamics of Political Protests in Iran', *Asian Affairs*, 51(1), pp.1–41. Available at: <https://doi.org/10.1080/03068374.2020.1712889>

Torres, M. (2018) 'State Violence', in A. Treviño (ed.) *The Cambridge Handbook of Social Problems*. Cambridge: Cambridge University Press, pp.381–398. Available at: <https://doi.org/10.1017/9781108550710.023>

Uk Government (2024) 'Human Rights Act 1988'. Available at: <https://www.legislation.gov.uk/ukpga/1998/42/contents> (Accessed: 26 December 2024)

Webber, F. (2021) 'Britain's authoritarian turn', *Race & Class*, 62(4), pp.106–120. Available at: <https://doi.org/10.1177/0306396821989181>

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THE BODY, THE VOICE, THE MIND: TO WHAT EXTENT HAVE SUBVERSIVE ACTS OF RESISTANCE INITIATED MEANINGFUL CHANGE FOR AFGHAN WOMEN UNDER THE TALIBAN 1996-2001?

by Edith Alderton

Illustration by Katya Roberts



The Taliban rose as a religious movement led by clerics from Kandahar, a city in the south of Afghanistan, pledging to reestablish discipline and structure 'in the name of Islam' (Barfield, 2010, p.171). After seizing Kabul in 1996, the Taliban controlled all but the northeastern region of Afghanistan by 1999, utilising state power to change Afghan society without the broad cooperation of Afghan citizens (Barfield, 2010, p.173). As such, members of the Taliban have been demonised by the West, depicted as instigators of reactionary politics against women (Mann, 2010, p.52). The Taliban's imposition of policies to fulfil a patriarchal dogma, restricts women and girls' access to education, and excludes women from the public sphere (Mann, 2010, p.55) coalesced to ensure Afghan women's subjugation (Rostami-Povey 2013; Billaud, 2015, p.15). This essay identifies how these oppressive policies have been subverted through localised and personal acts of resistance enacted by Afghan women.

It must be noted that conceptions of gender vary immensely within the academic literature, particularly between Western Liberal and Afghan feminist understandings of the concept. American feminist and philosopher Judith Butler asserts that gender is a 'corporeal style', an act 'which has cultural survival at its end' as those who do not perform their 'gender correctly are punished by society' (Butler, 2006, quoted in Salih, 2002, p.66). While this Western understanding is relevant in the Afghan context, the vast diversity of ethnic groups in Afghanistan means that the term 'Afghan woman' is incredibly reductive. There is a broad array of experiences between ethnic groups and their regional associations of gender, and thus Western understandings of this concept are insufficient in explaining 'the fluidities of Afghan women's identities' (Rostami-Povey, 2013, p.3). Yet, under the Taliban and their severe, targeted policies, the 'political category' of women remains to be constructed through asymmetrical interplays between local actors and national institutions. In Afghanistan, masculine and feminine spheres of influence are segregated and often complementary (Billaud, 2015, p.151). Thus, the notion of resistance that will be explored in this essay is distinct: given the cultural structuring of gendered spheres in Afghanistan, the corresponding acts of resistance by women against the Taliban were largely subversive and localised, utilising their limited resources to initiate

opportunities for self-expression and education. Whilst these opportunities were valuable, the wider context and the precarity presented by conflict in Afghanistan meant that initiation of change was limited. Within this context, this essay explores three central methods of resistance adopted by Afghan women: firstly, their use of poetry as a form of resistance; secondly, the opening of clandestine schools to offer educational opportunities to women and girls; and, lastly, the documentation of state violence against women, which refutes the assumption of docility within Afghan women. Overall, this essay concludes that the efficacy of the explored subversive acts was not limited by their localised nature: through remaining in the female, private sphere, such acts maintained symbolic value in the agency they offered women who committed them.

Poetry as Resistance

Poetry was used as a meaningful tool of resistance on a small scale by women in Afghanistan as a means to give a political voice to those who engaged in the art form (Reed, 2005, p.91). Pashtunwali poetry was most prominent, and this ethnic group largely follows a code of honour that implies male domination, contributing to the dominant ideology of restricting the visibility of women and entrenching ideas of subservience to male powers (Rostami-Povey, 2013, p.24). Through engaging in poetry, Afghan women were able to counteract the Western-imposed narrative that they were 'passive and voiceless', whilst simultaneously engaging in subversive resistance towards Taliban leadership (Collins, 2016, p.136). This was widely done through the *landay*, a poem of 'twenty-two syllables: nine in the first line; thirteen in the second' (Griswold, 2014, p.3), and performed in private for close friends and family (Collins, 2016, p.140). The privacy of these performances arguably limits their value in terms of resistance: they were not widely heard, and those who did hear them were not the Taliban members they aimed to resist. Nevertheless, when envisioning Afghanistan as a volatile, theatrical space where hierarchies are upended, Billaud asserts that Afghans' typical engagements with the public realm are suspicious and resentful, and thus are not a space for 'rational-critical dialogue' (Billaud, 2015, p.15). As such, resistance within the private realm gives Afghan women the freedom to contradict the 'public transcript'

(Scott, 1990, p.4). Poetry provides a contextualised form of liberation wherein criticism of traditional customs, support for sexual autonomy, and resistance to external intervention are communicated through landays (Collins, 2016, pp.141, 143). Furthermore, the emergence of prominent Afghan poets from underground literary circles, such as Nadia Anjuman, provided edifice for women to 'transcend the dullness of the everyday' (Billaud, 2015, p.159). Within the remit of ensuring their personal security, the Afghan women who engaged in these poetic acts of resistance told the stories of their lived experiences. Thus, such stories prescribed their forced existence in the private sphere an empowered meaning, exhibiting women's agency.

Educational Opportunities: Clandestine Schools

Alternate forms of resistance that have had a greater emancipatory effect included clandestine schools and underground educational initiatives. Taliban policies that banned girls' education had severe impacts on their autonomy by preventing provisions for health and family planning, and excluding women from formal employment opportunities (UNICEF, 2022). The voracious denial of education to women became so engrained during Taliban rule that even reinstated schools were torched and destroyed, amounting to the destruction of 'over three hundred schools' in Afghanistan (Mann, 2020, p.59). In order to overcome such damning restrictions, Afghan women engaged in clandestine work to provide educational opportunities to other women. For example, the Women's Vocational Training Centre offered women in Kabul a broad variety of educational opportunities prior to Taliban rule. Classes included 'basic literacy and numeracy training', but also different subjects such as 'biology, chemistry, engineering, English, German, Arabic, Qur'anic studies, cooking, sewing, knitting and hairdressing', as well as computer-skills courses (Rostami-Povey, 2013, pp.29, 33). With 6000 students by the time the Taliban came to power, the organisation moved operations

underground in their homes, continuing to fund and manage secret 'handicraft courses for women' (Rostami-Povey, 2013, p.30). The hiding of such schools allowed women to continue to learn new skills and eventually exchange their services and products for money, thus providing a limited, yet still essential, level of economic independence. Clandestine schooling was therefore not only a tool of resistance that allowed women to access new information and ideas, but also it initiated an economic form of resistance. Through continued schooling, Afghan women became able to reclaim some economic agency, demonstrating that subversive acts of resistance, such as enabling education, initiated meaningful change.

However, these acts of resistance were primarily seen in urban, rather than rural, areas (Billaud, 2015). Taliban social policies were opposed more in cities such as Kabul and Mazar because these areas were 'less rooted in Islam than in rural Afghan values' (Barfield, 2010, p.262). There were also higher levels of educational attainment in urban areas preceding Taliban rule, and so the ability to provide classes was concentrated in Afghanistan's cities (Barfield, 2010, p.65). Furthermore, in cities women were mandated to wear the chadari – a full body garment (Billaud, 2015). Again, excluding women from the public sphere, this policy impeded women's freedom of expression. However, women were able to distort the original purpose of chadaris by hiding their school books and

“The female body became a symbol of ‘the broader social body’, and thus was continually conceptualised as a political, rather than private, ground (Billaud 2015, p.166).”

stationery in them (Billaud, 2015, p.159). Paradoxically, the removal of freedom of expression created space for more resistance to occur, allowing increased access to education. Resistance was therefore a process of give and take for these women, within their personal means. Overall, clandestine schooling operations were an impactful form of resistance, both in opposing oppressive Taliban policies on girls' education and in encouraging cooperation amongst the communities in which they were situated. This was meaningful for urban women who were granted limited levels of economic independence as a result, further supporting the value of localised resistance.

Acts of Agency: Documenting State Violence

The Taliban etched state power onto the bodies of transgressors through acts of violent, public punishment (Cole, 2003, p.781). Afghan women's invisibility in the public space through the mandated wearing of the chadari did not make the Taliban's acts of violence towards them any more private. The female body became a symbol of 'the broader social body', and thus was continually conceptualised as a political, rather than private, ground (Billaud 2015, p.166). The Taliban inflicted arbitrary and extreme acts of state violence, including instances where women were beaten for 'defiling' the white Taliban flag by wearing socks of the same colour (Latifa, 2001 p.65). In the face of brutal aggression, such strong fear of punishment produced what Foucault refers to as 'docile bodies' (Foucault, 1977, quoted in Billaud, 2015, p.152). The overpowering awareness of the threat of a violent and continually surveilling authority caused unquestioned internalisation of these power hierarchies (Foucault, 1977, quoted in Billaud, 2015, p.152). Here, even the will of Afghan women to resist is denied.

However, to ascribe the notion of docility to all Afghan women would be incredibly irresponsible. In order to publicise such violence, the Revolutionary Association of the Women of Afghanistan (RAWA) would widely report on and film the Taliban's attacks on women. Through publishing '*Payam-e Zan*, a quarterly political magazine', RAWA were able to raise international attention and build solidarity amongst Afghan women (Rostami-Povey, 2013, p.17). These brave acts of resistance took place in the public sphere: such visibility was a significant threat to the Taliban, and played a part in bolstering international support for RAWA's cause. This elucidates that not all acts of resistance took place in private; resisting the Taliban's imposition on the bodies of Afghan women was very much a public matter for RAWA, and they made it so on an international scale (Fluri, 2008, p.15). RAWA's efforts were impactful, yet as previously discussed in relation to the other factors in this essay, were concentrated in small areas (Rostami-Povey, 2013). Nevertheless, RAWA's fearless actions were still successful in resisting the Taliban, as they exemplified women's active role

in negotiating with, and subverting, existing patriarchal structures (Fluri, 2008, p.36).

Conclusion

Subversive acts of resistance did not initiate widespread, substantive change for Afghan women under the Taliban between 1996 and 2001. Resistance for these women mostly remained in the private sphere, as detailed in regard to the practice of performing landays and in the coordination of underground educational initiatives. These private acts had limited geographical scope as they were largely confined to urban areas, where preexisting educational levels were higher than in rural regions. However, resistance occurring in the private sphere was certainly neither meaningless nor ineffective. These acts facilitated self-expression, knowledge acquisition and economic independence, and maintained a significant, positive, impact on the lives of the women who took part in such activities. In conceptualising the body of the Afghan woman as a public, political entity, the strength and bravery of their resistance is realised. It wasn't until the fall of the Taliban in 2001 that more meaningful change, such as the reopening of schools, took place. Yet, we cannot ignore the efforts made by urban Afghan women throughout the 1990s to work towards self-realisation through any means they could. Resistance is just as impactful on the personal level, and thus in a Taliban-led context where the personal is controlled, the assertion of the individual agency of Afghan women over their bodies, their voices, and their minds reaffirms its meaning.

Bibliography

Barfield, T. (2010) *Afghanistan: A cultural and political history*. Princeton, NJ: Princeton University Press.

Billaud, J. (2015) *Kabul Carnival: Gender Politics in Postwar Afghanistan*. Philadelphia: University of Pennsylvania Press. Available at: <https://doi-org.ezproxy.is.ed.ac.uk/10.9783/9780812291148>

Collins, V. (2016) 'My pain grows as my life dwindles: Women, poetry, and resisting state violence in Afghanistan', *Crime, Media, Culture: An International Journal*, 14(2), pp. 135–152. Available at: <https://doi.org/10.1177/1741659016675486>

Cole, J. (2003) 'The Taliban, women, and the Hegelian private sphere', *Social Research: An International Quarterly*, 70(3), pp. 771–808. Available at: <https://doi.org/10.1353/sor:2003.0054>

Emadi, H. (2002) *Repression, resistance, and women in Afghanistan*. Westport, CT: Praeger.

Fluri, J. (2008) 'Feminist-nation building in Afghanistan: An examination of the Revolutionary Association of the Women of Afghanistan (RAWA)', *Feminist Review*, 89(1), pp. 34–54. Available at: <https://doi.org/10.1057/fr:2008.6>

Griswold, E. (2014) *I am the beggar of the world: Landays from contemporary Afghanistan*. New York: Farrar, Straus and Giroux.
Latifa (2001) *Visage volé: Avoir Vingt Ans Àa Kaboul*. Paris: Anne Carrière.

Mann, C. (2010) 'Afghanistan 3. From refugee camp to Kabul: The influence of exile on Afghan women', in F. Shirazi (ed.) *Muslim Women in War and Crisis: Representation and Reality*. New York, USA: University of Texas Press, pp. 52–59. Available at: <https://doi.org/10.7560/721890-005>

Reed, T.V. (2005), *The Art of Protest : Culture and Activism from the Civil Rights Movement to the Streets of Seattle*, University of Minnesota Press, Minneapolis.

Rostami-Povey, E. (2013) *Afghan women: Identity and invasion*. London: Zed Books.

Salih, S. (2002) *Judith Butler*. London: Routledge.

Scott, J.C. (1990) *Domination and the Arts of Resistance: Hidden Transcripts*, Yale University Press, New Haven.

UNICEF (2022) *Cost of Inaction: Girls' education in Afghanistan Executive Summary*. Available at: <https://www.unicef.org/rosa/press-releases/depriving-girls-secondary-education-translates-loss-least-us500-million-afghan> (Accessed: 11/12/23).

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VEILED IDENTITIES: UNCOVERING THE DYNAMICS OF VIOLENCE, POWER, AND THE RESILIENT VOICES OF SILENCED IRANIAN WOMEN

by Angelina Castrucci

Illustration by Camila Sanchez



The struggle for autonomy among Iranian women powerfully demonstrates their resilience against systemic oppression. The Iranian regime exercises control through an intricate web of legal, familial, educational, and economic structures, all designed to limit women's autonomy and reinforce patriarchal norms. Despite these oppressive mechanisms, Iranian women resist, challenging the very structures meant to confine them and reclaiming their voices in acts of defiance. This paper seeks to uncover and amplify the voices of marginalised Iranian women, highlighting their defiance within a state apparatus determined to silence them. It argues that the State's attempt to control women paradoxically reveals their profound political power. Far from being passive victims, Iranian women actively resist, subverting the oppressive policies that aim to dehumanise them. To support this argument, this paper first outlines the historical context of gendered oppression in Iran. Secondly, it will examine the impact of state control mechanisms on women's lives, emphasising the resilient agency that emerges through resistance. Finally, it will examine the pathways to liberation through which women reclaim their voices and actively reshape the contemporary political landscape. Through a poststructuralist feminist lens, this paper emphasises the diversity of women's experiences in Iran and challenges prevailing Orientalist views that reduce them to mere victims, thereby underscoring their complex agency rooted in unique socio-political contexts (Rashid, 2023, pp.723-724). Ultimately, this paper aims to deconstruct the state's ideological apparatus and shed light on the vibrant resistance of Iranian women as they reclaim their voices in the face of oppression.

Historical Context of Gendered Oppression in Iran

Throughout the 20th and 21st centuries, Iranian women have faced systematic marginalisation under various political regimes, each employing distinct forms of gendered control rooted in legal, social, and cultural mechanisms (Tohidi, 2016 p78). In the pre-revolutionary era, modernisation policies both advanced and restricted women's rights. For example, Reza Shah Pahlavi's 1936 decree banning the hijab aimed to 'liberate' women but ultimately infringed on

their autonomy by imposing state control over their appearance (Rashid, 2023, p.724). This contrasts with the Islamic Revolution of 1979, which mandated veiling under religious laws. Both modernisation and religious conservatism, though ideologically opposed, fostered restrictive forms of gender control. Post-1979, the Islamic Republic institutionalised patriarchy through Sharia-based laws, reinforcing women's dependence on men and the state (Asadi Zeidabadi, 2022, p.1716). The regime frames women as complementary to men, restricting them to specific social roles rooted in religious and cultural traditions. This ideology permeates law, manifesting in unequal political representation, harsh criminal accountability for girls as young as nine, and a tendency for acts of violence against women, particularly those from minority groups, to go unpunished (Ceasefire Centre for Civilian Rights, Minority Rights Group International and Centre for Supporters of Human Rights, 2019, p.7, p.33.). Despite occasional reforms, the rhetoric of leaders like Supreme Leader Khamenei, who denounces gender equality as a 'Western mistake', continues to vilify women's rights advocates as foreign threats (Ceasefire Centre for Civilian Rights, Minority Rights Group International and Centre for Supporters of Human Rights, 2019, p.6). Ultimately, despite ideological shifts, the Iranian state has consistently utilised gender as a tool to craft an ideological framework that controls women's bodies to reinforce its authority.

Against a backdrop of state-imposed control, the Iranian women's movement has evolved through, and within, these complex power dynamics. Tohidi identifies key phases in its development, from early activism during the Constitutional Revolution, through setbacks post-1979, to recent adaptations under shifting political climates (2016, pp.81-82). While conservative Islamists deny the movement's existence, moderate reformers and secular intellectuals advocate for women's rights, though some critique its lack of unified structure (Tohidi, 2016, p.80). Meanwhile, Iranian feminists navigate this landscape through varied approaches: Islamic feminists promote egalitarian Quranic interpretations, while secular feminists push for the separation of religion from women's rights (Asadi Zeidabadi, 2022, p.1713). Bayat's concept of a 'women's non-movement' encapsulates this phase—uncoordinated yet significant grassroots activism (2013, p.162). Despite divisions, the movement

endures, leveraging resilience to challenge restrictions and pursue autonomy. Understanding the unique, unstructured, nature of the Iranian women's movement requires examining Iran's complex landscape of gendered oppression, which defies simplistic Orientalist binaries of agency versus victimhood. Moving beyond such dichotomies reveals Iranian women as active agents whose diverse strategies embody resilience and adaptability within an oppressive system.

The Politics of Fear: Constraints and Subversive Agency

The Iranian regime's systemic violence against women profoundly impacts their daily lives, manifesting through both physical and structural repression. Women who challenge discriminatory policies often face threats, harassment, and arbitrary arrests. Those detained are frequently denied legal counsel and held under vague charges like 'assembly and collusion against national security' (Ceasefire Centre for Civilian Rights, Minority Rights Group International and Centre for Supporters of Human Rights, 2019, p.10). This climate of fear is intensified by the arbitrary and unpredictable enforcement of morality laws, fostering a culture of outward compliance despite an undercurrent of private opposition (Rouhi, 2022, p.189). The oppressive environment is particularly damaging for a generation shaped by the traumas of revolution, childhood repression, and war—experiences that make the thought of further upheaval daunting (Rouhi, 2022, p.190). Moreover, the regime's rigid stance has created cycles of hope and disappointment among women activists. Activists argue that the fusion of discriminatory laws with erratic enforcement exacerbates women's insecurity, stifling overt resistance while encouraging quieter forms of defiance (Tohidi, 2016, p.79). For many women, 'learning the art of quiet dissent' or emigrating has become the primary means of coping, leading to significant brain drain (Rouhi, 2022, pp.189-190). These intertwined mechanisms of legal and ideological structural violence, embedded in the fabric of daily life, serve to uphold the regime's authoritarian grip by discouraging public defiance, reinforcing patriarchal control, and marginalising women. However, the Iranian regime's intense focus on controlling women's bodies as a tool of subordination paradoxically highlights

the political power and perceived threat that Iranian women pose to the regime. If women were indeed passive, compliant, and inactive—as portrayed by both the state and Western Orientalist narratives—there would be little reason to invest in their continued marginalisation. Instead, their targeted repression underscores the challenge they pose to the structural foundations upon which the Iranian regime rests. Through their persistent resistance, Iranian women not only confront an autocratic theocratic regime but also reaffirm their inherent agency and strength.

Indeed, despite these repressive mechanisms, Iranian women have continued to resist in nuanced ways. Adopting a post-structural framework provides a critical lens to analyse these acts of defiance, as it challenges the imposition of Orientalist Western perspectives on Iranian women's experiences. For instance, by regulating veiling, the Iranian government enforces control, but also provides Iranian women with the opportunity to wield the veil strategically, participating in acts of 'ethical self-formation' as they cultivate values and identities that challenge state-imposed subjectivities (Fathzadeh, 2020, pp.160-162). Indeed, the hijab serves as an 'empty signifier'—simultaneously a tool of oppression and a site of resistance, as women reclaim autonomy by wearing or removing it (Gould, 2014, pp.223, 235). As Rashid observes, veiling, unveiling, and re-veiling operate as complex expressions of agency that counter both state-imposed mandates and reductive Orientalist views (2023, p.727). These acts of resistance reflect how lived experiences are deeply rooted in unique historical and political contexts, revealing the diversity and specificity of Iranian women's struggles (Rashid, 2023, pp.723-724). Rather than being passive subjects of oppression, women actively reshape the veil's meaning to meet their cultural, political, and personal needs. Fathzadeh underscores this agency, suggesting that portraying veiled women merely as victims of Islamic practices or as agents of feminist resistance fails to capture the complexities of their lives (2020, p.150). Instead, she urges a nuanced view that places women's agency within broader socio-political and global contexts, revealing the interconnection between the veil, body, and society as an active, lived practice (Fathzadeh, 2020, pp.150-151). This fluidity in the meanings ascribed to the veil underscores Iranian women's agency in navigating and resisting the state's

constraints, and highlights the importance of rejecting simplistic readings of Islamic practices or assumptions of civilizational superiority (Fathzadeh, 2020, p.159). Through these adaptations, Iranian women not only assert their autonomy but also reshape public perceptions and effect subtle changes within society (Fathzadeh, 2020, p.160). Ultimately, the complexities and fluidity of Iranian women's identities serve as tools to navigate the closed system in which they are constrained. Far from being passive victims, these women are active political actors, reclaiming agency through both subtle and overt acts of resistance, illustrating how deeply embedded cultural symbols like the veil can become powerful instruments for self-empowerment and societal transformation.

Breaking the Silence: Pathways to Liberation and Self-Determination

The current wave of resistance in Iran, largely driven by younger generations and bolstered by globalisation and digital media, marks a pivotal shift from earlier movements. The 2022 killing of Mahsa Jina Amini by Iran's morality police ignited national protests, bringing renewed energy to global feminist movements and shining an intense spotlight on the plight of Iranian women (Rashid, 2023, p.723). These protests drew unprecedented support across diverse Iranian ethnic communities and regions, rallying around the slogan "Woman, Life, Freedom"—a cry for liberation that transcends gender rights and confronts deeply embedded systems of state oppression (Rashid, 2023, p.726). This new generation of Iranians, less burdened by the direct traumas of past revolutions and wars but equally strained by enduring repression has taken to digital technologies as a means of organising and resisting state control (Tohidi, 2016, p.80).

“If women were indeed passive, compliant, and inactive—as portrayed by both the state and Western Orientalist narratives—there would be little reason to invest in their continued marginalisation. Instead, their targeted repression underscores the challenge they pose to the structural foundations upon which the Iranian regime rests.”

Cyberspace has evolved into what Fathdazeh calls a 'third space', enabling Iranian women to resist and redefine dominant narratives (2020, p.158). Platforms like 'My Stealthy Freedom,' coordinated by exiled activist Masih Alinejad, exemplify how cyberspace has become a safe haven for Iranian women to voice opposition to compulsory veiling and other gender-based restrictions, creating a powerful sense of solidarity amidst heavy censorship and surveillance (Fathdazeh, 2020, p.158). Social media have provided a decentralised space for collective action, offsetting organisational limitations by linking Iranians across divides, both geographic and ideological (Rouhi, 2022, p.194). In a

society where public spaces are closely monitored by oppressive Islamic regulations, online platforms have become a lifeline for many Iranian women to challenge the symbolic orders imposed on their bodies. Through these spaces, they can construct and perform multiple identities, rejecting the reductive, state-imposed images of passive femininity (Tohidi, 2016, p.85). Thus, the current wave of the Iranian women's movement epitomises its adaptability, as women navigate shifting socio-political dynamics through innovative, subversive strategies, expressing their agency through informal and non-traditional actions.

As the movement gains momentum, it becomes increasingly clear that their struggle forms part of a larger societal push to reclaim civic voice and agency. Women activists today employ reform-oriented strategies within civil society, using their 'power of presence' in public spaces, both physical and digital, as a subtle defiance against authoritarian control (Tohidi, 2016, pp.80, 85). These actions are pivotal to broader social transformations, challenging not only gender norms but authoritarian structures, and they present alternative frameworks for imagining political change in Iran (Tohidi, 2016, p.85). Thus, Iranian women have emerged as vital actors within the nation's socio-

political landscape. The persistent repression they face underscores their significant political agency, as the state's sustained attempts to silence them reveal the perceived threat they pose to authoritarian structures. Through adaptive strategies and innovative forms of coordination, these activists—both women and men—forge pathways toward ideological and systemic liberation, envisioning a future where their voices resonate publicly and with enduring impact, redefining freedom in contemporary Iran. Indeed, as one young activist declared, 'They can kill us. They can arrest us. But this is the beginning of their end. Maybe today, maybe next week, or next month, but our revolution is irreversible' (Hafezi, 2022).

Conclusion

This paper has explored the intricate dynamics of power and resistance faced by Iranian women within an oppressive state apparatus. It concludes that the Iranian state's total control over women not only asserts authority but also exposes the political threat posed by women as active agents of change. By examining the state's gender-based frameworks and the silencing structures that limit women's autonomy, this analysis highlights both the oppressive narrative imposed and the resilience with which women challenge these identities. Far from being passive victims, Iranian women engage in multifaceted resistance that defies simplistic, Orientalist, portrayals. By centring their voices, this paper advocates for a deeper, non-essentialist, understanding of 'woman' that recognises the diversity of their experiences.

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Bibliography

Ahmadi, F. (2006) 'Islamic Feminism in Iran: Feminism in a New Islamic Context', *Journal of Feminist Studies in Religion*, 22(2), pp.33–53. Available at: https://link.gale.com/apps/doc/A156448406/LitRC?u=ed_itw&sid=summon&xid=b2069df3

Ceasefire Centre for Civilian Rights, Minority Rights Group International and Centre for Supporters of Human Rights. (2019) *Beyond the veil: discrimination against women in Iran*. Available at: <https://minorityrights.org/app/uploads/2024/01/mrg-cfr-iran-en-sept191.pdf> (Accessed 23 December 2024)

Asadi Zeidabadi, P. (2022) 'Political identity: feminists and feminism in Iran', *Gender, Place & Culture*, 30(12), pp.1712–1732. Available at: <https://doi.org/10.1080/0966369X.2022.2118240>

Bayat, A. (1997) *Street Politics: Poor People's Movements in Iran*. New York: Columbia University Press.

Fathzadeh, F. (2020) 'The veil: an embodied ethical practice in Iran', *Journal of Gender Studies*, 30(2), pp.150–164. Available at: <https://doi-org.eux.idm.oclc.org/10.1080/09589236.2020.1863194>

Hafezi, P. (2022) 'Many Young Iranians Lose Their Fear in Struggle for "Freedom"', *Reuters*, 3 November. Available at: <https://www.reuters.com/world/middle-east/many-young-iranians-lose-their-fear-struggle-freedom-2022-11-03/> (Accessed 23 December 2024)

Gould, R. (2014) 'Hijab as commodity form: Veiling, unveiling, and misveiling in contemporary Iran', *Feminist Theory*, 15(3), pp.221–240. Available at: <https://doi.org/10.1177/1464700114544610>

Mir-Hosseini, Z. (2006) 'Muslim Women's Quest for Equality: Between Islamic Law and Feminism', *Critical Inquiry*, 32(4), pp.629–645. Available at: <https://doi.org/10.1086/508085>

Rouhi, M. (2022) 'Woman, Life, Freedom in Iran', *Survival*, 64(6), pp. 189–196. Available at: <https://doi-org.eux.idm.oclc.org/10.1080/00396338.2022.2150441>

Rashid, A. (2023) 'The politics of veiling and unveiling', *Feminist Media Studies*, 23(2), pp.723–728. Available at: <https://doi-org.eux.idm.oclc.org/10.1080/14680777.2023.2186253>

Shams, A. (2022) 'We Have Broken the Wall of Fear: Iranian Protesters on What Brings Them Back to the Streets Four Weeks in', *NY Mag: Intelligencer*, 13 October. Available at: <https://nymag.com/intelligencer/2022/10/iranian-protesters-in-their-own-words.html> (Accessed 22 November 2024)

Spivak, G. (2013) 'Can the Subaltern Speak?', in P. Williams and L. Chrisman (eds) *Colonial Discourse and Post-Colonial Theory: A Reader*. New York: Columbia University Press, pp.66–111.

Tohidi, M. (2016) 'Women's Rights and Feminist Movements in Iran', *Sur - International Journal on Human Rights*, 13(24), pp.75–89. Available at: <https://heinonline.org/HOL/P?h=hein.journals/surij13&i=324>

Zahedi, A. (2007) 'Contested Meaning of the Veil and Political Ideologies of Iranian Regimes', *Journal of Middle East Women's Studies*, 3(3), pp.75–98. Available at: <https://doi.org/10.2979/mew.2007.3.3.75>

FROM COLONIALISM TO MODERNITY: HOW THE RACIALISATION OF SPACE FACILITATES INDIGENOUS VIOLENCE IN CANADA

by Johanna Nesselhauf

Illustrations by Ruby Gordon



This article includes descriptions of sexual and racially motivated violence, including specific details of the murder of Pamela George. Readers may find some content distressing.

Violence in Canada disproportionately affects Indigenous women, however appropriate justice for such violence is rare (García-Del Moral, 2018; Razack, 2000). Between 2009 and 2021, Indigenous women, including First Nations, Métis, and Inuit women, experienced homicides at a rate six times higher than that of non-Indigenous women (Burczycka and Cotter, 2023, p.3). Further exacerbating injustice, the police only recommend a first-degree murder charge 27 percent of the time in cases of murdered Indigenous women, compared to 54 percent of the time for the murders of non-Indigenous women (Burczycka and Cotter, 2023, p.3). For the murder of Indigenous women, 60 percent of charges were for second-degree murder and 13 percent for manslaughter (Burczycka and Cotter, 2023, p.3). Moreover, manslaughter was more commonly the charge if the murder victim was an Indigenous person (Burczycka and Cotter, 2023, p.3). This essay argues that this injustice and how it unfolds can be at least partially explained by the 'racialisation of space' in past and contemporary Canada.

To elucidate the role of the racialisation of space in perpetuating injustice for Indigenous women in Canada, this essay first unpacks the theory of the racialisation of space and its implications in Canada's transition from colonial administration to urbanisation. Subsequently, using the case study of Pamela George, this essay explores how the racialisation of space in contemporary Canada facilitates violence, and its normalisation, against Indigenous women, ultimately inhibiting the enactment of justice. By offering relevant background information and subsequently analysing the murder and trial in regard to the racialisation of space, this essay will conclude that due to the clear and systemic racialisation of space in Canada, Pamela George did not receive justice.

The racialisation of space, a theory developed by critical scholars of race and space, refers to the construction of particular geographic landscapes that form and reinforce social hierarchies alongside racial lines

(Inwood et al., 2000). Based on these hierarchies the exploitation of certain racial groups is facilitated, which ultimately reinforces the aforementioned racialisation of space as a form of this domination (Inwood et al., 2010). The origins of this process can be linked back to the colonialist establishment of white settler societies and their subsequent segregation practices (Lipsitz, 2007). The violent subjugation of Indigenous land was often based on the racist ideology that these communities needed the colonisers' help (Lipsitz, 2007). Alternatively, European colonisers justified their actions based on the idea of 'terra nullius', which refers to the claim that they were the first on this stolen land, thereby disregarding entire Aboriginal societies that existed there previously (Lipsitz, 2007; Bonds and Inwood, 2016, p.722). The brutality of colonisation is often denied, as Canada continues to be portrayed as outside of the imperialist agenda, effectively concealing enduring colonial processes (Dua Razack and Warner, 2005). Importantly, settler colonialism informs not only the past but also the present and future societal formations (Bonds and Inwood, 2016). During Canada's urbanisation in the 1950s and 1960s, colonial administration was simply transformed into the segregation of urban spaces and slum administration, meaning that the 'city slums' were 'regulated through a variety of municipal laws' and Aboriginals were contained within these slums (Razack, 2000, p.97). The city belonged to the settlers and the threat of 'The Other' led to exclusionary spatial management practices like zoning laws (Razack, 2000; Lipsitz, 2007). The 1990s saw an influx of migrants and refugees that further threatened the imagination of an ordered space, legitimising exclusionary practices such as increased policing of people of colour (Razack, 2000; Razack, 2002; Lipsitz, 2007). The colonialist project is based on continuous removal of any indigenous people, who pose a threat to the created social order (Bonds and Inwood, 2016).

In contemporary Canada, the spatial management of racial diversity along the lines of social hierarchies is also expressed in the development of racialised areas (Teelucksingh, 2006). Despite being essential to the economy in a globalised world, most of the racialised urban population is continuously spatially relegated to the status of otherness and remains peripheral to the economy, preventing them from accumulating the means

to escape spatial containment (Lipsitz, 2007; Calmore, 1995; Teelucksingh, 2006). In turn, less favorable areas of the city are oftentimes disproportionately inhabited by people of colour (Razack, 2002). The legal regulation of space imposes a hegemonic social order, ultimately leading to the exclusion and inclusion of certain bodies based on the development of ideas about some communities' degeneracy (Teelucksingh, 2006; Razack, 2002). Because ideas of dominance and otherness are projected onto space, space becomes integral to the exercise of power and can be used as a tool of oppression (Razack, 2002; Teelucksingh, 2006). This oppression oftentimes manifests in violence against marginalised groups and the normalisation of such violence (Razack, 2000).

Pamela George: Background Information

On 17 April 1995, Easter weekend, Pamela George, an Aboriginal woman of the Saulteaux nation, was murdered in Regina, Canada, by two young, white,



“As violence is naturalised within racialised spaces, it becomes viewed as a natural by-product of these spaces and the people within them (Van Cleve and Mayes, 2015).”

middle-class men (Razack, 2000). The men went out drinking that evening and ended up at ‘the Stroll’, an area of prostitution streets (Razack, 2000). Here, Pamela George was working as a prostitute and, after some convincing, the men persuaded her to join them in their car (Razack, 2000). They drove her to an isolated place outside of the city, forced her to perform oral sex on them, and then proceeded to beat her, leaving her lying with her face in the mud (Razack, 2000). Although her death was announced on the radio the next day, it took nearly a month of going through a list of suspects, most of whom were Aboriginal or from ‘the Stroll’, for the two men to be arrested (Razack, 2000). Two years later, the men were convicted of manslaughter with a prison sentence of six and a half years (Razack, 2000). Many people, especially those of the Native community, objected to this decision, urging that this was at least second-degree murder, and George had not received the justice that she deserved (Razack, 2000).

Pamela George: Racialisation of Space

Razack urges that to understand the underlying colonial and racial factors that enabled this crime, one must understand the inherently linked histories of white middle-class men, like the two murderers, and of Saulteaux women, like Pamela George (2000); these are histories of racialisation of space. The history of colonial dispossession and the associated violence led to both parties being on ‘the Stroll’ that night (Razack, 2000). It was white settlers that displaced and limited Pamela George’s ancestors and those seen as ‘othered beings’ to the reserves of the city (Razack, 2000). Like other Canadian cities, Regina experienced the influx of immigrants in the 1990s, however, the immigrants in Regina remain on the economic periphery of the city and oftentimes find themselves on ‘the Stroll’ in search

of work (Razack, 2000). Therefore, a disproportionate number of Indigenous women end up involved in sex work due to settler-colonial domination (Bourgeois, 2018). The space of 'the Stroll' becomes racialised, whereby The Other is viewed as 'belonging' there, meanwhile the white middle-class subject 'belongs' to the elite spaces. Therefore, contact between white settlers and The Other is often limited to prostitution, the criminal justice system, and the police (Razack, 2000). This can create an image of Indigenous women as 'innately promiscuous and sexually available', ultimately linked to criminality and violence (Bourgeois, 2018, p.373; Van Cleve and Mayes, 2015). Based on this image of Indigenous women, dehumanisation follows to such an extent that the brutality that Pamela George was subjected to is seen as acceptable or possibly even deserved (Bourgeois, 2018; Razack, 2000). As articulated by Razack, 'The men seemed to possess a collective understanding of Pamela George as a thing, an objectification that their exclusively white worlds would have given them little opportunity to disrupt' (2000, p.111). Razack (2000) even describes the violence as a cleansing, since the white men forcefully removed an Aboriginal woman from the city (2000). This is a specific form of colonial violence that Aboriginals have been subjected to throughout Canada's history (Bourgeois, 2018).

However, the racialisation of space goes further than simply enabling such violence, enabling it to occur with impunity through Canada's legal system (Van Cleve and Mayes, 2005; Razack, 2000; García-Del Moral, 2018; Calmore, 1995). Contemporary institutions have changed from explicitly racist to supposedly 'colorblind', thereby shifting the focus towards individualised experiences and consequently preventing acknowledgement that systemic marginalisation prevails in modern social structures, including the Canadian justice system (Bonds and Inwood, 2016). In Canada's justice system, race is viewed as fixed and solely based on visual characteristics, ignoring the underlying meanings associated with race (Van Cleve and Mayes, 2015). In the case of Pamela George, race and associated prejudices were integral to the murders framing. Razack argues that the murder was framed through the projection of the prejudiced ideas of Aboriginal 'corruptness' and white 'innocence' onto the bodies and spaces of Pamela George and her



murderers (2000). During the trial, 'the Stroll' was portrayed as a space of sexual activity and violence, with Pamela George's body naturally belonging to this space (Razack, 2000). As violence is naturalised within racialised spaces, it becomes viewed as a natural by-product of these spaces and the people within them (Van Cleve and Mayes, 2015). Thus, because Pamela George's murder occurred in a racialised space excluded from the domain of justice, her trial lacked full accountability (Razack, 2000). Hence, racial prejudices were integral to how the murder was perceived by the legal system. This projection of certain ideas onto racialised bodies is prominent in the justice system (Van Cleve, 2015), facilitating and simultaneously arising out of the racialisation of space. This injustice, however, remains unrecognised by the Canadian legal system (Van Cleve and Mayes, 2015).

Razack further explains how, within the court, Aboriginal bodies simply fail to be recognised as genuine people (2000). Despite attempts to build Pamela George's personhood and remind the Court that she was a

mother, she was unable to escape the space of The Other; her body remained seen as one to be violated (Razack, 2000). While most details of her livelihood remained largely ignored in the trial, her imprisoned cousin and falsely charged father were selectively included as they fit the defence's narrative (Razack, 2000). The defence also framed the murder as an issue of substance abuse, as the men had been drinking, rather than one of sexual and racial violence (Razack, 2000). By implying the murderers simply lost control, it is clear that the white men belong to their elite social space with Pamela George on its periphery (Razack, 2000). In this case, whiteness acted subtly and covertly, through institutions and social spaces, to sustain an order of white dominance (Dua, Razack, and Warner, 2005). An analysis of Pamela George's murder from a spatial perspective reveals how bodies associated with 'degenerate' spaces lose their personhood, naturalising violence towards those bodies (Razack, 2000).

Conclusion

In conclusion, racialisation of space began with colonial violence and continues to characterise contemporary Canada. Due to the enduring/continuing racialisation of space in contemporary Canada, violence towards Indigenous women is enabled with impunity. This injustice stems from the ways in which the racialisation of space leads to certain ideas being projected onto spaces and the bodies that belong in them, which are then used to inspire and justify discrimination. Furthermore, this form of racial discrimination becomes naturalised and institutionalised by the legal system. In the case of Pamela George, an Indigenous woman working as a prostitute on the 'the Stroll', connotations of sexual availability, criminality, and violence were projected onto her. Meanwhile, the male perpetrators of this violence, who emanated from elite white spaces, were viewed through a framework of white innocence. Accordingly, violence towards women like Pamela George is both normalised and enabled. Moreover, this normalisation of violence led to a lack of true justice served in the court. The acknowledgment of underlying colonial legacies were largely ignored within the trial, despite their significant role.

Bibliography

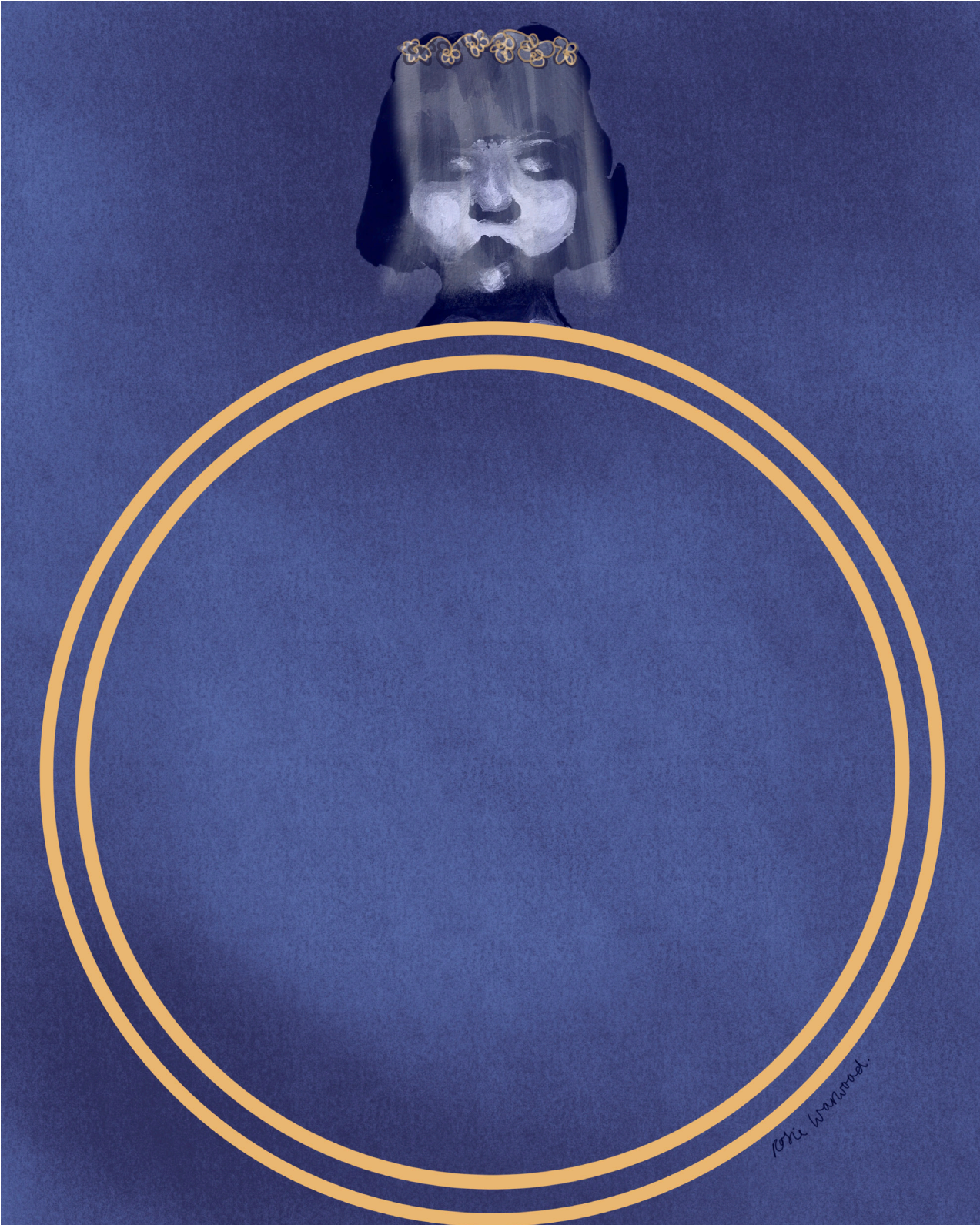
- Bonds, A. and Inwoods, J. (2016) 'Beyond white privilege: Geographies of white supremacy and settler colonialism', *Progress in human geography*, 40(6), pp.751-733. Available at: <https://doi-org.eux.idm.oclc.org/10.1177/0309132515613166>
- Bourgeois, R. (2018) 'Race, Space, and Prostitution: The Making of Settler Colonial Canada', *Canadian Journal of Women and the Law*, 30(3), pp.371-397. Available at: <https://heinonline-org.eux.idm.oclc.org/HOL/P?h=hein:journals/cajwol30&i=408>
- Burczycka, M. and Cotter, A. (2023) *Court outcomes in homicides of Indigenous women and girls, 2009 to 2021*. Statistique Canada. Available at: <https://www150.statcan.gc.ca/n1/pub/85-002-x/2023001/article/00006-eng.htm> (Accessed: 5 December 2024)
- Calmore, J. (1995) 'Racialized Space and the Culture of Segregation: "Hewing a Stone of Hope from a Mountain of Despair"', *University of Pennsylvania Law Review*, 143(5), pp.1233-1273. Available at: https://link.gale.com/apps/doc/A17237438/AONE?u=ed_itw&sid=bookmark-AONE&xid=69aaaf08
- Dua, E., Razack, N., and Warner, J. (2005) 'Race, Racism, and Empire: Reflections on Canada', *Social Justice*, 32(4), pp.1-10. Available at: https://link.gale.com/apps/doc/A147523558/AONE?u=ed_itw&sid=bookmark-AONE&xid=95a95189
- García-Del Moral, P. (2018) 'The Murders of Indigenous Women in Canada as Femicides: Toward a Decolonial Intersectional Reconceptualization of Femicide', *Signs: Journal of Women in Culture and Society*, 43(4), pp.929-954. Available at: <https://www.jstor.org/stable/26553043>
- Inwood, J. and Yarbrough, R. (2010) 'Racialized places, racialized bodies: the impact of racialization on individual and place identities', *GeoJournal*, 75(3), pp.299-301. Available at: <https://www.jstor.org/stable/41148396>
- Lipsitz, G. (2007) 'The Racialization of Space and the Spatialization of Race: Theorizing the Hidden Architecture of Landscape', *Landscape Journal*, 26(1), pp.10-23. Available at: <https://doi-org.eux.idm.oclc.org/10.3368/lj.26.1.10>
- Razack, S. (2000) 'Gendered Racial Violence and Spatialized Justice: The Murder of Pamela George', *Canadian Journal of Law and Society*, 15(2), pp.91-130. Available at: <https://heinonline-org.eux.idm.oclc.org/HOL/P?h=hein:journals/cjls15&i=357>
- Razack, S. (2002) 'When Place Becomes Race', in S. Razack (ed), *Race, Space and the Law: Unmapping a White Settler Society*. Toronto: Between the Lines, pp.1-21.
- Teelucksingh, C. (2006) 'Toward Claiming Space: Theorizing racialized spaces in Canadian cities', in *Claiming Space: racialization in Canadian cities*. Canada: Wilfrid Laurier University Press, pp.1-17.
- Van Cleve, N. and Mayes, L. (2015) 'Criminal Justice Through "Colorblind" Lenses: A Call to Examine the Mutual Constitution of Race and Criminal Justice', *Law & Social Inquiry*, 40(2), pp.406-432. Available at: <https://heinonline-org.eux.idm.oclc.org/HOL/P?h=hein:journals/lsoiq40&i=418>

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FROM VIOLENCE TO SILENCE: THE CYCLE OF FEMALE VOICELESSNESS IN NIGER

by Abby Johnston-Jones

Illustration by Rosie Warwood



This article includes descriptions of gender-based violence, including child marriage. Readers may find some content distressing.

In Niger, gender-based violence against women and girls is commonplace. Gender-based violence is defined by the International Rescue Committee as 'harmful acts of abuse perpetrated against a person's will and rooted in a system of unequal power between women and men' (2022). This can be physical, emotional, psychological, sexual, or socio-economic. Yet, the issue in Niger is not just systemic violence, but also its compounding impacts. This essay argues that gender-based violence, in the form of child marriages, directly correlates to girls being forced out of education, rendering them voiceless, with lasting consequences for their financial independence and political participation. Further, this process of female violence and voicelessness is cyclical: as long as they are voiceless, the violence is likely to persist, and the cycle will continue (Smith, Stone, and Kahando, 2012). Crucially, this voicelessness reduces girls' and women's power in their own decision-making: 'A girl has voice and agency when she can make decisions about her life and act on those decisions without fear of retribution or violence' (Parsons et al., 2015, p.13). Although international organisations like the UN have extensively researched both the issue of girl's lack of education in Niger and the prevalence of child marriage, very little academic literature exists on the connection between these two issues and their consequences for Nigerien girls and women (Inglehearn, 2021; UNICEF, 2019). As such, this essay concludes by evaluating potential solutions to this issue.

In order to understand the cycle of female voicelessness, it is important to understand the context of child marriage and female education in Niger. Child marriage is recognised in international law as a form of gender-based violence, physically, psychologically, and sexually (Girls Not Brides, 2024). According to data by Girls Not Brides, 76 percent of girls in Niger marry before the age of eighteen – the highest rate of child marriage in the world – and 28 percent marry before fifteen, despite the legal age of marriage for girls being fifteen. This problem is worse in rural areas where Girls Not Brides estimates that 84.6 percent of women aged between 20-24 were married by eighteen (2024). These

statistics highlight that this issue is pervasive, and that marriage is the predetermined future for many young girls in Niger. Additionally, as of 2021, female education rates in Niger were amongst the lowest in the world with only around ten percent of girls continuing to attend secondary school until age fifteen, and only two percent attending high school until age eighteen (SOS Sahel, 2022). The situation of girls in education in Niger seemed to be improving until 2017; since then, however, the trend has been in decline (Crombleholme, 2023). These statistics highlight two key issues young girls and women face in Nigerien society – child marriage and a lack of complete education – but to understand the depth of the problem, one must examine how these issues are intertwined.

In Niger, gender norms and stereotypes are strict and women are seen as inferior to men, limiting the perceived need of girls to be in education as opposed to fulfilling their gender roles within the family (Inglehearn, 2021). As girls are often limited to becoming wives and mothers, 'many families do not see the value in allowing their daughters to pursue an education or a career, believing that marriage is the only viable option for them' (Crawford, 2022, p.103). Furthermore, the World Bank predicts that in 2024, 47.5 percent of the population will be considered as living in extreme poverty (2024). Although both boys and girls suffer under these levels of poverty, research demonstrates that poverty increases the likelihood of child marriage for girls (Deane, 2021, p.7). If Nigerien parents cannot afford to send all of their children to school, girls are removed first, because of the perceived limited value of girls' education (Deane, 2021, pp.7-8). Prevailing social norms in Niger not only devalue girls' education but make girls remaining under their parents' guardianship seen as a financial burden (Deane, 2021, p.7). In a country where going to school everyday already has significant barriers – such as, extreme poverty and ongoing violent conflict – girls in Niger are at even more of a disadvantage (Inglehearn, 2021). These norms and their consequences undermine the value of educating girls, enabling gender-based violence and silencing young girls and women.

There are many subsequent consequences to girls not receiving a full education, including, importantly, that girls are significantly less likely to become literate.

According to the most recent data from The World Bank, only 30 percent of females ages fifteen and above in Niger are literate (2022). Research by the International Women's Development Agency suggests that one key impact of illiteracy is exclusion from political engagement (2018). A study examining the causes of the gender gap in political participation in Sub-Saharan African countries confirmed this correlation between inequalities in gender, education, and political engagement (Coffe and Bolzendahl, 2010, p.258). In this context, illiteracy may prevent women from reading voting ballots, or political manifestos, leading to women being 'automatically excluded' from voting (International Women's Development Agency, 2018). Consequently, this could also mean they cannot join in everyday political action, such as signing petitions or reading the news – things that, in the Western world, we often take for granted. In Niger, high rates of illiteracy amongst women inhibit their engagement in political action, rendering them systematically voiceless regardless of their own desires to do so. In conjunction with high rates of child marriage, these compounding forces have a detrimental impact on girls' education and their ability to have a political voice.

Furthermore, research suggests that not being educated means that women cannot achieve financial independence, causing them to remain financially dependent on male family members such as their fathers or husbands and contributing to the inextricable links between female voicelessness and violence (Saul et al., 2020, p.275). As Saul et al. confirms, child marriage does not grant financial independence for young girls but simply transfers their dependence from father to husband (2020, p.275). In Niger, 80 percent of men aged 15-49 are employed for wages, compared to only 25 percent of women, as women are usually expected to do unpaid domestic labour (DHS Program, 2013; Saul et al., 2020, p. 275). This financial dependence is exacerbated by child marriage's impact on girls' education: women are less likely to get well-paid work because 'lower educational attainment is associated, at least on average, with lower wages' (Perlman et al., 2018, p.190). Moreover, in many Nigerien communities, 'work is not considered a desired pathway for women' as societal and cultural norms restrict them to domestic and childcare duties (Saul et al., 2020, p.274). In direct relation to the prevalence of child

marriages, girls are often themselves 'seen as financial assets' to their families, perpetuating both their lack of financial independence, freedom of employment, and educational attainment (Deane, 2021, pp.9-10). The intertwined and compounding lack of education, financial independence and domestic duties limit the ability of women to make their own decisions for their futures. As such these processes once again leave women voiceless.

Education is empowering, as it allows girls to make their own decisions, meaning they are 'much more likely to engage in civic and community activities' and also allows them to know and defend their rights (Jeanty, 2024). Education can help economically, socially, and politically to give women a voice. Studies have also shown that women can increase their earnings by twenty percent with just one extra year of education (UN Women, 2022). Furthermore, a child whose mother can read is 50 percent more likely to live over the age of five and they are twice as likely to also attend school (Ingleharn, 2021). Moreover, according to research 'for every 10% increase in female literacy there is an increase of 10% in life expectancy at birth, and around 0.3% of economic growth', demonstrating that women's literacy has far-reaching impacts for their communities, in addition to empowering themselves (Patchett, 2010). This shows that breaking the cycle is necessary, not just for girls, but for everyone, and even for future generations. However, finding solutions to these issues is complex and not easy. As several studies have noted, issues of gender equality, education, and rights cannot be addressed by imposing a 'linear' or singular framework in local communities (Greany, 2008, p.565). Rather, the process to ensuring girls' access to education, their freedom from child marriage and the empowerment of their voices begins with 'understanding the (power) struggles within which rights are denied or realised' and how these notions are reproduced systematically and locally. As such, various solutions to improve girls' and women's rights in Niger are considered, with the note that no single solution is adequate on its own and without changing how girls and women are valued by their communities.

The cycle of violence to voicelessness begins with child marriage, so to break this cycle, forced child marriage must end (Deane, 2021). Niger has already committed

to eliminating child marriage by 2030, in accordance with the UN's the Sustainable Development Goals, meaning that the legal age of marriage, in all circumstances, would be raised from fifteen to eighteen for girls (Vagliani, 2020). Despite promoting the UN's Sustainable Development Goals, however, Niger has not ratified the African Women's Protocol, suggesting an incomplete commitment to promoting women's rights (Greany, 2008, p.558). Additionally, as it currently stands, due to competing sources of law, the statutory provision legalising marriage age fifteen for girls and eighteen for boys is ineffective, with many girls being married below the age of fifteen (Deane, 2021, p.6). Religious law and special provisions which negate statutory law allow customs to supersede other forms of law and enforcement, rendering international obligations moot (Deane, 2021, pp.6-7). As such, to promote the efficacy of statutory laws and international obligations preventing child marriage, punishments such as fines or imprisonment need to be strictly enforced (Deane, 2021, p.9).

Furthermore, there needs to be a real effort to tackle gender norms and promote the idea that girls and boys have an equal right to education. Especially given the role of custom and tradition in perpetuating child marriage, girls must be viewed as more than financial assets and their domestic duties. Therefore, programmes aimed at girls, and, importantly, their families and communities, need to be put in place to inform them on the right of girls to be in education until the age of fifteen, and also the significant disadvantages of child marriage. Along with this, education should be more widely and financially accessible. A study in Kenya by the World Bank found that subsidising the costs of uniforms reduced absenteeism by up to 55 percent (Evans and Ngatia, 2018, p.2). Another way to reduce the financial burden is to provide support with transportation. For example, Plan International currently has a scheme of providing girls with bicycles to get to school, making it safer and more cost-effective for them to go to school every day (Plan International, no date). Though

“The intertwined and compounding lack of education, financial independence and domestic duties limit the ability of women to make their own decisions for their futures.”

these concrete actions to increase access to education may help families to feel less of a financial burden on supporting girls in education, some studies have shown that international organisations should focus less on access and more on 'the constraints of underlying social structures, which remain unchallenged and unchanged' (Wynd, 1995 in Greany, 2008, p.559). This highlights the need to break the cycle by tackling gender-based violence through legal action, widening access to education and promoting a change in gender norms which devalue girls' education, leaving them voiceless and financially dependent on male figures. Together, these methods could start to make a fundamental change in Niger and give girls the opportunity to have a voice.

While solutions are necessary and require immediate action, political instability in Niger might limit their efficacy, primarily the coup of 2023 (Human Rights Watch, 2023). In this military coup, President Bazoum was ousted and replaced by General Abdourahamane Tchiani. Himself a teacher before his political career, President Bazoum had committed to improving girls' education, and in his inauguration speech in 2021, he made a link between high rates of child marriage and low rates of girls' education (Yabi, 2023). The president spoke of wanting to end this 'vicious circle' and even of creating boarding schools closer to small villages, highlighting that he understood the importance of this issue (Reuters, 2021). Yet, since his removal, any attempt to improve girls' education has gone with him; economic decline under the post-coup government, increased sanctions and fewer democratic freedoms suggest that education will no longer be a priority (International Rescue Committee, 2023; Africa Center for Strategic Studies, 2023). Moreover, several studies have shown that educational attainment, budget size and prioritisation, and political stability serve to reinforce one another or reinforce intrastate conflict and poor educational outcomes and inequality (Monchar, 1981; Neugarten, 2015; Kahn, 1997). Therefore, even though there are solutions, and they are crucial, their viability is potentially limited, especially under the current political

climate.

In conclusion, it is evident that child marriage, as a form of gender-based violence critically limits girls' education in Niger, which leaves them economically and politically voiceless. As highlighted above, female education, literacy and financial independence has a widespread impact, not just now in 2024, but also for future generations. Girls and women in Niger face structural and cultural impediments to their education and independence, requiring changes in access to education, in legal protections, and in their cultural value to improve their situation. Additionally, these issues of high rates of child marriage, low educational attainment and financial dependence should be viewed as both interlinked and compounding forces that render girls and women subject to gender-based violence and voicelessness, making these detrimental effects cyclical. Even though the fight against child marriage might be difficult, it is vital and necessary.

Bibliography

- Africa Center for Strategic Studies. (2023) *Niger coup: Reversing hard-earned gains*. Available at: <https://africacenter.org/spotlight/niger-coup-reversing-hard-earned-gains/> (Accessed: 19 December 2024).
- Carnegie Endowment for International Peace. (2023) *The Niger coup's outsized global impact*. Available at: <https://carnegieendowment.org/posts/2023/08/the-niger-coups-outsized-global-impact?lang=en> (Accessed: 19 December 2024).
- Coffe, H. and Bolzendahl, C. (2011) 'Gender gaps in political participation across Sub-Saharan African nations', *Social Indicators Research*, 102, pp.245–264. Available at: <https://doi.org/10.1007/s11205-010-9676-6>
- Crawford, C. (2022) 'Niger's Approach to Child Marriage: A Violation of Children's Right to Health?', *Health and Human Rights Journal*, 24(2), pp.101–109. Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9790956/>
- Crombleholme, R. (2023) *Why are almost half of Niger's children not in school*. Norwegian Refugee Council report. Available at: <https://www.nrc.no/perspectives/2023/why-are-almost-half-of-nigers-children-not-in-school/> (Accessed: 11 October 2024).
- Deane, T. (2021) 'Marrying young: Limiting the impact of a crisis on the high prevalence of child marriages in Niger', *Laws*, 10(3), p.61. Available at: <https://doi.org/10.3390/laws10030061>
- DHS Program (2013) *Niger: Enquête Démographique et de Santé et à Indicateurs Multiples*. Institut National de la Statistique Niger and ICF International, FR 277. Available at: <https://dhsprogram.com/pubs/pdf/FR277/FR277.pdf> (Accessed 23 December 2024).
- Evans, D., and Ngatia, M. (2018) *School Costs, Short-Run Participation, and Long-Run Outcomes: Evidence from Kenya*. World Bank Group working paper 8421. Available at: <https://openknowledge.worldbank.org/server/api/core/bitstreams/185ed668-bc60-5633-828a-deac73a80347/content> (Accessed: 14 October 2024).
- Girls Not Brides (2024) *Gender-based violence and child marriage*. Available at: <https://www.girlsnotbrides.org/learning-resources/child-marriage-and-health/gender-based-violence-and-child-marriage/> (Accessed: 14 October 2024).
- Girls Not Brides (no date) *Niger*. Available at: <https://www.girlsnotbrides.org/learning-resources/child-marriage-atlas/regions-and-countries/niger/> (Accessed: 14 October 2024).
- Greany, K. (2008) 'Rhetoric versus reality: exploring the rights-based approach to girls' education in rural Niger', *Compare: A Journal of Comparative and International Education*, 38(5), pp.555–568. Available at: <https://doi.org/10.1080/03057920802351317>
- Human Rights Watch. (2024) *World report 2024: Niger*. Available at: <https://www.hrw.org/world-report/2024/country-chapters/niger> (Accessed: 19 December 2024).
- Inglehearn, C. (2021) *Niger's need to improve the education of girls*. Chatham House report. Available at: <https://www.chatham-house.org/2021/07/improving-education-girls-in-niger> (Accessed: 11 October 2024).
- International Rescue Committee. (2022) *What is gender-based violence – and how do we prevent it?* Available at: <https://www.rescue.org/uk/article/what-gender-based-violence-and-how-do-we-prevent-it> (Accessed: 14 October 2024).
- International Rescue Committee. (2023) *How has the recent coup impacted Niger?* Available at: <https://www.rescue.org/article/how-has-recent-coup-impacted-niger> (Accessed: 19 December 2024).
- International Women's Development Agency. (2018) *Why Illiteracy is a Women's Rights Issue*. Available at: <https://iwda.org.au/why-illiteracy-is-a-womens-rights-issue/> (Accessed 16 October 2024).
- Jeanty, R. (2024) *The importance of educating women and girls*. The Steve Sinnott Foundation. Available at: <https://www.stevesinnottfoundation.org.uk/the-importance-of-educating-women-and-girls#> (Accessed 15 October 2024).
- Kahn, J. (1997) *Education, Political Instability, and Growth*. Federal Reserve Bank of New York. Available at: https://www.newyorkfed.org/research/economists/medialibrary/media/research/staff_reports/research_papers/9737.pdf (Accessed: 19 December 2024).
- Monchar, P. (1981) 'Regional Educational Inequality and Political Instability', *Comparative Education Review*, 25(1), pp.1–12. Available at: <https://www.jstor.org/stable/1187362>
- Neugarten, J. (2015) 'State failure and political instability: The impact of educational attainment in Africa', *Undergraduate Economic Review*, 11(1). Available at: <https://digitalcommons.ivu.edu/uer/vol11/iss1/11>
- Parsons, J., Edmeades, J., Kes, A., Petroni, S., Sexton, M. and Wodon, Q. (2015) 'Economic impacts of child marriage: A re-

Bibliography *continued*

view of the literature', *The Review of Faith & International Affairs*, 13(3), pp.12–22. Available at: <https://doi.org/10.1080/15570274.2015.1075757>

Patchett, E. (2010) "'The Curse': the impact of sanitation on schoolgirls in the developing world", *The Guardian*, 14 June. Available at: <https://www.theguardian.com/journalismcompetition/sanitation-schoolgirls-in-the-developing-world> (Accessed: 14 October 2024).

Perlman, D., Adamu, F. and Wodon, Q. (2018) 'Why do adolescent girls drop out of school in Niger? A combined quantitative and qualitative analysis', *Marché et Organisations*, 32(2), pp.179–194. Available at: <https://www.cairn.info/revue-marche-et-organisations-2018-2-page-179.htm>

Plan International. (no date) *Bicycles help children get to school*. Available at: <https://plan-international.org/kenya/case-studies/bicycles-help-children-get-to-school/> (Accessed: 19 December 2024).

Reuters. (2021) 'New Niger president Bazoum says he will improve education, security', 2 April. Available at: <https://www.reuters.com/world/new-niger-president-bazoum-says-he-will-improve-education-security-2021-04-02/> (Accessed: 27 October 2024).

Saul, G., Diarra, A., Melnikas, A., and Amin, S. (2020) 'Voice Without Choice? Investigating Adolescent Girls' Agency in Marital Decision-making in Niger', *Progress in Development Studies*, 20(4), pp.270–281. Available at: <https://doi.org/10.1177/1464993420977801>

Smith, C., Paulson Stone, R. and Kahando, S. (2012) 'A model of women's educational factors related to delaying girls' marriage', *International Review of Education*, 58(4), pp.533–555. Available at: <http://www.jstor.org/stable/23255247>

SOS Sahel (2022) *Supporting Girls Education in Niger*. Available at: <https://sossahel.ngo/2022/07/01/supporting-girls-education-in-niger/> (Accessed: 12 October 2024).

UNICEF. (2019) *Girls' schooling a priority in Niger*. Available at: <https://www.unicef.org/niger/stories/girls-schooling-priority-niger> (Accessed: 19 December 2024).

UN Women. (2022) *Leaving no girl behind in education*. Available at: <https://www.unwomen.org/en/news-stories/feature-story/2022/10/leaving-no-girl-behind-in-education> (Accessed: 25 November 2024).

Vagliani, G. (2020) *Child Marriage in the Sub-Saharan Africa: the case of Niger*. Humanium report. Available at: <https://www.humanium.org/en/child-marriage-in-the-sub-saharan-africa-the-case-of-niger/> (Accessed: 14 October 2024).

World Bank Group (2022) *Niger*. Available at: <https://genderdata.worldbank.org/en/economies/niger> (Accessed: 25 November 2024).

World Bank Group (2024) *The World Bank in Niger*. Available at: <https://www.worldbank.org/en/country/niger/overview> (Accessed: 14 October 2024).

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HUMAN RIGHTS VS CULTURE: HOW TRADITION JUSTIFIES FGC IN SOMALIA

by Jimena Cardenal

Illustration by Olivia Liseth



This article discusses female genital cutting, including descriptions of the procedure, its historical context, and its cultural and health implications. Readers may find some content distressing.

Female genital cutting (FGC), also known as female genital mutilation (FGM), is defined by the World Health Organization (WHO) as 'all procedures that involve partial or total removal of the external female genitalia' (World Health Organization, 2024). The terminology of FGM has been adopted by anti-FGC advocates to emphasise the extreme human rights

violation the procedure entails (Vissandjée et al., 2014). However, this vocabulary alienates and stigmatises the women who perceive circumcision as simply cultural as it implies an inherent act of intentional violence against those affected (Vissandjée et al., 2014). In Somalia, 99.2 percent of girls and women between the ages of 15 and 49 have undergone FGC, with the majority of the procedures performed between the ages of five and nine (28 Too Many, 2018, p.1). Non-medicalised FGC, also known as female circumcision, tends to be conducted by non-medical professionals or midwives who have no formal medical training (Hearst and Molnar, 2013, p. 623). However, medicalised FGC is

becoming more prevalent as families seek healthcare centres where professionals perform the procedure on their daughters (28 Too Many, 2019). The procedure has no health benefits (Keles et al., 2022). In fact, it is synonymous with a multitude of short and long-term consequences, including haemorrhages, infections, sexual difficulties, infertility, and complications during childbirth (Nussbaum, 1999, p.120). Despite these risks, the procedure has remained pervasive as it is viewed as an integral part of Somali women's cultural identity and a religious obligation (Abathun, Sundby and Gele, 2016). The evaluation of FGC in Somalia as a legitimate form of cultural expression reveals a broader global challenge: the tension between universal human rights and local cultural identities in the context of globalisation. For example, FGC violates Article 24 of the UN Convention on the Rights of the Child, which states that 'effective and appropriate measures' should be taken 'to abolish traditional practices prejudicial to the health of children' (United Nations General Assembly, 1989). Despite Somalia's signing and ratification of this convention, FGC has persisted (Office of the United Nations High Commissioner for Human Rights, 2020). By examining this tension through the lenses of post-colonialism and feminism, this paper argues that universal human rights should be applied within local contexts when the alternative is individual harm.

Historical Context

Although its origins remain unclear, the procedure can be traced back to ancient civilisations, including Ancient Egypt, in which it was believed that circumcision would remove the masculine traits in women to make them fit for marriage (Assaad, 1980). Additionally, it was prominent in 19th century Britain, in which the procedure was used by doctors as a cure for ill or mentally disturbed women (Black, 1997, p.402). The WHO estimates that 230 million women in 2024 have been subject to FGC, remaining most common in Africa (World Health Organization: WHO, 2024). Although FGC remains prevalent in some African countries including Somalia, the defence of FGC as supposedly hygienic or for men's pleasure was also used in historical contexts, including but not limited to the UK (Black, 1997, p. 402). Today, countries in which FGC

remains pervasive, it is deeply embedded in cultural traditions and justified as a rite of passage or a cultural obligation rooted in societal norms (Abathun, Sundby and Gele, 2016).

Analysis

The practice of FGC violates numerous rights from the Universal Declaration of Human Rights (UDHR), an international document adopted by the United Nations (UN) that outlines the fundamental rights and freedoms of all human beings to be universally protected (United Nations General Assembly, 1948). These include the right to security (Article 3), freedom from torture (Article 5), and adequate standards of health and wellbeing (Article 25) (United Nations General Assembly, 1948). Additionally, it infringes upon freedom from discrimination (Articles 5 and 7), as girls who have undergone less severe forms of the procedure or are simply uncut are often considered incapable of controlling their sexual desires (Abathun, Sundby and Gele, 2016). As a result, many Somali mothers force their daughters to undergo this procedure in fear of 'stigma and discrimination' (Abathun, Sundby and Gele, 2016, p.566). However, the concept of universalism is ultimately utopian, as fundamental cultural differences prevent it from becoming a global political reality (Nussbaum, 1999). It is difficult to judge all countries based on the principles established by the West, which values secularism and individualism, when these principles are not shared by the majority of the world's population. For example, anti-colonial activist and politician Jomo Kenyatta defended the preservation of practices such as FGC by highlighting the idea of cultural continuity, arguing that initiation rites played an essential role in a community's foundation (Kenyatta, 1938, p. 133). From this perspective, criminalising traditional practices that infringe on individual rights is both useless and harmful to non-Western cultures, as interfering with these rituals could have disintegrative effects on the community (Nussbaum, 1999, p.125). Since it is impossible to apply one moral ideology to the entire global stage, universalism becomes an unattainable concept, as it is too difficult to judge the customs of one culture using the moral principles of another. Therefore, the concept of cultural relativism must be sought out as an alternative solution in order

to find a common ground on local human rights applications.

Donnelly (1984) identifies two levels of cultural relativism – strong and weak – each involving varying degrees of universalism and relativism that are relevant to this paper. Strong relativism regards culture as the principal source of moral validity, where rights are culturally determined, but universalism serves as a safeguard against excess relativism (Donnelly, 1984, p.401). Weak relativism, by contrast, emphasises a moderate form of universalism, while the relativity of communities acts as a counterbalance to excessive universalism (Donnelly, 1984, p.401). These varying degrees of cultural relativism can be further evaluated through feminist and post-colonial theories.

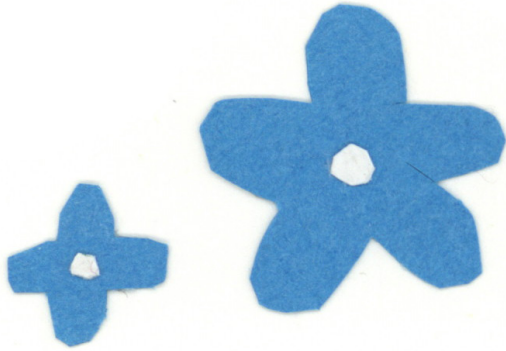
The value of FGC to Somali identity is closely tied to religious commitment, which frames the procedure as a duty of young girls based on interpretations of the hadith (Abathun, Sundby and Gele, 2016). However, in Islam, the Prophet Muhammad refers to the procedure as a *makrama*, meaning a non-essential practice (Nussbaum, 1999, p.125). In essence, religion has been invoked to justify the cycle of direct, structural, and cultural violence towards women in Somalia. In reality, FGC is a form of control, reducing women to a subordinate status by denying them the fundamental right to bodily autonomy. Although the procedure is arranged and performed by older women, it perpetuates patriarchal ideals on female sexuality and virginity. From a feminist

“In reality, FGC is a form of control, reducing women to a subordinate status by denying them the fundamental right to bodily autonomy.”

perspective, weak relativism should be applied to FGC in Somalia. Feminist scholars argue that the procedure’s compulsory and non-consensual nature, combined with its aforementioned health risks, underscores the importance of universalism in protecting individual rights (Nussbaum, 1999, p.120). However, applying Donnelly’s (1984) concept of weak relativism requires acknowledging that morality varies significantly across different cultural contexts.

Post-colonialist theory refers to the historic, economic, political, and sociological analysis of European territorial conquests, colonial institutions and contemporary legacies to analyse the impact of European imperialism on world societies (Ashcroft, Griffiths and Tiffin, 2007, p.169). Saghaye-Biria (2018) employs this theory in order to critique the Eurocentric nature of the current human rights regime, viewing it as an ‘attempt to restore Western cultural practices as universal’ and examining the formation and implementation of the UDHR. The UDHR was drafted in 1948 by a committee that included only two non-Western representatives, despite two-thirds of the world being colonised and thus voiceless (Saghaye-Biria, 2018, pp.61–62). This approach to human rights has remained consistent throughout its implementation, with universalism often serving as a means to impose Western values on other cultures as a form of neo-colonialism. Neo-colonialism refers to the phenomenon that despite having achieved political independence, ex-colonial powers and global superpowers such as the United States and China continue to play a decisive role in the cultures and economies of previously colonised states through indirect control such as international monetary bodies and cultural non-governmental organisations (Ashcroft, Griffiths and Tiffin, 2007, p.146). From this perspective, Western critiques of FGC represent an ethnocentric demonisation of another culture, failing to account for differences in moral norms (Nussbaum, 1999, p.120).





As a result, from the perspective of Somali society and government, this procedure is not viewed as a violation of human rights but rather as an integral part of their cultural and religious identity. In fact, women who undergo FGC are perceived to 'benefit' from the procedure, as it is considered a prerequisite for marriage (Abathun, Sundby and Gele, 2016).

Additionally, post-colonial theory critiques the double standards of human rights enforcement, in which Western countries that fail to adhere to human rights laws, both domestically and globally, utilise the same framework to pressure rival nations (Saghaye-Biria, 2018, p.60). This criticism extends beyond Western nation-states to include the international institutions responsible for enforcing human rights. For example, while many institutions condemn the practice of FGC, including the UN, which has a list of traditional practices that are harmful to women, this list only includes non-Western customs (Chambers, 2004). Ensuring the protection of human rights is difficult to achieve when Eurocentrism dominates the moral compass through which we understand these rights, determining which customs are violations of women's rights and which are perceived as culture.

However, despite the view presented by the cultural relativist school of thought, which validates FGC in Somalia as simply 'tradition', culture should not be considered a static concept, but rather one that evolves and adapts over time. It is becoming increasingly clear that the international consensus is that the individual protection of human rights should overrule cultural expressions of identity. This consensus

was demonstrated by the international community's reaction to the harsh anti-LGBTQ+ laws implemented in Uganda in 2023. Similarly to feminist perspective on FGC, religion is distorted to serve the interests of those in power and used as a tool to perpetuate oppression rather than for spiritual means. However, the rejection of these actions by the international community shows a shift towards protecting individual liberties. For instance, FGC is internationally recognised as a 'violation of the rights of both girls and women' (Abathun, Sundby and Gele, 2016, p.558).

Conclusion

When expressions of identity and culture infringe upon individuals' rights to freedom, liberty, and equality, they can no longer be considered characteristic of culture. As seen in Somalia, practices such as FGC are often justified as a tradition. However, such practices are symptoms of a larger problem – the oppressive norms that relegate women to inferior roles in patriarchal societies. Despite the issues that come hand in hand with generalisations such as universalism, ultimately, Somali culture involves more than female circumcision, and therefore protecting fundamental individual rights should always trump cultural expressions in the tensions between universalism and culture.

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Bibliography

- 28 Too Many. (2018) *Somalia: The Law And FGM*. Available at: [https://www.fgmcri.org/media/uploads/Law%20Reports/somalia_law_report_v2_\(july_2021\).pdf](https://www.fgmcri.org/media/uploads/Law%20Reports/somalia_law_report_v2_(july_2021).pdf) (Accessed 16 January 2025)
- 28 Too Many. (2019) *FGM in Somalia and Somaliland: Key Findings*. Available at: [https://www.fgmcri.org/media/uploads/Country%20Research%20and%20Resources/SomaliaSomaliland/somalia_somaliland_key_findings_v2_\(july_2021\).pdf](https://www.fgmcri.org/media/uploads/Country%20Research%20and%20Resources/SomaliaSomaliland/somalia_somaliland_key_findings_v2_(july_2021).pdf) (Accessed 16 January 2025)
- Abathun, A., Sundby, J. and Gele, A. (2016) 'Attitude toward female genital mutilation among Somali and Harari people, Eastern Ethiopia', *International Journal of Womens Health*, 8, pp.557-569. Available at: <https://doi.org/10.2147/IJWH.S112226>
- Ashcroft, B., Griffiths, G., and Tiffin, H. (2007) *Post-Colonial Studies: The Key Concepts* (2nd ed). London: Routledge.
- Assaad, M. (1980) 'Female Circumcision in Egypt: Social Implications, Current Research, and Prospects for Change,' *Studies in Family Planning*, 11(1), pp.3–16. Available at: <https://doi.org/10.2307/1965892>
- Black, J. (1997) 'Female genital mutilation: a contemporary issue, and a Victorian obsession', *Journal of the Royal Society of Medicine*, 90(7), pp.402-405. Available at: <https://doi.org/10.1177/014107689709000712>
- Chambers, C. (2004) 'Are Breast Implants Better than Female Genital Mutilation? Autonomy, Gender Equality and Nussbaum's Political Liberalism', *Critical Review of International Social and Political Philosophy*, 7(3), pp.1-33. Available at: <https://doi.org/10.1080/1369823042000269366>
- Donnelly, J. (1984) 'Cultural Relativism and Universal Human Rights', *Human Rights Quarterly*, 6(4), pp.400-419. Available at: <https://doi.org/10.2307/762182>
- Hearst, A. and Molnar, A. (2013) 'Female Genital Cutting: An Evidence-Based Approach to Clinical Management for the Primary Care Physician,' *Mayo Clinic Proceedings*, 88(6), pp.618–629. Available at: [https://www.mayoclinicproceedings.org/article/S0025-6196\(13\)00264-4/pdf](https://www.mayoclinicproceedings.org/article/S0025-6196(13)00264-4/pdf).
- Keles, E., Eker, H., Bektemur, G., Hilowe, I., Kassim, M., Hassan-Kadle, M., Adali, A., and Karaketir, S. (2022) 'Determinants of Disagreement with Female Genital Mutilation Among Mothers,' *International Journal of Women's Health*, 14, pp.1863-1870. Available at: <https://doi.org/10.2147/IJWH.S391043>
- Kenyatta, J. (1938) 'Initiation of Boys and Girls', in *Facing Mount Kenya*. London: Secker and Warburg, pp.130–154.
- Nussbaum, M. (1999) *Sex and Social Justice*. New York; Oxford: Oxford University Press.
- Saghaye-Biria, H. (2018) 'Decolonizing the "Universal" Human Rights Regime: Questioning American Exceptionalism and Orientalism', *ReOrient*, 4(1), pp.59-77. Available at: <https://doi.org/10.13169/reorient.4.1.0059>
- Sayyid, B. (2003) *A Fundamental Fear: Eurocentrism and the Emergence of Islamism*. New York: Zed Books.
- Office of the United Nations High Commissioner for Human Rights. (2020) *Status of Ratification Interactive Dashboard*. Available at: <https://indicators.ohchr.org/> (Accessed: 22 December 2024).
- UN Women. (2012) *United Nations bans female genital mutilation*. Available at: <https://www.unwomen.org/en/news/stories/2012/12/united-nations-bans-female-genital-mutilation> (Accessed: 22 December 2024).
- United Nations General Assembly. (1948) *Universal Declaration of Human Rights*. Resolution A/RES/217 A (III). Available at: <https://www.un.org/en/about-us/universal-declaration-of-human-rights> (Accessed 20 January 2025).
- United Nations General Assembly. (1989) *Convention on the Rights of the Child*. Resolution A/RES/44/25. Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child> (Accessed: 22 December 2024).
- Vissandjée, B., Denetto, S., Migliardi, P., and Proctor, J. (2014) 'Female genital cutting (FGC) and the ethics of care: community engagement and cultural sensitivity at the interface of migration experiences,' *BMC International Health and Human Rights*, 14(13). Available at: <https://doi.org/10.1186/1472-698x-14-13>
- World Health Organization. (2024) *Female genital mutilation*. Available at: <https://www.who.int/news-room/fact-sheets/detail/female-genital-mutilation> (Accessed: 22 December 2024).

RECLAIMING VOICE THROUGH VIOLENCE: THE RESURGENCE OF SOMALI MARITIME PIRACY

by Renee Phan

Illustration by Rebecca Sterner



Piracy is not a novel phenomenon. For centuries, infamous folk tales and legends have immortalised pirates as stereotypical, swashbuckling plunderers running efficient criminal syndicates. Today, modern pirates similarly engage in violence and robbery on ships at sea, ultimately seeking one fundamental objective: to make money. Or at least, it is one of the most common reasons. 21st-century pirates hijack

vessels to steal valuables and hold crews hostage for ransom. Undeniably, piracy has become synonymous with brutality and fear-mongering as a result of such encounters (Joyner, 2009). The issue is increasingly topical today, especially off the coast of Somalia, as piracy cases have once again surged this past year (Ababa, 2024). This paper evaluates the potential root causes of the resurgence in maritime violence. Concerns arising

from a tumultuous history of international exploitation of local fisheries and an absent central government expected to protect its citizenry are several factors influencing many Somalis' return to piracy. Ultimately, after a contextual evaluation, this paper argues that certain economic and political facets enable piracy to be justified as a means of self-advocacy.

Economic Instability

The deterioration of economic conditions profoundly impacts individual and collective livelihoods. Plagued by humanitarian crises, Somalia is home to one of the poorest economies in the world, where employment opportunities, stable income, and basic living conditions are inaccessible to many (The World Bank, 2024). For coastal Somali fishermen and their families, piracy provides an opportunity to make the most of their dire economic situation. There are several factors which, when coupled together, present both 'push' and 'pull' coercive mechanisms that have led many Somalis to pick up arms and turn to piracy (Oliveira, 2017, p.514). Amid political violence, major droughts, and humanitarian crises, Somali citizens seek any solution to improve their economic situation. Hence, piracy becomes an attractive means of reinforcing one's income due to its financial benefit, which is being able to afford basic necessities for survival. The country is situated in an ideal geographic location that facilitates the continued success of piracy. Located at the easternmost tip of Africa, Somalia is the closest African landmass to the Gulf of Aden, a key pathway leading to the Suez Canal – one of the busiest shipping lanes in the world (Feingold and Willige, 2024). With a sizable coastal shore and access to a crucial maritime trade route, this positions pirates to maximise damage. There are many ways that their activity has been tracked and observed, including by international organizations. The World Bank assessed that Somali pirates have contributed to a US\$18 billion loss to the world's economy between 2005 and 2012 (World Bank, 2013).

Over the years, this disruption to formal avenues of trade has been deemed an act of rebellion by the international community (United Nations Press Office, 2010). Using violence as a means to reject the global capitalist order, these pirates are frustrated with their

economic reality; Somalis are still facing implications tracing back to the country's entrenched colonial history (Campling and Colás, 2017). Since Somalia's independence, citizens have long been deprived of economic sovereignty and trapped in a cycle of underdevelopment and dependency as a whole (Eckstein and Schwarz, 2014, p.159). Specifically, local struggles have been categorised by the international community through a hierarchical model, where the World Bank has made policy distinctions between inland and coastal communities when distributing international aid (Nincic, 2009). Somalis residing inland are prioritised in the delivery of international aid due to a proliferation of inland insurgent violence, while coastline communities are neglected (Rothe and Collins, 2011, p. 331). As a result, coastline locals have a history of resorting to piracy to hijack humanitarian aid ships to steal food and supplies (Nincic, 2009). Though there are more significant distinctions to be made with inequalities based on geographical region, these will not be covered in the scope of this paper. However, this situation filters into a broader issue – the lack of social protection and human security experienced by Somalis, especially coastal residents. Despite what should be a flourishing economy, especially after their liberation from colonial rule in 1960, there is a palpable lack of accomplishment. Local coastal residents, especially within the autonomous territory of Puntland, have struggled to protect their economy and resources from international exploitation. Most pirates were formerly fishermen forced to compete with international companies illegally fishing in the same waters (Sumaila and Bawumia, 2014). As such, they have abandoned their decimated fishery businesses, and international corporations' pursuit of cheap and illegal supply has become another 'push' factor for Somalis to pick up arms. Simultaneously, international high-sea trawlers have been dumping toxic waste off Somalia's coasts, polluting the shoreline and making local fisheries unsustainable. Considering that many fishermen earn approximately 1.50 US dollars a day during monsoon season and that their supply has become inconsistent, it has become increasingly easier to make money from holding cargo ships hostage (Nairobi Convention, 2010). Significantly, piracy allows Somalis to earn approximately a hundred times more than their highest wages as fishermen (Nairobi Convention, 2010). Having the money and the ability

to afford food has become a key explanation for why piracy has become such a lucrative solution.

Subsequently, turning to piracy has become the best possible job position to ensure survival within the crippled Somali economy, despite its dangers in handling weapons and the risk of arrest. Piracy has become intrinsically linked to a grassroots organisation and mobilisation of coastline communities in place of a central government, where operations are guided by clan affiliation (Ahmed, 1999). Thus, a clan-based, community-centric structure ensures that everyone involved in hijacking a ship for ransom gets a cut of the payment (Ahmed, 1999). From those who guard the ship to arms suppliers and even cooks preparing food to keep hostages and pirates alive, all are guaranteed financial compensation for their work. As such, earning a high income would otherwise not be possible if individuals remained fishermen. These steady income streams are quickly reflected in the visual infrastructure on land. For instance, more homes have been built with greater structural integrity and driveways leading to freshly paved roads (Kraska, 2010, p.116). Altogether, the financial successes of buccaneering demonstrate piracy as an ultimate force for local good despite its illegality. Because of how prosperity has been exemplified, this ‘pulls’ and attracts more individuals to pick up arms and work with their neighbourhood clans. Overall, piracy has become a means of survival in an economy otherwise contrary to local Somali needs, pandering to the wider capitalist global order that has been heavily critiqued for continuing the legacy of colonial powers (Eckstein and Schwarz, 2014). By depriving Somalis of an effective government to petition – which will be further elaborated upon in this paper – basic access to formal avenues of income and supplies in humanitarian crises, resentment and frustration are widely felt. Hence, locals are drawn to piracy after seeing the immediate financial benefits it provides to escape poverty. The recent resurgence in pirate activity, partly due to continued violence and anarchy felt on land, enables

a reinvigoration of grievances against unchanging circumstances of economic deprivation.

Political Distrust

Deeply entwined with economic instability is a widespread lack of faith in the Somali political system. Political conditions in the country are extremely fragile, as a direct result of an absent central government, the failure of the state to provide for its citizenry, and its ongoing civil war. One explanation for a resurgence in piracy in late 2023 – where up to 30 reported instances of buccaneering have occurred – can be traced back to the collapse of Siad Barre’s dictatorship regime in 1991 (European Union Naval Force Operation Atalanta, 2024). The Barre government, though incredibly flawed in many areas of governance, was successful in preventing piracy by creating maritime task forces to protect fishery resources and deter maritime crime. In fact, piracy was not known as an option in Somalia

until after Siad Barre’s regime collapsed, creating a power void that has since been filled with lawlessness in the region (Sumaila and Bawumia, 2014). The country continued to see a decline in living conditions and an increase in non-state violence, leading to a spike in piracy in the early 2000s (World Bank, 2013). With devastating cargo losses, the international community was

motivated to invest millions of dollars for over a decade in naval patrol operations to protect container ships passing through what have been deemed unsafe Somali waters (World Bank, 2013). This included UN maritime peacekeeping missions mandated by the UN Security Council and NATO-led coalitions. Global leaders saw a decline in attacks due to their militarisation efforts in late 2016, and the frequency of their patrols ceased (World Bank, 2013). After the pandemic, however, amid a renewal of the on-the-ground political conflict, pirates have once again picked up arms among other illegal activities, including the destruction of cargo property, and can now venture out further into the Gulf of Aden with less concern over getting caught

“The recent resurgence in pirate activity, partly due to continued violence and anarchy felt on land, enables a reinvigoration of grievances against unchanging circumstances of economic deprivation.”

(Ababa 2024).

The Somali government is currently preoccupied with battling a military junta seeking power, which has escalated threats from insurgent armed factions free-riding on chaos. Government priorities rightfully prioritise restoring inland peace over combating maritime piracy, but not without facing repercussions. Consequences include a lack of both local and federal oversight in operation due to the diversion of resources away from the coast (Nincic, 2009). Furthermore, corruption is rife in existing local government administrator groups, disincentivising appointed leaders from executing their roles effectively. In turn, the current absence of a corruption-free government has instigated socio-political conditions conducive to piracy, where accepting bribes would not often lead to criminal liability within an unproductive legal system. The dysfunction of the Somali government has been met with anger, reflected in many uprisings by clan groups, protesting the burden placed on the citizenry to fill the governance gap (Felbab-Brown, 2023). The cost of Somalia's 'statelessness' has since prompted local communities to 'resort to their own devices while defending themselves against brutal warlords, global opportunists, or other extremists' (Little, 2008, p.62). Hence, they have created a system within their clan groups that has since evolved into a pseudo-government, providing financial and social support for their neglected communities. For instance, clans have organised self-appointed naval militias, structured an investment scheme to generate funding for hijacking operations, and created a financial categorisation system to divide shares of the ransom money proportionately (Kamola, 2018). This self-reliance demonstrates that Somalis can, and have, pivoted away from efforts to establish, lobby, or protest for a stronger, corruption-free government. Many have simply accepted their broken system as unchanging and taken matters into their own hands, including recruiting more young people to become pirates to sustain their autogenous governance.

Conclusion

In their plight, Somalis are forced to make the most rational choice available to them. If the payoff for

engaging in hijacking ships for ransom outweighs the calculated risk of breaking the law, then piracy is chosen. Unfortunately, the international community has not properly understood the social, economic, and political motivating factors for piracy. As alluded to earlier in this paper, global funding through inter-governmental organisations has generally been directed exclusively towards military-related preventive measures to tackle Somalia's piracy problem. Media representations have led to a broader panic about the proliferation of piracy, following a Western-oriented framing and perpetuation of an incomplete narrative that Somali pirates are 'maritime terrorists' (Rothe and Collins, 2011, p. 440-441). The reproduction of this 'knowledge' that Somali pirates should be considered a dangerous maritime threat needing containment as the 'truth,' as Foucaudian theory asserts, has led policymakers and government officials to adopt similar beliefs (Rothe and Collins, 2011; Dillon, 2005). The United Nations International Maritime Organization, therefore defines and categorises piracy as terrorism, requiring solutions that are aimed at containing a terrorist threat (Dillon, 2005). This problem has manifested into a flawed criminological framing of Somali pirates. Military means of combating the group, in effect, prevent the resolution of the real problem: Somalia is an economic, political, and humanitarian crisis-ridden country.

The material reality Somalis face is not reflected in international policy. Resolving this issue, though beyond the scope of this paper, will require a wider reassessment of the motivating factors driving a resurgence of piracy in Somalia. An effective Somali government, not burdened with resolving simultaneously catastrophic problems with its limited capacity, is critical to establishing a baseline sense of security and safety in the country. Until that happens, piracy remains an attractive venture Somalis can turn to.

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Bibliography

- Ababa, A. (2024) 'Somali Pirates Are Staging a Comeback', *The Economist*, 21 March. Available at: <https://www.economist.com/middle-east-and-africa/2024/03/21/somali-pirates-are-staging-a-comeback> (Accessed 4 December 2024)
- Ahmed, I. (1999) 'The heritage of war and state collapse in Somalia and Somaliland: Local-level effects, external interventions and reconstruction', *Third World Quarterly*, 20(1), pp.113–127. Doi: <https://doi.org/10.1080/01436599913947>.
- Campling, L. and Colás, A. (2017) 'Capitalism and the sea: Sovereignty, territory and appropriation in the global ocean', *Environment and Planning D: Society and Space*, 36(4), pp.776–794. doi:<https://doi.org/10.1177/0263775817737319>.
- Dillon, D. (2005) 'Maritime Piracy: Defining the Problem', *SAIS Review*, 25(1), pp.155–165. doi:<https://doi.org/10.1353/sais.2005.0005>.
- Eckstein, L. and Schwarz, A. (2014) 'Postcolonial Piracy', in L. Eckstein, *Postcolonial Piracy: Media Distribution and Cultural Production in the Global South*. London: Bloomsbury Publishing.
- European Union Naval Force Operation Atalanta (2024) *Piracy Threat Update*. Maritime Security Centre - Horn of Africa. Maritime Security Centre: Horn of Africa. Available at: <https://on-shore.mschoa.org/media/1953/20240517-piracy-threat-update.pdf> (Accessed 4 December 2024)
- Feingold, S. and Willige, A. (2024) *These are the world's most vital waterways for Global Trade*. World Economic Forum, 15 February. Available at: <https://www.weforum.org/stories/2024/02/worlds-busiest-ocean-shipping-routes-trade/> (Accessed 4 December 2024)
- Felbab-Brown, V. (2023). *Somalia's challenges in 2023*. Brookings Institute, 27 January. Available at: <https://www.brookings.edu/articles/somalias-challenges-in-2023/> (Accessed 4 December 2024)
- Joyner, C. (2009) 'Navigating Troubled Waters: Somalia, Piracy, and Maritime Terrorism' *Georgetown Journal of International Affairs*, 10(2), pp.83–91. doi:<https://www.jstor.org/stable/43133577>
- Kamola, I. (2018) 'Pirate Capitalism, or the Primitive Accumulation of Capital Itself', *Millennium: Journal of International Studies*, 47(1), pp.3–24. doi:<https://doi.org/10.1177/0305829818771525>.
- Kraska, J. (2010) 'Freakonomics of Maritime Piracy', *The Brown Journal of World Affairs*, 16(2), pp.109–119. Available at: <https://www.jstor.org/stable/24590912>
- Little, P. (2008). *Reflections on Somalia, or How to Conclude an Inconclusive Story*. [online] Macalester College. Available at: <https://digitalcommons.macalester.edu/cgi/viewcontent.cgi?article=1022&context=bildhaan>.
- Nairobi Convention (2010) *Coastal Livelihoods in the Republic of Somalia General Introduction*. Nairobi Convention. Available at: <https://nairobi-convention.org/clearinghouse/sites/default/files/48%20ASCLME%20CLA%20Somalia%20final%20draft%2022-11-2010.pdf> (Accessed 4 December 2024)
- Nincic, D. (2009) 'Maritime piracy in Africa: The humanitarian dimension', *African Security Review*, 18(3), pp.1–16. doi:<https://doi.org/10.1080/10246029.2009.9627538>
- Oliveira, G. (2017) 'The Causal Power of securitisation: an Inquiry into the Explanatory Status of Securitisation Theory Illustrated by the Case of Somali Piracy' *Review of International Studies*, 44(3), pp.504–525. Available at: <https://www.cambridge.org/core/journals/review-of-international-studies/article/abs/causal-power-of-securitisation-an-inquiry-into-the-explanatory-status-of-securitisation-theory-illustrated-by-the-case-of-somali-piracy/AA03C2CE262FBBDC5ED54C43DFAFDCA>
- Rothe, D. and Collins, V. (2011) 'Got a band-aid? Political discourse, militarized responses, and the Somalia pirate', *Contemporary Justice Review*, 14(3), pp.329–343. doi:<https://doi.org/10.1080/10282580.2011.589669>
- Sumaila, U. and Bawumia, M. (2014) 'Fisheries, ecosystem justice and piracy: A case study of Somalia', *Fisheries Research*, 157, pp.154–163. doi:<https://doi.org/10.1016/j.fishres.2014.04.009>
- The World Bank (2024) *Somalia Overview*. World Bank. Available at: <https://www.worldbank.org/en/country/somalia/overview> (Accessed 4 December 2024)
- United Nations Press Office (2010). *Security Council Stresses Long-Term Solution Needed to Problem of Prosecuting, Imprisoning Pirates Operating off Somalia Coast, Welcomes Report on Issue | Meetings Coverage and Press Releases*. [online] Un.org. Available at: <https://press.un.org/en/2010/sc10014.doc.htm>.
- World Bank (2013) *The Pirates of Somalia: Ending the Threat, Rebuilding a Nation*. Open Knowledge Repository. Available at: <https://openknowledge.worldbank.org/entities/publication/6b-9570fe-2f52-546f-af4b-605e4ebf04e6> (Accessed 4 December 2024)

A WHITE MAN'S BURDEN: EXPLORING THE INEXTRICABLE CONNECTION BETWEEN GENDER AND COLONIALISM THROUGH THE CASE STUDY OF THE BRITISH EMPIRE IN INDIA

by Claudia Carpenter

Illustration by Lydia Kempton



Cynthia Enloe's 'Twelve Feminist Lessons of War' claims that 'every war is fought in gendered history,' and so can be further explained by the role that gender has in shaping society (Enloe, 2023, p.19). Gender can be defined in many different ways, but here it will be analysed as the 'set of practices that bring reproductive distinctions between bodies into social processes' (Connell, 2021, p.12). Enloe (2023) demonstrates the need for history to be analysed through a gendered lens to uncover an event's full range of causes and impacts. Utilising this analytical scope on the British Empire in India, this paper analyses the detrimental impacts of masculinist imperialism on gender equality and concludes that this framework, in part, explains the modern-day experience of patriarchy in India. This paper first offers a deeper exploration of the full scale of British imperial oppression by assessing its gendered justifications. Following this, the British strategy of divide and rule is explored to demonstrate how imperialism imparted rifts in society that persist to this day, conveying the need for an intersectional approach if these are to be disrupted. Through comparing modern-day statistics against colonial discourse analysis, this essay reveals the connection between empire and patriarchy, particularly noting that this analysis only begins to expose the interplay between the two oppressive structures.

One way the British Empire can be analysed as existing in gendered history is by reviewing how gender norms were used to naturalise, and hence legitimise, the hierarchy between coloniser and colonised. Scholars such as Levine noted that men were in charge of creating imperial policy and consequently, considering the absence of female perspectives in this process, can be seen as inherently masculine (2004, pp.1-2). Wilson adds that imperial policy was underpinned by masculine values of 'strength and paternalistic duty', suggesting colonialism was naturalised as an extension of the embedded ideal that men should look after their inferiors (Wilson, 2005, p.264). This ideal is evident in the laws of colonial England; for example, women didn't have the same property rights as men until the Law of Property Act 1922, as it was perceived that only men possessed the rationality required to manage property (UK Parliament, 2024).

Similarly, imperial justifications relied on positioning

the East as the 'other' to European civilised society, portraying it as backwards, whilst the Empire was seen as a legitimate and modernising force (Said, 1979). Scott adds that these dichotomies were naturalised by likening the relationship between the coloniser and the colonised to the dynamic between men and women (2018, p.48). This is seen in the emasculation of Indian men, who were often described as effeminate, contrasting the depiction of British, heroic, colonial, manliness (Sinha, 1995, p.103). This example aligns with Scott's view that power dynamics between the coloniser and colonised mirrored that of a man and a woman, with the latter in each dichotomy perceived as weak and in need of the former's help (2018, p. 48). The process of othering India to legitimise the empire was gendered as it crafted a narrative of British responsibility to lift Indians out of the culture they had constructed as inferior. This sense of responsibility was later euphemised as the 'white man's burden', neatly conveying the masculinised and racialised components of perceiving a society as a weak, inherently feminine, other (Kipling, 1899). When combining the gendered use of dichotomies and the idea of a civilising mission being paternalistic, the centrality of gender to colonialism becomes apparent.

The following argument challenges the aforementioned idea that the British Empire was a civilising mission, criminalising barbaric treatment of women (Levine, 2004, p.6), and instead suggests that imperialism formalised the divide between men and women. While some rights were indeed protected, others were stripped away, allowing the British Empire to appear as a civilising force while keeping women subjugated (Liddle and Joshi, 1985b, p.523). The abolition of *sati*, the practice of widows burning themselves alive on their late husbands' pyres, enabled a depiction of British colonial rule as liberating for women (Liddle and Joshi, 1985b, p.523). However, the abolition in itself did not assign the British with moral and civil superiority as, in many ways, British imperialism expanded modes of patriarchal oppression. This is exemplified by the Age of Consent Bill of 1891, which protected girls below the age of twelve from marriage and rape, but also embedded a norm of men legislating on female bodies without involving them in the policymaking (Kumar, 2010, p.78). From this, it is clear how the British imparted patriarchal norms of governance in India.

The contradiction of British policy towards women is evident as despite the progress on the age of consent, legal provisions were made for conjugal rights (Liddle and Joshi, 1985a, p.73). This obliged women to engage in sexual intercourse with their husbands, or else they could face legal prosecution, demonstrating how the British legalised patriarchal expectations while justifying their presence as a liberating mission (Liddle and Joshi, 1985a, p.73). Hence, the British restructured modes of patriarchal oppression in India, rather than dismantling them as imperialist justifications traditionally suggested.

Kumar notes that women bore the burden of protecting Indian culture and traditions at home, whilst men adjusted to the westernised workplace imposed by the British, increasingly restricting women to the private sphere (2010, p.77). Consequently, a male elite emerged under British rule as women were excluded from participating in developing markets and workplaces. This exclusion ensured the long-term underemployment of women in India that still persists today, inhibiting economic growth and perpetuating inequality. The female employment rate in India in 2021 was 33 percent, seemingly inhibiting economic growth as reports have estimated that '70% of potential GDP opportunity' is rooted in increasing female participation in the workplace (Fernandez and Puri, 2023, p.1). Even if British colonial rule is credited with creating economic growth, this still predominantly benefited men, providing them with a tool to control women, as excluding them from the public sphere fostered financial dependency. Therefore, attempts to justify colonialism with its modernising impact on the economy are unconvincing and only consider the experience of the empire held by the male half of the population.

The lack of social progress for women in post-colonial times can be seen as an effect of the British creation of the Indian male elite. As men dominated the 'modernised' public sphere, this ensured that men led anti-colonial resistance. Consequently, nationalist

demands were oriented to the male experience of empire (Kumar, 2010, p.77). This ensured that women remained disempowered after Indian independence because the mainstream anti-colonial aims only focused on rejecting imperialism and disregarded patriarchy as another oppressive structure to overthrow. The impact of the nationalist movement being led by the male elite is evident as Indian women were excluded from the political sphere, with the Southborough

Franchise Report denying the extension of suffrage to women (Liddle and Joshi, 1985a, p.74). Male pre-eminence in politics remains an issue today as only fifteen-point-two percent of seats in the Lok Sabha were occupied by women in 2023 (Brechenmacher, 2023). As a response to the lack of political voice granted to Indian women in the nationalist movement, a separate 'All India Women's Conference' was founded to stress women's need for

freedom from both foreign intervention and men (Liddle and Joshi, 1985a, p.74). This corroborates the idea that women and men had a different experience of empire, and that for the former this entrenched their subordination to the latter – a dynamic that persists today.

To uncover the true extent of imperial oppression on all strata of society, Indian women at the bottom of the caste hierarchy must be taken into account as they faced multiple intersecting forms of structural oppression. The divisive nature of colonial strategy is evident in the careless approach to taking the census as it placed people into distinct categories, disregarding the societal divides this would cause. This colonial policy introduced awareness of caste-based differences as leaflets were distributed on how to fill out the census and resulted in protests over respective positions within the caste hierarchy (Dirks, 1992, p.68). Thus, the colonial implementation of the census nurtured a sense of difference between castes, creating internal othering while psychologically and institutionally entrenching caste divisions. Cohn adds that these divides became institutionalised as the

“To uncover the true extent of imperial oppression on all strata of society, Indian women at the bottom of the caste hierarchy must be taken into account as they faced multiple intersecting forms of structural oppression.”

British used caste distinctions to inform law, which is evidenced by colonial armies being composed of castes considered martial, referring to the concept that certain groups were biologically and mentally more apt for warfare (Cohn, 1987, p.243; Barua, 1995, p.107). Caste differences were consequently reproduced by censuses, creating a colonial tool to divide and subjugate an otherwise unmanageably intricate society (Dirks, 1992, p.61). Before the British took control of the administration of India, laws were often customary rather than codified, with exception of the highest caste, known as the *Brahmin*, who possessed written laws (Liddle and Joshi, 1985a, p.73). After the British took over, *Brahmin* laws were imposed across the nation for the sake of uniformity, placing restrictions on lower-caste women, such as prohibiting property ownership, which had previously only been applied to women from upper-castes (Liddle and Joshi, 1985a, p.73). Although lower-caste women had little opportunity to own land prior to this, it was the British who outlawed it entirely. The British Empire thus formalised societal divides, maximising the repression of low-caste women.

The Indian caste system continues to inform lived experience, particularly apparent in the vulnerable position of *Dalit* women (Karp, Marwah and Manchanda, 2015). *Dalit* is a term for the lowest strata of castes, originally coined by activists to destigmatise their position of 'untouchability', and is now used globally (Gorringe, 2012, p.119). By reviewing the particular vulnerability of these women today, the continued legacy of the British Empire in deepening societal divides is illuminated. Gender-based violence permeates all castes in India, but the unique economic position and social status assigned to a *Dalit* woman creates a level of impunity for her abusers. Lower-caste women have less access to judicial institutions, ensuring that they are less likely to report abuse (Karp, Marwah and Manchanda, 2015, p.12), and their abusers are unlikely to face punishment, continuing the cycle of violence. Karp, Marwah and Manchanda (2015) demonstrate this by highlighting the impunity surrounding dowry-related abuses in which brides are often abused or killed by their husbands' relatives when their own family cannot pay. Due to economic disadvantages, this type of abuse is more typical in lower castes. Karp, Marwah and Manchanda highlight

how 8,083 women died from dowry-related abuse in 2013 with some being burnt alive, drawing striking parallels with *sati* (2015, p.8). In both cases of modern and historic wife-burning, the women's death can be labelled as suicide to cover up the true circumstances of coercion and domestic violence, stressing the remaining impunity around gender-based violence. The British did not eradicate gender-based violence, rather, they deepened societal divides, exacerbating the multi-layered experience of oppression for low-caste women. While caste and gender divides pre-date the arrival of the British in India, it is important to note that historians have described the caste system in the pre-colonial era as 'fluid' (O'Hanlan, 2017, p.443). The British formalised societal divides in India, making them harder to overturn in the modern day. Thus the experience of the most vulnerable in contemporary Indian society can be better understood by reviewing the divides created by colonial othering. This codification of social divides demonstrates how imperial history holds a significant explanation for the complexities of patriarchy evident in modern-day India.

To conclude, the entangled nature of gender and colonialism is evident in the mutually reinforcing dynamics of patriarchy and British imperial rule in India. Reviewing these dynamics elevates the multitude of experiences held by women in British India. This analysis thus shifts the focus away from the anti-colonial male elite and depicts the gender divides that remain today as a result of imperialists strengthening patriarchy. Future research could strengthen this analysis by exploring the impact of neo-colonialism, emphasising how colonial legacies continue to perpetuate gender inequalities. However, the findings here begin to underscore the British Empire's central role in contemporary issues in India. Consequently Enloe's (2023) notion that events unfold within a gendered history is crucial, as applying this lens to the British Empire uncovers the extent of its detrimental impact on gender equality in India. Using this lens could have practical implications on global politics, bolstering arguments that British reparations are owed, in order to address the deep-seated inequalities institutionalised by colonial rule.

Bibliography

- Barua, P. (1995) 'Inventing Race: The British and India's Martial Races', *The Historian*, 58(1), pp.107–116. Available at: <http://www.jstor.org/stable/24449614>
- Brechenmacher, S. (2023) *India's New Gender Quota Law Is a Win for Women—Mostly*. Available at: <https://carnegieendowment.org/posts/2023/09/indias-new-gender-quota-law-is-a-win-for-womenmostly?lang=en> (Accessed: 26 October 2024).
- Cohn, B. (1987) *An anthropologist among the historians and other essays*. Oxford: Oxford University Press.
- Connell, R. (2021) *Gender: in World Perspective*. 4th edn. Cambridge: Polity Press.
- Dirks, N. (1992) 'Castes of Mind', *Representations*, 37, pp.56–78. Available at: <https://doi.org/10.2307/2928654>
- Enloe, C. (2023) *Twelve Feminist Lessons of War*. Berkley: University of California Press.
- Fernandez, C., and Puri, H. (2023) *A Statistical Portrait of the Indian Female Labor Force*. Tokyo: Asian Development Bank Institute. Available at: <https://doi.org/10.56506/BDXR3681>
- Gorringe, H. (2012) 'Dalit Politics: Untouchability, Identity and Assertion' in A. Kohli and P. Singh (eds) *Routledge Handbook of Indian Politics*. New York: Taylor and Francis Group, pp.119–128.
- Karp, A., Marwah, S., and Manchanda, R. (2015) *Unheard and Uncounted: Violence against Women in India*. Small Arms Survey 2015, No. 2. Available at: <https://www.jstor.org/stable/res-rep10686> (Accessed 16 January 2025)
- Kipling, R. (1899) 'The White Man's Burden', *The Times*, 4 February, p.14. Available at: https://link-gale-com.eux.idm.oclc.org/apps/doc/CS235070532/TTDA?u=ed_itw&sid=bookmark-TTDA&x-id=678a282d (Accessed 16 January 2025)
- Kumar, K. (2010) 'Culture, State and Girls: An Educational Perspective', *Economic and Political Weekly*, 45(17), pp.75–84. Available at: <https://www.jstor.org/stable/25664388>
- Levine, P. (2004) *Gender and Empire*. Oxford: Oxford University Press.
- Liddle, J. and Joshi, R. (1985a) 'Gender and British Imperialism in British India', *Economic and Political Weekly*, 20(43), pp.WS72–WS78. Available at: <https://www.jstor.org/stable/4374973>
- Liddle, J., and Joshi, R. (1985b) 'Gender and colonialism: Women's organisation under the Raj', *Women's Studies International Forum*, 8(5), pp.521–529. Available at: <https://www.sciencedirect-com.eux.idm.oclc.org/science/article/pii/0277539585900834>
- O'Hanlan, R. (2017) 'Caste and its Histories in Colonial India: A Reappraisal', *Modern Asian Studies*, 51(2), pp.432–461. Available at: <https://doi.org/10.1017/S0026749X16000408>
- Said, E. (1979) *Orientalism*. New York: Vintage Books.
- Scott, J. (2018) *Gender and the Politics of History*. New York: Columbia University Press.
- Sinha, M. (1995) *Colonial Masculinity: the 'manly Englishman' and the 'effeminate Bengali' in the Late Nineteenth Century*. Manchester: Manchester University Press.
- UK Parliament (2024) *Marriage: property and children*. Available at: <https://www.parliament.uk/about/living-heritage/transformingsociety/private-lives/relationships/overview/propertychildren/> (Accessed: 29 October 2024).
- Wilson, K. (2005) 'British Women and Empire', in B. Baker and E. Chalus (ed) *Women's History: Britain 1700–1850*. London: Routledge, pp.260–284.

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A PARADISE OF UNSETTLED MEMORIES: THE PATH FOR EAST TIMOR'S FUTURE

by Rodrigo Ramos

Illustration by Rebeca Sterner



Twenty-five years on from its independence referendum, which took place on 30 August 1999, East Timor remains a nation haunted by a gruelling past in the hope of achieving a better future. This small island nation between Indonesia and Australia has undergone one of the most arduous paths to independence of the 20th century. Today, East Timor is eager to assert its role in the dynamic landscape of Asian development (Karmini, 2024). However, considering the country's current structural and societal challenges, such as the lack of qualified labour and persistent ethnic violence, this promises to be a difficult task. As such, the question arises: how can East Timor overcome its trials and achieve a long-awaited state of growth?

This paper argues that East Timor must repair its social tissue before engaging in economic development, which can only be achieved through an analysis that considers every sector of the Timorese society. Such a deeply diverse population finds itself segregated along tribal, geographical, linguistic and age lines, all having different priorities and needs. Consequently, this paper traces the prominent moments of Timorese history, its challenges and proposed solutions to those problems to enable stability. In this paper, stability necessary for development will be understood as the state of society which promotes 'the implementation, promotion and protection of civil, political, economic, social and cultural rights' (UN General Assembly, 1986).

A Violent Past

To understand the challenges East Timor faces, one must first understand the violent context in which the country came into being. A Portuguese colony for approximately 400 years, East Timor slumbered in undisturbed isolation and underdevelopment for most of its history, with contact with the rest of the world restricted to the metropole and the remaining Portuguese colonies (Traub, 2000, p.75). Colonial governance restricted itself to the city port of Dili, primarily organised towards an extraction economy focused on commodities such as sandalwood and coffee. The remaining territory was left to local Chiefs, whose few interactions with the Western world were mainly conducted by Catholic missionaries representing the Portuguese crown (Kammen, 2009).

In 1974, after a wave of democratisation and anti-imperial sentiment in the metropole, Portugal effectively renounced all its colonies, including the small territory of East Timor. However, before Timorese society could restructure itself, Indonesia invaded the eastern part of the Island of Timor in late 1975 and formally annexed it in July 1976. Twenty four years of ruthless subjugation followed. After aerial bombardments, napalming of villages and the systemic starvation and relocation of the Timorese people, Indonesian authorities proceeded to suppress local culture (Anderson, 1993, pp.235-237). Isolation was commonplace, with citizens needing a special permit to leave or enter the territory and little global media coverage (Kammen, 2009, p.389). Furthermore, the Indonesian administration was characterised by discrimination, with high-status societal positions only available to Indonesians (Kammen, 2009, p.389).

Resistance to alien rule rapidly emerged through guerrilla groups, such as Fretilin, led by Xanana Gusmão and José Ramos-Horta. This opposition campaign was heavily supported by the Timorese Catholic Church, personified in the figure of Carlos Filipe Ximenes Belo, Bishop of the Diocese of Dili (Traub, 2000, p.76). Indonesia responded to these rebellions with brutal tactics such as intimidation and mass murder, executed by state-funded militias. Such was observed in the massacres of Santa Cruz and Liquica, in which Indonesian militias indiscriminately killed hundreds of unarmed Timorese civilians (Traub, 2000, p. 77-80). Amid immense international pressure from numerous states led by United Nations (UN) Secretary-General Kofi Annan, the Indonesian government was eventually forced to loosen its grip on East Timor (Martin and Mayer-Rieckh, 2005, p.126-132). In early 1999, Indonesia agreed to the realisation of a UN-supervised referendum, which took place on 30 August 1999 (Martin and Mayer-Rieckh, 2005, p.126-132).

Nevertheless, Indonesian forces would commit one last act of violence before abandoning the newly independent territory. As Secretary-General Annan announced that almost 80 percent of registered votes were pro-independence, Indonesian militias started what would be two and a half weeks of mass destruction and chaos. By late 1999, nearly all Timorese private property was destroyed, and thousands

had died or been displaced (Traub, 2000, pp.78-81). Accounts describe villagers fleeing to hills as their neighbours were beheaded, of children hiding in caves as their homes were burned, and of streets 'charred with remains of clothing, other personal belongings and pieces of deformed steel thrown on the ground' (Nevins, 2005, p.3).

Unsettled Memories

By the time the UN established its peacebuilding mission, the Transitional Administration in East Timor (UNTAET), in early 2000, East Timor was a scorched country. Twenty four years of Indonesian rule had amounted to the death of approximately 200,000 people, with a further 300,000 displaced. Furthermore, 80 percent of the country's infrastructure had been destroyed and there were no previous structures of self-governance to build upon (Karmini, 2024). UNTAET's Transitional Administrator, Sérgio Vieira de Mello, therefore described the UN's mission as divided into three key areas: security, humanitarian assistance and public governance (Martin and Mayer-Rieckh, 2005, p.133). Early on, the joint UN-Timorese administration succeeded in the humanitarian field. By mid-2000, most Timoreans had successfully been reinserted into their hometowns, starvation levels had been brought down to close to zero, and no cases of major disease spread were registered (Martin and Mayer-Rieckh, 2005, p.135). However, structural difficulties started to emerge in other areas. Despite the successful organisation of competitive elections in 2001 and 2002, staffing the civil service and judiciary proved slow and complicated (Traub, 2000). Due to the aforementioned marginalisation imposed by Indonesian rule, Timorese society lacked highly skilled professionals in nearly every profession (Traub, 2000). Such a lack of skilled labour hindered the government's development – with most positions having to be filled by imported labour from Portuguese-speaking countries – and, ultimately, that of the economy, with

unemployment levels being high.

The Timorese security question proves equally complicated. The selection criteria and mechanisms used in the recruitment process of the Timor Leste Defence Force excluded, by reasons of age or health, many former revolutionary combatants whose beliefs were that of a right to continue to defend their country (Scambary, 2019, p.65-69). Tensions were amplified when, one year later, the same criteria were used for the National Police of East Timor recruitment, especially after the incorporation of former members of the Indonesian police (Scambary, 2019, pp.65-69). These disenfranchised veterans then formed civil organisations, pursuing their political interests. Something similar is reported amongst the disenfranchised unemployed youth, particularly in Dili, with the disenfranchised unemployed youth, who formed youth gangs. Often tied to political actors and the criminal underworld, these groups were a reminder

of the social fragility of Timorese society, something epitomised by the 2006 Timorese crisis – a set of localised conflicts between different groups that took place across the Timorese territory for most of 2006 (Croissant and Sharkh, 2020, p.213).

Nevertheless, the 2006 Timorese crisis revealed a deeper level of ethnic and ancestral divisions within Timorese social tissue. There are more than thirty ethnic groups or tribes across East Timor,

each with its own traditions, language and mechanisms of justice (Anderson, 1993, p.238). This intricate interplay of different communities can eventually be divided into two main groups: communities from the West, Loro Muru and those from the East, Loro Sae. Once more, Timorese past comes into play, with the Loro Sae considering themselves the true members of the resistance against Indonesian oppression, downplaying the Loro Muru as collaborators (Croissant and Sharkh, 2020, p.214). In turn, the Loro Muru accuse the Loro Sae, who tend to occupy most positions of power and be wealthier, of systemic discrimination (Croissant and Sharkh, 2020, p.214). Such tensions only enhance the

“... before Timorese society could restructure itself, Indonesia invaded the eastern part of the Island of Timor in late 1975 and formally annexed it in July 1976. Twenty four years of ruthless subjugation followed.”

complexity of Timorese society, as a general climate of suspicion and distrust spreads among different groups.

Chasing the Rising Sun

In its almost 25 years of self-governance, East Timor has achieved some significant triumphs. In its semi-annual report, the World Bank (2024) praised the country for its peaceful democratic governance of over a decade of competitive, free and fair elections. The 2018 Timorese parliamentary elections counted 17 registered political parties, with five winning seats in the National Parliament (Croissant and Sharkh, 2020, p.219). Furthermore, Freedom House scored East Timor 72 out of 100 in its annual Freedom in the World report, ranking it as the freest country in Southeast Asia and the 6th in Asia, among highly developed nations such as Japan and South Korea (Freedom House, 2024). Lastly, as of late August 2024, East Timor joined the World Trade Organization, a step in the right direction, considering the country's ambitions to become a member of the Association of Southeast Asian Nations (ASEAN), of which, for now, only has observer status (Karmini, 2024). These are noteworthy events when considering the Timorese structural challenges and the youth of its democracy.

While there is significant optimism among both the Timorese people and international observers, East Timor still faces substantial challenges. Regarding peacebuilding, the traditional approach has often involved conflict mediation through communities' local Chiefs in government-sponsored ceremonies (Scambary, 2019, p.175-177). However, this approach presents significant areas for improvement. Not only does it limit peacebuilding to the elite, intensifying disenfranchisement, it also builds on expensive communal ceremonies, which put a significant burden on the state budget. A better approach would be that of the Laletek Project (Scambary, 2012, p.8-21). After a localised tracking of patterns of violence in 22 different Timorese villages, the programme proceeded to create informal focus groups for specific demographics such as youth, women, teachers, church and veterans. After a mediation phase, the project would unite the community in specific communal infrastructure projects, such as creating a water supply or an evening centre. By the

end of the project, violence levels were reduced not only in participating villages, but also in communities in their surrounding areas (Scambary, 2019, pp.179-181). Initiatives like the Laletek Project are beneficial as they often not only tackle peacebuilding issues but also positively affect other structural deficiencies. In the case presented, in addition to achieving successful peacebuilding through uniting the community under a common goal, the project also tackled infrastructure underdevelopment and disenfranchisement (Karmini, 2024). It is also crucial that these projects make strategic alliances with the Catholic Church, leading to an easier acceptance among a Timorese population which is highly spiritual – 98 percent Catholic (Karmini, 2024). Lastly, on the question of disenfranchisement, another effective way of tackling the problem is education. As discussed earlier, East Timorese authorities struggled with the civil service recruitment of highly skilled workers. By expanding education, which as of 2020 only accounted for 14 percent of state expenditure (Croissant and Sharkh, 2020, p.221), possibly with money saved on the above-mentioned ineffective ceremonies, the government could end the shortage of skilled labour while tackling unemployment (Croissant and Sharkh, 2020). This measure would also have the passive effect of educating Timorese society in Tetum and Portuguese, the national languages of East Timor, reinforcing national identity around two shared unique languages (Taylor-Leech, 2008). Currently, plans to expand education are well underway, with a joint venture between East Timor and Portugal overseeing the construction of a second Portuguese School, a partnership co-funded by the Portuguese government in Dili created as a way of promoting the portuguese language while enhancing opportunities for education (Rádio e Televisão de Portugal, 2024).

Conclusion

East Timor is unique in modern history. After centuries of dormant colonisation and 24 gruelling years of Indonesian occupation, Timorese society entered the new millennium with the pride of newly attained independence. However, the path ahead proved difficult as the legacy of the nation's traumatic past severed its intricate social tissue. A vast majority of the population still lives below the poverty line, and sporadic violence

is frequent. Having achieved an atypically healthy democracy by regional standards, East Timor must now engage in a localised and inclusive programme of development and stability before it can reap the spoils of its work. Initiatives such as the Laletek Project and the Luso-Timorese joint venture have laid the way ahead of an arduous mission. Through these solutions, supported by a possible ASEAN accession, East Timor welcomes the dawn of a new, prosperous era.

Bibliography

Anderson, B. (2001) 'Imagining East Timor', *Lusotopie*, 8 (1), pp. 233–239. Available at: https://www.persee.fr/doc/luso_1257-0273_2001_num_8_1_1443

Croissant, A. and Sharkh, R. A. (2020) 'As Good as It Gets? Stateness and Democracy in East Timor', in A. Croissant and O. Hellmann (eds) *Stateness and Democracy in East Asia*. Cambridge: Cambridge University Press, pp. 204–232. Available at: <https://www.cambridge.org/core/books/stateness-and-democracy-in-east-asia/as-good-as-it-gets-stateness-and-democracy-in-east-timor/671999E5F01191C148F774F922B36102>

Freedom House. (2024) *Freedom in the World*. Freedom House. Available at: <https://freedomhouse.org/report/freedom-world> (Accessed: 6 November 2024).

Kammen, D. (2009) 'Fragments of Utopia: Popular Yearnings in East Timor', *Journal of Southeast Asian Studies*, 40(2), pp. 385–408. Available at: <https://doi.org/10.1017/S0022463409000216>

Karmini, N. (2024) 'East Timor looks to the pope's visit as a reward after 20 years of fragile stability', *Associate Press*, 8 September. Available at: <https://apnews.com/article/east-timor-pope-independence-4606ea8f7b56b4d91ad04654ff358938> (Accessed: 6 November 2024).

Martin, I. and Mayer-Rieckh, A. (2005) 'The United Nations and East Timor: From Self-Determination to State-Building', *International Peacekeeping*, 12(1), pp. 125–145. Available at: <https://doi.org/10.1080/1353331042000286595>

Nevins, J. (2005) *A Not-so-distant Horror Mass Violence in East Timor*. Ithaca, New York: Cornell University Press. Available at: https://www.google.co.uk/books/edition/A_Not_so_distant_Horror/3704-A5zE5MC

Rádio e Televisão de Portugal. (2023) 'Escola Portuguesa em Díli. Já há terreno para novas instalações', *RTP Notícias*, 13 September. Available at: https://www.rtp.pt/noticias/mundo/escola-portuguesa-em-dili-ja-ha-terreno-para-novas-instalacoes_v1599543 (Accessed: 6 November 2024).

Scambary, J. (2012) *Laletek Project Final Evaluation: Final Report*. Available at: https://www.researchgate.net/publication/313758243_Laletek_peacebuilding_project_final_evaluation_Dili_Timor-leste (Accessed: 6 November 2024).

Scambary, J. (2019) *Conflict, Identity and State Formation in East Timor 2000-2007*. Leiden: Brill. Available at: https://www.google.co.uk/books/edition/Conflict_Identity_and_State_Formation_in/CzGbDwAAQBAJ

Taylor-Leech, K. (2008) 'Language and Identity in East Timor: The discourses of nation building', *Language Problems and Language Planning*, 32(2), pp. 153–180. Available at: <https://doi.org/10.1075/lplp.32.2.04tay>

Traub, J. (2000) 'Inventing East Timor', *Foreign Affairs*, 79(4), pp. 74–89. Available at: <https://doi.org/10.2307/20049810>

UN General Assembly. (1986) *Declaration On The Right To Development*. Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-right-development> (Accessed 25 November 2024)

World Bank. (2024) *The World Bank In Timor-Leste*. Available at: <https://www.worldbank.org/en/country/timor-leste/overview> (Accessed: 6 November 2024).

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BATTLING TWO GIANTS: CHINA AND INDIA'S IMPERIAL RACE IN SOUTH ASIA

by Zikra Zuhuree

Illustration by Lydia Kempton



As the number of states identified as 'developing' increases and the influence of the developing world expands, the emergence of new power structures has become more and more prevalent, with certain countries developing faster and taking control of their neighbour-states. Yet what happens when two increasingly competitive powers begin to exert their influence within the same region? This development is indicated by various factors, including cultural, political, and economic shifts, but this paper focuses on the ways in which the stronger economies within the developing world – primarily China and India – have begun to utilise this power in order to establish their own imperial network across the South Asian region. From territorial disputes to competitive advantages in trade, China and India have long maintained a cordial yet frosty relationship, evidenced by their international support for each other despite their regional rivalry. This has only been exacerbated by their race for economic influence in South Asia, ultimately resulting in a new era of imperialism. Exploring how China and India have begun to establish their own forms of imperialism – echoing the United States and the Soviet Union – through the South Asian region by utilising economic hegemony and focusing on the smaller nations around them will help to uncover the further implications of this competition.

From Afghanistan to the Maldives every country within South Asia has a history of colonialism, whether as a colony, a protectorate, or by experiencing Western imperial power through governmental structures and initiatives (Barrow and Haynes, 2004). However, this has not deterred either India or China from pursuing similar patterns of control, including economic monopolies and an increasing use of the core-periphery model. This is exemplified in India's role as the largest trade partner for Bhutan, Nepal, and Sri Lanka, while being the 5th largest exporter in South Asia as a whole, creating and leveraging dependencies for the other countries that then have to turn to India for any convenience (Department of Commerce, Government of India, 2017). Similarly, China is one of Pakistan's largest trading partners, and has granted large loans to the Maldives and Sri Lanka to improve infrastructure development within each nation (Xu, 2017). Despite the competitive nature of the relationship between China and India, they are key actors within one another's economies,

with China being India's largest trade partner in the world and India being China's biggest in Asia (Bajpaee, 2015, p.112). However, there is an underlying disparity between this relationship, as a majority of India's exports to China are natural goods, whereas China largely trades with manufactured goods, causing an uneven balance and a scaling tension between the two countries as India's trade deficit with China grows larger (pp. 113-114). Ultimately, the fact that each nation aims to be the core of its regional neighbours' economy spells the inherent tension that lies between this fight for control between China and India.

Nonetheless, this method of asserting economic control is not a new strategy for either country. Both India and China have been racing to establish themselves as the primary trading partner for the South Asian region as a whole, partaking in different initiatives that allow them economic control throughout the region. The Belt and Road Initiative (BRI) undertaken by China established a trading network connecting East Asia to South Asia and the Middle East. This initiative is also being run alongside the Maritime Silk Road (MSR) initiative which was created to replicate the BRI except through ports and naval trade routes (Scott, 2019, p.108). While China has created the facade of simply connecting countries to 'create a peaceful and harmonious environment', countries have fallen into deep debt with China to develop their respective sectors (Scott, 2019, p.110). In return, China has taken their repayment in other forms including land and a spread of military bases, evidenced by their exchange with the Hambantota Port and the China-Maldives Friendship Bridge (Shabbir, 2017, p. 144). Despite claiming to simply manifest mutual trust through economic support, it is evident that China's expansion of the BRI and MSR to these South Asian countries would facilitate trade via better trade routes, and enhance the ability to better their strategic tactics in terms of security threats. This in itself signifies an important shift into the economic imperialism it is trying to impose onto other nations (Ghiasi, 2021, p. 272).

However, China has still faced resistance, primarily from its main competitors, India and the United States, regarding the expansion of Chinese influence in the South Asian region. Despite the relatively new incentive with which they started their expedition towards local

and international hegemony, their growth quickly began to decline. This is due in part to China's strategy of "establishing clear military control" (Scott, 2019, p.101) of the Southeast and South Asia regions, who often face blockade by foreign powers such as the US. In turn, other international powers are able to respond to this strategy by utilising Indian influence in trading and latent economic control of the area (Brattberg & Feigenbaum, 2021).

These patterns are reminiscent of the race for influence in South Asia during and after the Cold War. While many developing countries, including China and India, were discovering the conditions of their newfound independence from imperial powers and establishing themselves, they became proxies for the ideological race between the Soviet Union and the US, often forced to accommodate contrasting external interests (Malik, 2016, p.47). Despite the motivations of multiple South Asian countries to remain uninvolved in the conflict for economic and diplomatic purposes, many countries including Pakistan, India, China, Afghanistan, and Bangladesh found themselves needing to either turn to the US or the Soviet Union for

assistance in order to establish themselves, especially as they were commonly targeted within the region as bases of influence due to foreign pressure, regardless of their wishes (Choudhury, 1990, p.136). Both Moscow and Washington's influence on Pakistan, India, and China signifies how imperialism permeated through South Asia, as arms were sent back and forth, and both countries continued to militarise within the region.

This imperial tradition within the region has influenced how India and China began to interact with the South Asian region. As two emerging nations with such large scope – both in population and political ideology – their competition was inevitable. Moreover, their geographic relevance to each other meant a relationship was unavoidable (Zhu, 2011, p.7). While

territorial disputes have been the primary source of contention between the two, their ideological stances on government – democratic versus totalitarian – have led to both countries racing to establish themselves as the primary model for the rest of the region (Mahanty, 1996, p.93). With both countries dangerously oscillating on a pendulum of power, smaller nations became the deciding factors for how influential each country could become. Being such large nations with such a rapidly growing economy, geographically China and India are already at odds with one another as one region cannot handle the might of both of these global hegemonies. Furthermore, with the race to globalise and develop, many smaller nations within the South Asian region have

“While territorial disputes have been the primary source of contention between the two, their ideological stances on government – democratic versus totalitarian – have led to both countries racing to establish themselves as the primary model for the rest of the region (Mahanty, 1996, p.93).”

been turning to either China or India for support in their development programmes, including the construction of economic corridors, bridges, and various other infrastructure. While China has faced backlash for their 'predatory economic practices', many South Asian nations including Pakistan, Bangladesh, Sri Lanka, the Maldives, Nepal, and Afghanistan have extended their support for the Belt and Road Initiative (Anwar, 2019, p.1). This clearly displays how smaller nations are able to 'game the system'

by utilising both China and India for their personal gain although this delicate balance. Irrespective of this, success is rarely guaranteed, as exemplified by China's coercion over Sri Lanka and the forcible signature of a 99 year old lease to facilitate Chinese control over its marine ports. Therefore, while smaller nations are able to develop for their own benefit, that benefit may come at a heavy cost, especially when it comes to the regional power dynamics within certain countries.

Participation in these initiatives comes at a heavy price, especially for many significantly smaller nations with no secure way of repaying the debt. Lower-income countries, such as the Maldives, are 'reward[ed] and punished[ed]' (Anwar, 2020, p.165) by China depending on their support for Chinese policy, through methods

like discouraging Chinese tourism in the Maldives. Alternatively, states like Nepal are granted access to China's ports to decrease their dependency on India. However, the conditions of these favours seem to put these smaller nations at a disadvantage should they not abide by China's wishes, such as a revocation of port rights, forcing them to depend even more heavily on India or subjugate themselves more to China. Further exploitations have also arisen with countries such as Sri Lanka and the Maldives' inability to pay back debt and therefore leasing their land to China in order to repay (Kliman & Grace, 2018).

Nonetheless, as India has come to recognise itself as a provider to smaller neighbouring nations throughout its time as the historical economic hegemon in the South Asian region, it has recently sought policy to ensure that these old relationships remain lasting even in the face of China's increased involvement. Policies such as 'India First' in the Maldives and 'Neighbours First' domestically clearly capture how India has responded to efforts of its surrounding nations to broaden their trading scopes – which India has taken as a diplomatic and economic snub (Mallempati, 2017, p.251; Snedden, 2016 p.8).

Yet what has captured international attention is the role of Russia and the US in the wake of this competitive hegemony. In what seems to be a renaissance of the Cold War, once again both superpowers are aligning themselves with either nation, evidenced by India aligning with the US and China aligning with Russia. The introduction of new actors furthers the security issue and the stranglehold that many of these smaller nations are facing, especially as the US and Russia's influence continues to dominate and even impact regional decisions. By allowing such superpowers to enter the field, it is equivalent to granting them control over the situation in its entirety due to their significant influence, as shown by previous involvements of both the Soviet and US forces in Afghanistan, as well as the arming of Pakistan (Hasan, 1984, pp.36-46).

Furthermore, the involvement of Russia and the US within the region could lead to more destabilisation, especially concerning security threats and various military mobilisations. While the respective Russia-China and India-US alliances are currently strong,

the delicate balance could easily be tipped over, especially since the US and Russia are 'engaged [as] offshore power balancer[s]' (Malik, 2016, p.56). While interventions are indirect, the possibility of them escalating is very present, and the implications of said escalation could result in disastrous consequences for the smaller nations who would be caught in the crossfire of any conflict between the world's largest military powers. Therefore, while intervention could be seen as necessary, especially as both India and China continue to expand in their respective spheres, it may not result in the best outcome (Khan, 2017, p.111).

Ultimately, it is increasingly clear that both India and China are establishing their own forms of imperialism throughout the South Asian region through a variety of methods, whether it be through China's economic initiatives and the developmental opportunities it provides to smaller states or India's historical cultural relevance which in turn has solidified its economic standing within the region. Both countries have created not only a co-dependent relationship with many of the smaller nations within the South Asian region, but also a co-dependent relationship with each other, especially through economic bilateral ties due to their prevalence in one another's economies. While these relationships have brought about developmental advantages for many smaller nations in the region, the implications of this assistance and the imperial consequences, such as the necessity to give up sovereign land, have begun to show the need for constraint. Furthermore, direct international intervention, especially by powers such as the US and Russia who have already been heavily involved in the region, could further exacerbate the issue and lead to a tumultuous situation for all countries involved. Therefore, while it is difficult to de-escalate, greater focus should be on providing smaller developing countries with the assistance that they need to grow, without holding them to crippling debt. This is key to ensuring that external actors cannot influence internal affairs and establish their own agenda within the region, depriving states of their autonomy and economic independence in an ever-globalising world.

Bibliography

Anwar, A. (2019) *Belt and Road Initiative: What's in It for China?*. East-West Center 2019. Available at: <https://www.jstor.org/stable/resrep25013>. (Accessed 20th November 2024)

Anwar, A. (2020) *South Asia and China's Belt and Road Initiative: Security Implications and Ways Forward*. Daniel K. Inouye Asia-Pacific Center for Security Studies. Available at: <https://www.jstor.org/stable/resrep26667.15> (Accessed 20th November 2024)

Bajpae, C. (2015). 'China-India: Regional Dimensions of the Bilateral Relationship', *Strategic Studies Quarterly*, 9(4), pp.108–145. Available at: <https://www.jstor.org/stable/26271280>

Barrow, I. J. and Haynes, D. E. (2004). 'The Colonial Transition: South Asia, 1780-1840', *Modern Asian Studies*, 38(3), pp.469–478. Available at: <https://doi.org/10.1017/S0026749X03001203>

Brattberg, E. and Feigenbaum, E.A. (2021) *Preface: China's Impact on Strategic Regions*. Carnegie Endowment for International Peace, pp.1–4. Available at: <https://www.jstor.org/stable/resrep37769.3>

Choudhury, G. W. (1990). 'China's Policy toward South Asia', *Asian Perspective*, 14(2), pp.127–156. Available at: <https://www.jstor.org/stable/42703946>

Department of Commerce, Government of India (2017). 'India's Trade with South Asia In 2016–17: An Analysis'. Available at: https://commerce.gov.in/wp-content/uploads/2020/02/MOC_636477306238949138_Trade_with_South_Asia_2016-17.pdf (Accessed: 5 November 2024).

Ghiasi, R. (2021) 'The Belt and Road Initiative in South Asia: Regional Impact and the Evolution of Perceptions and Policy Responses', in F. Schneider (ed.) *Global Perspectives on China's Belt and Road Initiative*. Amsterdam: Amsterdam University Press, pp.265–290. Available at: <https://doi.org/10.2307/j.ctv1dc9k7j.14>

Hasan, Z. (1984). 'New Thrust of Imperialism in South Asia', *Social Scientist*, 12(11), pp.34–48. Available at: <https://doi.org/10.2307/3516877>

Khan, M. (2017). 'Growing India-US Strategic Cooperation: An Analysis', *Strategic Studies*, 37 (4), pp. 97–117. Available at: <https://doi.org/10.53532/ss.037.04.00200>

Kliman, D. and Grace, A. (2018). *POWER PLAY: Addressing China's Belt and Road Strategy*. Centre for a New American Security. Available at: <https://www.jstor.org/stable/resrep20449> (Accessed 20th November 2024)

Mahanty, J.N. (1996). 'Sino-Indian Relations in the Post-Cold War Era', *The Indian Journal of Political Science*, 57(1/4), pp.88–102. Available at: <https://www.jstor.org/stable/41855739>.

Malik, M. (2016) 'Balancing Act: the China-India-U.S. Triangle', *World Affairs*, 179(1), pp.46–57. Available at: <https://www.doi.org/10.1177/0043820016662742>

Mallempati, S. (2017) 'Internal Developments in Maldives and India-Maldives Relations', *Indian Foreign Affairs Journal*, 12(3), pp.243–257. Available at: <https://www.jstor.org/stable/45341996>

Scott, D. (2019). 'China's Indo-Pacific Strategy: The Problems of Success', *The Journal of Territorial and Maritime Studies*, 6(2), pp.94–113. Available at: <https://www.jstor.org/stable/26912752>

Shabbir, T. (2017) 'Rising China and its South Asian Neighbors: Evolving Dynamics and the Outlook', *Policy Perspectives*, 14(2), pp.137–152. Available at: <https://doi.org/10.13169/poli-pers.14.2.0137>.

Snedden, C. (2016). *Shifting Geo-politics in the Greater South Asia Region*. Daniel K. Inouye Asia-Pacific Center for Security Studies. Available at: <https://www.jstor.org/stable/resrep14025>. (Accessed 20th November 2024)

Xu, S. (2017). 'China and South Asia Trade Competition and Complementary: Analysis based on the Background of "One Belt and One Road"', *Chinese Studies*, 6(2), pp.108–122. Available at: <https://doi.org/10.4236/chnstd.2017.62010>

Zhu, Z. (2011). 'China-India Relations in the 21st Century: A Critical Inquiry', *Indian Journal of Asian Affairs*, 24(1/2), pp 1–16. Available at: <https://www.jstor.org/stable/41950508>.

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THE RAINBOW FLAG AND THE RAINBOW NATION: INTERSECTIONALITY AND THE LIVED EXPERIENCES OF QUEER SOUTH AFRICANS

by Tharun Venkat

Illustration by Katya Roberts



This article includes descriptions of sexual, homophobic and racially motivated violence, including specific details of violence for 'curative' purposes. Readers may find some content distressing.

South Africa's history has been dominated by colonialism, exploitation, and subjugation, with the brutal apartheid system ending only in 1994, when Nelson Mandela ascended to the presidency, heralding a new era for South Africa. To reconcile this legacy of heightened racialised hostilities, South

Africa's new 1996 constitution enshrined equal rights for its diverse population, regardless of race, religion, gender or sexuality; subsequently it became known as the 'Rainbow Nation' (Debrosse et al., 2016, pp.367-368). Such progressivism meant South Africa became the first nation in the world to prohibit discrimination on the basis of sexual orientation (Thoreson, 2008, p.681). However, despite the strong legal protections afforded by their world-leading constitution, the lived experiences of LGBTQ+ South Africans remain characterised by violence and

discrimination, including as extreme as 'corrective rape' (Gaitho, 2021, pp.332-333). Such episodes therefore epitomise the discrimination and violence Queer South Africans routinely face (Sizemore-Barber, 2020, pp.49-50). Considering South Africa's heterogeneous population, Queer issues must be considered through an intersectional lens because Queer lived experiences worsen further when accounting for race, geography and gender (Porter, 2018, p.3). This intersectional lens facilitates multi-layered analysis, exploring the simultaneity of subjugation suffered by various groups oppressed under the nation's highly conservative and heteronormative society (Moreau, 2015, pp.495-496). This article uncovers the nature of the relationship between Queer living and actual intersectional, lived experiences, highlighting, in particular, the disparity between white and Black Queer South Africans in the Pride movement, the increased struggles faced by rural LGBTQ+ community members, and the particular lived experience of by Black lesbians. Through such analysis, we may begin to comprehend how intersectionality shapes and magnifies the challenges faced by those who walk under the rainbow flag while living in the rainbow nation.

Queerphobic violence in South Africa stands in stark contrast to the nation's globally lauded constitutional protections for minority groups (Moreau, 2015, pp.495-496). South Africa's pioneering, progressive constitution was the world's first to prohibit discrimination based on sexual orientation, ahead of Western democracies like Canada and France (Evans, 2023, pp.1040-1041). While combatting apartheid, LGBTQ+ activists like Simon Nkoli highlighted oppression's intersectional nature, drawing parallels between the systemic marginalisation of Queer citizens and Black citizens whilst also emphasising intersecting challenges faced by Black Queer people (Martin, 2020, pp.677-678). LGBTQ+ people unfortunately remain excluded and discriminated against; Khuzwayo (2023, p.192) posits that LGBTQ+ people are being unfairly perceived as a neo-colonial presence in post-apartheid South Africa, separating them starkly as 'un-African'. Nevertheless, intersectional kinship between oppressed Black and LGBTQ+ citizens helped advance legal rights through judicial review or legislation, with the African National Congress (ANC), the ruling party, spearheading legislation like the Civil Union Act

(2006), making South Africa the world's fifth nation to legalise same-sex marriage (Thoreson, 2008, p.686). This watershed moment occurred despite the ANC being one of the most corrupt organisations in the democratic world (Rapanyane, 2022, pp.67-68; Parkin, 2023, p.124). South Africa remains a highly patriarchal, masculinist country, dominated by disparity in wealth and lived experience (Khuzwayo, 2023, p.194). Its Gini coefficient (the statistical measurement of wealth and income equality in a population) is the largest in the world, with Black citizens being far poorer than white counterparts (Sizemore-Barber, 2020, pp.7-8; Parkin, 2023, p.122). The rural-urban wealth divide is strong, especially in rural provinces like Kwazulu-Natal and the Eastern Cape areas, where Queer people are treated with significantly more skepticism (Biyase and Zwane, 2018, pp.122-123; Ntuli and Ncgobo, 2022, p.479).

When examining LGBTQ+ intersectional struggles within South Africa, the Pride movement, representing the outward expression of Queer people's presence in a world where until recently they were shunned and confined to the shadows, should be an area of unity and compassion. Pride's nature is inherently disruptive, mirroring Queer people's overall disruptiveness and supposed 'un-Africanness', despite same-sex relationships and gender transition being documented in local histories (Nyeck et al., 2019, p.19). While originally conceived of this way in cities like Johannesburg and Cape Town, Pride has morphed from political events supporting open Queerness, to being celebratory, overly commercialised parties (Mbalasaki, 2022, p.52). Pride parades have regularly been accused of catering to white, wealthier areas of South Africa. Cape Town, for instance, marketed as Africa's gay capital, is advertised for tourism as representative of South Africa's continentally unique progressivism, but its parades were regularly held in affluent Greenpoint (Mbalasaki, 2022, p.53, p.57). Similarly, Johannesburg's parade was accused of being a depoliticised party event in the city centre, around areas like Rosebank, affluent white neighbourhoods, with entry tickets often too expensive for most Black attendees (Conway, 2022, pp.154-155). Apartheid's legacy means that by 2017, Black households in South Africa held 5.1 percent of the median household wealth of a white family (Chelwa et al., 2024, pp.429-430), and are historically zoned out of accessing capital and education, and many now affluent

neighbourhoods. Pride in South Africa highlights the rainbow nation's diversity through flying rainbow flags and expressing voices outside of common patriarchal, conservative values, and yet due to long-lasting wealth divides, oftentimes, Black and Queer South Africans are sidelined.

Events like 'Beyond the Closet' in Johannesburg, or the slogan 'Gay/Proud/Colour-blind' in Cape Town Pride 2016 (Conway, 2022, pp.156-157; Mbalasaki, 2022, p.60), show disregard to Black LGBTQ+ oppression, as if 'colour-blindness' is possible in a post-apartheid nation characterised by the world's largest racial wealth gap. South Africa's worldwide status regarding LGBTQ+ inclusiveness may highlight progressive

cities like Cape Town whilst economically excluding its vastly impoverished Black, Queer population. The nation and Pride perpetuates and exacerbates erstwhile xenophobia and disparities in voice and access to Queer spaces that Black people experience. When Black, Queer activists expressed concerns about racial disparity at Johannesburg Pride 2018 by staging a 'die-in' (a type of protest in which participants simulate being dead) to highlight lesbophobic violence, they instead suffered racial abuse hurled from Pride crowds (Conway, 2022, p.155; Matebeni, 2018, pp.319-320). Pride has transformed from galvanising change for the downtrodden and working class, to servicing South Africa's white colonial-legacy (Matebeni, 2018, pp.318-319). Matebeni (2018, pp.322-323) suggests that



Black, Queer South Africans should consider alternate avenues of expression, spotlighting Cape Town marches under the Alternative Inclusive Pride Network banner, which sought to highlight intersectional, overlapping issues faced by subaltern groups within LGBTQ+ communities.

White and Black Queer lives within South Africa exist under different intersectional contexts, and therefore live under different paradigms with alternative structures imposing on them. White and wealthier LGBTQ+ members typically congregate in large cities demonstrating another crucial divide in South Africa: the difference between urban and rural Queer lived experiences. Pride itself is overly concentrated in cities with wealthy, white neighbourhoods, racialising participation in the most visible expression of Queerness and undermining Pride's political impetus (Matebeni, 2018, p.321). The urban-rural divide in South Africa reveals a stark wealth difference which, when overlapped with the racial wealth divide, results in Black people from rural communities being much poorer than their urban counterparts (Biyase and Zwane, 2018, p.122).

When considered within the context of South Africa's conservative society, Queer lived experiences are markedly worse in rural areas and within townships, areas typically more deprived than wealthier, whiter neighbourhoods within dense urban areas. Even within positive circumstances, they can be viewed as out-of-place at best. Yarborough (2020, pp.64-65) notes media coverage of same-sex marriages still portrays such loving events as betwixt traditional African culture and the LGBTQ+ community, rather than same-sex marriage being between two Africans simply of the same sex. But much of their rural existence remains dire, with Black LGBTQ+ people in particular regularly being denied access to healthcare, social services, and even police assistance (Porter, 2018, pp.4-5). Some families of rural Queer citizens employ animal slaughtering or Zulu rituals to 'cleanse' them of such sinfulness, or families believing Queer children to be ancestors'

divine punishments (Ntuli and Ngcobo, 2022, pp.488). Some viewed homosexuality as a response to suffering a traumatic heterosexual relationship, reinforcing heteronormativity societally. Incidents of young gay men being beaten to make them 'real men' demonstrates patriarchal homophobia, employing violence to penalise supposed non-conformists (Ntuli and Ngcobo, 2022, p.480). Rural provinces like KwaZulu-Natal and the Eastern Cape feature the highest rate of homophobic attacks, showing how the intersectionality of rural living and its concomitant poverty, adds even more danger to Queer lived experiences (Ntuli and Ngcobo, 2022, p.480). However, we must examine the existence of Queer advocacy in townships, where organisations

have coalesced to sanctify self-expression and Queer safety, such as Khayelitsha township's Free Gender, addressing townships' Queerphobic violence (Moreau, 2015, p.495; Mbalasaki, 2022, p.59). Such Queer voices and activists serve to remind us of people like Nkoli who championed Queer South Africans, and remind us that activism still has a long way

to go for ensuring Queer lived experiences match constitutional promises. In a country where bodily harm against visibly Queer people is often overlooked, especially in rural areas, we must commend Queer organisations like Free Gender for fighting to ensure the promise of the rainbow nation extends to all citizens.

South Africa's patriarchal conservative landscape means that Queer women and transgender people suffer extreme hardships. Women in South Africa are likely to be poorer, with women-led households being overrepresented in poverty statistics (Biyase and Zwane, 2018, pp.122-124). South Africa's constitution guarantees protection from discrimination based on gender, like with sexual orientation, but paralleling how Queer lived experiences do not match their legal rights, women in South Africa are subjected to discrimination and sexual violence at epidemic levels (Sizemore-Barber, 2020, pp.79-80). When we assume an intersectional lens, we see Queer women, particularly rural Queer women, are subjected to this even more, often through the most morally reprehensible form

“Queerphobic violence in South Africa stands in stark contrast to the nation’s globally lauded constitutional protections for minority groups (Moreau, 2015, pp.495–496).”

– ‘corrective rape’ – as if their sexuality were some defect needing a cure (Naidoom, Adeagbo, and Alabi, 2023, pp.317-318). Heteronormativity and patriarchy simultaneously demand rigid predictability, something Queer people inherently subvert by their very existence, traversing beyond traditional gender and sexual roles and relations. Naidoom, Adeagbo, and Alabi (2023, pp.318-319) describe such violence as a tool for reasserting masculine domination over non-conforming individuals, especially when combined with same-sex relationships being perceived as not part of African culture.

By virtue of possessing same-sex desires, not in service of men’s wants, lesbians break the ruling norms of patriarchal conservative South Africa. When such subversion presents itself, retribution, often through violent domination, is likely – its most malicious manifestation being ‘corrective’ rape (Moreau, 2015, p.499). Lesbians are burdened with descriptions of bodily violence as ‘corrective’ or ‘curative’, as if Queer expressions of love require drastic, brutal action to counter such subversive existence. To view rape as a corrective measure is akin to how white imperialists like Rudyard Kipling spoke of ‘the white man’s burden’ in civilising foreign lands, even through the barbaric colonialism which characterised much of South African history, showing how colonial legacies like corrective violence persist (Gomes, 2017, p.78; Oldfield & Tucker, 2019, pp.1245-1246). An intersectional analysis further highlights how women in rural or impoverished settings – often one and the same – suffer higher rates of violence, and the pervasiveness of Queerphobia means even the police in townships and other conservative areas are often unwilling to help women suffering violence (Ngidi et al., 2020, p.24; Naidoom, Adeagbo, and Alabi, 2023, p.320). Trans-women are often socially forced to dress appropriately masculine, to obfuscate their true self, especially in rural or poorer township areas (Ngidi et al., 2020, p.25). Poor policing even affects famous and influential women, like out-and-proud Queer footballer Eudy Simelane, who was raped multiple times then stabbed to death (Naidoom, Adeagbo, and Alabi, 2023, p.317). Naidoom, Adeagbo, and Alabi (2023, pp.320-321) underline some improvements in the conviction rates of rapists, with cases in 2021 and 2022 seeing judges dispense life sentences. Nevertheless, South Africa remains one of

the most dangerous countries in the world for sexual violence; disturbingly, 80 percent of Black lesbians fear rape being used as a ‘corrective’ act against them (Gaitho, 2021, pp.344-345). Inadequacies in Queer safety must be addressed, especially given the fact that women’s intersectional suffering precedes this.

Conclusion

This analysis has uncovered and stratified the significant, complex chasm between the de facto lived experiences of Queer people in South Africa and the de jure protections and provisions within South Africa’s laws, particularly its landmark constitution. By assuming an intersectional lens, it is clear that South African LGBTQ+ members, despite being part of the same community, experience their homes very differently based on their attributes. White cisgender men, unsurprising when considering South Africa’s inherently heteronormative patriarchal society, whilst not impervious to discrimination, undoubtedly suffer the least. When accounting for South Africa’s massive racial wealth gap, we unfortunately see acts of inclusion within the LGBTQ+ community, like Pride parades, becoming actively exclusionary, or in the case of Johannesburg Pride 2018, racially abusive. When Queer South Africans, especially lesbians, are othered as ‘un-African’ and economically excluded from mainstream urban Pride parades, we see the intersectional problems they encounter without and even within the LGBTQ+ community. Apartheid’s legacy looms large over every aspect of South African society, and being Black or a woman, while simultaneously residing in rural areas or poverty-stricken townships, exacerbates many problems with modern South African lives. Violence and systemic discrimination plagues quotidian Queer existence. South Africa needs strict and comprehensive societal and legal reform, including stricter policing and safer spaces for Queer expression, to ensure the incredible constitutional ideals of the rainbow nation can be fully experienced by all citizens, especially those who walk under the rainbow flag.

Bibliography

- Biyase, M., and Zwane, T. (2018) 'An empirical analysis of the determinants of poverty and household welfare in South Africa', *The Journal of Developing Areas*, 52(1), pp. 115-130. Available at: <https://www.proquest.com/scholarly-journals/empirical-analysis-determinants-poverty-household/docview/1960277957/se-2?accountid=10673>
- Chelwa, G., Maboshe, M., and Hamilton, D. (2024) 'The Racial Wealth Gap in South Africa and the United States', *Review of Political Economy*, 36(2), pp. 423-440. Available at: <https://www.tandfonline.com/doi/full/10.1080/09538259.2024.2318962>
- Conway, D. (2022) 'Whose lifestyle matters at Johannesburg Pride? The lifestylisation of LGBTQ+ identities and the gentrification of activism', *Sociology*, 56(1), pp. 148-165. Available at: <https://doi-org.eux.idm.oclc.org/10.1177/00380385211024072>
- Debrosse, R., Cooper, M., Taylor, D., de la Sablonnière, R., and Crush, J. (2016) 'Fundamental rights in the rainbow nation: Intergroup contact, threat, and support for newcomers' rights in post-apartheid South Africa', *Peace and Conflict: Journal of Peace Psychology*, 22(4), p.367-379. Available at: <http://www.ezproxy.is.ed.ac.uk/login?url=http://ovidsp.ovid.com.eux.idm.oclc.org/ovidweb.cgi?T=JS&CSC=Y&NEWS=N&PAGE=fulltext&AN=00062930-201611000-00009&D=ovft>
- Evans, T. (2024) 'Conflict and Coalition: Securing LGBT Rights in the Face of Hostility', *Comparative Political Studies*, 57(6), pp.1035-1067. Available at: <https://doi-org.eux.idm.oclc.org/10.1177/00104140231193012>
- Gaitho, W. (2021) 'Curing corrective rape: Socio-legal perspectives on sexual violence against Black lesbians in South Africa', *William & Mary Journal of Race, Gender, and Social Justice*, 28, p.328-362. Available at: <https://scholarship.law.wm.edu/cgi/view-content.cgi?article=1573&context=wjowl>
- Gomes, C. (2017) 'A Man of his Time: the Scientific and Political Grounds for Kipling's Imperialism', *Anglo-Saxónica*, pp.73-85. Available at: <https://repositorio.ul.pt/handle/10451/29018>
- Khuzwayo, Z. (2023) 'Navigating urban spaces as Queer women in South Africa', *Urban Forum*, 34(2), pp.191-200. Available at: <https://link.springer.com/article/10.1007/s12132-023-09481-3>
- Livermon, X. (2012) 'Queer(y)ing freedom: Black Queer visibilities in post-apartheid South Africa', *GLQ: A Journal of Lesbian and Gay Studies*, 18(2-3), pp. 297-323. Available at: <https://doi-org.eux.idm.oclc.org/10.1215/10642684-1472908>
- Martin, Y. (2020) "'Now I Am Not Afraid': Simon Nkoli, Queer Utopias and Transnational Solidarity', *Journal of Southern African Studies*, 46(4), pp.673-687. Available at: <https://doi.org/10.1080/03057070.2020.1780022>
- Matebeni, Z. (2018) 'Ihlazo: Pride and the politics of race and space in Johannesburg and Cape Town', *Critical African Studies*, 10(3), pp.315-328. Available at: <https://doi.org/10.1080/21681392.2019.1610008>
- Mbalasaki, P. (2022) 'Through a decolonial lens: Homonationalism in South Africa and the Cape Town gay pride parade', *Critical African Studies*, 10(3), pp.48-65. Available at: <https://www.taylorfrancis.com/chapters/edit/10.4324/b22813-7/decolonial-lens-phoebe-kisubi-mbasalaki>
- Moreau, J. (2015) 'Intersectional citizenship, violence, and lesbian resistance in South Africa', *New Political Science*, 37(4), pp.494-508. Available at: <https://doi.org/10.1080/07393148.2015.1089026>
- Naidoo, K., Adeagbo, M., and Alabi, O. (2023) 'Masculinity crisis? The nature and origins of sexual violence and corrective rape in South Africa' in P. Aggleton, R. Cover, C. Logie, C. Newman and R. Parker (eds), *Routledge Handbook of Sexuality, Gender, Health and Rights*. London: Routledge, pp.313-322.
- Ngidi, N., Ramphalile, M., Essack, Z., and van Rooyen, H. (2020) 'Exploring Queerphobic geographies in Southern Africa', *Agenda*, 34(2), pp.18-31. Available at: <https://doi.org/10.1080/10130950.2020.1736424>
- Ntuli, S. and Ngcobo, N. (2022) "'Into nje-it's just a thing...": being a lesbian in a rural area', *Social Work*, 58(4), pp.478-500. Accessed at: https://www.scielo.org/za/scielo.php?script=sci_arttext&pid=S0037-80542022000400007
- Nyeck, S., Sheperd, D., Sehoole, J., Ngcobozi, L., and Conron, K. (2019) *The Economic Cost of LGBT Stigma and Discrimination in South Africa*. Available at: <https://escholarship.org/uc/item/5wx-0n3pn> (Accessed 15 December 2024)
- Oldfield, S., and Tucker, A. (2019) 'Persistent pasts, present struggles, imagined futures: Gender geographies in South Africa after apartheid', *Gender, Place & Culture*, 26(7-9), pp.1243-1252. Available at: <https://doi.org/10.1080/0966369X.2019.1632273>
- Parkin, A. (2023) 'Democracy in the balance: An ailing African National Congress and the fight for the South African miracle' in L. Blaauw and D. Zaire (eds) *Dominant Parties As Governments In*

Southern Africa. Konrad Adenauer Foundation, p.107-134.

Porter, A. (2018) *The rights of vulnerable and marginalised groups in South Africa*. Centre for Conflict Resolution. Available at: <https://www.jstor.org/stable/resrep23408> (Accessed 15 December 2024)

Rapanyane, M. (2022) 'Key Challenges Facing the African National Congress-led Government in South Africa: An Afrocentric Perspective', *Insight on Africa*, 14(1), pp.57-72. Available at: <https://journals.sagepub.com/doi/full/10.1177/09750878211049484>

Sizemore-Barber, A. (2020) *Prismatic Performances: Queer South Africa and the Fragmentation of the Rainbow Nation*. Ann Arbor: University of Michigan Press.

Thoreson, R. (2008) 'Somewhere over the rainbow nation: Gay, lesbian, and bisexual activism in South Africa', *Journal of Southern African Studies*, 34(3), pp.679-697. Available at: <https://www.jstor.org/stable/40283175>

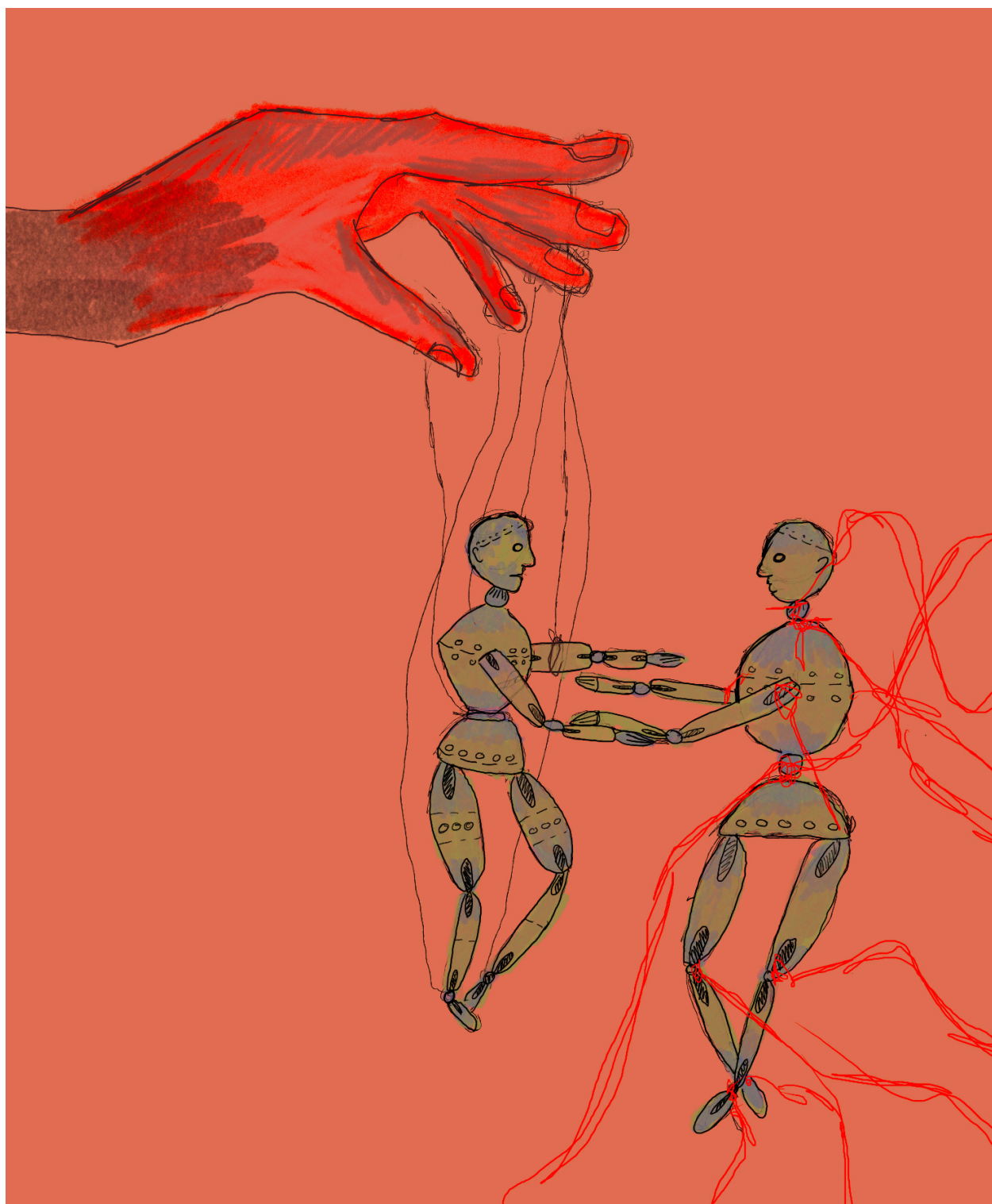
Yarbrough, M. (2020) 'A New Twist on the 'Un-African' Script: Representing Gay and Lesbian African Weddings in Democratic South Africa', *Africa Today*, 67(1), pp.48-71. Available at: <https://www.proquest.com/scholarly-journals/new-twist-on-un-african-script-representing-gay/docview/2468688197/se-2?accountid=10673>

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QUEER COLONIAL EXPERIENCES: CONTINUITIES BETWEEN IMPERIAL HISTORIES AND MODERN IMPERIAL PINKWASHING

by Gina Goodfellow

Illustration by Lucienne Saisselin



Exploring how historic and contemporary imperial projects have exploited Queerness to justify their imperial objectives, this essay argues that, historically, imperial powers claimed to 'civilise' native people by imposing Queerphobic ideologies upon them. Meanwhile, modern imperial projects attempt to appropriate the Queer struggle to justify their imperial violence by claiming to act in the interest of Queer people. This essay begins by considering two examples of historic imperial projects, those of Senegal and Uganda, and evaluates the continued negative impact of imperialism on Queer people in these nations. Similarly, Western 'homonationalism' paradoxically fails to acknowledge the involvement of Western imperial powers in the imposition of Queerphobic attitudes in their ex-colonies. The essay then introduces Palestine as a modern case study as Israeli imperialism uses the guise of promoting progress for Queer people to justify its imperial objectives. Ultimately, despite Israeli claims, imperialism inherently hinders the progress of Queer people. Accordingly, intersectional approaches to anti-imperialism and Queer liberation will be considered, with reference to the case studies. Overall, while Queerness has been exploited in different ways at different times in imperial history, the use of Queerness in imperial rhetoric is always damaging to Queer people.

The key themes of imperialism and colonialism are defined by Edward Said as: "‘Imperialism’ [meaning] the practice, the theory, and the attitudes of a dominating metropolitan centre ruling a distant territory; ‘colonialism’, which is almost always a consequence of imperialism, is the implanting of settlements on a distant territory' (Said, 1993, p.17). A Foucauldian perspective is adopted to enlighten the imperial construction of the subject, which assigns an identity to the individual, placing them within a societal power dynamic (Foucault, 1982). Another key term, 'Queerness' is employed as an umbrella term for LGBTQ+ identities and experiences. As a relational term, Queerness encompasses a range of experiences outside of the heterosexual norm; this flexible view of Queerness aligns with Foucault's ahistorical view of sexuality (Pickett, 2021).

Imperialism and Legacies

In the case of Senegal, the role of French imperialism in constructing the Queer subject is seen in the contrast between attitudes to Queer people pre- and post-imperialism. Historical evidence indicates that homosexual and gender nonconforming people in Senegal, termed 'goor-jiggen' or 'manwoman', have contributed greatly to Senegalese society through their contributions to popular culture and fashion, making 'vital contributions to the country's modernity and development' (M'Baye, 2013, p.123). However, the predominant attitude to homosexuality in contemporary Senegal is that it is a 'foreign import' (M'Baye, 2013, p.110). On the contrary, it is argued that 'it is not *homosexuality* but rather *homophobia* that was a colonial imposition' (M'Baye, 2013, p.123). The term 'goor-jiggen' has not always been explicitly sexual in nature; only in the wake of imperialism did this connection become explicit, with attitudes towards this category becoming increasingly negative (M'Baye, 2018, p.308). This imported conception of homosexuality led to an association in Senegalese society between homosexuality and disease (M'Baye, 2018, p.308). This illustrates how imperialism left behind a new and negative conception of Queerness.

The consequence of this construction can be viewed through the influence of imperialism on law. After acquiring independence from France in 1960, the legal framework and laws of Senegal were inspired by those of France, even though these were not always representative of Senegalese customs (Clark, 1999, p.152; M'Baye, 2018, p.302). This led to the 'importation' of Western representations of sexuality. For example, section 319 of the Penal Code attaches a punishment of prison time to homosexual activity (M'Baye, 2018, p.302). Imperialism in Senegal therefore left criminal punishment for homosexuality in its wake, creating both the Foucauldian subject and subjection of the Senegalese homosexual. This subjection is explained by the colonial exploitation of Queerness to justify the French imperial project through imperial policing of sexuality which defended the colonial administration's 'civilising' mission on moral grounds (M'Baye, 2013, p.116). For example, one European writer of the late 19th century discussed how European soldiers in Senegal who engaged in homosexual activity had been corrupted by Africans; as a result, it was argued that soldiers should be 'shielded from the decadence of the

African colonies' (M'Baye, 2013, p.117). This shielding involved the imposition of homophobia and Western social categorisations of Queerness, demonstrating how imperialism has exploited Queerness to justify its objectives.

The second historic case of imperialism concerns the UK's imperial project in Uganda. Like in Senegal, it has been argued that 'the violent attitudes towards gendered and sexual minorities in Uganda are a colonial inheritance' (Kizito, 2017, p.567). The Western imposition of homophobia in Uganda can be viewed through the case of Mwanga II of Buganda, whose 'history was largely misrepresented in the West in ways that justified Western intervention and colonial subjugation' (Kizito, 2017, p.571). King Mwanga allegedly had a sexual relationship with his pages, who were 'educated' by Christian missionaries on the sinful nature of sodomy; following this, the pages denied Mwanga's advances and were executed, to be later canonised as martyrs in the Roman Catholic Church (Kizito, 2017, p.570). The Christian 'education' of the pages displays the imposition of homophobia and its use to justify imperial intervention in the name of 'civilising' the region through the implementation of Christianity and British sodomy laws (Kizito, 2017, p.568). This case illuminates imperialism's imposition of a previously non-existent ideology of Queerness; describing Mwanga as "gay" ascribes a social identity that would have been unintelligible in his time (Rao, 2020, p.100). As with Senegal, the Foucauldian ideas of subjection can be applied to the Ugandan context; it was not until imperialism introduced the concept of homosexuality that homophobia could exist.

Modern day Uganda is deeply homophobic, demonstrating the enduring impacts of imperial impositions of homophobia. Uganda's 'Anti-Homosexuality Act,' which criminalises homosexuality, was passed in 2013 and was built upon colonial legislation (Wahab, 2016, p.686). Even though homosexuality existed in pre-colonial Ugandan society, 'de-colonisation did not result in a decriminalisation of homosexuality' (Strand, 2011, p.919). Therefore, it may be argued that the UK, as Uganda's coloniser, holds responsibility for the homophobic policies of Uganda. Ultimately, the UK imposed these harmful values to defend its ostensive purpose of 'civilising' Ugandan

people, justifying its imperial project.

Comparison of these cases illuminates two key continuities: firstly, historic imperial projects used the imposition of homophobic ideology upon their colonies as a justification for their imperialism; secondly, the legacy of this imposition continues to be damaging for Queer people after independence. This conclusion is supported by an analysis of the causes of homophobia in Africa; the most significant contributing factor for state-led homophobia in Africa is colonialism (Ireland, 2013, pp.49-56). While some homophobic attitudes may have existed in Africa before colonisation, they were given legal force and attention only with the introduction of colonialism (Ireland, 2013, pp.49-56). The colonial imposition of homophobia in Africa is contradictory when considered in relation to Western homonationalism. 'Homonationalism' is a term coined by Jasbir Paur, who understands it to be 'a form of sexual exceptionalism' related to the 'segregation and disqualification of racial and sexual others' (Paur, 2007, p.2). As Bonane argues, 'LGBT+ rights have now been reframed as Western democratic rights,' which also means LGBTQ+ rights are used as a 'barometer of a nation's progressiveness' (Bonane, 2019, p.257). Thus, Western nations claim to be more developed than those which have not yet accepted Queerness, even though they are, at least partially, responsible for the homophobic attitudes in many of those non-Western countries.

Modern Imperialism

Having demonstrated how historic cases of imperialism and their legacy are harmful to Queer people in ex-colonies, this essay turns to how modern imperialism is also damaging to Queer people. Israel's imperial project in Palestine is a contemporary example of how imperialism impacts social conceptions of Queerness. The Zionist movement attempts to create a Jewish state in Palestine and is predicated upon the false colonial idea that 'any native population living in the lands were uncivilised and unworthy of being taken into consideration' (Sabido, 2019, pp.56-57). In the years before the Nakba (catastrophe) of 1948, which saw the displacement and killing of many Palestinian civilians and the creation of the state of Israel, Palestine was a

'mandate' of Britain (Sabido, 2019, p.65). This meant that Palestine was technically an independent nation but Britain had administrative powers (Sabido, 2019, pp.1-2). The British Mandate Authority criminalised homosexual relations between adult men in 1936, introducing the criminalisation of consensual sex between adult men in Palestine (Darr, 2017, pp.241-242). These laws on homosexual activity in Gaza remain in place in 2024, while they were overturned in the West Bank in 1951 (Itaborahy, and Zhu, 2014, p.55). The legacy of the British Mandate in subjugating the Queer Palestinian is ongoing, as these laws construct a legally oppressed Queer subject.

Israel attempts to justify its imperialism by claiming to act in the interest of Queer people. Sarah Schulman termed this practice 'pinkwashing,' and defined it as 'a deliberate strategy [on the part of the Israeli state and its supporters] to conceal the continuing violations of Palestinians' human rights behind an image of modernity signified by Israeli gay life' (Schulman, in Ritchie, 2014, p.618). Contrary to historical cases of imperialism, which saw the imposition of homophobic attitudes as a civilising act, in this contemporary case, Israel attempts to justify its imperialism by claiming to fight against homophobia in Palestine. Israel's use of pinkwashing to depict Palestinian society as 'reactionary and homophobic' intersects with racist and Islamophobic depictions of Palestinians, as it plays into the Orientalist conception of Arabs as backward or savage (Alqaisiya, 2018, pp.31-32). Israeli imperial intervention is therefore justified by claiming to challenge this 'backwardness'. The cultural context which allows for the success of Israeli pinkwashing to disguise brutality is enabled by the image of a superior West, demarcated from the rest of the world due to their acceptance of Queer people – an image created by homonationalism.

Because of its imperial violence, Israel cannot act in the interest of Queer people. Since the founding of Israel

in 1948, its treatment of Palestine and Palestinians has been consistently violent. Data from the United Nations Office for the Coordination of Humanitarian Affairs suggest that between 2008 and 2021, over 5,500 Palestinian civilians were killed in conflict with Israel, a disproportionate number compared to the 259 Israeli civilians killed (McCarthy, 2021). Though data collection is complicated by infrastructural damage, recent estimates indicate that upward of 186,000 deaths are attributable to Israel's ongoing siege on Gaza since 7 October 2023 (Khatib et al, 2024, p.237). Because Queer people are inevitably involved within these figures, as well as their loved ones, it is argued that Israel cannot act in favour of Queer people. Such disproportionate and immense physical violence cannot exist in accordance with human rights frameworks.

An example of the danger pinkwashing poses can be viewed through the case of Palestinian teenager Mohammed Abu Khdeir, who was kidnapped and burned alive by Israeli settlers before a story was circulated that he had been murdered by his family because he was gay (Alqaisiya, 2018, p.35). As such, Israel's pinkwashing tactics disguise its imperial violence, in Alqaisiya's words, '[negating] the colonial structure of Israeli violence and thereby [recolonizing] Palestinians' (2018, p.35). Thus, not only does Israel physically harm Queer Palestinians through its initial imperial violence, but

“The cultural context which allows for the success of Israeli pinkwashing to disguise brutality is enabled by the image of a superior West, demarcated from the rest of the world due to their acceptance of Queer people – an image created by homonationalism.”

also creates a violent campaign of misinformation in the form of pinkwashing, which further justifies its actions, allowing more physical harm. More examples can be found on Israel's social media, such as the post on X (formerly Twitter) in November 2023, reading 'The first ever pride flag raised in Gaza,' paired with images of a man holding a pride flag in front of a destroyed Gaza (Israel, 2023). Moreover, because pinkwashing tells Queer Palestinians that their culture is inherently opposed to their Queerness, pinkwashing is damaging to the identity of Queer Palestinians, forcibly associating their Queerness with a colonial identity, alienating them from their Palestinian heritage.

Although historic imperial projects such as those of France and the UK in Senegal and Uganda exploited Queerness in a very different way to the contemporary case of Israel in Palestine, there remains a consistency in the negative impacts experienced by Queer people, through the appropriation of their existence by imperial powers to justify their projects. Both the pinkwashing of Israel and the homonationalism of past imperial powers are damaging for Queer people living under imperial domination or suffering its consequences. Both ideologies falsely claim to support Queer people, concealing genuine harm to Queer people and making their claims paradoxical.

The Importance of Intersectional Approaches

Having discussed the damage that imperialism causes for Queer people, past and present, this essay argues for the importance of an intersectional approach to Queer liberation and anti-imperialism to highlight the interconnected and complex relationships of different modes of domination (Allen, 2022). This is important because it accounts for the fact that a group cannot be liberated from one oppressive force if other systems of subjugation remain in effect. Therefore, in nations that have experienced or continue to experience imperial domination, an intersectional approach to Queerness and anti-imperialism will be most effective. Additionally, imperialism should be considered because some gay movements have promoted the 'imperialist framing of Islam and Islamic countries as antithetical to gay rights' (Bonane, 2019, p.257). This Westernised view means Queer people in non-Western nations are seen as inherently oppressed by their culture, implying they can never be liberated. To overcome this framing and achieve the liberation of Queer people everywhere, this rhetoric must be challenged with anti-imperialism.

In the legacy of colonialism, intersectional approaches to Queer liberation are important in both Senegal and Uganda. Queer movements in Senegal and Uganda should focus on analysing how imperialism imposed Queerphobic ideologies upon their cultures to overcome the narrative that homosexuality is a Western inheritance. Successful movements will

therefore show that Queer people have always existed within their culture. Regarding Senegal, it has been argued that 'it is important to "de-homogenize" Queer theory and deconstruct Eurocentric perspectives when it comes to an understanding of the plurality of Queer life trajectories and identities' (M'Baye, 2018, p.308). This approach should also apply in Uganda. An intersectional approach to Queerness and imperialism will successfully account for the complex relationship between imperialism and dominant understandings of Queerness. The use of this approach in Senegal and Uganda will enable Queer people to understand their identity in terms of their nationality and Queerness, without their Queerness becoming connected to a colonial identity. This means that they work towards liberation for Queer people and overcome a Western identity imposed upon them in the imperial era.

Furthermore, it is argued that a similar approach can be taken to combat imperialism and homophobia in modern cases. Queer Palestinians cannot be liberated without the liberation of all Palestinians, so the most successful approaches to Queer liberation in Palestine should also fight for freedom from imperialism. It has been argued that a 'single-issue approach could not address the colonial reality of Palestinians', meaning it is vital to ground 'Palestine in Queerness and Queerness in Palestine' (Alqaisiya, 2018, p.31). Anti-pinkwashing activism is a movement that lies at the intersection of Queer liberation movements and the Palestine solidarity movement (Darwich, and Maikay, 2014, p.281). Examples of this movement include the organisation 'alQaws', which in its 'Boycott Tel Aviv Pride 2016' campaign sought to draw attention to Israeli brutality and fight pinkwashing narratives. The campaign was promoted with the statement 'Sunbathe at the gay beach and spend the night in luxurious boutique hotels built on the ruins of ethnically cleansed Palestinian villages' (Alqaisiya, 2018, p.34). This successfully brought attention to the hypocrisy of Israeli pinkwashing. As the various grounds of their oppression are interconnected, an intersectional approach is vital in Palestine because it 'rejects singling out sexuality as a discrete site of oppression disconnected from the power structure of settler colonialism' (Alqaisiya, 2018, p.36). Queer Palestinians cannot be liberated while they remain oppressed by imperialism.

Conclusion

To conclude, historic and contemporary imperial projects have employed and continue to use rhetorics involving Queerness to justify imperial objectives. The key distinction between their approaches to Queerness is that historic imperial projects portrayed their imposition of Queerphobia as an act of civilisation, while modern imperial projects do the opposite, appropriating Queer liberation to masquerade as though they are acting in favour of Queer people. Accordingly, the employment of a homonationalist ideology by ex-imperial powers disguises their past, while modern pinkwashing narratives are contradictory. Finally, to be liberated from homophobia and imperialism, an intersectional approach to both issues should be taken. Investigating the harms of imperialism for native Queer people importantly challenges pinkwashing narratives while encouraging these intersectional approaches; for this reason, further research into the topic is encouraged.

Bibliography

- Allen, A. (2022) 'Feminist Perspectives on Power' in E., Zalta and E., Nodelman (eds) *The Stanford Encyclopedia of Philosophy* (Fall 2022 Edition). Stanford University: Metaphysics Research Lab. Available at: <https://plato.stanford.edu/archives/fall2022/entries/feminist-power/> (Accessed 5 December 2024).
- Alqaisiya, W. (2018) 'Decolonial Queering: The Politics of Being Queer in Palestine', *Journal of Palestine Studies*, 47(3), pp.29-44. Available at: <https://www.jstor.org/stable/26502214>
- Bonane, A. (2019) 'Queer Muslims, autonomous organising, and the UK LGBT+ movement.' in E., Evans and E., Lépinard (eds) *Intersectionality in Feminist and Queer Movements*. London: Routledge, pp.255-270. Available at: https://library.oapen.org/bitstream/handle/20.500.12657/39906/6/external_content-1.pdf
- Clark, F. (1999) 'Imperialism, Independence, and Islam in Senegal and Mali', *Africa Today*, 46(3/4), pp.149-167. Available at: <http://www.jstor.com/stable/4187288>
- Darr, O. (2017) 'Narratives of "Sodomy" and "Unnatural Offenses" in the Courts of Mandate Palestine (1918-48)', *Law and History Review*, 35(1), pp.235-260. Available at: <https://www.jstor.org/stable/26338417>
- Darwich, L. and Maikay, H. (2014) 'The Road from Antipinkwashing Activism to the Decolonization of Palestine', *Women's Studies Quarterly*, 42(3-4), pp.281-285. Available at: <https://doi.org/10.1353/wsq.2014.0057>
- Foucault, M. (1982) 'The Subject and Power', *Critical Inquiry* 8(4), pp.777-795. Available at: <https://www.jstor.org/stable/1343197/>
- Ireland, P. (2013) 'A Macro-Level Analysis of the Scope, Causes, and Consequences of Homophobia in Africa', *African Studies Review* 56(2), pp.47-66. Available at: <https://www.jstor.org/stable/43904927>
- Israel. (2023) 'The first ever pride flag raised in Gaza' [Twitter] 13 November. Available at: <https://twitter.com/Israel/status/1723971340825186754?s=20> (Accessed 5 December 2024).
- Itaborahy, L. and Zhu, J. (2014) *State Sponsored Homophobia: A world survey of laws: Criminalisation, protection and recognition of same-sex love*. International Lesbian Gay Bisexual Trans and Intersex Association State-Sponsored Homophobia Report 2014, 9th edition. Available at: https://ilga.org/wp-content/uploads/2023/11/ILGA_State_Sponsored_Homophobia_2014.pdf (Accessed 5 December 2024).
- Kizito, K. (2017) 'Bequeathed Legacies: Colonialism and State-led Homophobia in Uganda', *Surveillance and Society*, 15(3/4), pp.567-572. Available at: <http://dx.doi.org/10.24908/ss.v15i3/4.6617>
- Khatib, R., McKee, M., Yusuf, S. (2024) 'Counting the dead in Gaza: difficult but essential', *The Lancet*, 404(10449), pp.237-238. Available at: [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(24\)01169-3/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(24)01169-3/fulltext)
- M'Baye, A. (2018) 'Queer political subjectivities in Senegal: gaining a voice within new religious landscapes of belonging', *Critical African Studies*, 10(3), pp.301-314. Available at: <https://doi.org/10.1080/21681392.2019.1610007>
- M'Baye, B. (2013) 'The Origins of Senegalese Homophobia: Discourses on Homosexuals and Transgender people in Colonial and Postcolonial Senegal', *African Studies Review*, 56(2), pp.109-128. Available at: <https://www.jstor.org/stable/43904930>
- McCarthy, N. (2021) *The Human Cost of the Israeli-Palestinian Conflict*. Available at: <https://www.statista.com/chart/16516/israeli-palestinian-casualties-by-in-gaza-and-the-west-bank/> (Accessed 11th April 2024)
- Paur, J. (2007) *Terrorist Assemblages: Homonationalism in Queer Times*. Durham: Duke University Press.
- Pickett, B. (2021) 'Homosexuality' in E., Zalta (ed) *The Stanford Encyclopaedia of Philosophy* (Spring 2021 Edition). Stanford University: Metaphysics Research Lab. Available at: <https://plato.stanford.edu/archives/spr2021/entries/homosexuality/>
- Rao, R. (2020) *Out of Time: The Queer Politics of Postcoloniality*. New York: Oxford Academic.
- Ritchie, J. (2014) 'Pinkwashing, Homonationalism, and Israel-Palestine: The Conceits of Queer Theory and the Politics of the Ordinary', *Antipode*, 47(3), pp.616-634. Available at: <https://doi.org/10.1111/anti.12100>
- Sabido, R. (2019) *The Israeli-Palestinian Conflict in the British Press*. London: Palgrave Macmillan.
- Said, E. (1993) *Culture and Imperialism*. New York: Vintage Books.
- Strand, C. (2011) 'Kill Bill! Ugandan human rights organizations' attempts to influence the media's coverage of the Anti-Homosexuality Bill', *Culture, Health & Sexuality*, 13(8), pp.917-931. Available at: <https://doi.org/10.1080/13691058.2011.589080>

Wahab, A. (2016) "'Homosexuality/Homophobia Is Un-African?': Un-Mapping Transnational Discourses in the Context of Uganda's Anti-Homosexuality Bill/Act', *Journal of Homosexuality*, 63(5), pp.685-718. Available at: <https://doi.org/10.1080/00918369.2015.1111105>

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UNSETTLING PRIDE: THE MARGINALISATION OF TWO SPIRIT VOICES IN CANADA'S LGBTQ+ RIGHTS MOVEMENT

by Madeline Schwarz

Illustration by Ty Ramage



Canada is well-known as a trailblazer for LGBTQ+ rights and is frequently recognised as a progressive nation with a liberal attitude towards sexual diversity (Smith, 2020, p.66). From the move towards 'coming out' as part of the gay liberation movement in the 1970s (Wilson, 2008, p.197) to the mobilisation of activism throughout the HIV/AIDS epidemic (Smith, 2015, p.52), the LGBTQ+ liberation movement in Canada is known for its widespread success. Canada was the fourth country in the world to legalise same-sex marriage (Smith, 2015, p.45), and its biggest cities, including Toronto, Vancouver, and Montreal, continue to be outwardly proud to be 'proud', often labelled

as gay capitals (Smith, 2015, p.59). Yet, full socio-cultural equality has not been achieved for *all* sexual minorities, including those within Indigenous groups (Tremblay, 2015, p.106). Alongside the persistence of discrimination against LGBTQ+ groups, Indigenous people in Canada have historically been excluded from Canada's mainstream LGBTQ+ rights movement. Canadian Two-Spirit people, in particular, have been marginalised from the development of Queer rights, despite their shared experiences of sexual oppression.

The term 'Two-Spirit' emerged as a neologism in 1988 to commemorate the multiple-gender systems

of North American Indigenous people, disrupted by colonialism (Depelteau and Giroux, 2015). It was later coined in 1990, reclaiming this traditional identity and emphasising the importance of gender diversity within spiritual and cultural practices (Depelteau and Giroux, 2015, pp.66-67). Robinson explains that 'Two-Spirit' today includes any North American Indigenous person 'whose sexual and/or gender identity is different from others', providing a sense of belonging for many Indigenous people who struggle to identify with Western LGBTQ+ labels (2017, p.9).

Many scholars have debated whether Two-Spirit people should be included within Canada's mainstream LGBTQ+ community due to a common struggle against sexual discrimination, or if they should remain separate because of Indigenous peoples' distinct experience of compounded colonial and sexual oppression (Arvin, Tuck, and Morrill 2013; Morgensen, 2010). To contribute to this debate, this essay chronologically compares the experiences of mainstream LGBTQ+ groups and Two-Spirit people during the development of LGBTQ+ rights in Canada. This essay acknowledges that settler-colonialism influenced every stage of the gay liberation movement, from its origins to its setbacks and accomplishments. Glen Coulthard's call for a 'resurgent politics of refusal' will be referenced throughout to unveil a decolonial understanding of Two-Spirit identities amidst the mainstream LGBTQ+ rights movement (2014, p.18). Ultimately, Canada's LGBTQ+ rights movement's exclusion of Indigenous people cannot simply be overcome through continued Western modes of acceptance and recognition, but must be relentlessly questioned through a denaturalisation of the colonial history that has shaped it.

The Gay Liberation Movement in the 1970s: Coming out or Coming in?

While the LGBTQ+ rights movement in Canada gained momentum in the 1970s, focusing on the oppression experienced by homosexual groups, Indigenous people were inherently excluded. By the late 1970s, LGBTQ+ groups faced widespread social exclusion, with police relentlessly criminalising non-heterosexual identities (Smith, 2020, p.77). Queer groups mobilised to express a public rejection of this legal discrimination

and negative stereotypes associated with lesbian women and gay men, emphasising the importance of coming out (Rayside, 2008; Smith, 2015). They rallied and chanted, 'Out of the Closets and into the Streets', fighting for the rights and visibility of the LGBTQ+ community (Warner, 2002, p.61). This means of championing LGBTQ+ visibility by advocating for 'coming out' provided a critical foundation for the gay liberation movement.

This activism was effective in highlighting the oppression faced by LGBTQ+ Canadians, however the 'coming out' framework was not as applicable to Queer Indigenous people. The Indian Act of 1876, a Canadian federal law, established a settler-colonial economy that not only regulated how Indigenous people could live and work but also sought to control their sexual identities (Driskill, 2004, p.54). Colonial governance was in control of every aspect of Indigenous lives, 'from clothing to shelter to eating to sex' (Depelteau and Giroux, 2015, p.66). This legacy of oppression persists, with contemporary Two-Spirit individuals often experiencing alienation within their own Indigenous communities (Depelteau and Giroux, 2015, p.67). While many Two-Spirit individuals leave their reserves for more accepting urban spaces, others choose to stay, preferring to keep their identity private and choosing not to 'come out' according to Western norms. Wilson (2008, p.198) describes this choice as a way for Indigenous individuals to 'come-in' to their communities, simultaneously maintaining their Indigenous and gender identities. This practice of 'coming in' rejects the liberal notion of declaring 'an independent identity' through 'coming out' and instead offers Indigenous people a means of finding empowerment *within* the complexities of their gender, sexuality, and culture (Wilson, 2008, p.197). Thus, 'coming in' suggests a disavowal of the visibility required through 'coming out', which is fundamental to the mainstream LGBTQ+ rights movement.

This is reflected in Coulthard's *Red Skin, White Masks*, where he draws from anticolonial theorist and revolutionary, Frantz Fanon, to highlight that colonised groups must resist being dependent on their oppressors and instead find freedom and self-worth through self-determination (2014). Coulthard criticises liberal understandings of the 'politics of recognition' which frequently endorse a practice of granting or imposing

recognition on Indigenous people (Coulthard, 2014, p.25). Rather, he argues that recognition must begin with Indigenous people: by recognising their freedom and dignity, they initiate the process of decolonisation. By rejecting the Western 'coming out' rhetoric, Indigenous LGBTQ+ people engage in what Coulthard describes as a 'politics of refusal', asserting their independence from their colonial oppressors (2014). Because the Canadian LGBTQ+ rights movement emerged within a settler-colonial context, it is considered subservient for Indigenous people to find liberation within the mainstream gay liberation movement's understanding of visibility. The Western 'coming out' rhetoric of the 1970s does not offer Queer Indigenous people the same path to liberation, as they face the compounding oppressions of homophobia and entrenched racial discrimination. Rather, 'coming in' can be understood as a means of radically rejecting and redefining liberal ideas of freedom, without relying on settler-colonial society's understanding of visibility.

The HIV/AIDS crisis in the 1980s and 1990s: Mobilising or Debilitating?

While the HIV/AIDS crisis of the 1980s had a devastating impact on the mainstream LGBTQ+ rights movement, it further exposed the intersecting oppressions faced by Indigenous Queer communities. With the epidemic significantly impacting gay men – many of whom were leading gay liberation groups at the time – scholars explain that the crisis was severely debilitating to the movement (Smith, 2015, p.48). Tremblay (2015, p.109) further recognises that the epidemic reinforced public disapproval of LGBTQ+ communities, while simultaneously promoting and unifying a collective Queer identity. She argues that it 'brought homosexuality out of the shadows by placing it on the public agenda' (Tremblay, 2015, p.109). LGBTQ+ groups leveraged this visibility to form stronger relationships with government organisations, by advocating for people with HIV/AIDS, thus institutionalising the recognition of Queer bodies in governmental practices (Smith, 2015, p.48). Despite the devastating impacts of the HIV/AIDS epidemic in the 1980s and 1990s, the mainstream LGBTQ+ rights movement in Canada was energised in its pursuit of legal rights.

The epidemic further exposed the internal homophobia within Canadian healthcare systems, particularly the discrimination faced by Two-Spirit people. Gilley (2006, p.28) highlights that institutionalised prejudice against LGBTQ+ individuals was prevalent throughout the crisis, but many AIDS programmes overlooked the specific healthcare needs of Indigenous people, failing to provide proper medical treatment. The epidemic unveiled a unique problem that exists for Indigenous LGBTQ+ people within the healthcare system. Depelteau and Giroux (2015, p.74) explain that the 'combination of homophobia, heterosexism, racism, cultural insensitivity, and a legacy of distrust towards health care professionals' resulted in multi-scalar difficulties faced by Indigenous Queer groups. Often overlooked, the HIV/AIDS crisis perpetuated the stigmatisation of Indigenous people, further excluding them from the mainstream LGBTQ+ rights movement and reinforcing their marginalisation within Canadian society.

Nonetheless, the HIV/AIDS crisis sparked conversations around the Two-Spirit identity, sexuality, and experiences of discrimination (Gilley, 2006). While this was a monumental development, in the same decade that the mainstream LGBTQ movement was gaining institutional recognition, Indigenous people were only just getting access to a term to define their identity. This juxtaposition – between the monumental strides made in Western LGBTQ+ rights while Two-Spirit people were only just being recognised – elucidates the disparity in these groups' histories and reveals the compounded oppression faced by Queer Indigenous communities. Despite the disproportionate development of mainstream LGBTQ+ rights compared with Two-Spirit rights, the significance of the 'Two-Spirit' neologism reiterates Coulthard's call for self-recognition. The coinage of 'Two-Spirit' within a group of LGBTQ+ identifying First Nations people follows Coulthard's (2014, p.24) aim for Indigenous people to refrain from directing their struggles toward liberal goals of state-oriented recognition. Embracing 'Two-Spirit' as a means of reclaiming the previously erased Indigenous interpretations of gender and sexuality allows Queer Indigenous people to resist recognition through settler-colonial tropes directly. In such a way, the 1980s and 1990s demonstrated the clear discrepancy in rights between mainstream LGBTQ+

and Two-Spirit communities, the key events that unfolded also exemplifying Indigenous resistance to continued and compounded colonial oppression.

The Legalisation of Same-Sex Marriage in 2005: Liberating or Debilitating?

The distinct oppression faced by Indigenous Queer communities becomes more apparent when examining the legalisation of same-sex marriage in 2005. While this pivotal legislation marked a turning point for LGBTQ+ groups, marriage is deeply embedded in Canada's colonial history (Depelteau and Giroux, 2015, p.65). In the West, heterosexual marriage has long been seen as a key element of societal order, maintaining gender roles with the husband as the provider and the woman as the 'dependent partner' (Carter, 2008, p.3). Yet, heterosexual marriage was not recognised in many Indigenous societies pre-colonialism. Thus, while LGBTQ+ activists celebrate marriage equality, its deep-rooted ties to conservatism and colonialism complicate this accomplishment.

Furthermore, Canada's 1876 Indian Act established a legal context through which marriage was necessary for Indigenous citizenship status (Carter, 2008, pp.12-13). Before 1876, there were diverse practices of relationships among Indigenous people polygamy, monogamy, same-sex marriage, and re-marriage were not uncommon (Carter, 2008, p.5). When colonial rule was established, Indigenous people were subjected to heterosexual and monogamous marriage practices rooted in Christian values. Those who did not comply with these new standards would be denied citizenship status and excluded from participation in Canadian society (Depelteau and Giroux, 2015, p.69). Thus, through the Indian Act, marriage became a debilitating – rather than liberating – force for Indigenous people. Despite the victory of same-sex marriage legislation for the

mainstream LGBTQ+ community, it is important to recognise its limitations in addressing the needs and histories of Queer Indigenous people.

Moreover, the assumption that marriage will ostensibly confer 'legitimacy and recognition' upon same-sex relationships follows a liberal understanding of the politics of recognition (Depelteau and Giroux, 2015, p.69). Coulthard insists that the idea that recognition can be imposed on another group by the state is 'ill-equipped to deal with the inter-related structural and psycho-affective dimensions of colonial power' (2014, p.26). While Coulthard primarily discusses the politics of recognition for Indigenous people, this framework also impacts White-settler society. By assuming that equality and liberation will be achieved through the state's recognition of same-sex marriage, mainstream LGBTQ+ groups are also restricted by liberal paradigms. Coulthard explains that this recognition-based approach does not guarantee freedom but instead expands the power through which 'colonial relations are produced and maintained' (2014, p.17). Rather than ensuring equality for LGBTQ+ people, the legalisation of same-sex marriage further reinforces the state's capacity to determine and define inferiorised identities. State recognition not only serves as a debilitating

reminder of oppression for Indigenous people, but also subjects mainstream LGBTQ+ communities to the state's power. Therefore, the settler-colonial implications of this legislation impose restrictions on the rights of both mainstream LGBTQ+ and Two-Spirit people.

Nonetheless, the avowal of marriage equality in Canada has been pivotal for the LGBTQ+ community as a whole, serving as a crucial turn in the societal

acceptance of Queer communities (Rayside, 2008, p.111). The rights and freedoms that are associated with marriage expanded the naturalization of LGBTQ+ groups across the nation (Rayside, 2008, p.122). Thus, while interrogating the colonial implications of marriage provides an interesting point of analysis, it is necessary

“Often overlooked, the HIV/AIDS crisis perpetuated the stigmatisation of Indigenous people, further excluding them from the mainstream LGBTQ+ rights movement and reinforcing their marginalisation within Canadian society.”

to acknowledge the significance of the legalisation of same-sex marriage.

Canada Today: Moving Forwards or Backwards?

Canada's ubiquitous colonial history is obscured by its contemporary presentation as an accepting state, open to all forms of sexual diversity (Smith, 2020). Throughout the gay liberation movement, liberal understandings of freedom have prevailed, assuming that liberation can be granted or imposed through the state's recognition of rights. Coulthard's call for a 'resurgent politics of recognition', which he believes can build a more just relationship between Indigenous people and non-Indigenous groups, is seen in the creation of the term 'Two-Spirit' and through the practice of 'coming in' to one's Indigenous and Queer identity (2014, p. 18). This recognition of the embeddedness of settler-colonialism within Canada's LGBTQ+ project not only exposes the compounded oppression experienced by Indigenous people, but also highlights the internal limits of the movement. The settler-colonial state's legal recognition of marriage does not equate to genuine societal equality. Thus, settler-colonialism undermines both Indigenous people and white-settler societies by imposing liberal restrictions that inadequately address the demands for rights.

When reflecting on the disparities between mainstream LGBTQ+ and Two-Spirit people, it may be inadequate to merely question whether Indigenous people should be included or remain separate. Overcoming the deep history of colonialism and homophobia that exists in Canadian society cannot be achieved by simply adding '2S' to the LGBTQ+ acronym. Rather, a thorough interrogation of the settler-colonial structures that intrinsically debilitate the lives of both Queer Indigenous people and LGBTQ+ Canadians offers insight into the country's complex social reality. Not only do Indigenous bodies persist on the margins of Canadian society, but Queer bodies are also inherently restricted by false narratives of liberation imposed by the settler-colonial state. Thus, the epistemological project of uncovering the deeply entrenched history of colonialism within the gay liberation movement can serve as a cornerstone for a broader politics of

refusal and resurgence. Unpacking the colonial reality that fosters inequality and restricts livelihoods can enable a shift towards uplifting marginalised identities and dismantling the current systems that perpetuate oppression.

Bibliography

- Arvin, M., Tuck, E., and Morrill, A. (2013) 'Decolonizing Feminism: Challenging Connections between Settler Colonialism and Heteropatriarchy', *Feminist Formations*, 25(1), pp.8-34. Available at: <https://doi.org/10.1353/ff.2013.0006>
- Carter, S. (2008) *The Importance of Being Monogamous: Marriage and Nation Building in Western Canada to 1915*. Edmonton: University of Alberta Press. Available at: https://www.aupress.ca/app/uploads/120144_99Z_Carter_2008-Importance_of_being_Monogamous.pdf
- Coulthard, G. (2007) 'Subjects of Empire: Indigenous Peoples and the 'Politics of Recognition' in Canada', *Contemporary Political Theory*, 6(4), pp.437-460. Available at: <https://doi.org/10.1057/palgrave.cpt.9300307>
- Coulthard, G. (2014) *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition*. Minneapolis: University Of Minnesota Press. Available at: <https://www.proquest.com/docview/2132017535/73051C1950C34DFCPO/>
- Depelteau, J. and Giroux, D. (2015) 'LGBTQ Issues as Indigenous Politics: Two-Spirit Mobilization in Canada', in M. Tremblay (ed.) *Queer Mobilizations: Social Movement Activism and Canadian Public Policy*. Vancouver: University of British Columbia Press, pp.64-81. Available at: <https://doi.org/10.59962/9780774829090-005>
- Driskill, Q. (2004) 'Stolen From Our Bodies: First Nations Two-Spirits/Queers and the Journey to a Sovereign Erotic', *Studies in American Indian Literatures*, 16(2), pp.50-64. Available at: <https://doi.org/10.1353/ail.2004.0020>
- Gilley, B. (2006) *Becoming Two-Spirit: Gay Identity and Social Acceptance in Indian Country*. Lincoln, NE: University of Nebraska Press.
- Lang, S. (2003) 'Lesbians, Men-Women and Two-Spirits: Homosexuality and Gender in Native American Cultures', in S. LaFont (ed.) *Constructing Sexualities: Readings in Sexuality, Gender, and Culture*. Upper Saddle River: Prentice Hall, pp.202-218.
- Morgensen, S. (2010) 'Settler homonationalism: Theorizing Settler Colonialism within Queer Modernities', *GLQ: A Journal of Lesbian and Gay Studies*, 16(1-2), pp.105-131. Available at: <https://doi.org/10.1215/10642684-2009-015>
- Rayside, D. (2008) 'Canadian Recognition of Same-Sex Relationships' in Rayside, D. (ed.) *Queer Inclusions, Continental Divisions: Public Recognition of Sexual Diversity in Canada and the United States*, Toronto: University of Toronto Press, pp. 92-125.
- Robinson, M. (2017) 'Two-Spirit and Bisexual People: Different Umbrella, Same Rain', *Journal of Bisexuality*, 17(1), pp.7-29. Available at: <https://doi.org/10.1080/15299716.2016.1261266>
- Smith, M. (2015) 'LGBTQ Activism: The Pan-Canadian Political Space', in D. Tremblay (ed.), *Queer Mobilization: Social Movement Activism and Canadian Public Policy*, Vancouver: University of British Columbia Press, pp.45-63.
- Smith, M. (2020) 'Homophobia and Homonationalism: LGBTQ Law Reform in Canada', *Social & legal studies*, 29 (1), pp.65-84. Available at: <https://doi.org/10.1177/0964663918822150>
- Tremblay, M. (2015) 'Quebec and Sexual Diversity: From Repression to Citizenship?', in M. Tremblay (ed.), *Queer Mobilizations: Social Movement Activism and Canadian Public Policy*. Vancouver: University of British Columbia, pp.106-124. Available at: <https://doi.org/10.59962/9780774829090-007>
- Warner, T. (2002) *Never Going Back: A History of Queer Activism in Canada*. Toronto: University of Toronto Press. Available at: <https://doi.org/10.3138/9781442677623>
- Wilson, A. (2008) "'N'tacimowin inna nah': Our Coming In Stories", *Canadian Woman Studies*, 26(3-4), pp.193-199. Available at: <https://www.proquest.com/docview/217445007>
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FORGING SOLIDARITY: LESBIANS AND GAYS SUPPORT THE MINERS IN THE FIGHT AGAINST NEOLIBERAL VIOLENCE

by Joe Ellis

Illustration by Ty Ramage



Samora Machel defined solidarity as a 'political act... not an act of charity, but mutual aid between forces fighting for the same objective' (Machel, 1981, pp.7–15). During the 1984–1985 Miner's Strike, this radical solidarity was embodied by the unlikely story of Lesbians and Gays Support the Miners (LGSM). Formed out of London Gay Pride in July 1984, they raised over £20,000 for the mining community in the Dulais Valley in Wales (Starr, 2024; Goodspeed, 2014). The bonds they formed outlasted the strike, as exemplified by many miners attending the funeral of co-founder Mark Ashton after he died from AIDS (Starr, 2024). This essay investigates how LGSM cultivated solidarity, using interviews with activists and members of mining communities from the documentary film *All Out! Dancing in Dulais* (1986), and argues that shared exposure to neoliberal violence unintentionally created the space for LGSM to build a politics of solidarity. First, this essay conceptualises the theory of neoliberal violence, contending that it aimed to fracture solidaristic opposition during the implementation of neoliberalism and that its stratified citizenship is structurally violent. Next, this essay uses testimony within *All Out! Dancing in Dulais* to argue that LGSM used state violence to build solidarity, acknowledging that although neoliberal structural violence also unintentionally drove solidarity, it ultimately fractured both communities.

Conceptualising Neoliberal Violence

Neoliberalism is defined as 'a comprehensive political project that sees the market as the model for the state and for the overall [organisation] of society' (Oksala, 2011, p.480). Neoliberalism is a constructivist ideology, because it seeks to utilise the state to create its ideal society (Brown, 2005; Mirowski, 2014, p.36). However this constructivism creates social divisions as society becomes increasingly market-oriented. Violence, including police violence during the miners' strike (Robinson, 2011), underpinned neoliberal reforms (Klein, 2007; Oksala, 2011; Mavelli, 2022). This exemplifies that remaking society along market-stratified lines creates social friction, which necessitates the use of violence against oppositional groups. The state assumes this role as it is a necessarily capitalist formation, meaning it uses its monopoly on violence to stabilise and facilitate capital accumulation through

suppression of opposition (Poulantzas, 1969; Weber, 1978). The striking miners and LGSM were two such oppositional groups, showing a need to analyse the role of neoliberal violence in the construction of solidarity between them while neoliberalism reconstituted society. For Klein, this reconstitution was accelerated through three stages of 'shocks': (1) war, regime change, terror, or natural disasters; (2) utilisation of the first shock by states and corporations to implement radical neoliberal reforms; and (3) the use of military and policing to crush opposition (Klein, 2007, pp.25–26). Here, neoliberalism's spread is denaturalised, stripped of necessity, and exposed as a violent project of disempowerment and societal fracture. Some of this violence explicitly aimed to destroy solidarity to drive individualism (Klein, 2007, pp.112–113), making neoliberal violence a tactic to split the opposition and foster individualism. Neoliberals' constructivist goal of fostering individualism through the instrument of violence conflicts with LGSM's aim of building solidarity, creating a need for the analysis section of this paper to assess their relative success.

However, this instrumental theory of neoliberal violence has been critiqued. Oksala argues that Klein fails to see that under neoliberalism, violence has become an economic force, depoliticising its impact (Oksala, 2011, pp.475–476). Thus, the direct state violence of police or militaries that was needed to instantiate neoliberalism was replaced by structural economic violence, whose nebulous and indirect nature prevents opposition to increasingly globalised capital. Galtung characterises structural violence as the systemic construction of social injustices that harm human opportunities (1969, pp. 171), while Mavelli argues that under neoliberalism scarcity of resources is used to create an idea of competition and opposition between groups, harming solidarity (2022). Neoliberalism uses structural violence to stratify society along market lines, while dividing groups to prevent united opposition and instantiate individualism. Analysing groups who faced unjust economic inequality during neoliberalism's consolidation, such as lesbians and gay men or abandoned mining communities, illuminates the impacts of the structural component of neoliberal violence. Therefore, to understand how LGSM built solidarity in these conditions, while overcoming the competition logic articulated by Mavelli, shared expo-

sure to structural violence must be studied, not just direct state violence. Berlant's 'slow death' model illuminates the market's structural violence, contending that neoliberalism chooses which populations thrive and which slowly die through the everyday attrition of capitalism, concealing the structural violence enacted as it is indirect (2011). Certain communities fail to be considered worthy by the market and are instead consigned to a slow death, where they are forced to face constant dislocation. This low-intensity form of violence is masked as a naturalised economic outcome, which dovetails with the logics of competitive stratification and individualism to fracture solidarity and opposition. By analysing mining communities and LGSM, this paper can politicise this concealed structural violence, exposing the 'slow death' enacted by neoliberalism, as well as its impact on solidarity construction.

Neoliberal Violence and Solidarity in All Out! Dancing in Dulais (1986)

Contrary to the fragmenting and pacifying aims of neoliberal violence, LGSM used the shared experience of exposure to build solidarity between two unlikely groups: metropolitan lesbians and gay men, and miners in traditional working-class towns. In the documentary *All Out! Dancing in Dulais*, a woman from the mining community articulates the problem of forming solidarity under violence:

For years lesbians and gay men have been telling us... we're under attack. We're being threatened by the police. And we just turned our ears... We may have felt sorry for a few minutes, and we didn't think about it again... [it was] happening somewhere else.
All Out! Dancing in Dulais, 1986

The woman articulates that lesbians and gay men were seen as 'somewhere else', rendering the violence they felt invisible due to their marginalisation. This invisibility supplanted solidarity with pity, which, as articulated by the woman, lacks the drive to oppositional politicised activity that solidarity embodies. The mining community's ability to previously ignore the attacks on lesbians and gays demonstrates a key facet of neoliberal violence identified by Oksala – that the true weight of its effects are concealed (Oksala, 2011). Les-

bians and gay men faced extensive state violence at the time, as although homosexuality was legal, asking someone to have sex was considered solicitation, and undercover 'pretty police' entered clubs seeking to arrest lesbians and gay men (Goodspeed, 2015; Kelliher, 2021). Moreover, during the 1980s, the London Queer bookshop, 'Gay's the Word', was stormed by police, with staff charged under obscenity laws (Kelliher, 2021, p.132). Alongside Clause 28's criminalisation of the 'promotion' of homosexuality, this shows increasing criminalisation and police violence aimed at sites of lesbian and gay culture (Robinson, 2011, pp.170–171). For Chitty, this increased focus on policing lesbian and gay populations arises during times of upheaval within capitalism, including or excluding them on a contingent basis (2020, pp.29–35). Thus, during the significant disruption of neoliberalism's consolidation, an increase in policing was required to single out an enemy, dividing opposition to the reforms. Direct state violence was used to ensure the successful transition of capitalism to its new neoliberal form by targeting an increasingly visible lesbian and gay culture represented by Queer businesses. This strategy also temporally grounded the neoliberal futurist radicalism of the reform in the safety blanket of the past's conservative sex/gender system to garner public acceptance, by showing that the new form of capitalism, although destabilising, still maintained traditional moral values for what type of business could enter the market and hold public space. This aim of fostering division is most evident in the police harassment and arrest of LGSM members while collecting donations, showing clear attempts by the instruments of neoliberal violence to break the budding solidarity being formed by LGSM (Starr, 2024).

However, LGSM's solidarity politics ensured this did not have the intended effect of successfully sowing division, with another female community member stating:

Their struggle is something similar to ours. We've suffered in the last year with the police... what they've been suffering their whole lives and are likely to continue to suffer unless we do something about it.
All Out! Dancing in Dulais, 1986

Here, solidarity is clearly present in the call for uni-

fied action to improve the conditions for lesbians and gay men, showing the success of LGSM's fundraising in highlighting the shared experience of exposure to neoliberal violence faced by lesbians, gay men and miners. Miners' pickets faced fierce opposition from police trying to break them, even leading to two deaths (Jones, 1997, p.79; Wallington, 1985, p.149). Robinson argues that the modes of targeting the miners, including through the 'Special Patrol Group' of police, drew solidaristic reactions from minority communities who had also been victims of state violence (2011, p.165). The period of neoliberalism's consolidation involved smashing labour opposition, thus requiring state violence to attack the resisting miners (Harvey, 2007). The violence was no longer 'somewhere else' as the state was turning on respectable working-class citizens, rather than reserving this violence for minorities. LGSM's presence in the miners' time of need cultivated solidarity, as their shared experience of neoliberal violence combined with the mutual will to help, highlighted the similarities of their situations and enemies.

However, this violence also had a structural element. During the film, a gay man criticises the violence of institutions:

All the lesbians and gay men who are attacked by the police, attacked by the media, attacked by the state, know what it's like to be attacked. That's why we're here openly as lesbians and gays, and as socialists to support the miners. A victory for the miners is a victory for us all.
All Out! Dancing in Dulais, 1986

The use of 'attack' shows an understanding that capitalist institutions coalesce to commit both state and structural violence against groups who are excluded from neoliberalism. He frames the shared struggle for victories against these institutions as the driver of LGSM's solidarity politics: the reason 'we're here'. Moreover, he represents their identity as lesbian, gay, and socialist. Instead of reinforcing the often noted historical

opposition between lesbian and gay politics and class politics, he builds solidarity by highlighting the shared socialism and class position of the miners, lesbian and gay communities (Floyd, 1998, pp.168–169; Robinson, 2011, p.154). This creates a sexual politics centred around class and against capitalism, constructing a shared enemy to prevent the possible frictions of difference in the fight against neoliberal violence. LGSM co-founder, Mark Ashton, also utilises his interview within the film to stress the need to fight capitalist oppression together: 'The miners and workers in general need defence organisations and that's what unions are.' (*All Out! Dancing in Dulais, 1986*). Ashton contends that opposing neoliberal violence

requires 'defence', and he asserts that this cannot be individualised. Solidarity is therefore required, meaning that the neoliberal aim of fracture must be surmounted to protect communities from unfettered structural violence. Ashton's own death exemplifies this structural violence, as the AIDS crisis was accompanied by a homophobic state and hostile media (Colpani, 2022). Measures such as Clause 28 prevented HIV education, which worsened the crisis (Robinson, 2011, p.171). AIDS followed the logic of Klein's 'shocks' (2007) in that a natural shock provided cover for neoliberal reforms, while lesbians and gay men were violently suppressed by police, with solidarity fractured by the construction of lesbians and gay men as a threat.

Miners were similarly demonised by the press, justifying their marking for the 'slow death' form of structural violence ((Kelliher, 2014, pp. 249, 253; Berlant, 2011). Coal mining was not simply a productive practice, as it formed the social fabric of the communities it sustained (Rees, 1985, p.404). Its destruction in Wales caused a huge employment decline, particularly for men working in industry, with increased poverty still present today (Mowlabocus, 2019, p.63). Because neoliberal globalisation has driven deindustrialisation, communities have been hollowed out and face slow death as the market deems them unworthy. Canaday argues that the insecurity of pre-neoliberal lesbian

“LGSM's presence in the miners' time of need cultivated solidarity, as their shared experience of neoliberal violence combined with the mutual will to help, highlighted the similarities of their situations and enemies.”

and gay workers prefigured the insecurity faced under neoliberalism, showing that workers seek solidarity due to the shared need to 'defend' their communities from neoliberal structural violence (2023, pp. 12). In both cases, the state facilitated brutality to advance capitalism. Mining communities were marked for slow death through structural violence to break labour and kickstart neoliberal globalisation, while those left to die of AIDS were demonised by state and media to sow division to enact reforms. Neoliberal violence, despite creating the space for shared solidarity between LGSM and miners, ultimately harmed solidarity by instituting violence which killed activists like Ashton who advanced solidaristic lesbian and gay politics.

All Out! Dancing in Dulais illuminates how LGSM built solidarity under the conditions of neoliberal violence, which sought to fracture opposition. In fighting this aim of fracture, LGSM had considerable success, with the Dulais miners even attending Gay Pride alongside them in 1985 (Robinson, 2011, p.167). LGSM built bridges with non-transactional solidarity that changed miner's opinions of them, rejecting neoliberalism's fracturing individualism and showing the potential for unity and allyship between class and sexual politics. This essay argued that neoliberal violence allowed LGSM to build solidarity through articulating shared experiences of state violence and class. However, neoliberal structural violence eventually achieved fractures in both communities through AIDS and deindustrialisation, demonstrating that it was ultimately successful in destroying solidaristic opposition. Mark Ashton's death from AIDS is a symbolic representation of this, as he was no longer able to advance the solidarity politics he had built as a co-founder of LGSM. However, unearthing how they were able to construct and articulate solidarity, reignites the search for a solidarity politics of tomorrow.

Bibliography

All Out! Dancing in Dulais. (1986) Directed by C. Clews. [Documentary film]. Converse Pictures Ltd.

Berlant, L. (2011) 'Slow Death (Obesity, Sovereignty, Lateral Agency)' in *Cruel Optimism*. London: Duke University Press, pp.95–119.

Brown, W. (2005) 'Neoliberalism and the End of Liberal Democracy', in *Edgework: Critical Essays on Knowledge and Politics*. Princeton, NJ: Princeton University Press, pp.37–59.

Canaday, M. (2023) 'Introduction', in *Queer Career: Sexuality and Work in Modern America*. Princeton: Princeton University Press, pp. 1–32.

Chitty, C. (2020) 'Homosexuality and Capitalism', in *Sexual Hegemony: Statecraft, Sodomy, and Capital in the Rise of the World System*. Durham: Duke University Press, pp.19–41.

Colpani, G. (2022) 'A Missed Encounter: Stuart Hall and Lesbians and Gays Support the Miners (LGSM)', *Coils of the Serpent*, 10, pp.131–152. Available at: <https://dspace.library.uu.nl/handle/1874/422255>.

Floyd, K. (1998) 'Making History: Marxism, Queer Theory, and Contradiction in the Future of American Studies', *Cultural Critique*, (40), pp.167–201. Available at: <https://www.jstor.org/stable/1354471>.

Galtung, J. (1969) 'Violence, Peace, and Peace Research', *Journal of Peace Research*, 6(3), pp.167–191. Available at: <https://doi.org/10.11606/issn.2238-2593.organicom.2018.150546>

Goodspeed, R. (2015) 'There Was No Question of Anybody Walking Out', *Jacobin*, (5 January). Available at: <https://jacobin.com/2015/01/pride-film-lgbt-miners-strike> (Accessed: 11 September 2024).

Goodspeed, R. (2014) 'Pride- the true story', *Left Unity*, 3 October). Available at: <https://leftunity.org/pride-the-true-story/> (Accessed: 19 November 2024).

Harvey, D. (2007) *A Brief History of Neoliberalism*. Oxford, UK: Oxford University Press.

Jones, S. (1997) 'Still a mining community': *Gender and change in the Upper Dulais Valley*. PhD thesis. Swansea University. Available at: <https://www.proquest.com/dissertations-theses/still-mining-community-gender-change-upper-dulais/docview/2013159358/se-2?accountid=10673> (Accessed 16

January 2025).

Kelliher, D. (2014) 'Solidarity and Sexuality: Lesbians and Gays Support the Miners 1984-5', *History Workshop Journal*, 77(77), pp.240-262. Available at: <https://www.jstor.org/stable/43299555>

Kelliher, D. (2021) 'Sexuality and Solidarity: Lesbians and Gays Support the Miners.' in *Making Cultures of Solidarity: London and the 1984–5 Miners' Strike*. London: Routledge, pp.122–146.

Klein, N. (2007) *The Shock Doctrine*. New York: Metropolitan Books.

Machel, S. (1981) 'Solidarity is Mutual Aid Between Forces Fighting for the Same Objective', in *Mozambique, Sowing the Seeds of Revolution*. Harare: Zimbabwe Publishing House, pp.7–15.

Mavelli, L. (2022) *Neoliberal Citizenship: Sacred Markets, Sacrificial Lives*. Oxford: Oxford University Press.

Mbembe, A. (2003) 'Necropolitics', *Public Culture*, 15(1), pp.11–40. Available at: <https://doi-org.eux.idm.oclc.org/10.1215/08992363-15-1-11>

Mirowski, P. (2014) 'Shock Block Doctrine: Neoliberalism as Thought Collective and Political Program', in *Never Let a Serious Crisis Go to Waste: How Neoliberalism Survived the Financial Meltdown*. London: Verso, pp.26–72.

Mowlabocus, S. (2019) "'No politics ... We're a Mardi Gras now': Telling the story of LGSM in 21st-Century Britain', *Open Library of Humanities*, 5(1), p.63. Available at: <https://doi.org/10.16995/olh.323>

Oksala, J. (2011) 'Violence and Neoliberal Governmentality', *Constellations: An International Journal of Critical & Democratic Theory*, 18(3), pp.474–486. Available at: <https://doi-org.eux.idm.oclc.org/10.1111/j.1467-8675.2011.00646.x>

Poulantzas, N. (1969) 'The Problem of the Capitalist State', *New Left Review*, (1/58), pp.67-78. Available at: <https://newleftreview-org.eux.idm.oclc.org/issues/158/articles/nicos-poulantzas-the-problem-of-the-capitalist-state>

Rees, G. (1985) 'Regional Restructuring, Class Change, and Political Action: Preliminary Comments on the 1984-1985 Miners' Strike in South Wales', *Environment and Planning, D, Society and Space*, 3(4), pp.389–406. Available at: <https://doi-org.eux.idm.oclc.org/10.1068/d030389>

Bibliography *continued*

Robinson, L. (2011) 'Confronting Thatcher: the Bermondsey by-election, Lesbians and Gays Support the Miners and AIDS activism', in *Gay Men and the Left in Post-war Britain: How the Personal got Political*. Manchester: Manchester University Press, pp.154–184.

Starr, J. (2024) 'What was LGSM?', *People's History Museum*, 13 May. Available at: <https://phm.org.uk/blogposts/what-was-lgsm/> (Accessed: 12 September 2024).

Wallington, P. (1985) 'Policing the Miners' Strike', *Industrial Law Journal*, 14(3), pp.145–159. Available at: <https://heinonline.org/HOL/P?h=hein.journals/indlj14&i=161>

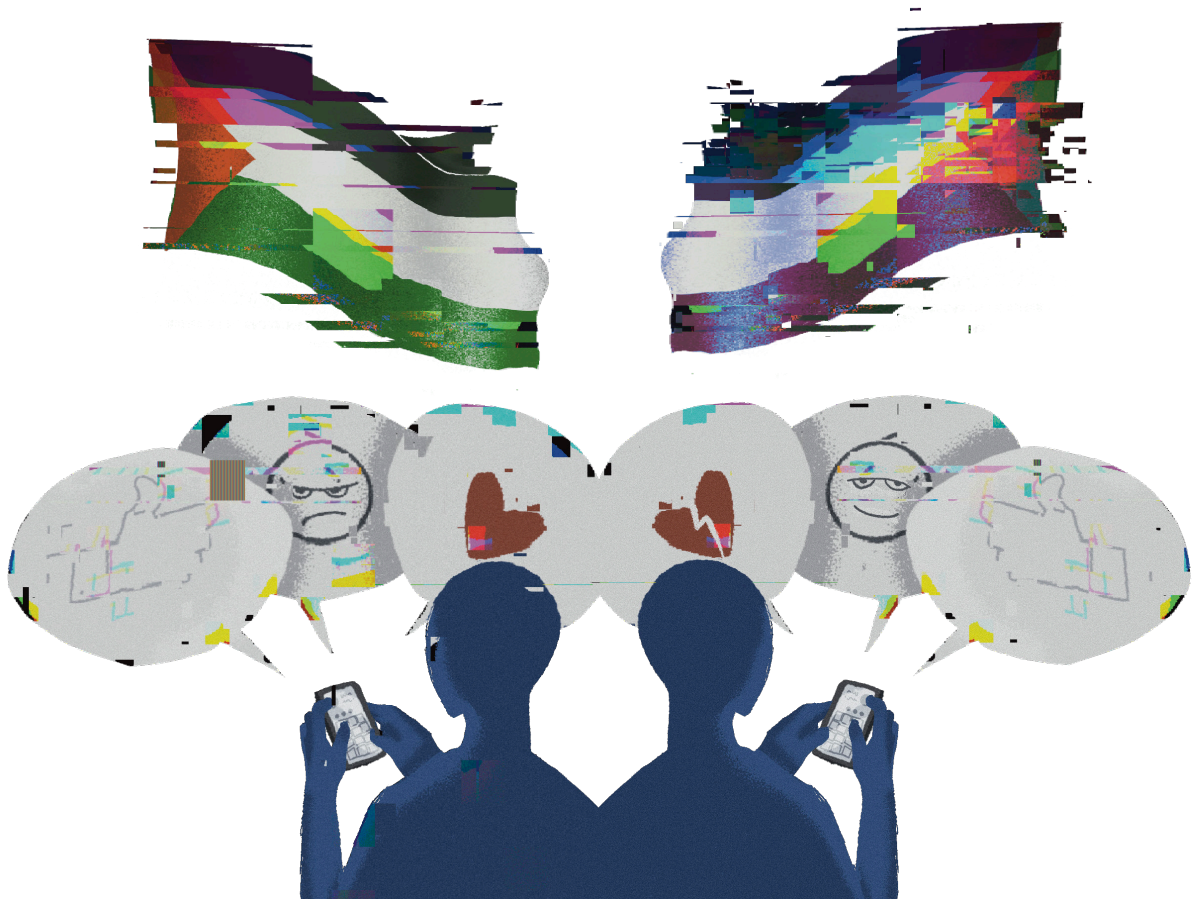
Weber, M. (1978) 'Politics as a Vocation', in W. Runciman and E. Matthews (eds) *Max Weber: Selections in Translation*. Cambridge: Cambridge University Press, pp. 212–225.

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WHAT FLAG IS IN YOUR BIO?: AN ANALYSIS OF SOCIAL MEDIA DISCOURSE ON 'ISRAEL/PALESTINE'

by Ruby Scott

Illustration by Claire Martin



Social media has allowed the voices of those affected by political violence to be spread wider and louder than ever (Abbas et al, 2022). While this appears positive on the surface, there are issues that come along with the instantaneous spread of information and opinions. Social media discourse is not always reflective of reality and can be prone to instances of misinformation. This essay will examine political social media discourse through the lens of Jean Baudrillard's ideas of 'Simulacra and Simulation' to demonstrate that social media discourse can lose the meaning of the original topic of discussion, distracting from the issue at

hand. In the context of the ongoing violent conflict in Palestine, the issue at hand concerns civilian suffering, breaches of international law, and alleged genocide (Amnesty International, 2022 and United Nations, 2024). It is important to analyse the role that social media discourse has in distracting users from these critical issues. This spread of information, misinformation and even hate speech is proving endemic, particularly in the context of discourse on social media surrounding 'Israel/Palestine' and the treatment of Palestinian people within the current conflict.

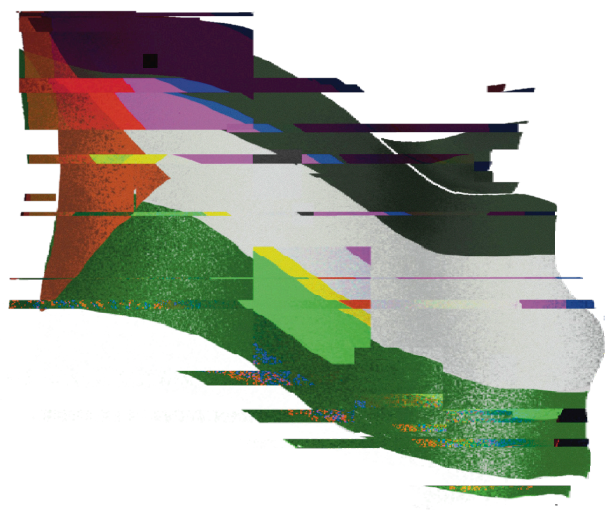
The current Arab-Israeli conflict originated in the 1948 Nakba, when over 750,000 Palestinians, or 80% of the population, were displaced for Jewish settlers to facilitate the creation of the state of Israel (Slater, 2020, p.81, 83). Since then, the Israeli State has increasingly encroached on Palestinian territory and been responsible for the inhumane treatment of Palestinians within its occupied territories, namely, the West Bank and the Gaza Strip (Amnesty International, 2022). The most recent escalation has been the Israel-Hamas War, which began in 2023 and has led to accusations against Israel of crimes against humanity and genocide (United Nations, 2024). The Israel-Hamas War has become known for severe destruction of property and loss of civilian life, specifically pertaining to the citizens of Gaza (Yaquba et al, 2023). This violence is echoed and maintained thanks to a medium we hold in our own pockets: social media. Social media has been credited by some as a useful tool for spreading awareness about underrepresented issues (Abbas et al, 2022). This is the case with Palestinian voices, who often feel underrepresented or that their stories are misconstrued by the global media (Abbas et al, 2022). However, social media has also been responsible for causing a rise in hate speech and misinformation; which in this case is especially linked to antisemitism and Islamophobia (González-Esteban et al, 2024). Hate speech on social media is often enabled by the anonymous nature of user-profiles, which as a result, helps perpetrators dodge accountability and consequently punishment (Mondal, Araújo Silva and Benevenuto, 2017). Bolstered and fuelled by anonymity, such a degree of separation may also enable a sense of detachment from reality, and from the very real consequences of online actions and activity. As posited by Jean Baudrillard in 'Simulacra and Simulation' (1994), social media exists within what may be termed 'hyperreality'. This essay consequently argues that hate speech, ignorance and confusion, in the context of Israel/Palestine, is facilitated by social media's existence within this hyperreality.

“Social media is submerged within hyperreality and does not exist within any discernible natural or original reality anymore, instead, everything we see and experience logging onto social media is pure simulation and includes many tiers of reproduced simulacra.”

Baudrillard defines Simulacra as something which resembles the real and becomes something else in itself (1994). Simulacra are everywhere within the contemporary world; they are paintings, posters, advertisements, articles, films, and social media posts. Simulacra are anything that is not found in nature but is created to show us some aspect of the real world (Allan and Daynes, 2017). There are multiple stages of simulacra, and these are easily observable in the structure of social media. The first stage authentically represents the natural world, such as posts of an unedited image of a landscape (Baudrillard, 1994, p.6). The second distorts reality and has an agenda, like when someone edits the aforementioned landscape to make it look better to their advantage for self promotion (Baudrillard, 1994, p.6). The third stage masks the lack of the real, think of social media profiles; their existence is obviously not real in the same way our real world personas are. However this fact creates an idea that our real world personas are completely pure, and have no aspect of performance or inauthenticity (Baudrillard, 1994, p.13). The fourth and final stage is pure simulation. Here simulacra have no relationship with reality whatsoever. Instead, simulacra become reflections of previous simulacra and the simulation in which they exist. This is hyperreality, where no natural reality exists anymore outside the simulation (Baudrillard, 1994, p.6; Allan and Daynes, 2017, p.242). Social media is submerged within hyperreality and does not exist within any discernible natural or original reality anymore, instead, everything we see and experience logging onto social media is pure simulation and includes many tiers of reproduced simulacra. It is not that the videos on social media are not of real things; it is that the experience of watching a video on social media is vastly different from perceiving a real world experience. When we watch a video of a speech we cannot see if a person is holding up cue cards for the speaker or if it is improvised, we cannot feel if the atmosphere is friendly or violent, we cannot see who is there. Thus, watching the video is removed

from reality, and in some way remains distorted, even if it is attempting to be transparent. Hyperreality is also not completely separated from historical narratives, as these narratives too are not natural reality. On the contrary, hyperreality is overly reproduced and oversaturated so that it is harder to connect to any natural reality. This applies both to comments, as well as actual videos of the current events within Israel/Palestine. Because of this, the rise of social media has submerged the population further into hyperreality, causing an increasingly apathetic societal attitude (Le, 2020). This essay argues that this process of hyperreality and simulation is responsible for disengaged attitudes on political issues like Israel/Palestine. Such a process ultimately enables hate speech, wherein increasing disconnect from suffering may only increase the apathy in users to do anything about racist hate speech, as well as feel sympathy for racialised minorities (Roden and Saleem, 2021).

Using this framework to inspect discourse on Israel/Palestine, we can observe a conversation that has taken on a new form than the original discourse on the topic. For instance, flag emojis are often used on social media to discern what side of the discourse people exist on (Cervi and Marín-Lladó, 2022). However, these emojis are simulacra of simulacra. A flag is already a symbol; it represents a nation, identity, or set of values. Flags simplify and abstract complex realities, such as a country's history, culture, and people, into a single object. The flag emoji is a digital representation of a flag, abstracting it even further. It strips away the material and ceremonial context of a flag, reducing it to a universal, context-independent icon that exists within



a system of digital communication. Here lies the issue with the use of these emojis and comments sections over more complex, or real world, discussions: when we interact with multi-layered simulacra, we interact with overly simplified symbolic ideas, rather than things that present the realities of the subjects of concern – i.e. Palestinians in Gaza. Furthermore, when we are presented with videos of the conflict, and the people suffering within it, we do not see the conflict and suffering but an inauthentic reproduction of its events. When we witness videos of warzones we are not truly immersed in the violent context, and some may be more susceptible to becoming apathetic about the violence (Roden and Saleem, 2021). Thus, instead of an authentic reaction this generates an apathetic approach which enables hate speech and misinformation, as empathy is diluted and both perpetration and becoming a bystander to hate speech becomes more likely (Roden and Saleem, 2021).

Misinformation on social media has risen along with its popularity (Melchior and Oliveira, 2024). The motivation to contribute to misinformation can be attributed to user's aspirations for self-promotion and political agenda, and can contribute to other users' confusion surrounding current events (Melchior and Oliveira, 2024). This rise of the aforementioned social media simulation has created a discourse on the topic of Israel/Palestine which exists within hyperreality. It is so far from authentic that it distracts from the real issue at hand, namely, the destruction and fatalities. Content such as live streams competing for likes for the 'Israel' or 'Palestine' creator (Gilbert, 2023), and videos comparing celebrities that support Israel or Palestine (Briefdata, 2024), are representative of a new genre of debate on 'Israel versus Palestine', one that is widely removed from the history of the issue. Such content demonstrates that 'Israel/Palestine' discourse on social media exists in a hyperreality of its own, however with a more distanced connection to reality, as it is diluted by additional discourse often based in misinformation or agenda in order to gain social media attention. It does not always aid in awareness of the issues but distracts us away from it seeing the reality of the topic. We can see that social media works as an engine to turn substantive topics into multilayered simulacra as there is so much content that is continually reproduced. Inevitably, at a certain point, this mass of content may

lose the original meaning of the discussion - centring the suffering of the conflict. Thus, users are unable to discern this from the meaningful activism, such as protests and boycotts that actually centre Palestinians' voices, that exist simultaneously alongside it.

The hate speech discussed in this is defined by its links to apathy as social media enables a more politically apathetic population (Le, 2020). Social media and its capacity to further embed us within hyperreality can be linked to an observed increasing sense of apathy towards life among users; especially those who are younger and more impressionable (Roden and Saleem, 2021, and Alfiah et al, 2021). This fosters a population that has much less interest in being connected to the rest of the world; in being invested in political and social global issues, as it is cognitively easier to be apathetic so as to not be overwhelmed by the political state of the world (Le, 2020). Increasing numbers of people feel apathetic towards suffering like that of the Palestinian people and thus may be more susceptible to enabling and hate speech by not feeling connected to the suffering or wanting to intervene when witnessing hate speech (Roden and Saleem, 2021). They feel as if they are interacting with comments like a game rather than reality (Pradhana and Tania, 2021). This process of rejecting the substantive and real, for the unreal and unsubstantive, like the live-streams and videos on 'Israel versus Palestine', evidences this increasingly politically apathetic populis who does not feel empathy towards suffering.

Furthermore, this social media hate speech exists as a reproduction of historical racist and colonial discourse (Matamoros-Fernández and Farkas 2021). The aforementioned history of the Palestinian struggle and the history of the Arab-Israeli conflict cannot be separated from the social media discourse. As it is the discourse on the history that has been distorted as it is further discussed on social media; while the history and the discourse on it are different entities they are connected by the chain of reproduction. However, social media is increasingly aggregating hatred, due to rapid rates of reproduction and alteration of information which encompasses the processes of creating simulacra. Palestinians and Arab people are increasingly subject to violent racist hate speech on social media (González-Esteban et al, 2024). Even non-



zionist Jewish people are also subject to hate speech that is blurred between their identity and that of the state of Israel (Behar, 2022). This antisemitic confusion is generally something less prevelant within real-world, pro-Palestinian activism. However, its existence gives pro-Israeli voices opportunities to tie legitimate criticism of the state of Israel with antisemitism as a way to delegitimise it (Behar, 2022; Ruth Gould, 2020). This blurring between who is who, and assigning people sides, is becoming increasingly divisive on social media. Increasingly, the term 'Islam' has been used as a synonym for regimes in which human rights are non-existent (González-Esteban et al, 2024). Often if users who are observed to be female or Queer show support for Palestinians, they are met with comments saying that they would have no rights in a Palestinian state (González-Esteban et al, 2024). This demonstrates the reproduction of historical orientalist ideas of Islam and Palestine; that Palestinians are "backward" and "uncivilised" (Said, 1979, p.9). This conflation specifically is dangerous in creating a hyperreality that takes away the historical nuances of the topic and reduces all actors to aggressors, erasing the civilian victim's experience.

The social media discourse on 'Israel/Palestine' and the current conflict in the Middle East can be placed within a historic colonial discourse rooted in white

supremacy. Comparisons can be made between the Western attitudes towards what they saw as 'primitive' people in Palestine prior to colonisation (Said, 1979, p.9), and the attitudes on social media today that paint Palestinians and Arab culture in an 'uncivilised' way (González-Esteban et al, 2024). The framework of Baudrillard's thesis is important to consider alongside this, as the images and patterns of speech that are reproduced over time become more convoluted and distanced from the original reason for their existence. Racist rhetoric is reproduced and embedded within hyperreality, this can be demonstrated by social media users' increasing lack of distinction between the use of the words "Hamas" and "Palestinians" within comment sections. This demonstrates that users see these groups to all be the same and to be violent entities (González-Esteban et al, 2024). At the same time we lose the contextual knowledge of why colonial rhetoric exists and the agenda for it. Instead, racism within the hyperreal is more difficult to question and deconstruct due to the added agenda and motivations to create misinformation.

Social media exists within what Baudrillard called the hyperreality that our world is encompassed by today. Its rapid rate of the reproduction of information means that it is nearly impossible to see beyond the hyperreality. Thus, discourse on political topics like 'Israel/Palestine' are often seen to lack nuance in their conversations as well as spreading misinformation and prompting hate speech due to apathetic attitudes towards those who are suffering (Roden and Saleem, 2021). Despite this, social media has been a way for Palestinians and pro-Palestine activism to mobilise and unify people together (Cervi and Marín-Lladó, 2022), especially within academic environments which have been more successful in handling historical discourses that encourage Islamophobia or antisemitism, rather than reproducing them through convoluted means (Behar, 2022). This essay suggests that there are more substantive uses for social media in terms of mobilisation for activist activities situated in the real world. However, the multi-level simulacred language on social media should be handled carefully and avoided when wanting to discuss the complex nuances of issues such as this. Although practically difficult, the acknowledgement that when we consume content of politics, we are not really there fully understanding the

gravity should help in combating apathy. In reality, many civilian lives are being destroyed, the hyperreal is unable to capture the gravity of this and it is reflected in an increasingly apathetic population, who also increasingly turn away from the suffering of fellow humans (Roden and Saleem, 2021). We should turn towards them and face their reality; something this essay advises of further literature to fill the gap within the study on this topic.

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Bibliography

- Abbas, L., Fahmy, S., Ayad, S., Ibrahim, M. and Ali, A. (2022) 'TikTok Intifada: Analyzing Social Media Activism Among Youth', *Online Media and Global Communication*, 1(2), pp.287–314. Available at: <https://doi.org/10.1515/omgc-2022-0014>
- Alfiah, F., Sifa Warohmah, S., Fransiska, M., Zehn Wahin, Z., Nur Annisa, M. and Kurniawan, A. (2021) 'Social Impact of Social Media Use Intensity on Mental Health in the Form of Apatic Attitude', *International Journal of Cyber and IT Service Management*, 1(2), pp.226–232. Available at: <https://ijast.iaic-publisher.org/ijcitsm/index.php/IJCITSM/article/view/62/20>
- Allan, K., and Daynes, S. (2017) *Explorations in classical sociological theory: Seeing the social world* (4th ed). Los Angeles: Sage.
- Amnesty International (2022) *Israel's apartheid against Palestinians: a cruel system of domination and a crime against humanity*. Available at: <https://www.amnesty.org/en/latest/news/2022/02/israels-apartheid-against-palestinians-a-cruel-system-of-domination-and-a-crime-against-humanity/> (Accessed 5 November 2024)
- Baudrillard, J. (1994) *Simulacra and Simulation*. Translated from French by Glaser, S. Ann Arbor: University of Michigan Press.
- Briefdata (2024) "Famous celebrities who support Israel or Palestine" [Tik Tok]. Available at: <https://www.tiktok.com/@briefdatao/video/7319448957120171272?r=1&t=8qn7CgreGAa> (Accessed: 23 October 2024).
- Behar, M. (2022) "Entanglements: The IHRA, Jews and Non-White Minorities", *Soundings: A journal of politics and culture*, 80, pp. 82–96. Available at: <https://muse-jhu-edu.eux.idm.oclc.org/article/856498>
- Cervi, L. and Marín-Lladó, C. (2022) "Freepalestine on TikTok: from performative activism to (meaningful) playful activism", *Journal of International and Intercultural Communication*, 15(4), pp. 414–434. Available at: <https://www.tandfonline.com/doi/epdf/10.1080/17513057.2022.2131883?needAccess=true>
- Gilbert, D. (2023) "TikTok Streamers Are Staging 'Israel vs. Palestine' Live Matches to Cash In on Virtual Gifts", *Wired*, 26 October. Available at: <https://www.wired.com/story/tiktok-live-matches-israel-hamas-war/> (Accessed 3 November 2024)
- González-Esteban, J., Lopez-Rico, C., Morales-Pino, L. and Sabater-Quinto, F. (2024) "Intensification of Hate Speech, Based on the Conversation Generated on TikTok during the Escalation of the War in the Middle East in 2023", *Social Sciences*, 13(1), pp.49–65. Available at: <https://doi.org/10.3390/socsci13010049>
- Le, H. (2020) "Blasé attitude, hyperreality, and social media.", *Crossing Borders: Student Reflections on Global Social Issues*, 2(1), pp. 1–3. Available at: <https://doi.org/10.31542/cb.v2i1.1990>
- Matamoros-Fernández, A., and Farkas, J. (2021). "Racism, Hate Speech, and Social Media: A Systematic Review and Critique", *Television and New Media*, 22(2), pp.205–224. Available at: <https://doi.org/10.1177/1527476420982230>
- Melchior, C. and Oliveira, M. (2024). "A systematic literature review of the motivations to share fake news on social media platforms and how to fight them", *New Media & Society*, 26(2), pp.1127–1150. Available at: <https://doi.org/10.1177/14614448231174224>
- Mondal, M., Araújo Silva, L. and Benevenuto, F. (2017) "A Measurement Study of Hate Speech in Social Media", In *Proceedings of the 28th ACM Conference on Hypertext and Social Media (HT '17)*. Association for Computing Machinery, pp. 85–94. <https://doi.org/10.1145/3078714.3078723>
- Pradhana, G. and Tania, S. (2021) 'Hyperreality of #blacklives-matter movement on social media', *Jurnal Komunikasi: Malaysian Journal of Communication*, 37(3), pp.288–303. Available at: <https://journalarticle.ukm.my/18660/1/51275-168096-1-PB.pdf>
- Roden, J. and Saleem, M. (2021) 'White Apathy and Allyship in Uncivil Racial Social Media Comments', *Mass Communication and Society*, 25(3), pp. 383–406. Available at: <https://www.tandfonline.com/doi/full/10.1080/15205436.2021.1955933#abstract>
- Ruth Gould, R. (2020) 'The IHRA Definition of Antisemitism: Defining Antisemitism by Erasing Palestinians', *The Political Quarterly*, 91(4), pp. 825–831. Available at: <https://onlinelibrary-wiley-com.eux.idm.oclc.org/doi/epdf/10.1111/1467-923X.12883>
- Said, E.W. (1979) *The Question of Palestine*. New York: Random House, Inc.
- Slater, J. (2020) *Mythologies without end :the US, Israel, and the Arab-Israeli conflict, 1917-2020*. New York: Oxford University Press.
- United Nations (2024) 'Rights expert finds 'reasonable grounds' genocide is being committed in Gaza', 26 March. Available at: <https://news.un.org/en/story/2024/03/1147976> (Accessed 5 November 2024)
- Yaquba, S., Sparrelidc, E., Sampaio-Netod, J., Lassena, K., and Wigmore, S. (2023) 'Israel and Gaza: the killing of civilians must stop', *Correspondence*, 402(10417), pp.2069–2070. Available at: [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(23\)02517-5/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(23)02517-5/fulltext)

SPEAKING POWER: THE ROLE OF LANGUAGE IN SOCIAL HIERARCHIES

by Adelaide Tricaud

Illustration by Louisa Taylor



Algerian author Kateb Yacine, renowned for his critiques of French colonisation, once stated, 'I write in French, even better than the French, to say I am not French' (*J'écris en français, encore mieux que les français, pour dire que je ne suis pas français*) (Soukehal, 2011, p.50, l.18). This assertion highlights the complex relationship between language, identity, and power, revealing how language can embody both subtle and overt forms of violence. Language, accents, and modes of expression serve as markers of identity but also as mechanisms of social stratification and exclusion. In contemporary societies, those in power, societal elites, establish norms for what constitutes 'proper language' (Candea, 2021). These norms often reinforce existing hierarchies, privileging certain forms of speech while marginalising others. This essay argues that linguistics is intertwined with broader dynamics of power, inequality, and discrimination, where one's way of speaking can influence access to social and cultural capital, ultimately impacting perceived legitimacy and belonging. This essay will focus on the French language, both in France and its ex-colonies, and relating to ties with immigration, and violence. First, this essay explores foundational linguistic concepts, focusing on speech variations and accents. It then proceeds to examine how language operates as a tool of oppression and marginalisation, drawing on case studies and linguistic theories. Finally, this academic paper will explore how individuals reclaim pride in their speech, and navigate the tension between native ways of speaking and the dominant group's language. Many conform linguistically to gain social and professional respect, raising critical questions: Does linguistic assimilation equate to abandoning one's identity? Can mastery of the dominant language lead to true liberation, or does it signify submission?

Languages continuously evolve, incorporating and discarding vocabulary, pronunciations, and grammatical structures. Latin, for instance, evolved into Italian, Spanish, Portuguese, Romanian, and French—distinct languages originating from a shared linguistic root but shaped by unique rules and etymological developments. Linguistics, the scientific study of language, examines these structural elements, including grammar, phonetics, and speech variations. In the context of accents, the term carries both phonetic and sociolinguistic implications. Phonetically, an accent is defined as a distinctive way of pronouncing vowels and consonants,

a physical variation that alters speech sounds. Sociolinguistically, however, accents serve as markers of social identity and class indicators, reflecting entrenched societal perceptions and biases (Hymes, 1996). The sociological notion of an accent is inherently subjective, existing only with a reference point, and is shaped by societal perceptions (Candea, 2021). A given language often has a standard that acts as this reference point, against which accents are judged. In France, for example, many people are considered to have 'no accent' reflecting a standard language ideology. Any deviation from this perceived standard is labelled an accent, establishing a framework of linguistic normativity (Planchenault and Poljak, 2021). This phenomenon, referred to as 'accent standardness,' pertains to formal linguistic norms accepted by society and serves as a benchmark for 'correct' speech (Laroche, Li, and Richard, 2021). Accent-based judgments fall into three primary categories: regional, social, and foreign, each of which overlaps and is frequently linked to similar social implications (Candea, Planchenault, and Trimaille, 2019). These biases often result in linguistic discrimination, a form of unjust treatment based on language. Such discrimination encompasses denying individuals the right to use their native language or associating linguistic features with racial, ethnic, or class-based prejudices (Drozdowicz and Peled, 2024, p.1460). Thus, accents are not merely physical variations in speech but socially constructed indicators, shaping perceptions and informing linguistic hierarchies within societies.

Languages primarily evolve through immigration, cultural exchange, and the blending of dialects. French, as Latin did once, is still growing. Significant immigration in the 20th century, particularly from the Maghreb, brought new languages and cultures, enriching the French lexicon with new words and expressions (Canal, 2024). A prominent example is the word 'wesh,' derived from the Berber 'ach' and Arabic 'wach,' both meaning 'what' (Canal, 2024). Since the late 20th century, Arabic has significantly influenced French, and 'wesh' has transcended social barriers, especially among younger generations born after 1990 (Walter, 1997). While some embrace these changes, others remain sceptical of the legitimacy of these new linguistic forms within the French context. Arabic-derived slang, like 'wesh,' is often linked to 'banlieues' or 'cités'—working-class areas on the outskirts of cities

with negative connotations in French society (Canal, 2024). Despite its popularity in youth culture and its exportation to London and the United Kingdom with Central Cee's use of it in the song 'Bolide Noir', traditional institutions in France such as L'Académie française, which regulates the French language, refuse to recognise 'wesh' as legitimate French (Central Cee, JRK 19, 2024). This delegitimisation contributes to the stigma around speaking 'non-standard' French, especially for those from immigrant backgrounds. Located in France's centre, power and influence have historically been centralised in Paris. The French legitimate and standardised way of speaking derives from the capital's linguistic norm, which fits into a certain stereotype of what power is, and what it sounds like (Kuiper, 2005). Immigrant and regional origins are often recognised as a result of specific language use and accent, ultimately hindering the possibility of social ascendance, due to a superficial and regressive view of intelligence and power. The French documentary 'Speak Up' sheds light on linguistic discrimination in France. Directed by Stéphane de Freitas and Ladj Ly, the film follows young people from marginalised backgrounds as they learn to articulate their ideas eloquently in standard French, essentially to gain respect from upper-class audiences (De Freitas, Ly, 2016). Echoing Kateb Yacine's ideas, the documentary highlights how mastering the dominant language enables marginalised individuals to advocate for themselves effectively in a society that may otherwise dismiss them.

Does linguistic assimilation empower individuals through mastery of the dominant language, or does it require the loss of cultural identity and submission to societal norms, echoing Audre Lorde's caution that 'the master's tools will never dismantle the master's house' (Lorde, 2018)? Frantz Fanon, in 'Black Skin, White Masks', explores the deeper implications of linguistic assimilation, especially concerning identity and pride: 'To speak is to be in a position to assume a certain syntax, to grasp the morphology of this or that

language, but it means above all to assume a culture, to support the weight of a civilization' (Fanon, 1952, p. 8). For Fanon, assimilating into another language equates, in part, to abandoning one's culture, history, and origins. He examines how colonised individuals, such as Black men in the Antilles who adopt Parisian French, are often perceived as 'whiter', while many feel that they lost their true selves in an attempt to assimilate. Fanon illustrates this linguistic colonialist dynamic by examining regional and colonial attitudes within France. For example, a resident of Lyon might regard

“Does linguistic assimilation empower individuals through mastery of the dominant language, or does it require the loss of cultural identity and submission to societal norms, echoing Audre Lorde’s caution that ‘the master’s tools will never dismantle the master’s house’ (Lorde, 2018)?”

their city as distinct and perhaps superior; until they move to Paris and adopt the prevalent belief that Parisian ways represent a national and sophisticated standard (Fanon, 1952, p.9). This experience parallels that of immigrants and colonised individuals, who may come to internalise the notion of Parisian norms as ideal, resulting in a diminishing regard for their heritage. Fanon argues that this internalisation fosters an inferiority complex, prompting individuals to distance themselves from their

cultural roots (Fanon, 1952, p.9). Assimilation, therefore, becomes an expedient response to linguistic discrimination. To resist this, Fanon suggests that one must reject the narrative that equates whiteness—or in this case, standardised French—with superiority, instead challenging colonial and discriminatory mentalities (Fanon, 1952, p.9, l.11-22). True change, therefore, requires educating the dominant group, especially Parisians, to understand that linguistic diversity does not denote inferiority, as languages are social constructs that reflect specific environments rather than measures of intelligence or worth.

This issue remains highly relevant in contemporary France, where linguistic discrimination limits social mobility and inclusion. A recent example involves the controversy surrounding Aya Nakamura's participation in the 2024 Paris Olympics, which brought deep-seated biases to the fore/to light. When rumours circulated

that Nakamura might sing an Edith Piaf song—a symbol of quintessential 1950 ‘Frenchness’ for many—far-right politicians objected, arguing that her non-standard French accent and identity as a Black woman rendered her unfit for the honour (*LeMonde*, 2024). Ultimately, Nakamura chose to perform a song by Charles Aznavour, blending her lyrics with his and emphasising in her performance this Charles Aznavour lyric stating: ‘I’d better go and change my vocabulary, for you to like me, in the language of Molière’ (Aznavour, 1963). Through this performance, Nakamura underscored the arbitrary nature of linguistic discrimination, drawing attention to Aznavour’s own past experiences of marginalisation. Though Aznavour is now celebrated as an icon of French poetry, his early work faced resistance, revealing the subjective basis of linguistic prejudice. By remaining authentic to her linguistic style, Nakamura demonstrates that non-standard expressions are not barriers to success but rather powerful affirmations of identity and cultural richness.

In conclusion, the complex interplay between language, identity, and power in France reveals language as both a dynamic and essential tool for understanding the structures and mechanisms of social stratification. French language norms, such as Parisian standards, have historically reinforced social hierarchies, stigmatising regional, immigrant, and generally non-standard expressions as inferior. While some individuals, like those in ‘Speak Up’, adopt dominant language forms to gain societal respect, prominent figures of decolonialism such as Lorde and Fanon argue that linguistic assimilation can suppress cultural identity, reinforcing existing biases and ultimately demonstrating a negative outcome of assimilation. French society’s reaction to language variants, such as Arabic-derived slang and contemporary artists like Aya Nakamura, further illustrates the persistence of linguistic discrimination, where non-standard expressions are often dismissed. Challenging these biases requires viewing all speech forms as valuable cultural expressions, advancing a more inclusive framework that dismantles rigid, hierarchical language standards. In doing so, linguistic diversity can be embraced as an asset, reflecting the evolving richness of French society.

Bibliography

Canal, L. (2024) 'The diatopic journey of the word *wesh*, impact and evolution in the French language', *Etudes Romanes De Brno*, 45(2), pp. 72-92. Available at: <https://doi.org/10.5817/ERB2024-2-7>

Candea, M. (2021) 'Discriminating an Accent, Enacting a Race (and Vice Versa): Perception and Representation of Phonic Variability on the Caribbean Coast of Colombia', *Signs and Society*, pp. 19-22. Available at: https://shs-cairn-info.eux.idm.oclc.org/article/LS_HS01_0020?lang=fr&ID_ARTICLE=LS_HS01_0020

Candea M., Planchenault G. & Trimaille C. (2019), 'Accents du français : approches critiques'. *Accents, discriminations and ideologies*, Print. Glottopol 31. Available at: glottopol.univ-rouen.fr/numero_31.html

Central Cee, JRK 19. (2024) 'Bolide Noir', Available at: <https://genius.com/Central-cee-and-jrk-19-bolide-noir-lyrics>

Charles Aznavour. (1963) 'For me... Formidable', *Les 50 plus belles chansons*, Available at : <https://genius.com/Charles-aznavour-for-me-formidable-lyrics>

Drożdżowicz, A. and Peled, Y. (2024) 'The complexities of linguistic discrimination', *Philosophical Psychology*, 37(6), pp. 1459–1482. doi: 10.1080/09515089.2024.2307993

Fanon, F. (1952) *Black Skin, White Masks*. London: Penguin Classics.

Hymes, D. (1996) 'Ethnography, linguistics, narrative, inequality: Toward an understanding of voice', *Language*, 73(3), p. 649. doi: 10.2307/415909

Kuiper, L. (2005) 'Perception is reality: Parisian and Provençal perceptions of regional varieties of French', *Journal of Sociolinguistics*, 9(1), pp. 28–52. doi: 10.1111/j.1360-6441.2005.00280.x

Laroche, M., Li, R., Marie-Odile, R., and Xu, L. (2021) 'What is this accent? effects of accent and language in international advertising contexts', *International Journal of Consumer Studies*, 46(4), pp. 1209–1222. doi: 10.1111/ijcs.12753

Lorde, A. (2018) *The master's tools will never dismantle the master's House*. London: Penguin Books.

Planchenault, G. and Poljak, L. (2021) 'The pragmatics of accents', *Pragmatics & Beyond New Series*, pp. 1–16. doi: 10.1075/pbns.327.00pla

Soukehal, R. (2011) 'La France, l'Algérie et le Français', *Les Cahiers de l'Orient*, pp. 47–60.

Walter, H. (1997) *L'aventure des mots français venus d'ailleurs*. Paris : Robert Laffont.

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SCRIPTED IDENTITIES: LINGUISTIC NATIONALISM AND ITS VIOLENT MANIFESTATIONS IN INDIA AND PAKISTAN

by Imaan Shamsi

Illustration by Maisie Norton



Spoken aloud, Urdu and Hindi are perfectly intelligible to speakers of the other, but the differences between the languages have been exploited from the period of British India through to the present day to fuel nationalist ideology in Pakistan and India. There has been extensive academic debate on the divide between the languages and the role this plays in forming national identities (see for example Gould, 2018; King, 1994; Lelyveld, 1993; Metcalf, 2003), yet few scholars have examined the explicit connection between language-based national identity and violent manifestations of nationalism in both India and Pakistan. The roots of language-based nationalism in these countries bring violent consequences physically, but also structurally, in the form of discriminatory laws and policies. The attempts by ruling elites to impose Hindi and Urdu, and to evoke accompanying language-based nationalisms, have harmful consequences that amount to the symbolic erasure of other identities in both nations. To draw this analysis, this essay first considers the colonial context in which Urdu and Hindi became two separate languages. Thereafter, it will examine how language serves as a tool for both identity formation and exclusion, rooted in post-colonial state-building processes.

The Dawn of Two Languages

Despite the diverse array of languages and dialects that exist in both countries, it is Hindi and Urdu that are often manipulated as symbols of Indian and Pakistani nationalisms. Both languages originate from the *Khari Boli* dialect and, even in their contemporary forms, comprise shared grammar, vocabulary, phonetics, and morphology (Misra, 2005). Only their written forms differ, with Hindi influenced by Sanskrit and written in the Devanagari script, whereas Urdu is influenced by Persian and written in the Arabic script (Aneesh, 2010).

The establishment of the two individual languages was a product of British colonial rule. Colonial administrators brought to British India the Western notion of associating language with religion or ethnicity, as opposed to the Indian understanding that language was associated with territory (Misra, 2005). Prior to this, there was no implicit link between Hindi

and Hinduism, or Urdu and Islam; religious divides between Muslims and Hindus were far less common and much more localised (Amarasingam, Desai, and Umar, 2022, p.384). The concept of a *lingua franca* – a common language used between speakers whose native languages are different – was transplanted from Europe, encouraging both Indian leaders and Muslim separatists to believe that a unified national language would fulfil fundamental aims of Indian and Pakistani national unity (Aneesh, 2010; Misra, 2005; Rahman, 1995).

Furthermore, the British colonial tendency to classify people into confined understandings of communities and castes – for example, through census-taking and the use of separate electorates for Muslims and Hindus – influenced each group's perception of the other as separate from itself, constrained by boundaries that had only just been constructed (Singh, 2023; Amarasingam, Desai, and Umar, 2022). The infamous 'divide and rule' strategy of the British Raj sought to facilitate easier governance by deepening this rift between Muslim and Hindu communities (Amarasingam, Desai, and Umar, 2022, p.384). The subsequent mass violence during the Partition of India in 1947 was rooted in both religious and linguistic identity politics (Aneesh, 2010; King, 1994). Hindi and Urdu became associated with Hinduism and Islam respectively; in times of conflict, the languages became 'employed as instruments in the fight' (Misra, 2005, p.30).

The Entanglement of Language and Identity

The legacy left behind has made it difficult to extricate the two languages from their respective religious and national identities. Paul Brass (1974) explored the function of language and religion as symbols of group identity that can both strengthen and disrupt national unity. Brass theorises that political elites determine the boundaries of the group, as well as the symbols' importance relative to each other, which then shapes group consciousness. They may choose and focus on a specific symbol as the primary (in this case, the religions of Hinduism or Islam) and manipulate secondary symbols (the languages of Hindi or Urdu) into congruence with it (Brass, 1974, pp.27-28).

Notably, if symbols cannot be bent into congruence with the primary (for example, caste or tribe), they 'may be declared illegitimate for political purposes' (Brass, 1974, p.45).

In this way, characteristics that are technically objective acquire a subjective meaning and 'become the basis for political demands', and nationality begins to take shape (Brass, 1974, p.43). The nation is defined by Benedict Anderson (2006, p.6) as 'an imagined political community – and imagined as both inherently limited and sovereign'. It is 'imagined', he says, because most of its members will never physically interact with each other, and 'limited' because even the largest nations have fixed boundaries (Anderson, 2006, p.7). Access to this national community is therefore restricted – but Anderson argues that 'from the start the nation was conceived in language, not in blood, and that one could be "invited into" the imagined community' through language (Anderson, 2006, p.145). With a shared language comes ease of communication, that in turn shapes group identities (Rahman, 2002).

For Anderson, the rise of print capitalism – physical media printed in vernacular languages, to maximise readership – was crucial in the construction of national identity. This is reflected in the Indian context, where increased journalism and publishing output served as a physical instrument of spreading regional languages, but also an instrument to facilitate debate on the question of a national language (Gould, 2018). The scripts of each language, too, are symbolic of the communities associated with them. Where scripts are the same, written communication between speakers is more efficient, and vice versa, particularly amongst political elites (Brass, 1974). In the same way that print capitalism functioned globally, language itself has functioned as a collective symbol of nationhood in India and Pakistan (Rahman, 2002).

Hindu Nationalism and Anti-Muslim Rhetoric

Hindutva, or Hindu nationalism, originates from the work of Indian nationalist leader Vinayak Damodar Savarkar, and is defined as 'ethno-religious and nationalist political attitudes in India' (Amarasingam, Desai, and Umar, 2022, p.381). Contrary to the implication that the word 'Hindu' carries, *Hindutva* is not exclusively a religious concept but in fact emulates a specific racial identity, a common bond of 'blood', of which language is an intrinsic part. The pursuit of the 'pure' aspects of Indian civilisation had operated in conjunction with the process of Hindi linguistic standardisation – a phenomenon reflected in the modern Indian government (Gould, 2018). Led by Narendra Modi, the ruling right-wing Bharatiya Janata Party (BJP) centres *Hindutva* ideology, which has involved Hindi language imposition and the Othering

“While Urdu is used as a symbol by the political elite, the other languages become a symbol of mobilisation against Urdu imposition and, by extension, the elite actors that impose it (Rahman, 2002).”

of minority groups with little regard for the communal violence and riots that tend to ensue (Amarasingam, Desai, and Umar, 2022). Such violent phenomena, including vigilante lynching, hate speech, and violence targeting minorities, have increased under the BJP's form of *Hindutva*.

With this understanding, *Hindutva* ideology is violent by nature because it is exclusionary, particularly towards Muslims, who are disproportionately 'Othered' in India (Amarasingam, Desai, and Umar, 2022, p.381). Anti-Muslim violence in India is understood as an extreme but still salient form of Hindu nationalist outlook (Van Der Veer, 1996). Recent analysis of anti-Muslim sentiment from Hindu nationalists on social media finds discourse that views Muslims as 'terrorists, anti-nationals, and cow-killers' (Amarasingam, Desai, and Umar, 2022, p.405). There is a belief amongst such nationalists that Muslims pose a biological, religious, and socioeconomic threat, due to their supposed intent to 'take over' and become the majority population by having many children in polygamous marriages, trapping Hindu women in marriage and forcibly converting them, and buying Hindu-owned property (Amarasingam, Desai, and Umar, 2022, p.405).

The violence is structural too: all levels of government

exploit existing divides in order to present themselves as saviours for the Hindu population (Amarasingam, Desai, and Umar, 2022). Instances of such violence creates political divergence between groups, inciting majority voters to unite against minority groups, which ultimately works to the electoral advantage of ethno-nationalist parties like the BJP. Nellis, Weaver and Rosenzweig (2016, pp.267-268) find a zero-point-eight percentage point increase in the BJP's vote share after riots occurred in the year preceding the general election. Muslims as a group are casted through propaganda and manipulative tactics as a particular enemy to Hindus within India and the fearmongering extends even to Muslims in Pakistan, often blamed for Partition and continued instability in Kashmir (Amarasingam, Desai, and Umar, 2022).

Urdu Nationalism and the Sindhi Response

In Pakistan, though not quite as pronounced as Hindutva, the notion of Urdu as a marker of a unitary Islamic and national identity has been promoted since the nation's formation. Urdu imposition has been construed as a bid to manage deep-rooted friction between groups whose identities are shaped by other languages (Maqsood, 2017), but it has also had the opposite effect of provoking communal and often organised violent responses. A significant portion of the population names Punjabi, Sindhi, Balochi, Pashto, amongst others as their first languages. The state's attempts to neutralise these identities through 'an ideology of sameness: one religion (Islam), one language (Urdu), and one nation (Pakistan)' (Maqsood, 2017, p. 29), is thus viewed as a form of internal colonialism (Rahman, 2002).

Local language is one of the incongruent symbols in the discussion of Paul Brass's (1974) theory, a symbol that was increasingly viewed as outdated when faced with Pakistan's nation-building aims (Levesque, 2021). An inherent contradiction arose between the overarching Muslim identity that defined the formation of Pakistan, and the varied local and linguistic identities that still make up its territory today (Maqsood, 2017). Those that identify most closely with a local language may feel that they exist in a country, with boundaries

imposed from above; but not in a nation, a united imagined community in the way Anderson defined it (2006; Alavi, 1991). While Urdu is used as a symbol by the political elite, the other languages become a symbol of mobilisation against Urdu imposition and, by extension, the elite actors that impose it (Rahman, 2002). After Partition, the independence of West Pakistan (now Bangladesh) in 1971 remains the most prominent example in which language outweighed religion in its symbolic importance to nationalism (Ilahi, 2013).

However, the government's insistence on Urdu as the national language also incited a distinctly Sindhi form of nationalism (Levesque, 2021). When the Urdu-speaking *Muhajir* (*muslim immigrants*) arrived in the province of Sindh as post-partition refugees from India, they too perpetrated Urdu as a symbol of Muslim and Pakistani identity in their efforts to gain provincial power (Rahman, 1995). As they began to dominate, Muhajir-Sindhi hostility grew over time, fuelled by concerns about language-based employment discrimination and the *Muhajirs'* aim to implement Urdu as an official language of Sindh, against the wishes of Sindhis (Rahman, 1995). The Urdu press in 1970 labelled Sindhi supporters as 'anti-Pakistan dissidents' (Rahman, 1995), drawing a clear connection between Urdu and national identity. Tensions culminated in the violent riots of January 1971 and July 1972, and for the younger Sindhi nationalists involved – termed the 'post-Bangladesh' generation – violence served as a crucial political tool (Levesque, 2021). Weapons were used on Sindhi university campuses and were linked to the intimidation of Urdu-speaking students; many future Sindhi leaders, in their student years, were 'trained' in this context (Levesque, 2021). Though the governor of Sindh intervened to resolve the 1972 riots, the hostility left a bitter legacy (Rahman, 1995), and the Sindhi language is often neglected to this day in Urdu strongholds like Karachi and Hyderabad (Ahmar, 2020).

Conclusion

In the cases of both India and Pakistan, language has become a crucial determinant of not only political and religious affiliation, but also of national identity.

The colonial context brought into the subcontinent a series of Western beliefs about language in general, and the particular associations between language, religion, and nationalism. British colonial rule exploited growing division between Muslims and Hindus for their own purposes, eventually giving rise to Urdu and Hindi as separate languages. Though citizens of both states are free to speak any language they wish, the association of a specific form of nationalism with each language has its own consequences. To this day, there is often an assumed resentment between communities of different linguistic and religious backgrounds in Pakistan and India, which has left minority groups in both states vulnerable. The attempts to entrench a homogenous national identity have instead translated to a widespread dissatisfaction with the ruling elite, and a series of fragmented group identities that have yet to be united.

Bibliography

- Ahmar, M. (2020) 'Karachi as an ethnic challenge', *The Express Tribune*, 28 August. Available at: <https://tribune.com.pk/story/2261540/karachi-as-an-ethnic-challenge> [Accessed 16 December 2024].
- Alavi, H. (1991) 'Nationhood and communal violence in Pakistan', *Journal of Contemporary Asia*, 21(2), pp. 152-178. Available at: <https://doi.org/10.1080/00472339180000131>
- Amarasingam, A., Desai, S. and Umar, S. (2022) "'Fight, Die, and If Required Kill": Hindu Nationalism, Misinformation, and Islamophobia in India', *Religions*, 13(5), p. 380-412. Available at: <http://dx.doi.org.eux.idm.oclc.org/10.3390/rel13050380>
- Anderson, B. (2006) *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. London: Verso.
- Aneesh, A. (2010) 'Bloody Language: Clashes and Constructions of Linguistic Nationalism in India', *Sociological Forum*, 25(1), pp. 86-109. Available at: <http://www.jstor.org/stable/40542542>
- Brass, P. (1974) *Language, Religion and Politics in North India*. Cambridge: Cambridge University Press.
- Gould, W. (2018) 'Rethinking Religion and Language in North India: The Hindi-Urdu Dispute and the Rise of Right-Wing Populism', *Revista Canaria De Estudios Ingleses*, 76, pp. 29-44. Available at: <https://www.ull.es/revistas/index.php/estudios-ingleses/article/view/3638>
- Ilahi, M. (2013) 'Linguistic Disharmony, National Language Authority and Legislative Drafting in Islamic Republic of Pakistan', *European Journal of Law Reform*, 15(4), pp. 400-414. Available at: <https://heinonline.org/HOL/P?h=hein.journals/ejlr15&i=512>
- King, C. R. (1994) *One Language, Two Scripts: The Hindi Movement in Nineteenth Century North India*. New Delhi: Oxford University Press. Available at: <https://franpritchett.com/00urduhindilinks/king/king.html>
- Lelyveld, D. (1993) 'Zuban-e Urdu-e Mu'alla and the Idol of Linguistic Origins', *Annual of Urdu Studies*, Volume 8, pp. 71-81. Available at: <http://digital.library.wisc.edu/1793/11811>.
- Levesque, J. (2021) 'Beyond Success or Failure: Sindhi Nationalism and the Social Construction of the "Idea of Sindh"', *Journal of Sindhi Studies*, Volume 1, pp. 1-33. Available at: <https://doi.org/10.1163/26670925-bja10001>.
- Maqsood, A. (2017) *The New Pakistani Middle Class*. Cambridge: Harvard University Press. Available at: <https://doi.org/10.4159/9780674981508>.
- Metcalfe, B. D. (2003) 'Urdu in India in the 21st Century: A Historian's Perspective', *Social Scientist*, 31(5/6), pp. 29-37. Available at: <https://doi.org/10.2307/3518032>.
- Misra, S. (2005) 'The Urdu That Was Hindi: The British drove a schism between the twin languages', *The Times of India (1861-)*, 14 July, p. 30. Available at: <https://www.proquest.com/historical-newspapers/urdu-that-was-hindi/docview/1516264579/se-2> [Accessed 16 October 2024].
- Nellis, G., Weaver, M. and Rosenzweig, S. C. (2016) 'Do Parties Matter for Ethnic Violence? Evidence From India', *Quarterly Journal of Political Science*, 11(3), pp. 249-277. Available at: <https://doi.org/10.1561/100.00015051>.
- Rahman, T. (1995) 'Language and Politics in a Pakistan Province: The Sindhi Language Movement', *Asian Survey*, 35(11), pp. 1005-1016. Available at: <https://doi.org/10.2307/2645724>.
- Rahman, T. (2002) 'Language, Power and Ideology', *Economic and Political Weekly*, 37(44/45), pp. 4556-4560. Available at: <http://www.jstor.org/stable/4412816>
- Singh, U. N. (2023) 'A Grammar of Endangerment', in R. Kumar and O. Prakash (eds.) *Language Studies in India: Cognition, Structure, Variation*. Singapore: Springer, pp. 235-247.
- Van Der Veer, P. (1996) 'Writing Violence', in D. Ludden (ed.) *Contesting the Nation: Religion, Community, and the Politics of Democracy in India*. Philadelphia: University of Pennsylvania Press, pp. 250-269.

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ADRIFT AND VOICELESS: THE VIOLENCE OF STATELESSNESS AND THE ROHINGYA REFUGEE CRISIS AT SEA

by Haikal Adzmir

Illustration by Lucy Wellington



The Arakan Mountains have long shielded central Myanmar from the southwestern monsoon, creating a wet climate on Rakhine State's western coasts, home to the Rohingya people. This natural barrier symbolises the socio-political separation between Myanmar's Bamar majority and the Rohingya minority, who have long been marginalised through discriminatory policies (Humanitarian Aid Relief Trust, 2021). Considering the relatively short timespan between Rakhine state's incorporation into Burma by the Konbaung Dynasty and the subsequent annexation of Burma by the British, its majority Muslim population

was never able to fully assimilate into the dominant Buddhist culture that informs the rest of the Myanmar demographic (Myint-U, 2006, p. 109). Instead, the Myanmar government stripped the Rohingya of political representation and citizenship through a series of exclusivist and dehumanising policies, culminating in the 2017 genocide that displaced 740,000 Rohingya to neighbouring Bangladesh (Minar and Halim, 2020, pp.129-132). Seven years on, the Rohingya's livelihood and status within Myanmar remain uncertain amid civil war. Their precarious refugee conditions in countries like Bangladesh and Indonesia are exacerbated by

inadequate planning and rising hostility fuelled by social media through echo-chambers and self-reinforcing content (Rashid and Saidin, 2023, p.3). This article argues that the Rohingya's struggle for citizenship and refugee rights is intrinsically linked to their fight for a unified identity, which they actively shape through their resistance and resilience in the face of ongoing oppression.

Rohingya Identity and the Burmese-Buddhist Regime

The Rohingya identity transcends ethnocultural ties, instead being partially defined through its contested relationship with state-framed Burmese nationalism. While Heiskanen argues that nationalism is key to successful statehood, they also warn that it can destabilise states by provoking irredentist or secessionist movements (2021). Following the 1962 military coup by Tatmadaw – the Bamar-majority armed forces – the multi-ethnic Myanmar underwent a 'Burmanisation' agenda, where national identity was aligned with the homogenous Bamar culture in support of the historical narrative that justifies their legitimacy to rule (Houtman, 1999, p. 53) .

However, Myanmar's homogenisation policy reflected a broader trend in Southeast Asia, where many post-independence regimes prioritised consolidation over addressing diversity (Turnbull, 1992, pp.591-593). In support of this effort, the state employed strategies of 'lawfare' and 'spaciocide' –manipulating laws and dispossessing land –to erase the Rohingya's historical and legal claims (MacLean, 2018, p.87, p.90). The government systematically denies the Rohingya's historical presence in Rakhine State, rejecting evidence of their pre-colonial roots in the Arakan Kingdom (Kipgen, 2013). Instead, the dominant Burmese narrative frames the Rohingya as colonial-era migrants from Bengal, brought by the British to support imperial economic interests, thereby delegitimising their ancestral claims to the land (Coates, 2014).

The Rohingya's political exclusion began with the 1962 coup under the state's broader ethnic nationalist agenda (Myint-U, 2006). In 1978, the first state-led

mass expulsion of 200,000 Rohingya was carried out under Operation Nagamin, though it was reluctantly reversed later that year due to international pressure (Selth, 2018, p.140). The 1982 Burmese Citizenship Act codified their systematic exclusion, omitting the Rohingya from the list of 135 recognised 'national races' (2014 Population Census, 2017) The renaming of the region from Arakan to Rakhine State in the 1990s further undermined Rohingya claims by privileging the Rakhine ethnic group despite their smaller population (International Crisis Group, 2024).

However, it was the 2017 genocide – disguised as a 'counter-offensive' and 'clearance operation' against Rohingya militancy – that violently manifested the Burmese policy of social cohesion (Selth, 2018, p.25) as paramilitary troops razed villages and committed war crimes, forcing the Rohingya to flee for survival. These actions, aimed at constructing an ideal Burmese citizen, paradoxically reinforced the reality of the Rohingya identity that the government sought to erase: an identity that has emerged as a form of resistance against exclusionary nationalism (Farzana, 2015, pp.305-307).

Moreover, the ongoing civil war, involving multiple ethnic armed groups that also reject Myanmar's nation-building project, exposes the state's contradictions in defining citizenship. Therefore, there is an urgent need for a more inclusive system that acknowledges the rights of all ethnic groups, including the Rohingya (Sun, 2023). Rohingya identity is further defined beyond Myanmar's borders, where they continue to face challenges in securing recognition and rights in the host countries where they seek refuge (Missbach and Stange, 2021, pp.5-7).

Rohingya Identity in Navigating Their Statelessness

Hirschberger argues that collective trauma becomes central to group identity, shaping how members interpret and navigate their social environment (2018). Among the Rohingya, this collective trauma manifests as 'unterritoriality', reflecting their displacement and exclusion from both their homeland and host countries (Uddin, 2023, pp.6-7). Given the lack of aid and resources to secure their internationally

recognised rights to a secure livelihood and freedom of expression, the community relies on each other for support as young Rohingya children did after returning from to programmes intended to dismantle traditions of cultural stoicism (Murray and Donovan, 2020).

This failure is partly attributable to the international community's reluctance to fulfil its duty to prevent mass atrocities and human rights violations, as outlined in the UN-established Responsibility to Protect strategy (Zahed, 2021, p.936). Structural factors such as the veto powers of the UN Security Council and the Association of Southeast Asian Nations (ASEAN) norm of non-interference in the sovereign matters of member states hamper the Rohingya's search for justice (Zahed, 2021, pp.937-940).

Furthermore, refugee host countries like Malaysia, Indonesia, and Bangladesh lack the necessary support and resources to honour their commitments to refugee protection, leaving camps like Cox's Bazar densely populated, unsanitary, and reliant on improvised aid. These nations frame the crisis as an 'emergency', focusing on short-term solutions to save lives and contain refugees in designated encampments rather than implementing long-term integration frameworks (Azis, 2023, pp.180-184). Bangladesh's attempts to relocate some Rohingya refugees to Bhasan Char, a remote island with precarious conditions lacking proper safety measures, reflect this logistical puzzle (Ullah and Chatteraj, 2018). Natural disasters like floods and cyclones, which disproportionately affect southeast Bangladesh, further exacerbate challenges for both the Rohingya and the authorities (International Crisis Group, 2024).

The situation is compounded by the fact that host countries such as Malaysia and Indonesia are not signatories to the 1951 UN Refugee Convention, allowing them to evade provision of adequate support, resulting in limited access to education, employment, and healthcare for the Rohingya (Martuscelli, Ahmed,

and Sammonds, 2024). Interviews with Rohingya refugees reveal that many aspire to resettle in Western countries, hoping to obtain legal status and citizenship, enabling access to education for their children and employment opportunities (Martuscelli Ahmed, and Sammonds, 2024). The lack of legal protections in host countries often pushes Rohingya refugees towards risky alternatives to meet their basic needs, making them vulnerable to exploitation. Investigations have uncovered cases of Rohingya children in Malaysia forced into abusive child marriages, with no legal recourse or protection available (Gelineau, 2023).

Public perceptions of the Rohingya in host countries are often marked by hostility, driven by social media scapegoating that associates them with threats to employment and security (Rashid and Saidin, 2023). A striking example occurred in December 2023, when students in Banda Aceh

stormed a refugee shelter demanding the deportation of the Rohingya (Deutsche Welle, 2023). The refusal of some countries to accept Rohingya boats further exemplifies the consequences of negative perceptions towards the Rohingya (Chakraborty, 2018).

Rohingya Identity and Human Rights

The collective trauma of the Rohingya extends beyond citizenship rights or statelessness to include the violent infringement of their human rights. The Rohingya are frequently used as pawns by various organisations pursuing their agendas. Many Rohingya men are recruited by the military junta to fight against ethnic armed organisations, inflaming the already tense Muslim-Buddhist relations in Myanmar (Human Rights Watch, 2024). Militant groups and criminal gangs operating within refugee camps commit extrajudicial killings of so-called 'informants' (Amnesty International, 2024). Innocent Rohingya who refuse to be implicated in such violence have no legal recourse due to rampant corruption and the extreme bureaucracy linked to

These nations frame the crisis as an 'emergency', focusing on short-term solutions to save lives and contain refugees in designated encampments rather than implementing long-term integration frameworks (Azis, 2023, pp.180-184).

their refugee status (Human Rights Watch, 2023).

Razia Sultana, a Rohingya lawyer-turned-activist, conducted many interviews with Rohingyas in refugee camps to highlight the lack of agency and resources most Rohingya face in sharing their stories and advocating for their rights (Smith, 2019). This struggle for voice and recognition can be understood through the lens of the spiral of silence (Noelle-Neumann, 1984). Faced with hostility and denial of their identity, many Rohingya feel that expressing their views is unwelcome or unsafe, and in turn can lead to self-censorship, hindering their ability to challenge dominant narratives (Schissler, 2024, pp.13-15).

The multilayered complexities of the Rohingya crisis demonstrates the need for international pressure on host countries, a redefinition of nationhood, and urgent action to establish proper support structures to ensure the Rohingya's livelihood and security. Despite such immense challenges, the Rohingya have demonstrated remarkable resilience and agency in their struggle for recognition and rights, furthering their collective identity as a people.

How Resistance and Resilience Reshape Rohingya Identity

The Rohingya's will to reassert their position as a legitimate community takes many forms. Rohingya poems and songs 'taranas' as cultural expressions articulating a longing for a safe return to their homeland (Farzana, 2017). Tchacham posits that the Rohingya identity occupies a unique position: they neither reject the Myanmar identity nor desire to assimilate into its Burmese-Buddhist leanings (2020, p.46). Instead, they see themselves as part of the broader ethnic tapestry of Myanmar.

Rohingya resilience is also reflected in their experiences in host countries. Despite living as a 'ghost population' without access to education or work, the Rohingya community in Malaysia have adapted by establishing informal schools and businesses. Many have learned the Malay language and adopted cultural practices (Muniandy, 2021, pp.84-85). Some report positive, amicable interactions and to a large extent, camaraderie

from Malaysians, suggesting that moral engagement and acceptance are possible, even without legal rights (Azis, 2014). However, such solidarity is often limited to educated or skilled Rohingya who align with neoliberal norms.

Finally, the Rohingya's insistence on the term 'Rohingya' when engaging with international media and human rights organisations represents an informal assertion of their right to self-determination (Leider, 2018, p.21). By actively asserting their identity and sharing their experiences, they challenge the spiral of silence and reclaim their narrative.

Conclusion

The Rohingya crisis starkly highlights the fragility of human rights and the devastating effects of exclusionary nationalism. Their disenfranchisement reveals failures by both the Burmese authorities and the international community to uphold justice, equality, and self-determination. Rooted in a history of persecution culminating in the 2017 genocide, the Rohingya have been forced to flee their homes and face hostility and deprivation in refugee camps across Southeast Asia. Despite these challenges, the Rohingya continue to assert their identity and advocate for recognition and rights, expressing their history and culture through vibrant traditions and their determination to build communities in exile (Fazal and Wah, 2021, pp.217-218). Their resilience demands international support to intensify diplomatic pressure on the Burmese government along with its surrounding ASEAN states, enforce targeted sanctions on the military junta, and reform Myanmar's constitution to reflect its multi-ethnic identity (Rüland, 2022, p.180). Simultaneously, host countries must receive increased financial and logistical support to integrate refugees into surrounding communities. Addressing online hate speech through education and fostering real-life exposure to Rohingya communities will help cultivate understanding and acceptance (Rashid and Saidin, p.403). By supporting the Rohingya's aspirations for justice, equality, and self-determination, the international community can help ensure that their struggle is not in vain and that future generations can live with dignity and hope.

Bibliography

- Amnesty International. (2024) *Myanmar/Bangladesh: Rohingya community facing gravest threats since 2017*. Available at: <https://www.amnesty.org/en/latest/news/2024/10/myanmar-bangladesh-rohingya-community-facing-gravest-threats-since-2017/> (Accessed: 14 December 2024).
- Azis, A. (2014) 'Urban Refugees in a Graduated Sovereignty: The Experiences of the Stateless Rohingya in the Klang Valley', *Citizenship Studies*, 18(8), pp.839–854. Available at: <https://doi.org/10.1080/13621025.2014.964546>
- Azis, A. (2023) 'The Refugees Vanish: Rohingya Movement, Emergency's Temporality and Violence of the Indonesian Humanitarian Border', in S. Petcharamesree and M. Capaldi (eds) *Migration in Southeast Asia: IMISCOE Regional Reader*. Cham: Springer International Publishing AG, pp.177–193.
- Chakraborty, M. (2018) 'Rohingya in Bangladesh and India and the media planet', in R. Chaudhury, S. Basu, and R. Samaddar (eds), *The Rohingyas in South Asia: People Without State*. Abingdon, Oxfordshire; New York: Routledge, pp.109–133.
- Coates, E. (2014) *Sectarian Violence Involving Rohingya in Myanmar: Historical Roots and Modern Triggers*. Middle East Institute. Available at: <https://www.mei.edu/publications/sectarian-violence-involving-rohingya-myanmar-historical-roots-and-modern-triggers>
- Deutsche Welle. (2023) 'Indonesia students storm Rohingya refugee center', 27 December. Available at: <https://www.dw.com/en/indonesia-students-storm-rohingya-refugee-center/a-67836218> (Accessed: 16 December 2024)
- Farzana, K. (2017) *Memories of Burmese Rohingya Refugees: Contested Identity and Belonging*. Cham: Springer.
- Farzana, K. (2015) 'Boundaries in Shaping the Rohingya Identity and the Shifting Context', *Studies in Ethnicity and Nationalism*, 15(2), pp.292–314. Available at: <https://doi.org/10.1111/sena.12142>
- Fazal, M. and Wah, L. (2023) 'The Rohingya diaspora: A narrative inquiry into identity', *Journal of Ethnic and Cultural Studies*, 10(2), pp.203–226. Available at: <https://doi.org/10.29333/ejecs/1524>
- Gelineau, K. (2023) "'I feel trapped': Scores of underage Rohingya girls forced into abusive marriages in Malaysia", *Associated Press*, 13 December. Available at: <https://apnews.com/article/rohingya-refugees-bangladesh-myanmar-malaysia-migration-f481e725f97d1b004a474e5facb10144> (Accessed: 16 December 2024).
- Heiskanen, J. (2021) 'Nations and Nationalism in International Relations', in B. de Carvalho, J. Costa Lopez and H. Leira (eds) *Routledge Handbook of Historical International Relations*. Abingdon, Oxfordshire: Routledge, pp.244–252.
- Hirschberger, G. (2018) 'Collective Trauma and the Social Construction of Meaning', *Frontiers in Psychology*, 9(1441). Available at: <https://doi.org/10.3389/fpsyg.2018.01441>
- Houtman, G. (1999) *Mental Culture in Burmese Crisis Politics: Aung San Suu Kyi and the National League for Democracy*. Tokyo: Institute for the Study of Languages and Cultures of Asia and Africa.
- Human Rights Watch. (2023) *Bangladesh: Spiraling Violence Against Rohingya Refugees*. Available at: <https://www.hrw.org/news/2023/07/13/bangladesh-spiraling-violence-against-rohingya-refugees> (Accessed: 14 December 2024).
- Human Rights Watch. (2024) *Myanmar: New Atrocities Against Rohingya*. Available at: <https://www.hrw.org/news/2024/08/22/myanmar-new-atrocities-against-rohingya> (Accessed: 22 August 2024).
- Humanitarian Aid Relief Trust (2021) *A brief overview of the ethnic minorities of Burma*. Available at: <https://www.hart-uk.org/a-brief-overview-of-the-ethnic-minorities-of-burma/> (Accessed 13 January 2025)
- International Crisis Group. (2024) *Breaking Away: The Battle for Myanmar's Rakhine State*. Available at: <https://www.crisisgroup.org/asia/south-east-asia/myanmar/339-breaking-away-battle-myanmars-rakhine-state> (Accessed 16 January 2025)
- Kipgen, N. (2013) 'Conflict in Rakhine State in Myanmar: Rohingya Muslims' Conundrum', *Journal of Muslim Minority Affairs*, 33(2), pp.298–310. Available at: <https://doi.org/10.1080/13602004.2013.810117>
- Leider, J. (2018) *Rohingya: The History of a Muslim Identity in Myanmar*. *Oxford Research Encyclopedia of Asian History*. Available at: <https://doi.org/10.1093/acrefore/9780190277727.013.115>
- MacLean, K. (2019) 'The Rohingya Crisis and the Practices of Erasure', *Journal of Genocide Research*, 21(1), pp.83–95. Available at: <https://doi.org/10.1080/14623528.2018.1506628>
- Martuscelli, P., Ahmed, B. and Sammonds, P. (2024) "Resettlement is worthwhile for our children's future": reflections from the Stateless Rohingya refugees in Malaysia', *Comparative Migration Studies*, 12(1), p.46. Available at: <https://doi.org/10.1186/s40878->

024-00407-x

Minar, S. and Halim, A. (2020) 'The Rohingyas of Rakhine State: Social Evolution and History in the Light of Ethnic Nationalism', *Social Evolution & History*, 19(2), pp.115–144. Available at: <https://doi.org/10.30884/seh/2020.02.06>

Missbach, A., and Stange, G. (2021) 'Muslim Solidarity and the Lack of Effective Protection for Rohingya Refugees in Southeast Asia', *Social Sciences*, 10(5), p.166. <https://doi.org/10.3390/socsci10050166>

Muniandy, P. (2021) *Ghost Lives of the Pendatang: Informality and Cosmopolitan Contaminations in Urban Malaysia*. Singapore: Springer Singapore. Available at: <https://doi.org/10.1007/978-981-33-6200-0>

Murray, D. and Donovan, L. (2020) *Rohingya refugee children learn to support one another*. Available at: <https://www.unhcr.org/uk/news/stories/rohingya-refugee-children-learn-support-one-another> (Accessed 16 January 2025)

Myint-U, T. (2006) *The River of Lost Footsteps: Histories of Burma*. New York: Farrar, Straus and Giroux.

Noelle-Neumann, E. (1984) *The Spiral of Silence: Public Opinion, Our Social Skin*. Chicago: University of Chicago Press.

Rashid, N. and Saidin, M. (2023) "'#SayNoToRohingya': a critical study on Malaysians' amplified resentment towards Rohingya refugees on Twitter during the 2020 COVID-19 crisis", *The Round Table*, 112(4), pp.386–406. Available at: <https://doi.org/10.1080/00358533.2023.2244287>

Rüland, A. (2022) *Norms in Conflict: Southeast Asia's Response to Human Rights Violations in Myanmar*. Lexington: University Press of Kentucky.

Schissler, M. (2024) 'Beyond Hate Speech and Misinformation: Facebook and the Rohingya Genocide in Myanmar', *Journal of Genocide Research*. <https://doi.org/10.1080/14623528.2024.2375122>

Selth, A. (2018) *Myanmar's Armed Forces and the Rohingya Crisis*. Peaceworks. Available at: <https://archive.nyu.edu/bitstream/2451/61001/2/pw140-myanmars-armed-forces-and-the-rohingya-crisis.pdf> (Accessed 18 December 2024)

Shan Herald. (2017) '2014 Population Census: The problematic of 135 ethnic groups categorization', 29 January. Available at: <https://english.shannews.org/archives/16850> (Accessed 1 January

2025)

Smith, J. (2019) "'I Am Doing This for Every Place Where Rape Is a Weapon of War.'" Meet the Woman Documenting Sexual Violence Against Myanmar's Rohingya', *Time*, 20 April. Available at: <https://time.com/5559388/razia-sultana-rohingya-myanmar-sexual-violence-documentation/> (Accessed: 16 December 2024)

Sun, Y. (2023) 'The civil war in Myanmar: No end in sight', *Brookings Institute*, 13 February. Available at: <https://www.brookings.edu/articles/the-civil-war-in-myanmar-no-end-in-sight/> (Accessed: 16 December 2024)

Thacham Poyil, S. (2020) 'National Identity and Conceptualization of Nationalism Among Rohingya', in N. Chowdhury, and B. Mohanty (eds) *Citizenship, Nationalism and Refugeehood of Rohingyas in Southern Asia*. Singapore: Springer, pp.31–50.

Turnbull, C. (1992) 'Regionalism and Nationalism', in N. Tarling (ed) *The Cambridge History of Southeast Asia* (Volume 2). Cambridge: Cambridge University Press, pp.585–646.

Uddin, N. (2023) 'The Border as a Humanized Space: (Un)making Territoriality and Spatiality of State Boundary', *Journal of Borderlands Studies*, pp.1–17. Available at: <https://doi.org/10.1080/08865655.2023.2296058>

Ullah, A. and Chatteraj, D. (2018) 'Roots of discrimination against Rohingya minorities: society, ethnicity and international relations', *Intellectual Discourse*, 26(2), pp.541–565. Available at: <https://journals.iium.edu.my/intdiscourse/index.php/id/article/view/1220>

Zahed, I. (2021) 'Responsibility to Protect? The International Community's Failure to Protect the Rohingya', *Asian Affairs*, 52(4), pp.934–957. Available at: <https://doi.org/10.1080/03068374.2021.1999689>

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POST-GENOCIDE OPPRESSION IN SRI LANKA: SYMBOLIC VIOLENCE AND THE TAMIL COMMUNITY

by Aisyah Ab Halim

Illustration by Hrishitony Dutta



In 2024, Sri Lanka's ninth presidential election garnered worldwide traction due to its long-awaited transition from right-wing elites to a Marxist left-wing government for the first time. During the colonial era, Sri Lanka was plagued with issues of racism towards the Tamil community as a result of the colonial British divide-and-rule policy. This tension worsened after independence, as right-wing Sinhalese rulers codified their dominance and the oppression of the ethnic minority in the country's first constitution in 1972. These laws aimed to eliminate Tamil identity by outlawing the expression of Tamil nationalism and language, as well as discriminatory policies applying only to Tamils (Klem, 2023, p.4). In response to these actions, in 1976, some Tamil people formed the Liberation Tigers of Tamil Eelam (LTTE), a militant organisation that advocated for separatism from Sri Lanka (Frerks, 2019, p.213). LTTE received a hostile reception from the government and was designated as a terrorist organisation (Cronin-Furman and Arulthas, 2021, p.1011). Later, the government orchestrated a series of pogroms against the Tamil community, which heightened its conflict during the Black July incident in 1983, in which 3,000 Tamils were killed (Sriskandarajah, 2002, p.219) and more than 100,000 people were internally displaced (Krishna, 1999, p.45). The genocide against the Tamil community persisted until 2009, when the leader of LTTE died during the Mullivaikkal massacre (Thottam, 2009). An estimate in 2009 found that, in total, the Tamil genocide has killed over 100,000 Sri Lankans (DeVotta, 2022, p.3). This essay argues that the majority Sinhalese government of Sri Lanka has employed mechanisms of symbolic violence in language, educational, religious, and political spheres to continue oppressing the Tamil community after the 2009 Genocide. This type of violence, over the years has become embedded and normalised in the country, often neglected by those that do not experience it.

Contrary to popular belief, the violence against the Tamil community did not end in 2009. According to Fernando, the use of the term 'post-war' after 2009 ought to be approached cautiously as it refers to the end of the armed conflict but not the conflict itself (2013, p.184). This understanding sheds light on the fragmented society in Sri Lanka, where conflicts between communities remain after 2009, a dire impact of the genocide alongside political and economical

challenges. According to Trinn, 'despite the good scores in social cohesion, there is no indication that the extreme polarisation within the country's society has significantly decreased since the end of the civil war' (2019, p.196). Here, segregation between minorities, including the Tamil population, and the Sinhalese majority is still apparent, especially since the leaders of both of Sri Lanka's most prominent political parties are Sinhalese (Srinivasan, 2024a). The violence and discrimination against the Tamil community persists in a different form, namely 'symbolic violence' (Bourdieu, 1977, p.192).

Bourdieu's Theory of Symbolic Violence

Pierre Bourdieu introduced the concept of symbolic violence in his book 'Outline of a Theory of Practice', defining it as a typology of power that operates through non-physical means (1977). This type of violence involves the exploitation by one party towards another but is not always physical and often not acknowledged to be a form of violence. Bourdieu also asserted that in a society where physical violence is met with collective condemnation, symbolic violence becomes the most effective method to maintain these power dynamics (1977, p.192). In the context of racial struggle in Sri Lanka, the government was aware that further violence after 2009 might reignite the fire of the LTTE revival, instead imposing specific actions towards the Tamil community through symbolic violence. This form of oppression in effect operates 'not directly on bodies but through them' (Topper, 2001, p.47). Sometimes, these actions can also be continuations of past enactments that bleed into societal norms. According to Bourdieu, symbolic violence is produced, reproduced, and perceived as legitimate through 'schemes' normalised as collective habits (2001, p.34). Symbolic violence is also understood to be more challenging to recover from as there are no physical wounds to heal from (Thapar-Björkert, Samelius and Sanghera, 2016, p.149). Physical violence offers a kind of closure through natural healing that symbolic violence does not – due to its psychological nature, the healing does not automatically happen with time but rather through confrontation with one's personal struggles. For the Tamil community, having experienced both physical violence in the genocide and currently facing

increasing symbolic violence since 2009, it is much more challenging to be optimistic for any change.

Linguistic Injustice

To understand symbolic violence in the present, one must understand the past, most notably the linguistic injustice that initiated the conflict. Historically, there was an effort to erase the Tamil language by enacting the Sinhala Only Act in 1956, which recognised Sinhalese as the only official language of Sri Lanka (Rasaratnam, 2017, p.139). Scholars such as Kearney (1964, p.132) asserted that the enforcement was intentional due to the rampant prejudice towards the Tamil ethnic group, founded based on the fear that equal positions of both languages would threaten the survival of Sinhalese (Kearney, 1964). After the explosion of violence due to retaliation of the pogroms, in 1987, four years after the Black July, this law was amended to recognise both Sinhalese and Tamil as official languages (Sahadevan, 2024, p.100). Nevertheless, the damage had already been done. Linguistic injustice became a mode of symbolic violence that perpetuated oppression against the Tamil community, especially in education or official correspondence. Perera and Khodos (2024, p.8) gathered personal accounts from Tamil speakers in Sri Lanka in their research and found instances where some professors would switch from English to Sinhalese to cater to Sinhalese students or for their convenience, creating a barrier between Tamil and

Sinhalese speakers, and excluding Tamil students from equal academic participation. Another account stated that the national law is written exclusively in Sinhalese or English, preventing Tamil people who speak neither language from understanding their legal rights (Perera and Khodos, 2024, p.11). A Tamil interviewee, Sabitha, recalled a memory from when she was eleven years old, walking to school with her cousin. They conversed in Tamil with each other, but as they got closer to school, she felt embarrassed and squeezed her cousin's hand as a signal to switch their language to English (Perera and Khodos, 2024, p.17). These stories showcase how symbolic violence, as Bourdieu (2001, p.1) outlined, became normalised for the Tamil people in their everyday lives through language injustice and inequality. They portray not only a structural issue but also a lived experience that shapes the cultural zeitgeist of the Tamil minority. Often experienced individually, these incidents remain unnoticed by those outside the minority, highlighting the pervasive yet subtle nature of this form of violence. Despite the reversal of the Language Act, symbolic violence continues to be embedded in Sri Lankan society due to it being perceived as a norm, especially to the Sinhalese majority that does not have the same ethnic trauma (Soherwordi, 2010, p.47). In contrast, the Tamil minority struggles to use their own language in everyday life and experiences difficulty in comprehending their rights.

Educational Impacts

The continuation of symbolic violence that Tamil people experience also diffuses into education. In Sri Lanka, the standardisation policy increases university enrolment of the Sinhalese Buddhist community at the expense of the Tamils (DeVotta, 2022, p.1). In the 1970s, the standardisation policy used district quotas to inflate the number of Sinhalese people into university admission, declaring most Sinhalese districts to be under a special category that gives students leniency in grade markings to boost university admissions. This led to an imbalance in Tamil students' enrolment, as their entrance markings were stricter and requirements were higher (DeVotta, 2022, p.7). Since Tamil students mostly dominated the sciences, the government lowered the requirement for Tamil students to study arts subjects and increased the requirement for sciences. This leads to a percentage



drop of Tamil students enrolment into science courses from 38.8 percent in 1969-1970 to nineteen percent in 1975 (Hoole, 2021, p.73). A personal account from Hoole, a Tamil scholar, stated that 'it was a case of taking away something we prized and had earned, and giving us instead something we never wanted' (2016). Thus, the government restricts Tamil students' freedom to pursue what they want and are eligible for, pushing them into a crafted space that they did not ask for. Later, the government amended the admissions proportions to 40 percent by merit, 60 percent by district quota and five percent for educationally disadvantaged districts (Gunawardane, 2021). However, by then, high-achieving Tamil students had already moved abroad in search of better educational opportunities, especially in the Jaffna district (Gunawardane, 2021). What seems like a simple redistribution of opportunity perpetuates a deeper, more intricate form of inequality, where the perceived fairness of the district quota system masks the loss of talent and opportunity. This phenomenon contains elements of symbolic violence, as the government enables inequality by shaping perceptions of value and merit (Bourdieu, 2001, p.35). The disruption is delicate but profoundly affects the local educational system, reinforcing the notion that Sinhalese students have priority access to the highest quality of education compared to Tamil students.

Religious Impositions

Another form of symbolic violence towards the Tamil people is the nationwide implementation of strong Buddhist values synonymous with Sinhalese nationalism. For the Tamil people, who are predominantly Hindu, it serves as a reminder of exclusion from the Sinhalese majority, who are primarily Buddhist. This illustrates Bourdieu's concept of symbolic violence – where violence at its core does not cease to exist just because its physicality is absent (2001, p.34). In Jaffna, a northern state in Sri Lanka primarily populated by

the Tamil people, the 'Buddhist gaze' was employed by the government to position its dominance on the Tamil community (Samarathunga, Cheng, and Weerathunga, 2020, p.654). The branding of Jaffna as a popular Buddhist tourist location due to the new establishments of holy Buddhist temples spurred the influx of Buddhist visitors to the primarily Hindu Tamil community area, leveraging a notion of power that the Sinhalese

“The disruption is delicate but profoundly affects the local educational system, reinforcing the notion that Sinhalese students have priority access to the highest quality of education compared to Tamil students.”

government held against the Tamil people. The government constructed Buddhist temples and Buddha statues, organised Buddhist rituals and festivals in the Tamil region, declared ancient Buddhist sites in the Tamil region as Sinhalese Buddhist heritage, and settled Monks in the area (Fernando, 2016). Most prominently, the Sinhalese government also constructed a Sinhalese Buddhist monument at Mullivaikkal, the last battlefield

where the national army clashed with the LTTE in a mass massacre (Fernando, 2016; Misra, 2022). The Tamil people associate it as symbolic of mass atrocities, but for another community, it is emblematic of victory and religious reverence. The government did not banish the Tamil people away from their homes but instead placed permanent notice of Sinhalese power which the minority cannot ignore. In Bourdieu's theory, symbolic violence is legitimised through schemes in everyday life. Importantly, this applies to the Tamil community in Jaffna. Despite being primarily Hindu, they are led to be desensitised by the rapid expansion of Buddhisisation in their personal territory, creating an unyielding division between them and the Sinhalese. Still, the Tamil people maintain resilience as they are cognisant of this experience. Recently, in 2024, Tamil people gathered at Mullivaikkal to memorialise the pain of the Tamil genocide despite the government's suppression (Srinivasan, 2024b), acknowledging the suffering that their community endured during the genocide.

Political Representation

Within the Sri Lankan political system, Tamil political

leaders face the difficult choice of remaining in their minority party to advocate for Tamil representation or defecting to the majority party in the hopes of having inside access to voice their agenda. According to Dr Farah Mihar, 'minority politicians in major parties often feel isolated and find fewer opportunities to raise minority rights issues' (Sri Lanka Brief, 2024). Additionally, minority representatives in parliament are often given incentives to defect from their party, which diminishes the trust that minority communities place in their representatives (Thaheer, 2017, p.108). Leaders of minority parties also face criticisms from within their parties, causing internal conflicts among the members (Devapriya and Jayasinghe, 2024). In the recent presidential election, The Ilankai Tamil Arasu Katchi (ITAK) party pledged support for Sajith Premadasa, the leader of the Samagi Jana Balawegaya (SJB), a popular presidential candidate for the election. However, ITAK's former coalition partners and some members backed ITAK member P. Ariyanethiran as a 'common Tamil candidate' (Srinivasan, 2024c), clashing with the party's official statement. Furthermore, the SJB's affiliation with former military officials further fuels scepticism of their intentions (Srinivasan, 2024c). This sentiment displays symbolic violence through a political system that incentivises minority parties to gravitate towards larger ones, leading to distrust between the Tamil community and their representatives. Additionally, the recent call from Gajendrakumar Ponnambalam, the leader of the Tamil National People's Front (TNPP), to boycott the presidential election garnered criticism as it is interpreted to be a 'cowardly retreat' (Tamil Guardian, 2024; Aravind, 2024). However, often, these leaders were involved in the Tamil Genocide and have experienced discrimination in Sri Lankan politics (Miller, 2013). Due to the dominance of Sinhalese politicians in the government and the burden of the genocide, fragmented Tamil politicians are sidelined, reinforcing the symbolic violence experienced by the Tamil communities as their pathways to political advocacy are few and far between.

Conclusion

In conclusion, the presence of symbolic violence has been embedded in the lives of the Tamil people in Sri Lanka. Due to its subtle nature, these mechanisms of

oppression have been overlooked and normalised. The pain the Tamil community has faced throughout the Tamil genocide and beyond seeps not only into their everyday lives, such as coexistence with religion and the usage of language, but also into public sectors, such as education and politics. Through symbolic violence mechanisms that are instilled in the state, the Tamil minority still faces hardships in navigating life in Sri Lanka. Before the 2024 election, Reuters reported that for many Tamil people – especially those who have been displaced due to the genocide – the elections do not offer much hope as the presidency would be won by a Sinhalese (Chitrakar, 2024). On the other hand, after the election there is a possibility of a shift of hope for the Tamil people in the new president to uphold peace and ensure Tamil rights after the president's rally in Jaffna (Srinivasan, 2024b). While it is too early for Dissayanake to propose systematic measures to overcome these challenges, his promise of returning Tamil lands occupied by the state during the genocide is the first step for the Tamils to reclaim their rightful place in the nation. This newly founded faith offers a beacon of hope for the Tamil people, but concrete actions must be taken to reduce the impact of symbolic violence on the Tamil community.

Bibliography

- Aravind, L. (2024) 'Sri Lanka: Fragmented Tamil Politics and the Path to Power Sharing', *Sri Lanka Guardian*, 2 September. Available at: <https://slguardian.org/sri-lanka-fragmented-tamil-politics-and-the-path-to-power-sharing/> (Accessed: 15 November 2024)
- Bourdieu, P. (1977) *Outline of a Theory of Practice*. Cambridge: Cambridge University Press.
- Bourdieu, P. (2001) *Masculine Domination*. Cambridge: Polity.
- Chitrakar, N. (2024) 'For Sri Lanka's minority Tamils, election does not offer hope', *Reuters*, 20 September. Available at: <https://www.reuters.com/world/asia-pacific/sri-lankas-minority-tamils-election-does-not-offer-hope-2024-09-20/> (Accessed: 8 November 2024)
- Cronin-Furman, K., and Arulthas, M. (2021) 'How the Tigers Got Their Stripes: A Case Study of the LTTE's Rise to Power', *Studies in Conflict and Terrorism*, 47(9), pp. 1006–1025. Available at: <https://doi.org/10.1080/1057610x.2021.2013753>
- Devapriya, U. and Jayasinghe, R. (2024) 'In Sri Lanka, the Political Opposition Remains as Fragmented as Ever', *The Diplomat*, 4 March. Available at: <https://thediplomat.com/2024/03/in-sri-lanka-the-political-opposition-remains-as-fragmented-as-ever/> (Accessed: 10 November 2024)
- DeVotta, N. (2022) 'Standardization and ethnocracy in Sri Lanka', *WIDER Working Paper*. Available at: <https://doi.org/10.35188/UNU-WIDER/2022/217-1> (accessed 8 January 2025)
- Fernando, J. (2013) 'War by other Means. Expansion of Sinhala Buddhism into the Tamil Region in "Post-War" Ilam', in P. Schalk and A. van Nahl (eds) *Buddhism among Tamils in Tamilakam and Ilam: Part 3 - Extension and Conclusions*. Uppsala: Acta Universitatis Upsaliensis, pp. 175–238.
- Frerks, G. (2019) 'The Female Tigers of Sri Lanka', in A. Smeulers, M. Weerdesteijn, B. Holá and R. Gunawardane (eds) *Perpetrators of International Crimes*. Oxford: Oxford University Press, pp. 208–223.
- Gunawardane, R. (2021) 'Towards A Realistic University Admission Scheme For Sri Lanka', *Colombo Telegraph*, 24 February. Available at: <https://www.colombotelegraph.com/index.php/towards-a-realistic-university-admission-scheme-for-sri-lanka/> (Accessed: 10 November 2024)
- Hoole, S. (2016) 'Standardisation – A Different Perspective From Dr. M.Y.M. Siddeek's', *Colombo Telegraph*, 26 December. Available at: <https://www.colombotelegraph.com/index.php/standardisation-a-different-perspective-from-dr-m-y-m-siddeeks/> (Accessed: 14 November 2024)
- Hoole, S. (2021) *The Story of Standardisation*. London: Thesam Publications.
- Kearney, R. (1964) 'Sinhalese Nationalism and Social Conflict in Ceylon', *Pacific Affairs*, 37(2), pp. 125–136. Available at: <https://doi.org/10.2307/2753947>
- Klem, B. (2023) 'Demos at war: Revisiting the democratic boundary problem with a performative lens', *Social Sciences & Humanities Open*, 8(1), 100507. Available at: <https://doi.org/10.1016/j.ssoho.2023.100507>
- Krishna, S. (1999) *Postcolonial insecurities: India, Sri Lanka, and the question of nationhood*. Minneapolis: University of Minnesota Press.
- Miller, P. (2013) "'A slap on the wrist': Sri Lanka at the UN Human Rights Council", *OpenDemocracy*, 14 March. Available at: <https://www.opendemocracy.net/en/opensecurity/slap-on-wrist-sri-lanka-at-un-human-rights-council/> (Accessed: 20 December 2024).
- Misra, S. (2022) 'What is Mullivaikkal war & why has the demolition of memorial for its victims triggered a row', *ThePrint*, 10 January. Available at: <https://theprint.in/theprint-essential/what-is-mullivaikkal-war-why-has-the-demolition-of-memorial-for-its-victims-triggered-a-row/582976/> (Accessed: 15 November 2024)
- Perera, N. and Khodos, I. (2024) 'Linguistic reconciliation in contexts of conflict: Tamil language learning in Sri Lanka', *Language Policy*. Available at: <https://doi.org/10.1007/s10993-024-09716-4>
- Rasaratnam, M. (2017) *Tamils and the Nation: India and Sri Lanka Compared*. New York: Oxford University Press.
- Sahadevan, P. (2024) 'The Politics of the Status Quo in Sri Lanka', *Studies in Indian Politics*, 12(1), pp. 91–103. Available at: <https://doi.org/10.1177/23210230241235362>
- Samarathunga, W., Cheng, L., and Weerathunga, P. (2020) 'Buddhist gaze and power in a post-war destination: Case study of Jaffna, Sri Lanka', *Journal of Tourism and Cultural Change*, 19(5), pp. 654–680. Available at: <https://doi.org/10.1080/14766825.2020.1849241>
- Soherwordi, S. (2010). 'Construction of Tamil and Sinhalese identities in contemporary Sri Lanka', *Pakistan Horizon*, 63(3), pp. 29–49. Available at: <http://www.jstor.org/stable/24711006>

Bibliography *continued*

Sri Lanka Brief. (2024) *Minority representation in Sri Lanka's Parliament splintering: Research*. Available at: <https://srilankabrief.org/minority-representation-in-sri-lankas-parliament-splintering-research/> (Accessed: 16 November 2024)

Srinivasan, M. (2024a) 'Sri Lanka's disenchanting Tamils are divided this election', *The Hindu*, 17 September. Available at: <https://www.thehindu.com/news/international/sri-lankas-disenchanting-tamils-are-divided-this-election/article68651277.ece> (Accessed: 02 December 2024)

Srinivasan, M. (2024b) 'Sri Lanka president Anura Dissanayake promises return of Tamils' land grabbed by state agencies', *The Hindu*, 10 November. Available at: <https://www.thehindu.com/news/international/sri-lanka-president-anura-dissanayake-promises-return-of-tamils-land-grabbed-by-state-agencies/article68852893.ece> (Accessed: 13 November 2024)

Srinivasan, M. (2024c) 'Sri Lanka's main Tamil party to back Sajith Premadasa in polls', *The Hindu*, 1 September. Available at: <https://www.thehindu.com/news/international/sri-lankas-main-tamil-party-to-back-sajith-premadasa-in-polls/article68593305.ece> (Accessed: 13 November 2024)

Sriskandarajah, D. (2002) 'The Migration–Development Nexus: Sri Lanka case study', *International Migration*, 40(5), pp.283-307. Available at: <https://doi.org/10.1111/1468-2435.00220>

Tamil Guardian. (2024) 'Why Tamils should boycott Sri Lanka's presidential election – Interview with Gajen Ponnambalam', 18 September. Available at: <https://www.youtube.com/watch?v=yN-QcECnkqEM> (Accessed: 16 September 2024).

Thaheer, M. (2017) 'Why the Proportional Representation System Fails to Promote Minority Interests?', *PCD Journal*, 2(1), pp.95–118. Available at: <https://doi.org/10.22146/pcd.25722>

Thapar-Björkert, S., Samelius, L. and Sanghera, G. (2016) 'Exploring Symbolic Violence in the Everyday: Misrecognition, Condescension, Consent and Complicity', *Feminist Review*, 112(1), pp.144-162. Available at: <https://doi.org/10.1057/fr.2015.53>

Thottam, J. (2009) 'Prabhakaran: The life and death of a tiger', *Time*, 19 May. Available at: <https://time.com/archive/6946716/prabhakaran-the-life-and-death-of-a-tiger/> (Accessed: 14 November 2024).

Topper, K. (2001) 'Not so Trifling Nuances: Pierre Bourdieu, Symbolic Violence, and the Perversions of Democracy', *Constellations*, 8(1), pp.30-56. Available at: <https://doi.org/10.1111/1467-8675.00214>

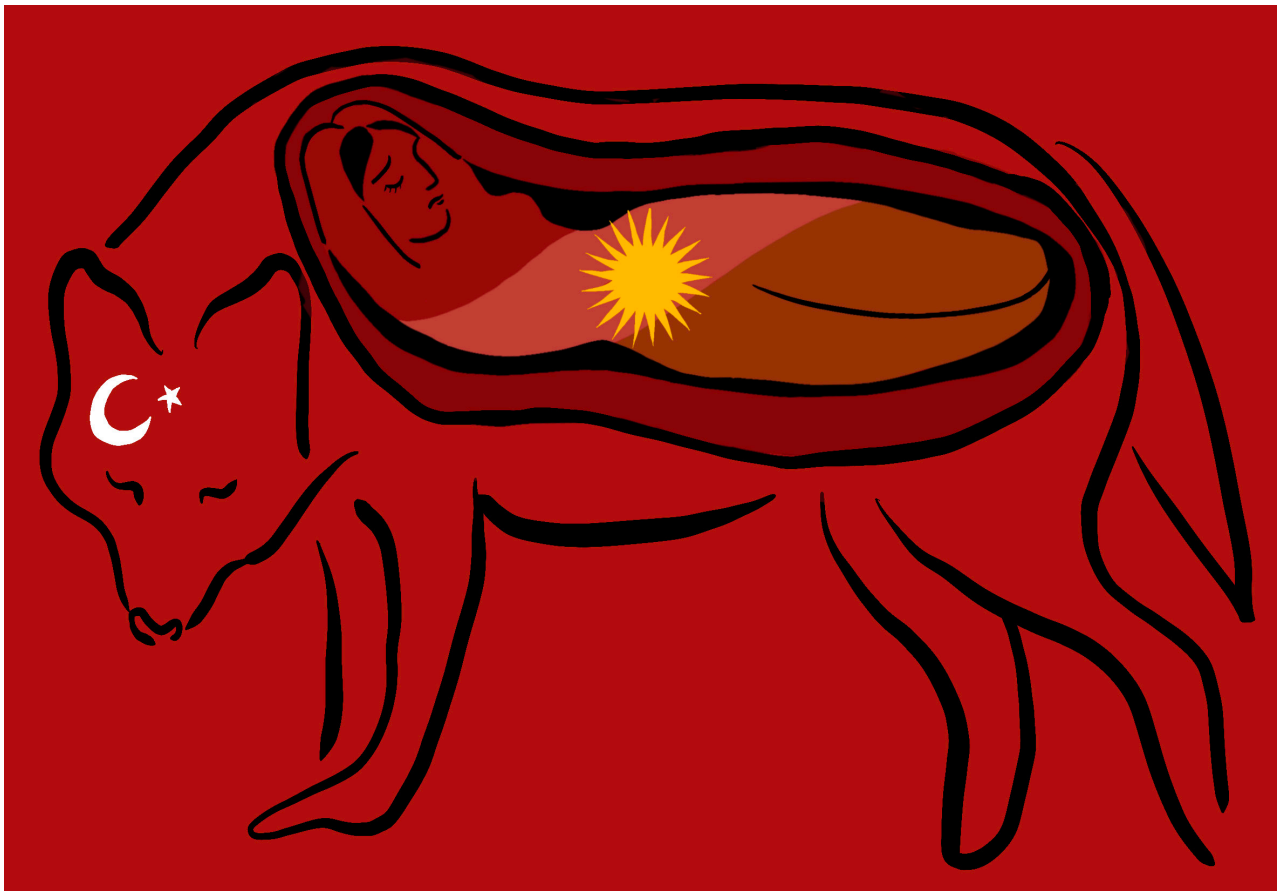
Trinn, C. (2020) 'Sri Lanka: The Dark Side of Social Cohesion in Divided Societies', in A. Croissant and P. Walkenhorst (eds) *Social Cohesion in Asia*. New York: Routledge, pp.190-212.

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FORCED ASSIMILATION AND ETHNOCIDE: HOW KEMAL ATATÜRK'S POLICIES TOWARDS THE KURDS EXPOSED THE DARK UNDERBELLY OF TURKISH REPUBLICANISM

by Gabrielle Yurin

Illustration by Maisie Norton



The dissolution of the Ottoman Empire and subsequent creation of the Turkish Republic saw a radical change of fate, not only for the Turkish people but also for the diverse communities constituting the Empire's multi-ethnic, multi-religious mosaic. Spearheaded by Kemal Atatürk, the Turkish War of Independence uprooted the basic cohesion of the Ottoman identity to establish a completely new entity: a modern, dynamic republic inspired by Western European states (Akyol, 2019, p.2). This mission involved a reconceptualisation of national identity,

culture, and religion. However, the policies enacted towards a homogeneous state took on the form of intensive Turkification and assimilation (Cagaptay, 2004, p.87). As the largest ethnic minority in the region, the Kurds were direct recipients of these state-sanctioned changes. Through the establishment of a novel reigning Turkish identity and the diminished role of Islam, Atatürk's policies towards the Kurds adhered to the Turkish Republic's principles of nationalism and secularism. However, the methods that Atatürk used to enforce assimilation paradoxically entailed Kurdish

cultural suppression, aggressive military force, and mass relocation – signifying that the programme of gradual reformism and republicanism was, ostensibly, not offered to the Kurdish minority group.

The Promises of a Nascent Republic

In order to evaluate the inconsistency between Atatürk's policies against the Kurds with the Republic's principles, it is imperative to understand the principles as well as the promises of autonomy made towards the Kurds in the early stages of Atatürk's rule. When creating his vision for a modern Turkey, Atatürk and his government claimed that 'arbitrary relations between the ruling elite' and 'taxpaying subjects,' established during the Empire, would be abolished (Karabelias, 2009, p.58). Instead, he promised that a new, consensual relationship between 'constitutionally limited rulers' and the people would be set in place (Karabelias, 2009, p.58). In order to achieve this model, the six 'arrows' of Nationalism, Republicanism, Populism, Étatism, Secularism, and Reformism were established (Kissane, 2014, p.294). These values categorically separated the Turkish Republic from the Ottoman Empire and, while drastically different, did not necessarily set out to create an oppressive regime against other ethnicities. In fact, Atatürk's initial sentiments towards the Kurds were connected to notions of brotherhood and autonomy; Atatürk himself stated to Istanbul newspaper editors in 1923 that 'local autonomous areas will be established' and that Kurds would govern themselves in their respective regions (Çalışar, 2013, p.31). Essentially, while Atatürk's shaping of the Republic did not grant Kurds autonomy at the level of the Treaty of Sevres (1920), which had been signed by the Allied Powers to recognise Kurdistan as an autonomous region but was never implemented (Çandar, 2013, p.67), the initial campaign pointed to a 'progressive' state.

Strategies of Assimilation: Linguistic Oppression and Ethnocide

Despite Atatürk's seemingly positive outlook on Kurdish policies, the ideological foundation of Kemalism and nationalism, constructed by Atatürk, lent itself to an environment of Turkification and assimilation that

encompassed all citizens, but especially targeted the Kurds. Turkish identity became a state-sponsored project as Atatürk funded multiple programmes of study into the origins of Turkish history and culture (Cagaptay, 2004). This resulted in the development of two major theses: The Turkish History Thesis and the Sun Language Theory. The former, utilising Darwinian evolutionary theory, developed the notion that all of human civilization can be dated back to Central Asia: 'the Turkish homeland' (Şükrü, 2011, p.162). It credited the Turks for civilising areas as far as China and justified the erasure of Kurdish ethnic identity as 'Mountain Turks' (Olson and Tucker, 1978). Under the latter thesis, Kurds were of Turkish origin. This second thesis, titled the Sun Language Theory, drew etymological connections between Turkish and all Indo-European languages, dating back to the ancient tongues of Sumerians and Hittites (Cagaptay, 2004). On this basis, the Turkish Congress enacted policies of language purification to assimilate all people with the new Turkish identity; this entailed cleansing the language of 'foreign' influence and replacing those gaps with Turkic words (Cagaptay, 2004). In 1924, the Kurdish language was banned by law, as well as the words 'Kurd,' 'Kurdistan,' and 'Kurdish' (Gardi, 2017). It is through these measures, which essentially amount to systematic methods of forced assimilation, that the Turkish government began its departure from 'progressive' republicanism and gradual movement towards the state-inflicted erasure of a minority group's identity. Stanley Dubinsky and Harvey Starr (2022) conducted an analysis positioning linguistic oppression as a tool of inflicting cruelty upon nondominant ethnolinguistic groups. Their study found that through the diminishing and legislative removal of language, governments are able to invalidate the identity and existence of an entire people (Dubinsky and Starr, 2022). Applying this paradigm to the Kurdish context, the linguistic reduction of Kurds to 'mountain Turks' and the land they inhabit to 'the East' can be interpreted as the weaponisation of language motivated by Atatürk's desire for identity homogenisation and collective punishment of the Kurdish minority group. The targeting of language emphasises the critical junction between linguistic expression and group identity, creating a powerful foundation and precursor to any subsequent intensification of assimilationist policies. Therefore, the ethnic and linguistic reshaping of Turkish history to forge a 'modern' Turkish identity

materialised, most prominently, in the weaponisation of Kurdish identity and language, giving the advent of nationalism a dark undercurrent.

Atatürk was also consistent in his principle of secularism through the abolition of the Caliphate and disestablishment of Islam, leading to the Sheikh Said Rebellion (1925) that further engendered nationalistic policies of Turkification and the subsequent violent crackdown (Olson and Tucker, 1978, p.200); creating a feedback loop that did not reflect Republicanism or populism. Since the Ottoman Empire depended on Islam as a binding agent for its various ethnic groups, Atatürk saw religion as an obstacle to overcome. He banned Islamic schools, known as madrasas, and mosques were subsumed under government control. The overall influence of Islam on 'education, law and public administration' was diminished (Akyol, 2019, p.3). As Kurdish communities relied on the hierarchies of Sheikhs and religious leaders in their institutions—religious status being a significant marker of administrative and tax-gathering privileges—the disestablishment of Islam was an encroachment on the Kurdish way of life (Olson and Tucker, 1978).

Resentment grew among the Kurds over the dissolution of traditional values, identity, and the Caliphate due to Atatürk's policies, which can be analysed through the lens of ethnocide, a term which has become somewhat of a supplementary concept capturing the modes of cultural oppression and forced assimilation that 'escape the legal definition of genocide' (Heiskanen, 2021, p.3). Furthermore, Heiskanen (2021) argues that the charge of ethnocide has evolved as a language of protest for indigenous rights groups, bringing attention to the darker side of the West's preoccupation with modernity and development; the destruction of indigenous culture (Heiskanen, 2021). Thus, Atatürk's policies, which borrowed heavily from the Western states' imperialist blueprint of secularism and 'modernisation,' met the definition of ethnocide as outlined in the 1981 Declaration of San Jose: an ethnic group being 'denied

the right to enjoy, develop, and transmit its own culture and language' (Heiskanen, 2021, p.5). The subsequent Sheikh Said Rebellion can therefore be understood as a response to culturally-debilitating homogenisation, as well as a catalyst for further policies against the Kurds, perpetually worsening the gap between republican principles and reality. The rebellion, acted out by a combination of country people, religious leaders, and Kurdish soldiers who deserted the Turkish army to join the cause, was met with a proclamation of martial law, the execution of Sheikh Said and forty-six of his followers, the pillaging and destruction of thousands of homes, and the massacre of an estimated fifteen thousand Kurds (Bruinessen, 1994). Atatürk's anti-

Kurdish reforms became even more destructive, issuing decrees forbidding all religious garb and instituting the Law to Maintain Public Order. The latter implemented a legal military apparatus designed to destroy all political opposition, effectively silencing Kurds for several years before the next major uprising (Olson and Tucker, 1978). As the ethnocidal nature of Turkey's nationalistic and secular legislation spurred Kurdish rebellion, Atatürk's response of violent suppression increased his aggressive

policymaking, reflecting authoritarianism more than Republicanism.

“As the ethnocidal nature of Turkey’s nationalistic and secular legislation spurred Kurdish rebellion, Atatürk’s response of violent suppression increased his aggressive policymaking, reflecting authoritarianism more than Republicanism.”

Military Violence and the Weaponization of Kurdish Identity

The two Kurdish rebellions on Mount Ararat in 1930 and Dersim in 1937 saw a significant escalation in the Turkish state's aggression, emphasising the self-reinforcing dynamic between Turkish constructed nationalism and the emergence of Kurdish reactionary nationalism. Between 1925 and 1938, the Turkish Air Force (TAF) was used solely as a weapon for suppressing Kurdish nationalism (Olson, 2000, p.67). Most notably, TAF was mobilised in the collective destruction of Kurdish villages and indiscriminate

bombings of Kurds during the Mount Ararat rebellion against the Turkish government, which Atatürk framed as a mission to abolish tribalism and feudalism (Olsen, 200). He used this campaign as a pretext to enact the Law of Resettlement of 1934 (Bruinessen, 1994), which defined three categories of resettlement zones and was weaponised against Kurdish communities to depopulate, dilute, and disperse the Kurdish identity for further assimilation. The back-and-forth relationship of Kurdish rebellion and increasingly oppressive government responses underlines the progression of nationalism in stoking ethnic-based violence. Tracking the historical evolution of Kurdish nationalism to the modern-day, Nader Entessar (1989, p.87) finds that Turkey's assimilation efforts perpetuated a shared feeling of 'Kurdishness,' encompassing a common way of life and history more than any primordial notion of race or religion. Under these parameters, the identity of the rebelling Kurds was shaped and enforced by the sharpening of Turkish aggression, not by a given natural identity that biologically transcended the political context. As it was only in the 1930s under Atatürk that Kurdish intellectuals began to systematically produce a Kurdish body of knowledge (Loizides, 2010), Kurdish nationalism can be understood to emerge as a reaction to an all-encompassing state agenda to involuntarily incorporate the Kurds as 'half-others' (Loizides, 2010, p.516). As Kurdish nationalism began to take shape, the 1934 Law of Resettlement was moulded to fit the new circumstances. During the Dersim massacres, entire tribes of women and children were sprinkled with kerosene and set aflame, forced to throw themselves into ravines, gunned down by artillery fire and forcefully deported to other areas of the country (Kieser, 2016). To understand how such escalatory policy was allowed under the guise of Republicanism is to acknowledge that the government had to first conflate any claim to minority rights by the Kurds with the violent image of secession and, as history would later demonstrate, terrorism (Loizides, 2010). By essentialising the Kurdish cause to the hard-liners at the forefront of the movement, Turkish officials contributed to the creation of what Murat Somer (2004) terms the 'clashing definition' of identity. Under this premise, the Kurds only became the 'antagonistic other' (Somer, 2004, p.246) when being Kurdish became contradictory to being Turkish. Not only does this imply that the construct of identity emerges in relation to another, sometimes opposing,

identity, but that these identities are mutually bolstering forces that continue to escalate polarisation and inter-group conflict. This model, created by Atatürk, can be interpreted as the groundwork for the plight of Turkish Kurds and their treatment by the government over the next century. Therefore, as the Turkish government worked to assimilate the Kurdish existence into the new Turkish nationalism, a reactionary Kurdish nationalism began to formulate, making it easier for Atatürk to weaponise this identity and enforce authoritarian and violent measures upon the Kurds—a far cry from the promised progressive, Republican state.

Conclusion

Between the years of 1923-1938, the Turkish Republic constructed a system which could be described as a one-party regime looking to Turkify and assimilate all ethnic communities into one homogenous Turkish identity using any means necessary. While Atatürk's reforms may have resulted in increased nationalism, etatism (legitimacy of the states political authority), and secularism, the authoritarian and oppressive policies created against the Kurds echoed a more authoritarian force, inconsistent with the modern, populist, republican state that would have created a consensual relationship between the people and the government. The pattern of assimilationist policies that led to Kurdish revolt and harder state retaliation made it increasingly difficult for Atatürk to mask his efforts under the guise of a progressive republic.

Bibliography

Akyol, M. (2019) *Turkey's Troubled Experiment with Secularism*. The Century Foundation. Available at: <https://tcf.org/content/report/turkeys-troubled-experiment-secularism/> (Accessed: 24 November 2024)

Bruinessen, M. van. (1994) 'Genocide in Kurdistan? The Suppression of the Dersim Rebellion in Turkey (1937-38) and the Chemical War against the Iraqi Kurds (1988)', in: G. Andreopoulos (ed), *Genocide: Conceptual and Historical Dimensions*. University of Pennsylvania Press, pp.141–170.

Cagaptay, S. (2004) 'Race, Assimilation and Kemalism: Turkish Nationalism and the Minorities in the 1930s', *Middle Eastern Studies*, 40(3), pp.86–101. Available at: <https://www.jstor.org/stable/4289913>

Çalışar, O. (2013) 'The Kurdish Issue in Turkey: Its Social, Political, and Cultural Dimensions', in: A. Sarihan and F. Bilgin (eds), *Understanding Turkey's Kurdish Question*. Lanham, Md: Lexington Books, pp.40–54.

Çandar, C. (2013) 'On Turkey's Kurdish Question: Its Roots, Present State, Prospects', in: A. Sarihan and F. Bilgin (eds), *Understanding Turkey's Kurdish Question*. Lanham, Md: Lexington Books, pp.59–72.

Dubinsky, S. and Starr, H. (2022) 'Weaponizing Language: Linguistic Vectors of Ethnic Oppression', *Global Studies Quarterly*, 2(2), pp.1–13. Available at: https://link.gale.com/apps/doc/A777955401/AONE?u=ed_itw&sid=bookmark-AONE&x-id=523f97eb

Entessar, N. (1989) 'The Kurdish Mosaic of Discord', *Third World Quarterly*, 11(4), pp.83–100. Available at: <https://doi.org/10.2307/3992332>

Gardi, R. (2017) 'From Suppression to Secession: Kurds, Human Rights and the Right to Self-Determination in Turkey', *ILSA Journal of International & Comparative Law*, 24(1), pp.62–108. Available at: <https://nsuworks.nova.edu/ilsajournal/vol24/iss1/3>

Heiskanen, J. (2021) 'In the Shadow of Genocide: Ethnocide, Ethnic Cleansing, and International Order', *Global Studies Quarterly*, 1(4), pp.1–10. Available at: <https://doi.org/10.1093/isagsq/ksab030>

Karabelas, G. (2009) 'The Military Institution, Atatürk's Principles, and Turkey's Sisyphean Quest for Democracy', *Middle Eastern Studies*, 45(1), pp.57–69. Available at: <https://www.jstor.org/stable/40262642>

Kieser, H.-L. (2011) *Dersim Massacre, 1937-1938*, Sciences Po: Mass Violence and Resistance - Research Network. Available at: <https://www.sciencespo.fr/mass-violence-war-massacre-resistance/en/document/dersim-massacre-1937-1938.html> (Accessed 27 November 2024)

Kissane, B. (2014) 'Atatürk and After: Three Perspectives on Political Change in Turkey', *The Review of Politics*, 76(2), pp.293–307. Available at: <https://www.jstor.org/stable/43670965>.

Loizides, N.G. (2010) 'State Ideology and the Kurds in Turkey', *Middle Eastern Studies*, 46(4), pp.513–527. Available at: <https://www.jstor.org/stable/20775053>.

Olson, R. (2000) 'The Kurdish Rebellions of Sheikh Said (1925), Mt. Ararat (1930), and Dersim (1937-8): Their Impact on the Development of the Turkish Air Force and on Kurdish and Turkish Nationalism', *Die Welt Des Islams*, 40(1), pp.67–94. Available at: <https://www.jstor.org/stable/1571104>.

Olson, R. and Tucker, W. (1978) 'The Sheikh Sait Rebellion in Turkey (1925): A Study in the Consolidation of a Developed Uninstitutionalized Nationalism and the Rise of Incipient (Kurdish) Nationalism', *Die Welt des Islams*, 18(3/4), pp.195–211. Available at: <https://doi.org/10.2307/1570466>.

Somer, M. (2004) 'Turkey's Kurdish Conflict: Changing Context, and Domestic and Regional Implications', *Middle East Journal*, 58(2), pp.235–253. Available at: <https://doi.org/10.2307/4330003>

Şükrü, H.M. (2011) 'Nationalism and Kemalism', in: *Ataturk: An Intellectual Biography*. Princeton, NJ: Princeton University Press, pp.160–198. Available at: <https://doi.org/10.2307/j.ctt1h1hx88>

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BA'TH PARTY VIOLENCE AND KURDISH SILENCE IN IRAQ: AN ANALYSIS OF FORCED ASSIMILATION, RELOCATION AND OUTRIGHT VIOLENCE

by Elham Khosravipour

Illustration by Jess Bolevin



For decades the Iraqi Ba'th regime sought to systematically erase Kurdish voices and identities from the political landscape. There are an estimated 30 million Kurds spread across several different Middle Eastern States and the diaspora (Rifai and Ali, 2017). Despite being an ancient people large in number, the Kurds are minorities in the states they inhabit. In Iraq, around four million Kurds make up approximately fifteen to twenty percent of the population (Minority Rights Group, 2014). However, during the reign of the Ba'th regime from 1968 until 2003, the Kurds were a repressed minority group. The Ba'th regime employed several different tactics to target the Kurds, who are based mainly in the northern part of the country. This article examines how the Ba'th regime subjugated Kurds through forced assimilation, forced relocation, and the use of violence. Ultimately, the most effective and significant method used by the Ba'th regime to advance its aims was the use of violence, upon which the success of the other methods was contingent. Violence had the most conclusive outcome: the outright eradication of insurgency and the silencing of Kurdish voices.

Background on Ba'thism and the Kurdish people

Ba'thism is an ideology and a movement focussed on the *Ba'th* (Arabic for 'resurrection') of a unified Arab state. The Ba'th Party, therefore, stands for 'Arab nationalism, freedom from foreign rule, and the establishment of a single Arab state' (Devlin, 1991, p.1396). As such, Ba'thists are concerned with the Arabisation of their territories – a vision in which ethnically Kurdish people have no place. The Kurdish people are an ethnonational group based in Kurdistan, a geographic region spanning Iran, Iraq, Syria, and Turkey with 'the largest swath of Kurdish territory' being situated in Iraq (Albert, 2017, p.817). Despite the Iraqi government pledging to recognise 'the national rights of the Kurds' in 1966, significant tensions remained (Thoman, 1972, p.33). When the Iraqi Ba'th party came to power in 1968, 'one of the most pressing issues facing them' was how to manage the Kurdish population (Thoman, 1972, p.33). To further their Arab nationalist objective, the Ba'th party in Iraq 'violated Kurdish dignity' and suppressed their voices throughout their reign (Albert, 2017, p.817).

Forced assimilation of Kurds

One way in which the Ba'th regime marginalised the Kurds was through forced assimilation, one of several employed techniques for suppression. They engaged in the 'Ba'thification' and Arabisation of Kurdish communities using several different strategies (Li, 2021). The Ba'th regime wanted the Kurds to be 'ideologically loyal' in hopes of preemptively crushing dissent (Li, 2021, p.413). Assimilation and loyalty were incredibly important to the Ba'th party as evidenced by their report from 1979. The report states that 'Kurds would never be qualified enough to embrace [Ba'thism] unless [they] became educated and culturally indoctrinated through the study of the Arabic language', thereby 'facilitating a transition to Arabness' and the adoption of 'Arab qualities' (Li, 2021, p.413).

The Ba'th party tried to use assimilation to 'prevent... Kurdish movement-led insurgency', 'secure control over oil-rich areas like Kirkuk' located in Iraqi Kurdistan, and ensure 'regime stability' (Li, 2021, p.414). To achieve this aim, the Ba'th regime, for example, 'impose[d] Arab identity' on the Kurdish communities of Yezidi and Shabak (Voller, 2017, p.392). Though they identified as Kurds, the Ba'th "described" them as Arab, prompting several families within those communities to ask to change their nationality from Arab to Kurdish. However, the Ba'th regime justified these policies by claiming Shabakis were indistinguishable from Muslim Arabs, and that Yezidis were not Kurds, but simply another Arab 'sect' (Voller, 2017, pp.392-393).

Another method employed by the Ba'th regime to force assimilation on Kurdish communities included granting 'privileges' to Kurds 'willing to identify as Arabs'; in essence, they incentivised assimilation. Some of these privileges included freedom of movement across the North or the opportunity to join the Iraqi civil service (Voller, 2017, p.393). This policy was, in part, successful – a report from 1996 demonstrating that many Yezidis 'request[ed] to change their nationality from Kurdish to Arab so that they could settle in areas prohibited to non-Arabs' (Voller, 2017, p.393). Furthermore, in 1996 it became law that Kurds had to 'register themselves as Arabs' otherwise they 'were not able to go to school or work or to keep their positions' (Salih, 2022, p.201).

These measures effectively forced Kurds to trade their cultural identity for their livelihood.

However, despite these efforts, the Ba'th regime's forced assimilation strategies can be largely considered failures for two main reasons: the persistence of the Kurdish cause and the Ba'th regime's perceived need for violence. The latter is considered by scholars such as Lisa Blaydes to be a direct result of the failure of cultural assimilation strategies (2018, p.162). Though forced assimilation tactics and the repression of Kurdish voices continued through to 2003, they were mainly a by-product of the violence rather than the primary method of subjugation. Thus, forced assimilation was a less effective method of marginalisation used by the Ba'th regime to intimidate the Kurds, compared to the use of violence.

Forced Relocation Of The Kurdish Population

Forced relocation was another strategy of oppression employed by the Ba'th regime against the Kurdish population. The Ba'th regime forcibly relocated Kurds from strategic areas to consolidate their control and weaken the Kurdish movement. Demographic engineering – '[t]he movement of ethnic groups as a technique for regulating conflict' (McGarry, 1998, p.613) – was a key strategy to advance the Ba'th regime's aim to divide-and-rule over the Kurdish population. This ensured the Kurdish movement did not gain significant momentum, stalling the possibility of secession (Voller, 2017, p.391).

The Kurdish population had already been subject to demographic engineering during Ottoman times and were, at first, hopeful when the Ba'th regime came to power; however, almost immediately, this hope was crushed (Salih, 2022, pp.193-196). The brutality

of the relocations exponentially increased during the 1960s-1980s when the mass deportation of Kurds 'in oil-rich regions' became commonplace (Salih, 2022, p.197). Additionally, the regime changed street and city names in Kurdish minority areas to symbolically dispossess Kurds of their lands and force them to leave (Salih, 2022, pp.197-198).

“Such casual use of violence against the Kurdish population by the Ba'th regime did not only work to categorically eradicate any Kurdish insurgents, but also incited a degree of fear which quashed even the hope for the possibility of a successful uprising without international assistance.”

In the economically important and oil-rich city of Kirkuk, the Ba'th regime authorised the 'forced removal of Kurdish... families from their homes and property' and 'resettl[ed]... Arab families in their place', continuing their Arabisation campaign (Voller, 2017, p.391). In 1975 alone, the Ba'th regime 'relocated 279,000 Arabs...to Kirkuk', leading to thousands of Kurds being 'forcibly relocated to collective camps' around the country, followed by the deportation of another 200,000 Kurds between 1978 and 1979

(Salih, 2022, p.198). This was an effort to assert Arab control over this oil-rich area (Talabany, 2007). At least 600,000 Kurds are estimated to have been forcibly resettled in the 1970s to 'Arab dominated areas' (Albert, 2017, p. 826). These deported Kurds were then resettled in Arab-majority areas, allowing the Ba'th regime to simultaneously take control of strategic areas like Kirkuk and prevent the potential existence of any Kurdish-majority cities. This forced relocation of Kurds from valuable locations to Arab-majority areas reinforced the Ba'th regime's divide and rule strategy to marginalise the Kurds.

During his reign, Saddam Hussein further stripped the Kurds of their citizenship before deporting them, 'seiz[ing] their...property and revok[ing] their legal documents' (Salih, 2022, p.199). While illegal under international law and a form of political violence, this bilateral strategy of forced relocation and deportation was very successful. Firstly, the loss of land and property subjected the Kurds not only to a state of ethnic subordination, but also to a position of inferior wealth and resources. Secondly, by physically dividing

the Kurdish population it became much harder for them to build a strong and focused community working towards a common goal; reflecting the divide-and-rule method of oppressive governing. This division is reinforced by the fact that the Ba'th regime 'encouraged Arabs to start taking Kurdish wives in an attempt at ethnic assimilation' and dilution. Without homogeneity both geographically and within the community, the possibility of successful mass mobilisation is negligible (Albert, 2017, p.827).

However, these forced relocations often came as a supplement to the violent acts the Ba'th regime committed against the Kurds. The fear of such violence, and the fact that without it many of the coerced relocations may not have been successful, emphasises how the most effective method of subjugation used by the Ba'th regime remained violence.

Violence to Suppress Kurdish Voices

The violence enacted on the Kurds was monumental and, in some cases, constituted genocide – as characterised by scholars including Kirmanj and Rifaat (2021). The most extreme example is the case of the 1988 Anfal campaign. During this counterinsurgency operation, the Ba'th regime deployed 'chemical weapons to capture civilians and defeat the Kurdish rebellion groups', violating international law (Kirmanj and Rifaat, 2021, p.176). The death toll of the Anfal campaign is estimated to be between 100,000 and 182,000 (Kirmanj and Rifaat, 2021, p.176). Along with chemical attacks, the regime also held 'mass summary executions', meaning Kurds were accused without a free and fair trial – another violation of international human rights law (United Nations, 1989). Those Kurds who were not victims of, or terrorised with, the threat of violence 'faced forced assimilation, deportation, dislocation, and/or discrimination' (United Nations, 1989, p.179). Nonetheless, this shows that forced assimilation and relocation acted as an additional, secondary tactic used against those who weren't directly affected by the armed counterinsurgency operation. Violence remains the main way that the Ba'th regime persecuted the Kurds, especially those they deemed the greatest threat, namely members of Kurdish rebel groups who actively organised themselves and mobilised against the Iraqi

state. Other methods of eradication were used more to decrease the possibility of future mobilisation, while violence was used against those mobilised or planning to mobilise to 'deal with them' directly and efficiently.

Outside the Anfal campaign, the Ba'th regime's penchant for using violence proved to be the most significant weapon in its arsenal. In the 1970s, when the regime was forcibly relocating Kurds, they killed and threatened to kill those who did not comply (Albert, 2017, p.827). There was no opportunity for Kurds to mobilise against these deportations and protect their right to self-determination. Had the Ba'th regime not committed to using violence to achieve their aims, it can be theorised whether there may have been a more balanced armed struggle, rather than the slow unfolding of a genocide. Such casual use of violence against the Kurdish population by the Ba'th regime did not only work to categorically eradicate any Kurdish insurgents, but also incited a degree of fear which quashed even the hope for the possibility of a successful uprising without international assistance. Therefore, though forced assimilation and forced relocation worked to reinforce the violent attacks on the Kurds and increase the longevity of their impacts, ultimately the most significant way in which the Ba'th regime persecuted the Kurds in Iraq was through the use of violence.

Conclusion

In conclusion, the Ba'th regime in Iraq employed a variety of tactics to subjugate the Kurds to varying degrees of success, with the aim of quashing a Kurdish rebellion and preventing the chance of mass mobilisation. Forced assimilation laws were mostly successful, but without enforcement through the threat of violence they may not have had such success. Forced relocation was more successful as it furthered the regime's divide-and-rule strategy, preventing the possibility of mass mobilisation. However, it was the threat of, and actual use of violence, that ensured these relocations were successful. Thus, the most effective and significant way in which the Ba'th regime suppressed the Kurds was through the use and threat of violence, eradicating Kurdish dissidents and inciting grave fear in the entire Iraqi Kurdish population.

Bibliography

Albert, C. (2017) 'No Place to Call Home: The Iraqi Kurds under the Ba'ath, Saddam Hussein, and ISIS', *Chicago-Kent Law Review*, 92(3), pp.817-840. Available at: <https://scholarship.kentlaw.iit.edu/cklawreview/vol92/iss3/8>

Blaydes, L. (2018) 'Collaboration and Resistance in Iraqi Kurdistan', in *State of Repression: Iraq under Saddam Hussein*. Princeton: University Press, pp.133-162. Available at: <https://doi.org/10.2307/j.ctvc77jf1.11>

Devlin, J. (1991) 'The Baath Party: Rise and Metamorphosis', *The American Historical Review*, 96(5), pp.1396-1407. Available at: <https://doi.org/10.2307/2165277>

Kirmanj, S. and Rafaat, A. (2021) 'The Kurdish Genocide in Iraq: The Security-Anfal and the Identity-Anfal', *National Identities*, 23(2), pp.163-183. Available at: <https://doi.org/10.1080/14608944.2020.1746250>

Li, R. (2021) 'The Failed Ba'thification of Iraqi Kurdistan: The Ideological and Organizational Strategies of the Ba'th Party in Northern Iraq, 1968-2003', *The Middle East Journal*, 75(3), pp.407-427. Available at: <https://doi.org/10.3751/75.3.13>

McGarry, J. (1998) "'Demographic Engineering': The State-Directed Movement of Ethnic Groups as a Technique of Conflict Regulation", *Ethnic and Racial Studies*, 21(4), pp.613-638. Available at: <https://doi-org.eux.idm.oclc.org/10.1080/014198798329793>

Minority Rights Group. (2014) *Kurds in Iraq*. Available at: <https://minorityrights.org/communities/kurds-3/> (Accessed: 16 December 2024)

Rifai, D. and Ali, M. (2017) 'Who and Where are the Kurds?', *Aljazeera*, 23 May. Available at: <https://www.aljazeera.com/news/2017/5/23/who-and-where-are-the-kurds> (Accessed: 16 December 2024)

Salih, K. (2022) 'Demographic Engineering the Forcible Deportation of the Kurds in Iraq, and the Question of Ethnic Cleansing and Genocide', *State Crime Journal*, 11(2), pp.188-208. Available at: <https://www.jstor.org/stable/48706339>

Talabany, N. (2007) 'Who Owns Kirkuk? The Kurdish Case', *Middle East Quarterly*, 14(1), pp.75-78. Available at: <https://www.meforum.org/middle-east-quarterly/who-owns-kirkuk-the-kurdish-case>

Thoman, R. (1972) 'Iraq under Baathist Rule', *Current History*, 62(365), pp.31-37. Available at: <https://www.jstor.org/stable/45312599>

United Nations Office of the High Commissioner for Human Rights. (1989) *Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions*. E/RES/1989/65. Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/principles-effective-prevention-and-investigation-extra-legal> (Accessed: 17 December 2024)

Voller, Y. (2017) 'Identity and the Ba'th Regime's Campaign against Kurdish Rebels in Northern Iraq', *Middle East Journal*, 71(3), pp.383-401. Available at: <https://www.jstor.org/stable/90016470>

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SECURITISING MINORITIES? ESTONIA'S POLICIES TOWARDS THE RUSSIAN MINORITY IN THE WAKE OF THE RUSSIAN INVASION OF UKRAINE FEBRUARY 2022

by Ragna Engseth

Illustration by Maisie Norton



Since Russia's full-scale invasion of Ukraine in February 2022 (Dodds, et al., 2023), there has been a profound change in Estonia's policies towards Russian-speaking minorities, including a renewed focus on the preservation of Estonian language and culture, as well as restrictions on Russian-speaking populations (Karpava, Ringblom, and Zabrodskaja, 2022). Estonian minority policies have continuously been shaped by their neighbour in the East, as they share both a border with Russia and a long and complicated history influenced by a history of occupation and Russian revisionism. As a result, Russian-speaking minorities in Estonia are surrounded by a discourse of distrust, regardless of 30 years of attempted integration. In 1939, approximately

88 percent of Estonia's population was comprised of ethnic Estonians (Marje Joeste et al., 1993 in Park, 1994, pp.71-72). By 1989, this number fell to only 61.5 percent due to mass deportations and a surge of Russian immigrants (Marje Joeste et al., 1993 in Park, 1994, p.71-72). Repeated narratives from the Kremlin of 'liberating' Russian citizens in post-Soviet states keeps the fear of a Russian invasion alive (Kallas, 2022). The full-scale invasion of Ukraine in 2022 has enhanced the discourse of minorities as a threat to stability and national security, and former Prime Minister Kaja Kallas even described the war in Ukraine as existential for the Estonian nation itself (Kallas, 2022). Consequently, Estonia's perception of national security and its

minorities become intertwined. Although debates about the loyalty of the Russian-speaking population have long been a topic of discussion, this essay explores the recent resurgence of narratives securitising Russian minorities in Estonia.

A Framework for Security

The definition of security, the means through which it is achieved, and who it concerns remain contested issues in international relations. This essay utilises Barry Buzan, Ole Waever, and Jaap de Wilde's (1998) constructivist framework for security to address whether the new minority policies in Estonia can be understood as acts of securitisation. Within this framework, this essay considers, through political discourse and parliamentary debates from the Estonian parliament (Riigikogu), whether three recent policy developments involve extraordinary measures that deviate from standard political procedures and can thus be understood as acts of securitisation. The policies include the restriction of firearms, educational reform, and the potential limitation of voting rights.

Barry Buzan, Ole Waever, and Jaap de Wilde (1998), founders of the Copenhagen School, expand the security concept beyond traditional military concerns, emphasising how threats are socially constructed. The Copenhagen school draws on post-structuralism and claims that threats are not simply just 'out there' (Baumann, 2022, p.15); instead, they are created through a series of events, or more specifically, a securitisation process (Buzan, Waever, and de Wilde, 1998). Securitisation occurs when someone or something is framed through narratives as an 'existential threat [requiring] emergency measures' (Buzan, Waever, and de Wilde, 1998, p.24). Applying the Copenhagen School's framework, Estonia's securitisation discourse focuses on preserving and strengthening the nation's identity and culture against perceived Russian influence—a complex issue given the substantial Russian-speaking population living in Estonia.

Historical Attitudes to Minorities in Estonia

Roe defines a minority as a 'group with linguistic, ethnic or cultural characteristics which distinguishes it from the majority' (2004, p.288). The Russian-speaking community in Estonia can be considered a minority as their native tongue is Russian, they are not ethnic Estonians, and many identify with Russian cultural heritage (Włodarska, 2016). The Russian-speaking minority is relatively large, as in 2021 27.4 percent of the Estonian population had Russian as their first language (Krumm, Stamberg, Strapatšuk, 2023, p.4). However, while often presented as uniform, the Estonian Russian-speaking minority is complex and diverse. It consists of citizens of the Russian Federation (RF), Belarusians, people of Russian and Estonian descent, and Ukrainian refugees (Krumm, Strapatšuk and Stamberg, 2023). Regardless of the varying degrees of connection to the Russian state, the Russian language in Estonia is consistently framed as a threat.

While considered a minority today, the community of ethnic Russians in Estonia is unique due to its historical role as a colonising power. Since Estonia's re-independence in 1991, its complicated history with Russia has created a discourse portraying Russian-speaking minorities as occupiers and intruders who threaten the Estonian nation and identity (Kuus, 2002). In the 1990s, automatic citizenship was granted only to those who could prove their residency in Estonia before 1940, along with their descendants' family members (Schulze, 2018, p.7). Citizens of the RF who moved to Estonia during the Soviet occupation of the Baltic states either had to pass an Estonian language test to get an Estonian passport or get a Russian passport. However, some chose not to proceed with either of these options, leaving them with gray passports. Citizens with gray passports are stateless, neither Russian nor Estonian, and many continue to identify with the Soviet Union. There are still around 80,000 people in Estonia who remain stateless today (Ots and Wright, 2023). The high number of ethnic Russians residing in Estonia (22.5 percent) has been perceived as a potential security threat due their possible loyalty and vulnerability to Russian state influence, and the extent to which the Russian-speaking population intends to destabilise the Estonian nation is frequently debated (Krumm, Stamberg, Strapatšuk, 2023, p.4).

However, in the early 2000s Estonia's pursuit of Eu-

ropean (EU) accession led to a relaxation of integration policies, as the nation needed to adhere to EU standards on minority rights (Schulze, 2018, p.6). Thus, for two decades, the Estonian state has focused on becoming an inclusive society for its Russian-speaking minorities. In 2015, the Estonian government announced the creation of a Russian-speaking state TV channel to counter Russian misinformation (Lavrentjev, 2020). Therefore, Russian-speaking minorities have benefitted from relatively liberal policies in Estonia. However, as the geopolitical security landscape changed, so too did Estonia's policies towards their Russian-speaking minorities. The Russian-speaking minorities remain perceived as a "geopolitical threat" (Siva, 2022, p.58) and as a result, a complex dynamic between Estonia's perception of its minority policies and national security arises.

The Restriction of Firearms

According to EU legislation, weapon permits should not be based on nationality (European Union Agency for Fundamental Rights). Yet, since March 2023, a newly enforced firearms restriction in Estonia revokes old permits and prevents new ones from being issued to citizens of non-EU states (Whyte, 2023). The Weapons Act was initiated, discussed, and passed quickly, combined with an emerging discourse that questions the potential dual loyalty of citizens with affiliations to the RF. This new law restricts any citizen with a Belarusian, Russian, or grey passport from owning a weapon, affecting around 1,300 people who currently possess firearms (Śliwa, 2023, pp.79-80). Furthermore, the weapon exam is now only available in Estonian, while previously being available in Russian or with the help of a translator. Originally introduced as a weapons register in Estonia, after the war in Ukraine broke out, the law came to be seen more as a 'forward-looking and proactive' (*ennetav ja tulevikku vaatav*) measure aimed at preventing possible threats from taking place (Riigikogu, 2023b). During the first reading, the Committee on Legal Affairs defended the amendment as

“While the threat of the Russian state influencing the opinions of the Russian speakers in Estonia is not necessarily new, it is undoubtedly renewed and initiated as a direct response to the war in Ukraine.”

a response to the 'changed geopolitical and security situation' (*muutunud geopoliitilisest ja julgeolekuolukor- rast*) (Riigikogu, 2023b). The current Interior Minister of Estonia, Lauri Läänemets, stated that this legislation is directly linked to the current security landscape in Europe (Whyte, 2023). The new amendment aims to prevent individuals from states considered 'hostile' or 'terrorist' from holding firearms, with the possibility that their allegiance to such nations – in this case Russia – could lead them to take up arms against Estonia. A member from the opposition party, Isamaa, voiced concern that the law had not been passed quicker, stating that the Estonian parliament had an ob-

ligation to "act urgently" (*tegutsema kiiremas korras*) in order to protect the 'future of Estonia' (*Eesti tulevikku*) (Riigikogu, 2023b). While a Russian citizen residing in Estonia raised a complaint about the law, the court concluded that the law does not go against the constitution, adding that 'no citizen of a foreign state can be expected to hold the same loyalty to Estonia as they do to their home state...' (ERR, 2024).

The security concern stems from decades of oppression and has been renewed in response to a change in the geopolitical context. The situation was presented as an emergency: if the Estonian government did not act, it could endanger the security of the nation. While the threat of the Russian state influencing the opinions of the Russian speakers in Estonia is not necessarily new, it is undoubtedly renewed and initiated as a direct response to the war in Ukraine. The restrictions of weapon permits and new language requirements are initiated due to the potential security threat of the Russian-speaking minority. However, they are also tied to a general movement away from the Russian language in the Estonian state system.

Transition to the Estonian Language

The switch to Estonian as the primary language of instruction in schools has been a policy goal for over

30 years (Riigikogu, 2022a). However, the reform was only implemented after October 2022 coming into force in September 2024. The previously segregated language-based school system stagnated integration in Estonia because many Russian speakers lacked access to higher education, as speaking either Estonian or English at a B2 level is a prerequisite for attendance to more prestigious universities (University of Tartu, 2024). This language barrier has contributed to lower wages and social inequality among the Russian-speaking community in Estonia (Education Estonia, 2024). The discourse around language reform has primarily emphasised integration and equality, with the Riigikogu referring to the transition as 'extremely necessary to preserve the Estonian cultural language' (*erakordselt vajalik, et säilitada eesti kultuurikeel ja teaduskeel*) (Riigikogu, 2022b), and also as a way of ensuring social equality in Estonia. Despite its grand cost of 300 million euros, equaling around one percent of the Estonian GDP, the bill passed with 62 votes in favor and sixteen against (Riigikogu, 2022a). Signe Kivi, member of the Riigikogu and former Minister of Culture, refers to the reform as giving youth 'more freedom to manage in their own country' (*nendele noortele rohkem vabadust oma kodumaal hakkama saada*) (Riigikogu, 2022a). She is joined by her colleague, Jaak Juske, who emphasises that this reform is no less than 'one of the most important reforms of the last 30 years' (*see on viimase 30 aasta üks olulisemaid reforme*) and a 'historic decision' (*ajalooline otsus*) (Riigikogu, 2022a) as it is a matter of preserving the Estonian culture and language. However, as the debates developed, it became clear that this reform was also a matter of national security. Peeter Ernits, a member of the Riigikogu, stated that 'Estonia is not Estonian-speaking' (*ei ole Eesti tänase päevani eestikeelne*) (Riigikogu, 2022a), suggesting that countering Russification requires a greater emphasis on promoting the Estonian language to all citizens. While the reform allows for increased social cohesion, it also aims to create a shared information space reducing potential influence from the RF. Unlike the weapon permit restriction, the educational reform does not directly target Russian-speaking minorities as a threat to the Estonian nation, rather the reform is promoted as an act that will increase the social security for all citizens of Estonia. Regardless, the concerns surrounding exposure to the potential harms of Russian propaganda indicate securitisation, as the Russian language

is essentially seen as a threat to Estonian stability and cohesion.

Limiting the Voting Rights for Citizens of the RF

The debates around the danger of Russian information space have also led to a discussion on the potential limitation of Russian citizens' right to vote. In Estonian local elections, all foreign citizens residing in Estonia, including those from the Russian Federation, Belarus, and holders of grey passports, are eligible to vote in local elections, accounting for approximately 69,000 individuals (Whyte, 2023). After the war began in Ukraine, debates emerged around temporarily limiting the voting rights of citizens of 'aggressor' (*agressorriigi*) states (Riigikogu, 2023a), fearing the RF would gain significant leverage in Estonian society. This debate reemerged in March 2024, after it became public that more than two-thirds of Russian citizens voted for Putin in the recent Russian elections (Jarlukovski, 2024). The current Estonian Prime Minister, Kristen Michal, supports stripping the voting rights from all Russian citizens residing in Estonia (Voltri, 2024). However, there has yet to be a conclusive decision as to whether it would be possible to enact this strict voting policy, as it requires changing the Estonian Constitution.

According to the RF, all Russian citizens are obligated to assist their fatherland if the state deems it necessary (Russian Federation, 2020). The war in Ukraine has once again 'opened the eyes' (*on paljude silmad avanud*) (Riigikogu, 2023a) of Estonians regarding Russia's possible interference in their democracy and, by extension, the nation's security. Drawing lines to the past, a member of the opposition party, the Conservative People's Party of Estonia (EKRE) explained how the Estonians were once minorities in their capital and that if this scenario was made possible again, it could have grave consequences for the Estonian nation and its culture. He underlined that there is a possibility that citizens of Russia will provide comprehensible assistance to its motherland, as there exists a 'strong legal link between the state and its citizens' (*tugevat õiguslikku seost riigi ja tema kodanike vahel*) (Riigikogu, 2023a). The possibility that this might infringe on the rights, existence, and security of the Estonian nation is, according to Poolmets, quite evident. This discourse

points to acts of securitisation, as the citizens from the RF residing in Estonia are essentially perceived as extensions of their state's actions.

Although it has been presented as an emergency and temporary solution to the altered geopolitical situation, it has not yet been deemed urgent enough to surpass existing legal frameworks, something which might point to attempted but failed securitization. However, on 7 November 2024, the Estonian Reform Party proposed a draft to change the Estonian Constitution, reviving the debate (Võhma, 2024). Whether this act will lead to securitisation is uncertain, however, the debate is still ongoing, and there is still a possibility that no Russian, Belarusian, or citizen with a grey passport will be able to vote in the upcoming 2025 election.

Renewed Securitization?

The current Estonian framing of its security landscape points to a revival of distrust towards the Russian-speaking minorities in Estonia. Three primary shifts have been observed: the restriction of firearms, the implementation of long-awaited language reforms, and the possible limitation of voting rights in the upcoming local elections. While the debates analysed include both scenarios of integration and exclusion, they all have an underlying goal of promoting and protecting the Estonian nation, culture, and language on the background of a changed geopolitical landscape. The framing of these policies reveal a securitisation process at play: Russian-speaking minorities and Russian language are constructed as an existential threat to Estonia's cultural and political integrity. Furthermore, Estonia's securitisation of the Russian-speaking community reveals the small Baltic nation's defensive position towards Russia. Ultimately, the Russian aggression in Ukraine is not perceived as an isolated conflict but as part of a broader existential struggle for the survival and sovereignty of not only Ukraine, but also Estonia. The securitization of Russian-speaking minorities in Estonia serves as an example of how identity, history, and security intersect in times of geopolitical change, and while scepticism towards the Russian-speaking community in Estonia is not new, after the Russian invasion of Ukraine in 2022, it has certainly been renewed.

Bibliography

Baumann, M. (2022) 'Poststructuralism in International Relations: Discourse and the Military', in A. Sookermany (ed.) *Handbook of Military Sciences*. Cham: Springer International Publishing, pp. 1-18. Available at: https://doi.org/10.1007/978-3-030-02866-4_38-1

Buzan, B., Waever, O., and De Wilde, J. (1998) *Security: A New Framework for Analysis*. Boulder, Colorado: Lynne Rienner.

Dodds, K., Taylor, Z., Akbari, A., Broto, V., Detterbeck, K., Inverardi-Ferri, C., Lee, K., Mamadouh, V., Ramutsindela, M., and Woon, C. (2023) 'The Russian invasion of Ukraine: implications for politics, territory and governance', *Territory, Politics, Governance*, 11(8), pp.1519-1536. Available at: [10.1080/21622671.2023.2256119](https://doi.org/10.1080/21622671.2023.2256119)

Education Estonia. (2024) 'Estonian Education Language Reform', 27 March. Available at: <https://www.educationestonia.org/estonian-education-language-reform/> (Accessed 20 December 2024)

European Union Agency for Fundamental Rights. (n.d) *Article 21 – Non-discrimination*. Available at: <https://fra.europa.eu/en/eu-charter/article/21-non-discrimination> (Accessed: 26 November 2024).

ERR. (2024) 'Court: Stripping Russian citizens of weapons permits not counter to Constitution', 10 July. Available at: <https://news.err.ee/1609393255/court-stripping-russian-citizens-of-weapons-permits-not-counter-to-constitution> (Accessed: 21 October 2024).

Jarlukovski, D. (2024) 'More than two-thirds of Russian citizens voted for Putin in Estonia', *Postimees*, 19 February. Available at: <https://news.postimees.ee/7982787/daniil-martikainen-jarlukovski-more-than-two-thirds-of-russian-citizens-voted-for-putin-in-estonia> (Accessed: 21 October 2024).

Kallas, K. (2022) 'No Peace on Putin's Terms', *Foreign Affairs*, 8 December. Available at: <https://www.foreignaffairs.com/russian-federation/no-peace-putins-terms> (Accessed: 11 November 2023).

Kuus, M. (2002) 'European Integration in Identity Narratives in Estonia: A Quest for Security', *Journal of Peace Research*, 30(1), pp.91-108. Available at: <https://doi.org/10.1177/0022343302039001005>

Krumm, R., Strapatsjuk, I. and Stamberg, T. (2023) 'Feeling Cornered: An Analysis of the Russian-Speaking Minority in Estonia', *European Commission*, 4 September. Available at: [https://](https://migrant-integration.ec.europa.eu/library-document/feeling-cornered-analysis-russian-speaking-minority-estonia_en)

migrant-integration.ec.europa.eu/library-document/feeling-cornered-analysis-russian-speaking-minority-estonia_en (Accessed: 2 January 2024).

Karpava, S., Ringblom, N. and Zabrodskaja, A. (2022) 'Comparing Family Language Policy in Cyprus, Estonia and Sweden: Efforts and Choices Among Russian-Speaking Families', in M. Hornsby and W. McLeod (eds) *Transmitting Minority Languages: Complementary Reversing Language Shift Strategies*. Cham: Springer International Publishing, pp. 279-304. Available at: https://doi.org/10.1007/978-3-030-87910-5_11

Lavrentjev, I. (2020) *The Securitization of Russian-speaking Media in Estonia: Case Study of ETV+ Channel*. Master's Thesis: University of Helsinki. Available at: <https://helda.helsinki.fi/server/api/core/bitstreams/737f34af-b43a-46c0-9ac2-eeec6b375da/content> (Accessed: 26 November 2024).

Ots, M. and Wright, H. (eds) (2023) 'Interior Minister Threatens to Deport People Who Take Russian Citizenship', *ERR*, 2 February. Available at: <https://news.err.ee/1609152523/interior-minister-threatens-to-deport-people-who-take-russian-citizenship> (Accessed: 4 January 2024).

Park, A. (1994) 'Ethnicity and Independence: The Case of Estonia in Comparative Perspective', *Europe-Asia Studies*, 46(1), pp.69-87. Available at: <https://www.jstor.org/stable/153031>

Riigikogu (2022a) *Põhikooli- ja gümnaasiumiseaduse ning teiste seaduste muutmise seaduse (eestikeelsele õppele üleminek) eelnõu (722 SE) Kolmas lugemine*. Available at: <https://stenogrammid.riigikogu.ee/et/202212121500#PKP-642729> (Accessed 14 December 2024).

Riigikogu (2022b) *Põhikooli- ja Gümnaasiumiseaduse Ning Teiste Seaduste Muutmise Seaduse (Eestikeelsele Õppele Üleminek) Eelnõu (722 SE) Teine lugemine*. Available at: <https://stenogrammid.riigikogu.ee/202212051500#PKP-566796> (Accessed: 14 December 2023).

Riigikogu. (2023a) *Kohaliku omavalitsuse volikogu valimise seaduse muutmise seaduse eelnõu (18 SE) esimene lugemine*. Available at: <https://stenogrammid.riigikogu.ee/et/202309131400#PKP-766194> (Accessed: 16 December 2024).

Riigikogu (2023b) *Relvaseaduse Ja Sellega Seonduvalt Teiste Seaduste Muutmise Seaduse Eelnõu (627 SE) Esimene lugemine*. Available at: <https://stenogrammid.riigikogu.ee/202301111400#PKP-642750> (Accessed: 11 December 2023).

Roe, P. (2004) 'Securitization and Minority Rights: Conditions of Desecuritization', *Security Dialogue*, 35(3), pp.279-294. Available at: <https://www.jstor.org/stable/26298626>

Russian Federation (2020) *The Constitution of the Russian Federation*. Available at: <https://mid.ru/upload/medialibrary/fa3/xwhwumdunawy9iprvhcxqdqds1lxqdx/CONSTITUTION-Eng.pdf> (Accessed 20 December 2024)

Schulze, J. (2018) *Strategic Frames: Europe, Russia, and Minority Inclusion in Estonia and Latvia*. Pittsburgh: University of Pittsburgh Press. Available at: <https://doi.org/10.2307/j.ctt21c4t1f.5>

Siva, S. (2022) *Bordering and De-bordering: The Russian Speaking Community in Estonia*. Master's Thesis: University of Tartu. Available at: <http://hdl.handle.net/10062/82833> (Accessed: 29 November 2023).

Śliwa, Z. (2023) 'The Impact of Russian Aggression Against Ukraine on Estonian Security', *Studia Europejskie – Studies in European Affairs*, 4, pp.71-92. Available at: <https://journalse.com/the-impact-of-russian-aggression-against-ukraine-on-estonian-security>

University of Tartu (2024) *Bachelor's and Master's Studies in Estonian*. Available at: <https://ut.ee/en/content/bachelors-and-masters-studies-estonian> (Accessed 20 December 2024)

Võhma, K. (2024) 'Riigikogule anti üle Vene ja Valgevene kodanikelt hääleõiguse äravõtmise eelnõu, hääleõiguslike elanike arv väheneks 72 000 võrra', *Delfi*, 11 July. Available at: <https://www.delfi.ee/artikkel/120334743/riigikogule-anti-ule-vene-ja-valgevene-kodanikelt-haaleoiguse-aravotmise-eelnou-haaleoiguslike-elanike-arv-vaheneks-72-000-vorra> (Accessed: 16 November 2024).

Voltri, J. (2024) 'Prime minister: All Russian citizens in Estonia should lose the right to vote', *ERR*, 25 October. Available at: <https://news.err.ee/1609502482/prime-minister-all-russian-citizens-in-estonia-should-lose-the-right-to-vote> (Accessed: 1 November 2024).

Whyte, A. (eds) (2023) 'Around 1,300 Russian, Belarusian Citizens' Firearms Permits to Be Revoked', *ERR*, 25 February. Available at: <https://news.err.ee/1608897260/around-1-300-russian-belarusian-citizens-firearms-permits-to-be-revoked> (Accessed: 26 December 2023).

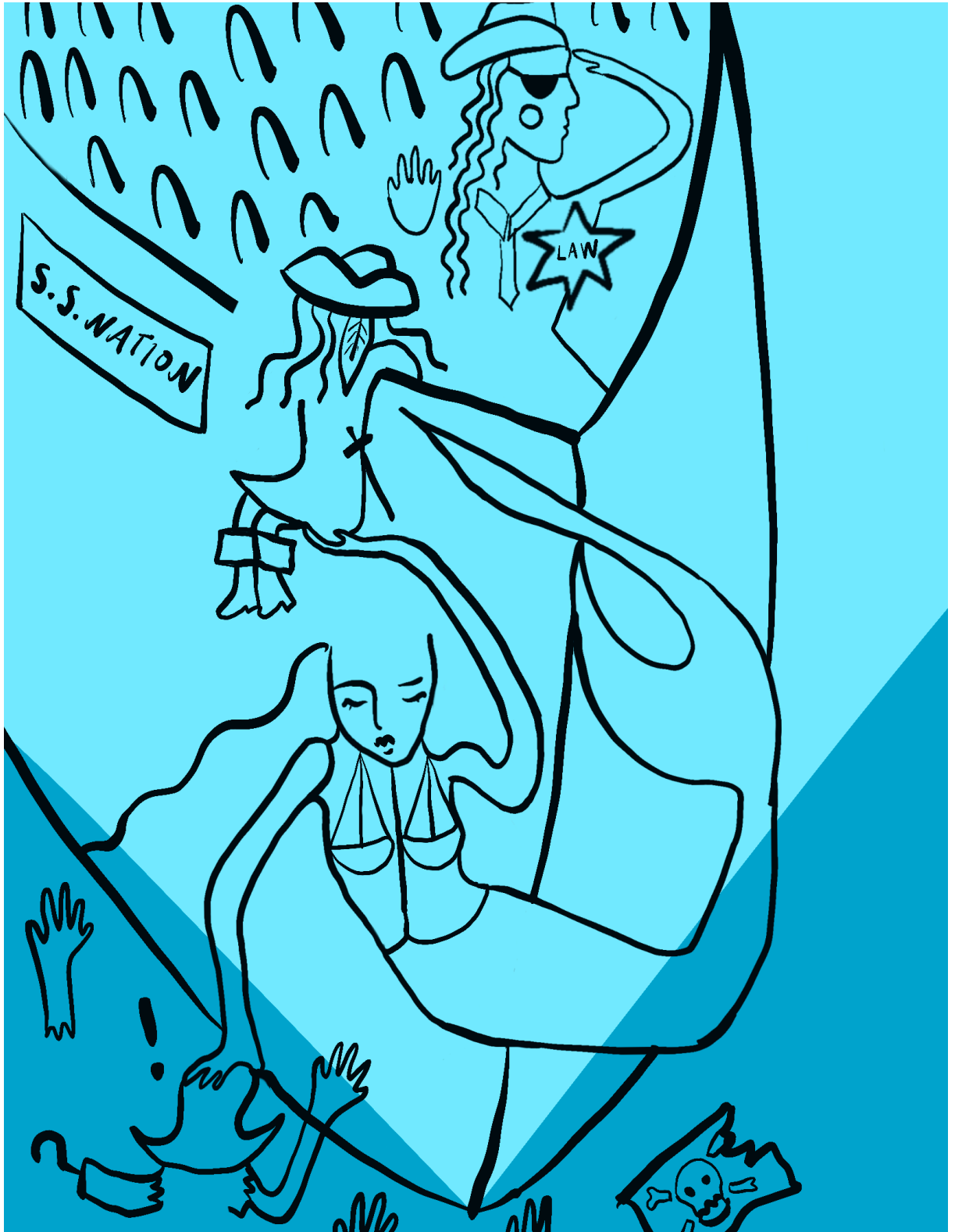
Włodarska, A. (2016) 'Ethnic Russian Minority in Estonia', *International Studies. Interdisciplinary Political and Cultural Journal*, 18, pp.153-164. Available at: <https://doi.org/10.1515/ipcj-2016-0015>

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SHOULD NATIONAL SECURITY BE ABOVE THE LAW?

by Jerome Daugny

Illustration by Maisie Norton



While discussions of democratic backsliding are widespread, states of exception, as a mechanism of both international and domestic law, have often been overlooked. Most prominently neglected are the legal concepts of states of siege, necessity and martial law, despite a common link between them. Many democratic constitutions contain provisions that enable them to become authoritarian, bypassing fundamental democratic rights, where necessary in emergencies. An increasing number of states are experiencing democratic backsliding (Our World in Data, 2024), with emergency provisions existing in at least 147 nations (Szymanski, 2011, p.120). As it stands, only loose international checks and balances are in place to control state's use of emergency laws. Paradoxically, the use of such measures is often justified as an attempt to save democratic values and ideals themselves.

Alongside laws of exception, the legal notion of enemies of all mankind (*hostis humani generis*) is central. Originating in Roman law and later evolving, this concept's modern usage stems from the customary laws of the sea which considers pirates and enslavers to be beyond the remit of any national legal system, against the integrity of the international system, and so universal jurisdiction applies (Baker and McKenzie LLP, 2011). This essay argues that the legal notion of 'enemies of mankind' aptly describes the legal status of terrorists, and terror suspects, in the aftermath of 9/11, as democratic states have failed to apply democratic rights to terror suspects. Firstly, this essay explores academic understandings of such legal notions, analysing how they are used and misused by states. The legal implications of applying the law of enemies of mankind to the War on Terror are then examined, analysing who constitutes such groups and how they are defined by politicians and political interests.

Traditional Theories of Exception

Several scholars have explored the links between sovereignty and states of exception, including how the latter have become the norm. For Carl Schmitt (1888-1985), a Nazi legal scholar whose works have helped legitimise such practices of legal exception, the 'Sovereign is he who decides on the exception' (Schmitt, 2005, p.5). Founded on the Hobbesian social

order of obedience to and protection by the state, the sovereign (or state) must do whatever needs to be done to safeguard its existence, including transgressing its own laws (Hobbes, 2000). By this vision, sovereignty is the ability to declare the enemy – be that an individual, a group, a nation, or any other that presents an existential threat to the sovereign state or society itself. The killing of enemies can only be permitted if they present this existential threat (Schmitt, 2008, pp.46-47). This can legitimise such laws of exception and enemies of mankind and suggests that, rather than ontologically 'out there', the designation of enemies is socially constructed and, crucially, not insulated from political considerations.

Scholars such as Walter Benjamin (1892-1940) and Giorgio Agamben have critiqued Schmitt's conception of 'states of exception' for its invocation in justifying undefendable policies. While all three scholars are in 'agreement' that states break their own laws, they disagree on the theoretical implications. By conceptualising how states of exception have become the norm, these scholars seek to understand this newly normalised state of affairs, and determine whether this is acceptable.

Sceptical of traditional states and writing during a time of crisis for 'usual politics' in inter-war Germany, Benjamin questions the necessity of violence. He theorises that violence, which should only be used as the exception, forms the basis for politics more fundamentally than law as it is used to maintain the status-quo itself: 'The tradition of the oppressed teaches us that the 'state of emergency' in which we live is not the exception but the rule' (Benjamin, 2019, Thesis VIII). By taking the law into their own hands, the state, through law enforcement agencies, undermines its own legitimacy: '[...] all law-preserving violence, in its duration, indirectly, through its suppression of hostile counterforces, weakens law-positing violence, which is represented in it.' (Benjamin, 2021, p. 60). According to Benjamin, law as a manifestation of power cannot bring about justice (Holte, 2022). However, the status quo of law and politics can be overcome/transcended by '[...] bring[ing] about a real state of emergency' (Benjamin, 2019, Thesis VIII). Benjamin theorises a 'pure' (revolutionary, annihilatory) violence, a means decoupled from any end, which would usher about a

new era (Holte, 2022).

Drawing on Benjamin, Giorgio Agamben (1942) theorises a permanent state of exception characterised by the use of emergency measures under any pretext, not just emergency. Such measures erode limits to state power and facilitate authoritarianism within democratic states (Agamben, 2005). Importantly, the laws that allow state leaders to take advantage of emergency measures are often already within their constitutions creating constitutional dictatorships, which in turn can lead to totalitarianism (Agamben, 2005). Although some decrees have been struck down by supreme courts, such laws present opportunities for misuse (Gunaratna et al., 2021). This 'exceptional' situation allows for activities to exist outside of the framework of the law and protection of any law (ie., right to due process). At the same time, emergency provisions allow states to break laws yet grant themselves legitimacy for such acts, keeping their illegal activities 'officially legal' (Humphreys, 2006, p.678). This contradiction is often described as 'dual state' or 'dual law': '[I]t is impossible to distinguish transgression of the law from the execution of the law, such that what violates a rule and what conforms to it coincide without any reminder' (Agamben 1998: 57, quoted in Zulaika, 2010, p.40). In effect, these legal regimes conceive of a new judicial space outside of the constitution that is often not formally legalised and only selectively applied (Eckert, 2008). Historically, racial or political groups deemed enemies or existential threats (whether justified or not) to the state are denied rights (Humphreys, 2006, p.686). By designating certain groups as 'enemy', and outside of the scope of regular laws, said group is denied the same rights and process as everyone else. Additionally, by denying rights to particular groups, the state subjects them to circumstantially-specific laws, applicable only to said groups, and therefore creating bifocal legal regimes.

Extreme measures have been used by numerous states in the past to increase state power in times of crises and protect the state, while suspending (temporarily or not) the very laws that are being protected. For instance, Interwar Germany, a context familiar to both Schmitt and Benjamin, saw frequent crises and the use of exceptional measures, including rule by decree, to address said crises, consolidating exceptional laws into

usual practice in the Third Reich. While such practices are old, the emergence of frameworks and treaties to normalise such practices, by attempting to control and regulate them is new. Such checks and balances are codified by the International Covenant on Civil and Political Rights (ICCPR), which limit the state's use of emergency powers (Szymanski, 2011, p.122). The UN, through the Human Rights Committee (HRC), oversees states although its ability to enforce these provisions remains limited. The HRC has condemned states in violation of their obligations, but can do little to stop violating states (Szymanski, 2011, p.129). States submit claims to the HRC demonstrating the reality of their emergency, the HRC reviews these claims regularly. In principle, the ICCPR also requires that the measures states use are proportional to the emergency, in other words that the exceptional measures are strictly to address the emergency. States are also bound to respect their duties under international law such that derogations of certain Human Rights are allowed only in very specific circumstances, for example freedom of movement or assembly in instances of violence (OHCHR, 1966, Art. 4 (I)).

Politicisation of Emergency Laws in the War on Terror

Concerning the politicisation of legal notions, the issue of misuse of emergency law remains - an especially relevant problem considering the legally weak checks and balances. States decide and declare who is an 'enemy of mankind'. It is politicians who define 'terrorism' and, by extension, who the enemy is. As a result, such conceptions are likely to respond to political, rather than existential, imperatives. Existential threats are not always 'out there' but rather become the threats that they are through specific framings and constructions by securitizing actors (Buzan et al., 1997, pp.23-26, pp.145-148). In the case of terrorism, the notion of enemies of mankind is weaponised for political purposes (Jackson, 2007).

The danger of these dynamics and the law of enemies of mankind's susceptibility to politicisation is exemplified by the Global War on Terror (GWOT). The US has framed the GWOT as an exceptional case, reducing their adherence to accountability mechanisms. They

engaged in the discursive securitization of terrorism on an international scale without ever formally declaring a state of emergency (Sanders, 2011). To evade responsibility in the GWOT, the US engaged in 'plausible legality', producing documents detailing how its conduct was in conformity with international law (Sanders, 2011). They redefined torture to frame their abuses within the existing constraints claiming what they did was not torture. International law aims to constrain states' interpretation of emergency, exception, and security, but it can still be manipulated by states (Sanders, 2011).

The lack of concern for legality and political justification through the discourse of counter-terrorism has normalised the suspension of certain laws and rights for specific groups deemed the 'enemy' (Zulaika, 2010, p.42). Doing so can legalise otherwise unjustifiable measures, such as the use of torture (Sanders, 2011). The legal and authorised actions of states, in the name of self-preservation, could be similar to terrorism itself. In the case of the US after 9/11, their extraterritorial use of Guantanamo Bay, as a space exempt from laws and rights for prisoners, makes it '...both the ultimate bastion of civilisation against terrorism and also the ultimate repudiation of domestic and international law' (Zulaika, 2010, p.41). It is a paradoxical space, where laws are infringed upon counter-intuitively for the preservation of law and order.

The GWOT exemplifies how states of exception have been used to broaden state powers and derogate individual rights, as evidenced by several examples impacting both American citizens' rights and the legal rights of accused terrorists. The USA PATRIOT Act, passed in October 2001, 'simply took existing legal principles and retrofitted them' to expand the US's counterterrorist legal and enforcement regime and has been largely unchanged since its passing (U.S. Department of Justice, 2001, p.1). Thus, the PATRIOT Act demonstrates that emergency measures can

be passed into national, or 'regular', law, continuing until long after the end of the emergency (Congress, 2001; Electronic Privacy Information Center, n.d.). Furthermore, the Snowden leaks confirm that states are not scared to use these laws and infringe on the right to privacy, and potentially other rights, as well as the extent of such infringement (BBC News, 2013).

The state's ambiguity towards legality – due process, or for the state to uphold its own laws – is also seen through the 'other' category of 'armed/stateless combatants', who are neither common law criminals nor prisoners of war in international humanitarian law (Sanders, 2011). Both categories have specific laws that apply to them, yet, recalling the legal theory enemies of mankind, armed combatants exist outside of these, in a 'legal black hole' – they can be held indefinitely in a

limbo and cannot challenge their cases (Gunaratna et al., 2021). A case of mistaken identity led to a person with the same name as a suspect being held for over a decade at Guantanamo (BBC News, 2015). This shows that the system contains key flaws in determining who is and isn't a suspect, and that it is almost impossible for people caught up in the system to get out or seek any remedies. What

this reveals is the similarities between traditional laws of 'enemies of mankind' and special laws used in the struggle against terrorism. As terrorists – including suspects in some cases – are outside the remit of usual laws, they can be dealt with however the state sees fit, without usual protections and safeguards or ability to challenge the system. Such laws present vast potential for misuse, as well as constitute problematic expansions of state power.

The application of emergency laws in the context of the GWOT is further complicated by its racialised implications, primarily in the West. President Bush's Executive Order focused on Islamic terrorism over any other kind, which was seen as the biggest threat in the post-9/11 context (Executive Order 13224, 2001). While 'foreign terrorism' is defined neutrally, the terrorist organisations listed in the original executive

“As terrorists – including suspects in some cases – are outside the remit of usual laws, they can be dealt with however the state sees fit, without usual protections and safeguards or ability to challenge the system.”

order are all Islamic terrorist groups. What is considered 'foreign terrorism' is influenced by ethnic/racial factors, in contrast with white domestic terrorism often not categorised this way despite fitting the criteria (Búzás and Meier, 2023). Therefore, where white domestic terrorists enjoy the regular framework and protection of the law, such as the right to a fair trial, certain racial or religious groups deemed terrorists have these rights suspended by emergency laws.

These racial implications of exceptional legal regimes relate to the notion of dual law – protections are weakened, and in some cases removed, for those considered 'bad' (Eckert, 2008, p.19). The detention of suspects at Guantanamo Bay whose legal and human rights are being sacrificed for the protection of the 'good', exemplifies the ways one legal regime can protect rights while the other protects the state by removing rights. This has been called a moralisation of rights where certain rights are reserved only for the 'deserving', often with serious racial implications (Eckert, 2008, pp.17-18). In some circumstances, such laws have been overturned by supreme courts or parliaments. This should not however distract from the fact that fundamental rights are being eroded, and that states have a framework in place to justify these actions.

Conclusion

In light of repeated cases of misuse, one can question whether the legal notion of enemies of mankind as a whole is problematic, as it legitimises the erosion of civil liberties, rights, and legal protections to potentially any individual. The law of enemies provides the justification and legitimacy for this derogation as it allows for almost unlimited expansion of state powers, to strip rights and citizenship from certain groups of 'bad' individuals. The concept presents vast potential for misuse, as it enables authoritarian regimes to repress who they deem 'enemies of the regime' and has led to human rights abuses, even in democratic states. This article has shown that even democratic states manipulate legal norms to justify otherwise indefensible policies. These can also be tied to political interests in determining that certain groups are politically palatable/acceptable as 'enemies', particularly demonstrated by the treatment

of Islamic terrorism after 9/11. This begs the question as to whether an ideal world would see stronger enforcement and accountability mechanisms from international institutions to prevent misuses of the law.

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Bibliography

- Agamben, G. (2005) 'The state of exception as a paradigm of government', in *State of Exception* (Translated by K. Attell). Chicago: University of Chicago press, pp.7-35.
- Baker and McKenzie LLP. (2011) *Under International Law, what Conventions or customary international law best address acts of piracy?* War Crimes Memoranda, 41. Available at: https://scholarlycommons.law.case.edu/war_crimes_memos/41/?utm_source=scholarlycommons.law.case.edu%2Fwar_crimes_memos%2F41&utm_medium=PDF&utm_campaign=PDFCoverPages (Accessed 7 January 2025).
- BBC News. (2013) 'Edward Snowden:Timeline', 20 August. Available at: <https://www.bbc.co.uk/news/world-us-canada-23768248> (Accessed 29 November 2024).
- BBC News. (2015) 'Guantanamo Bay prisoner victim of mistaken identity, says US', 2 December. Available at: <https://www.bbc.co.uk/news/world-us-canada-34987558> (Accessed 18 December 2024).
- Benjamin, W. (2019) *Walter Benjamin On the Concept of History / Theses on the Philosophy of History*. Available at: <https://www.sfu.ca/~andrewf/CONCEPT2.html> (Accessed 18 December 2024).
- Benjamin, W. (2021) *Walter Benjamin: Toward the Critique of Violence: A Critical Edition*. Stanford: Stanford University Press.
- Buzan, B., Wæver, O. and de Wilde, J. (1998) *Security: A New Framework for Analysis*. Boulder, USA: Lynne Rienner Publishers.
- Búzás, Z. and Meier, A. (2023) 'Racism by Designation: Making Sense of Western States' Nondesignation of White Supremacists as Terrorists', *Security Studies*, 32(4-5), pp.680–713. Available at: <https://doi.org/10.1080/09636412.2023.2230882>
- U.S. Department of Justice. (2001) *What is the Patriot Act?* Available at: https://www.justice.gov/archive/ll/what_is_the_patriot_act.pdf (Accessed 18 December 2024).
- Eckert, J. (2008) 'Laws for Enemies' in *The Social Life of Anti-Terrorism Laws: The War on Terror and the Classifications of the -Dangerous other-*. Bielefeld: Transcript Verlag, pp.7–32.
- Electronic Privacy Information Center. (2024) *PATRIOT Act*. Available at: <https://epic.org/issues/surveillance-oversight/patriot-act/> (Accessed 18 December 2024).
- Bureau of Counterterrorism. (2001) Exec. Order No. 13224, 12 Fed. Reg. 774 (23 September). Available at: <https://www.state.gov/executive-order-13224/> (Accessed 18 December 2024).
- Gunaratna, R., Sasnal, P., Wark, W., Bellinger III, J. and Koch, A. (2021) 'The 9/11 Effect and the Transformation of Global Security', *Council of Councils*, 1 September. Available at: <https://www.cfr.org/councilofcouncils/global-memos/911-effect-and-transformation-global-security> (Accessed 18 December 2024).
- Hobbes, T., and Rooks, M. (2000) *The English Works of Thomas Hobbes*. Charlottesville: Intelex.
- Holte, S. (2022) 'Legal, Mythic, and Divine Violence: Post-secular Entanglements in Walter Benjamin's "Toward the Critique of Violence"', *Literature and Theology*, 36(3), pp.316–341. Available at: <https://doi.org/10.1093/litthe/frac022>
- Humphreys, S. (2006) 'Legalizing lawlessness: On Giorgio Agamben's State of Exception', *European Journal of International Law*, 17(3), pp.677–687. Available at: https://discovered.ed.ac.uk/permalink/44UOE_INST/1vuo5v/cdi_proquest_journals_203098880
- International Covenant on Civil and Political Rights* (1966) Treaty no. 14668. *United Nations Treaty Series*, 999, p.171. Available at: https://treaties.un.org/pages/showDetails.aspx?objid=0800000280004bf5&clang=_en (Accessed 29 November 2024).
- Jackson, R. (2007) 'Constructing Enemies: "Islamic Terrorism" in Political and Academic Discourse', *Government and Opposition*, 42(3), pp.394–426. Available at: <https://www.jstor.org/stable/44483203>
- Our World in Data. (2013) *Data Page: Political regime*. Available at: <https://ourworldindata.org/grapher/political-regime> (Accessed: 18 December 2024).
- Sanders, R. (2011) '(Im)plausible legality: the rationalisation of human rights abuses in the American "Global War on Terror"', *The International Journal of Human Rights*, 15(4), pp.605–626. Available at: <https://doi.org/10.1080/13642987.2011.561991>
- Schmitt, C. (2005) *Political Theology: Four Chapters on the Concept of Sovereignty*. Chicago: University of Chicago Press.
- Schmitt, C. (2008) *The Concept of the Political*. Chicago; London: University of Chicago Press.
- Szymanski, C. (2010) 'The United Nations and States of Exception', *Baltic Journal of Law and Politics*, 3(2), pp.119–143. Available at: <https://heinonline.org/HOL/P?h=hein.journals/bjlp3&i=259>

Bibliography *continued*

US Congress. (2001) Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT Act) PL 107-56. 107th United States Congress, No. HR3162. Available at: <https://www.congress.gov/107/plaws/publ56/PLAW-107publ56.htm> (Accessed 18 December 2024).

Zulaika, J. (2010) 'The War on Terror and the Paradox of Sovereignty: Declining States and States of Exception' in C. Greenhouse (ed) *Ethnographies of Neoliberalism*. Philadelphia: University of Pennsylvania Press, pp.28-43.

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CAN SECURITY JUSTIFY THE SACRIFICE OF DEMOCRACY? EXAMINING EL SALVADOR'S DUAL LOSS

by Daniel Cook

Illustration by Madeleine Boyd



In 2019, El Salvador had one of the highest homicide rates in the world, at 36 homicides per 100,000 inhabitants. By 2023, this figure plummeted to just two-point-four homicides per 100,000 inhabitants (Statista, 2023), marking one of the most significant declines in violence across the Americas. This reduction has greatly changed the lives of millions of Salvadorans; children can now travel to school without fear of encountering gang violence, and business owners and residents are no longer forced to pay monthly extortion fees. However, this newfound security has come at a significant cost: the erosion of El Salvador's democracy and constitutional protections. Over 76,000 Salvadorans are currently in pre-trial detention (Janetsky, 2024), enduring months, if not years, before their cases are heard in court.

This dismantling of individual liberties is a key feature of President Nayib Bukele's 'Territorial Control Plan' (Galdamez, 2024), which has systematically eroded the foundations of El Salvador's democracy, one arrest at a time, in the name of increasing security.

Bukele has resorted to extreme authoritarian measures to curb rampant gang violence. As soon as the 'Territorial Control Plan' was implemented in 2019, Bukele ordered the army to take control of gang territories (Galdamez, 2024), effectively declaring martial law. Civil liberties were suspended, granting authorities unchecked powers of arrest and imprisonment. In the years to come, Bukele consolidated his leadership by appointing his allies to

all branches of government, in turn influencing the judiciary and circumventing presidential term limits. Despite these authoritarian tactics and controversial constitutional amendments, Bukele was re-elected in the 2024 Salvadoran presidential election, gaining an overwhelming 85 percent of the vote (Quesada, 2024). However, the legitimacy of this election can easily be questioned as just hours after the polls closed, Bukele had already declared himself the victor based on 'our numbers', stating that his party had won 'at least 58 out of 60 deputies' before the electoral authority had released the preliminary results (Jorgic, 2024). This showed the Salvadoran people that the ballots were irrelevant; Bukele had won the election before it began. A country's democracy relies on its constitution and the fundamental principles it upholds, such as the rule of law, the protection of individual rights, and a separation of powers. Bukele has not only rewritten parts of the constitution to suit his interests but also eroded the system of checks and balances designed to hold leaders accountable. While reduced homicide rates present a façade of security, the undermining of basic democratic values and civil liberties means any Salvadoran could face arbitrary arrest and imprisonment without any judicial oversight. True security should protect people from both domestic crime and undemocratic governmental actions, like unjust incarceration (Amnesty International, 2024b). When examining Bukele's rule, we must also consider what has been lost under the pretence of freedom. El Salvador has sacrificed its constitutional supremacy and any legal precedent previously set up to protect democratic rights (Human Rights Watch, 2021a). Although many Salvadorans may express contentment with their perceived security, this sense of safety is misleading (Statista, 2024). This essay argues that Salvadoran security has been eroded in the unseen mechanics of the governmental branches, compromising the very structures once created to protect citizens' civil liberties.

Constitutional Abuses of Power

Nayib Bukele's tenure as President of El Salvador has been mired with allegations of abuse of power, namely as evidenced through the electoral reforms that allowed him to circumvent the constitutionally mandated one-term limit. The constitution of El Salvador explicitly

states in six articles that incumbent presidents cannot compete for a consecutive term (Montaya, 2024). When asked in a 2019 interview with *El País* if he would seek re-election, he stated 'I am going to leave the presidency at 42 years of age' (Nóchez, 2024). He was 37 at that time, implying he intended to leave office after one term. However, in September 2021, the recently reappointed Supreme Court of Justice ruled that the president of El Salvador is eligible to run for re-election consecutively, discarding a 2014 ruling that required presidents wait ten years before doing so (Renteria, 2021). This controversial ruling not only allowed Bukele to seek re-election but also institutionalised his abuse of power by altering the judiciary to serve his interests, raising concerns about the erosion of democratic norms and what would happen if he were no longer president. His heavy-handed approach against the gangs relies on his presence in office. Bukele's administration has centralised power and control over security forces, making his leadership pivotal for the enforcement of his policies. Without him, there would be no guarantee that his 'Territorial Control Plan' would continue with the same intensity and focus, risking another increase in homicide rates (Chavez Rodriguez, 2024).

Bukele's judicial reforms have also been criticised for concentrating power in the executive branch, undermining the independence of the judiciary. In May 2021, when Bukele's party *Nuevas Ideas* won an absolute majority in the Legislative Assembly, his first action was to replace the five magistrates of the Constitutional Chamber with his own (BBC News, 2021). Bukele did not just target the Supreme Court, but he also carried out a complete overhaul of the El Salvadoran judicial system. In August 2021, the Legislative Assembly passed a bill allowing authorities to dismiss all judges and prosecutors who are 60 years or older, amounting to over 200 of the 700 judges in El Salvador (Human Rights Watch, 2021b), creating space for new judges who are sympathetic to Bukele. This dismantling of the judiciary resulted in El Salvador being moved from an Electoral Democracy to Electoral Autocracy in the V-Dem Institute's 2024 Democracy Report (Nord et al., 2024).

Alternatively, one could argue that Bukele's constitutional reforms have introduced stability to a nation historically plagued by volatility. In modern Western democracies,

multiple terms are normal: there is a two-term limit for the President of the U.S.A. (U.S. Constitution, 1787, Amendment XXII), and no term limits exist for the head of government in the UK (Torrance, 2024), Germany (Hamann, 2016), or Spain (Spanish Constitution, 1978, Sections 99 and 101). These provisions in Western democracies mirror Bukele's justification for introducing these reforms, with the Constitutional Chamber of the Supreme Court of Justice of El Salvador arguing that term limits impose excessive restrictions and that citizens should have the right to re-elect a president if they choose, bringing the nation into alignment with other democracies. Nonetheless, it is difficult to accept this reasoning as a valid expression of democracy due to Bukele's previous commitment to serve only a single term and the express provisions of the constitution.

Proper democratic governance requires not only responsiveness to public opinion, but also a commitment to constitutional measures that safeguard fundamental democratic rights, such as an independent judiciary. Written in 1983, El Salvador's constitution (1983, amended 2014) remains highly relevant. Article 152(1) clearly states that no president, no matter their popularity, should circumvent the constitutional restrictions on running for re-election. Altering the constitution to enable re-election sets a dangerous precedent; sacrificing democratic safeguards for a perceived sense of security not only compromises democracy, but also leaves Salvadorans vulnerable to leaders with unchecked powers in the future.

Security Measures

In the context of El Salvador's long history of failing to combat gang violence, Bukele emphasised this as a policy concern in his efforts to make the country 'more secure'. Since the swift implementation of Bukele's 'Territorial Control Plan' (TCP) in 2019, security forces have arrested more than two percent of the entire adult population (Kinosian and Renteria, 2024). Over 82,000 suspected gang members have been imprisoned

(Guzmán, 2024), with just 7,000 having been released (Renteria, 2024). The violence in El Salvador is primarily driven by two powerful gangs: Mara Salvatrucha (MS-13) and Barrio 18 (Quintanilla and Phillips, 2023), which have long contributed to El Salvador's instability. The TCP also increased prison time for gang leaders from 45 to 60 years (Renteria, 2023) and reduced the age of criminal responsibility from sixteen to twelve, meaning over 1,600 children are now imprisoned in El Salvador (Sanderson, 2023). Bukele did not just stop at detaining children and increasing criminal sentences, he also destroyed the right to a free trial and fair legal defence. A state of emergency was declared in early 2022, suspending a prisoner's right to a lawyer, and allowing them to be held in pretrial detention indefinitely (Amnesty International, 2024a). Additionally, the legislation granted sweeping powers to the police, allowing them to indiscriminately arrest individuals based on even the slightest suspicion of gang affiliation, including anyone with tattoos.

In El Salvador, having a tattoo now means a high likelihood of jail time, as many gang members tattoo the numbers or letters of their gangs, 'so any mark on the skin is now seen by prosecutors as proof of criminal activity' (Gibler, Tovar, and Sequeira, 2023). This has lowered the standards for arrest and made it so that anyone with tattoos carries a form of assumed 'guilt'. Furthermore, an increasing number of foreign visitors are being arrested by Salvadoran troops on suspicion of gang membership, simply 'for having tattoos or being in poor neighbourhoods' (Taylor, 2023). Aside from the erosion of personal freedoms and due process, 'these mass trials will only make prison conditions worse' (Taylor, 2023) and increase the list of innocent people put behind bars (Sandoval, 2023). El Salvador has turned the presumption of innocence upside down, degrading civil liberties, one of the most fundamental rights in a modern-day democracy.

While gang activity and its visibility may have significantly decreased, the number of official gang members at large has only decreased slightly in the past decade, suggesting that Bukele's extreme policies might not

“El Salvador has turned the presumption of innocence upside down, degrading civil liberties, one of the most fundamental rights in a modern-day democracy.”

have been as effective as he first hoped. From an estimated 25,000 gang members at large in 2011 (Guillermoprieto, 2011), the number of gang members still yet to be apprehended has decreased slightly to 21,000 in 2023 (Papadovassilakis, 2023). Although the gangs are a significant contributor to the violence (Roy, 2022), gang members only make up a small proportion of the current prison population (Nawaz et al., 2024), suggesting that the vast majority of those imprisoned without evidence or due process are not gang members, but innocent civilians (Sandoval, 2023). Despite violence decreasing, the control and territorial presence of the gangs has not substantively changed; well-known gang members and leaders continue to operate freely in their communities (International Crisis Group, 2020). Several civil society representatives and politicians have also proposed that the decrease in homicide rates has been led by the gangs themselves, possibly due to an informal non-aggression pact with the government, rather than a genuine dismantling of gang infrastructure (International Crisis Group, 2020). While Bukele's government has denied the existence of any negotiation or direct engagement with gangs, the 2012 administration made similar denials despite having mediated a controversial truce; indirect talks or public signalling between the authorities and gang leaders remains a viable possibility (International Crisis Group, 2020).

This form of direct negotiation with gangs may be more effective than tough, punitive measures in reducing murder rates. In 2016, at the end of Salvador Sánchez Cerén's presidency, the gangs signed a 'nonaggression pact', causing the murder rate to dramatically fall from its historical peak of 105 to 53 per 100,000 people (Giles, 2024) – an even larger, and quicker, decline than seen under President Bukele. It may not be popular, or even objectively moral, for administrations to directly negotiate with gangs, but evidence suggests that it is equally, if not more, effective at cutting homicide rates, while also preventing the mass erosion of civil liberties of the population. While El Salvador may appear safer in terms of murder rates, the continuous presence of gang members and the unjust imprisonment of countless innocent people illustrates a deeper crisis: a society where democracy has been sacrificed for the illusion of security.

Conclusion

President Nayib Bukele has brought a façade of stability to an unstable country under the guise of democratic justification, reflecting a worrying trend towards El Salvador sacrificing its democracy for authoritarian governance. Despite Bukele's high approval ratings, there remains a significant portion of the population who oppose his authoritarian tactics but may feel too scared or worried about persecution to speak out against the government. Therefore, while the measures put in place to tackle gang violence and lower the murder rates have been extremely effective, the basic democratic rights and civil liberties that a Salvadoran citizen should enjoy have been completely degraded in the process. Ultimately, El Salvador's path forward will reveal a harsh truth: without the foundations of democracy, any semblance of security is merely a gilded cage, enticing, yet illusory.

Bibliography

- Amnesty International. (2024a) *El Salvador: The institutionalization of human rights violations after two years of emergency rule*. Available at: <https://www.amnesty.org/en/latest/news/2024/03/el-salvador-two-years-emergency-rule/> (Accessed: 23 November 2024)
- Amnesty International. (2024b) *Detention and Imprisonment*. Available at: <https://www.amnesty.org/en/what-we-do/detention/> (Accessed: 10 December 2024)
- BBC News. (2021) 'US concerned over removal of top Salvadorean judges', 3 May. Available at: <https://www.bbc.co.uk/news/world-latin-america-56970026> (Accessed 10 December 2024)
- Chavez Rodriguez, Y. (2024) 'Bukele's Formula for Terrorism', *Journal of Strategic Security*, 17(1), pp.76-99. Available at: <https://doi.org/10.5038/1944-0472.17.1.2186>
- Constitution of the Republic of El Salvador (1983, amended 2014). *Constitution of the Republic of El Salvador*. Available at: https://www.constituteproject.org/constitution/El_Salvador_2014#s669 (Accessed: 10 December 2024)
- Galdamez, E. (2024) *Nayib Bukele's Territorial Control Plan: Transforming El Salvador's Security Landscape*. Available at: <https://elsalvadorinfo.net/nayib-bukeles-security-plan/> (Accessed: 23 November 2024)
- Gibler, J., Tovar, M., and Sequeira, J. (2023) 'Those Who Have Done Nothing', *The Dial*, 14 November. Available at: <https://www.thedial.world/articles/news/issue-10/el-salvador-nayib-bukele-state-of-exception> (Accessed: 23 November 2024)
- Giles, J. (2024) 'The Problem With El Salvador's Crime Numbers', *Foreign Policy*, 8 August. Available at: <https://foreignpolicy.com/2024/08/08/el-salvador-bukele-crime-homicide-prison-gangs/> (Accessed: 23 November 2024)
- Guillermoprieto, A. (2011) 'In the New Gangland of El Salvador', *The New York Review*, 10 November. Available at: <https://www.nybooks.com/articles/2011/11/10/new-gangland-el-salvador/?srsltid=AfmBOooZAXt0HZJv3cuRaplxhajZeY6gvyw6X693z3CGhi-Hyzzln5lJB> (Accessed: 23 November 2024)
- Guzmán, J. (2024) 'Aprueban trigésima primera prórroga del régimen: ya son 82,500 capturados', *El Mundo*, 3 October. Available at: <https://diario.elmundo.sv/politica/aprueban-trigesima-primer-prorroga-del-regimen-ya-son-82500-capturados> (Accessed: 23 November 2024)
- Hamann, G. (2016) 'Angela forever: Is that still democracy?', *DW*, 20 November. Available at: <https://www.dw.com/en/angela-forever-is-that-still-democracy/a-36460145> (Accessed 13 December 2024)
- Human Rights Watch. (2021a) *El Salvador: Legislature Deepens Democratic Backsliding*. Available at: <https://www.hrw.org/news/2021/11/01/el-salvador-legislature-deepens-democratic-backsliding> (Accessed 10 December 2024)
- Human Rights Watch. (2021b) *El Salvador: New Laws Threaten Judicial Independence*. Available at: <https://www.hrw.org/news/2021/09/02/el-salvador-new-laws-threaten-judicial-independence> (Accessed: 23 November 2024)
- International Crisis Group. (2020) *Miracle or Mirage? Gangs and Plunging Violence in El Salvador*. Available at: <https://www.crisisgroup.org/latin-america-caribbean/central-america/el-salvador/81-miracle-or-mirage-gangs-and-plunging-violence-el-salvador> (Accessed: 23 November 2024)
- Janetsky, M. (2024) 'The president jailed 1% of El Salvador's population. Their children are paying the consequences', *AP*, 10 February. Available at: <https://apnews.com/article/el-salvador-bukele-central-america-crime-gangs-60c3a34c571dfd90a203deb85abf71> (Accessed: 23 November 2024)
- Jorgic, D. (2024) 'El Salvador's Bukele declares himself winner of presidential vote', *Reuters*, 5 February. Available at: <https://www.reuters.com/world/americas/el-salvadors-bukele-declares-himself-winner-presidential-vote-2024-02-05/> (Accessed: 23 November 2024)
- Kinosian, S. and Renteria, N. (2024) 'El Salvador's Bukele looks set for landslide election win on gang crackdown', *Reuters*, 31 January. Available at: <https://www.reuters.com/world/americas/el-salvadors-bukele-looks-set-landslide-election-win-gang-crackdown-2024-01-30/> (Accessed: 23 November 2024)
- Montaya, A. (2024) 'El Salvador's Bukele proclaims 'historic' victory in re-election defying constitution', *Le Monde*, 5 February. Available at: https://www.lemonde.fr/en/international/article/2024/02/05/el-salvador-s-bukele-proclaims-historic-victory-in-re-election-defying-constitution_6495179_4.html (Accessed: 23 November 2024)
- Nawaz, A., Aranda, T. C. & Galiano-Rios, J., 2024. Thousands of innocent people jailed in El Salvador's gang crackdown. *PBS News*, 13 February. Available at: <https://www.pbs.org/newshour/show/thousands-of-innocent-people-jailed-in-el-salvadors-gang-crackdown> (Accessed: 22 January 2025)

Bibliography *continued*

Nóchez, M. (2024) 'Bukele's crooked electoral rules', *El País English*, 2 February. Available at: <https://english.elpais.com/international/2024-02-02/bukeles-crooked-electoral-rules.html> (Accessed: 23 November 2024)

Nord, M., Lundstedt, M., Altman, D., Angiolillo, F., Borella, C., Fernandes, T., Gastaldi, L., Good, G. A., Natsika, N., and Lindberg, S. (2024) *Democracy Report 2024: Democracy Winning and Losing at the Ballot*. University of Gothenburg: V-Dem Institute. Available at: https://www.v-dem.net/documents/44/v-dem_dr2024_highres.pdf (Accessed 10 December 2024)

Papadovasilakis, A. (2023) 'The Future Looks Bleak for El Salvador's Gangs', *InSight Crime*, 6 December. Available at: <https://insightcrime.org/investigations/future-looks-bleak-el-salvador-gangs/> (Accessed: 23 November 2024)

Quesada, J. (2024) 'Bukele brushes aside criticism after claiming 85% of the vote: "This is the first time in history that El Salvador has democracy"', *El País English*, 5 February. Available at: <https://english.elpais.com/international/2024-02-05/bukele-brushes-aside-criticism-after-claiming-85-of-the-vote-this-is-the-first-time-in-history-that-el-salvador-has-democracy.html> (Accessed: 23 November 2024)

Quintanilla, J. and Phillips, T. (2023) 'El Salvador crackdown breaks the gangs – at huge cost to human rights', *The Guardian*, 20 February. Available at: <https://www.theguardian.com/world/2023/feb/20/bukele-el-salvador-gangs-crackdown> (Accessed: 23 November 2024)

Renteria, N. (2021) 'El Salvador top court opens door to president's re-election, U.S. protests', *Reuters*, 5 September. Available at: <https://www.reuters.com/world/americas/el-salvador-top-court-rules-presidents-can-serve-two-consecutive-terms-2021-09-04/> (Accessed: 23 November 2024)

Renteria, N. (2023) 'El Salvador backs mass trials for thousands held in crime crackdown', *Reuters*, 26 July. Available at: <https://www.reuters.com/world/americas/el-salvador-approves-group-trials-amid-crime-crackdown-2023-07-26/> (Accessed 4 December 2024)

Renteria, N. (2024) 'El Salvador Says Murders Fell 70% in 2023 as It Cracked Down on Gangs', *Reuters*, 3 January. Available at: <https://www.reuters.com/world/americas/el-salvador-says-murders-fell-70-2023-it-cracked-down-gangs-2024-01-03/> (Accessed 4 December 2024)

Roy, D. (2022) 'Why Has Gang Violence Spiked in El Salvador?', *Council on Foreign Relations*, 4 May. Available at: <https://www.cfr.org/in-brief/why-has-gang-violence-spiked-el-salvador-bukele>

(Accessed 13 December 2024)

Sanderson, E. (2023) 'El Salvador's Crackdown on Gangs, Explained', *The Chicago Council on Global Affairs*, 9 May. Available at: <https://globalaffairs.org/commentary-and-analysis/blogs/el-salvadors-crackdown-gangs-explained> (Accessed: 4 December 2024).

Sandoval, C. (2023) 'Mass Trials in El Salvador Are an Alarming Assault on Human Rights', *WOLA: Advocacy for Human Rights in the Americas*, 10 August. Available at: <https://www.wola.org/analysis/mass-trials-in-el-salvador-are-an-alarming-assault-on-human-rights/> (Accessed: 13 December 2024)

Spanish Constitution (1978). European Centre for Non-Profit Law. Available at: <https://ecnl.org/sites/default/files/files/2021/SpainConstitution.pdf> (Accessed 13 December 2024)

Statista. (2023) *Homicide rate in El Salvador from 2014 to 2023*. Available at: <https://www.statista.com/statistics/696152/homicide-rate-in-el-salvador/> (Accessed 10 December 2024)

Statista. (2024) *Do you approve or disapprove of the way Nayib Bukele is doing his job as president to this moment?* Available at: <https://www.statista.com/statistics/1264586/approval-salvador-an-president-bukele/> (Accessed 10 December 2024)

Taylor, L. (2023) 'El Salvador clears way for mass trials as crackdown on gangs ramps up', *The Guardian*, 27 July. Available at: <https://www.theguardian.com/world/2023/jul/27/el-salvador-nayib-bukele-gangs-mass-trials> (Accessed 13 December 2024)

Torrance, D. (2024) *How is a Prime Minister appointed?* Available at: <https://commonslibrary.parliament.uk/how-is-a-prime-minister-appointed-2/> (Accessed 12 December 2024)

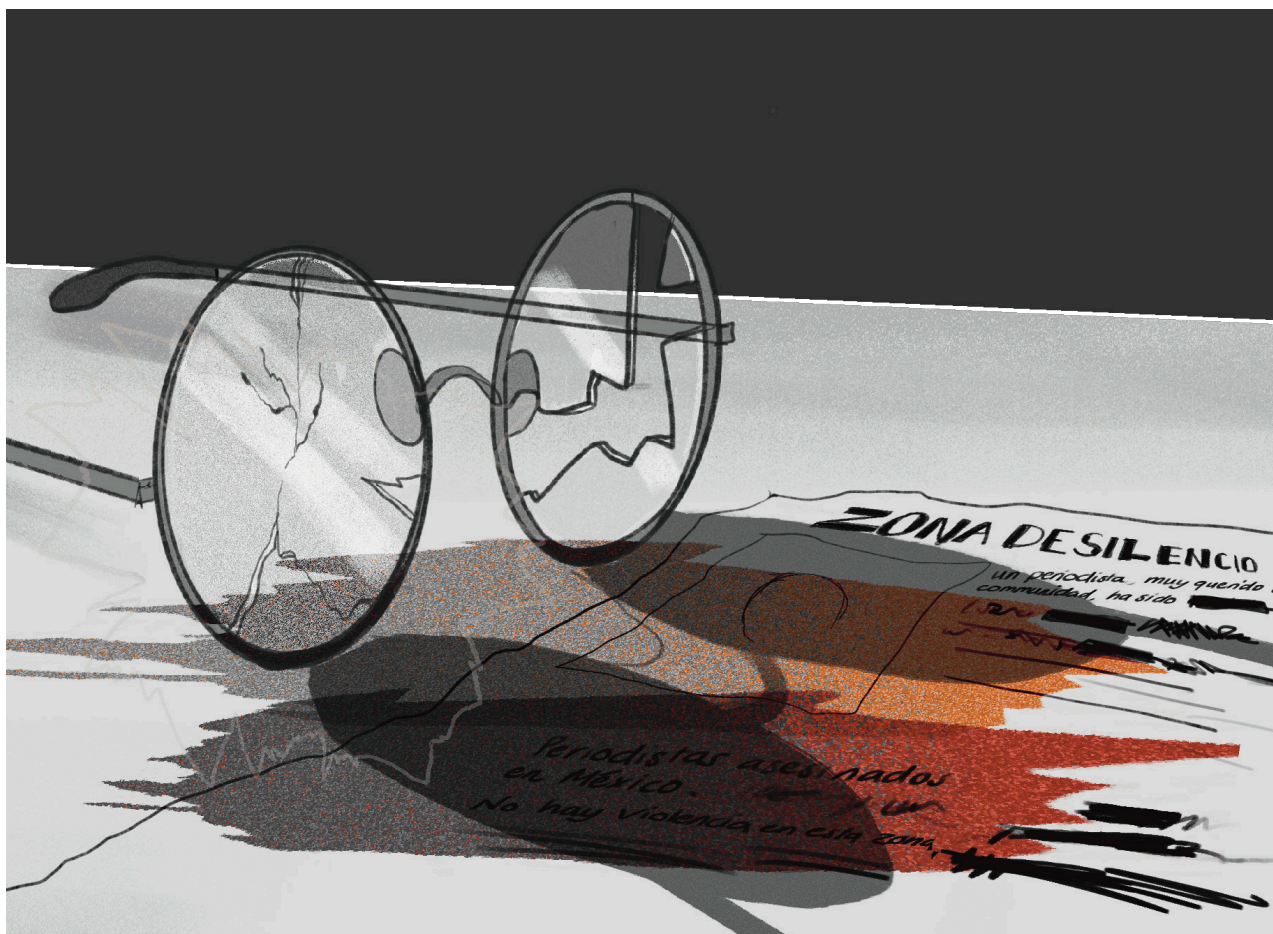
U.S. Constitution. (1787) Washington: US Congress. Available at: <https://constitution.congress.gov/constitution/amendment-22/> (Accessed 12 December 2024)

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VIOLENCE AGAINST JOURNALISTS: A PROBLEM FOR MEXICAN DEMOCRACY

by Allyson Crow

Illustration by Claire Martin



This article discusses violence against journalists, including murder and threats of violence against families, in addition to state incitement of violence. Some readers may find this content distressing.

In 1917, Mexico constitutionally protected freedom of the press, recognising the vital role the press plays within a democracy (Alcocer and González, 2023). Democracy, as used in this article, describes the relationship between civil society and the government which together work to ensure justice and well-being of citizens (Universal Declaration on Human Rights, 1948). Journalism is key in the operation of democracy,

ensuring transparency between the government and society (Bartman, 2018, p.1094). Although the constitution still protects the press today, to describe the press as 'free' would be to misconstrue the experience of journalists in Mexico. Mexico is widely considered one of the most dangerous places in the world for journalists outside active war zones (Kahn, 2023). The failure of the government and civil society to allocate proper support and protection to journalists has led to the unraveling of democracy, particularly through the proliferation of corruption and criminal organisations.

According to a prominent advocacy group for freedom of the press in Latin America, Article 19, 168

journalists in Mexico have been murdered since 2000 (Article 19, 2024). Many other journalists are victims of death threats, shootings, and kidnappings (Casey, 2023). Transnational Criminal Organisations (TCOs) are the main perpetrators of such violence. In the last two decades, these organisations have embedded themselves within the landscape of Mexican society, using their vast profits to buy the support of public officials (Council on Foreign Relations.org Editors, 2024). Journalists like Alejandro Martínez, who courageously use their platforms to stand up to this corruption and violence, end up making tremendous sacrifices for the sake of the democratic principle of transparency.

This piece examines how violence against journalists has affected the ability of the press to operate freely in Mexico. Consequently, the failure at the federal level to protect these journalists has contributed to a broader threat to the integrity of Mexican democracy by undermining transparency, free elections, and rule of law.

Impact on Journalism

Journalists may be informally restricted within large media outlets, privately controlled by a few rich elites with ties to powerful political parties (Alcocer and González, 2023). This has created limitations on the stories that large broadcast organisations, such as Televisa, are willing to run, fueling accusations of 'bias and lack of objectivity' in the media (Alcocer and González, 2023, p.240). Journalists who wish to report more freely set up local news outlets, making smaller radio stations, social media accounts, and online websites a staple in the Mexican media landscape. However, these local stations lack the resources of larger media corporations limiting the quality and number of stories reported. Smaller outlets also do not have the resources to protect and compensate employees from threats by criminal organisations (Bartman, 2018; Kinosian, 2023).

Furthermore, journalists are particularly vulnerable to criminal organisations after publishing stories that document criminal activity or that cast bribed politicians in a negative light, making many journalists self-censor, especially regarding stories exposing government corruption. Veteran journalist Hiram Moreno said in an

interview with Reuters after the death of his journalist friend Heber Vasquez, 'I already stopped covering drug trafficking and corruption... self-censorship is the only thing that will keep you safe' (Kinosian, 2023). In some areas of Mexico, journalists like Moreno have retreated altogether creating 'silence zones' (Kinosian, 2023), in which TCOs wield fear tactics such that there exists virtually no media coverage of the area.

Within a democracy, it is the position of journalists to hold public officials accountable for their actions in office (Alcocer and González, 2023). When the freedom of the press diminishes out of fear of retaliation, the power of the electorate to make informed choices is diminished. When voters cannot access unbiased coverage of their leaders, the power of democracy is limited. As a result, local politics and criminal organisations' activities become indistinguishable within these 'silence zones' (Esquivias, 2024). In this way, 'enlightened decision making' (Dhal in Bartman, 2018), a cornerstone of democracy, is compromised by this violence against journalists.

Violence leads some journalists to stop writing and has discouraged a new generation of young Mexicans from pursuing journalism careers. The persistence of criminal organisations and corruption in zones where journalism has been effectively eliminated is evidence of the negative effects of this targeted violence.

Federal Response

The rate of impunity for cases of violence against journalists is remarkably high, with some sources estimating as high as 99 percent (Esquivias, 2024). When violence against a journalist goes unpunished, it signals that there are no consequences for these types of actions. A criminal going unpunished for such a crime, not only wounds the dignity of the victim but also creates a more dangerous environment for other journalists. If the perpetrators of violence against journalists are rarely prosecuted, the orchestrators of these attacks (i.e. those who order hits or attacks against journalists) are almost never prosecuted. NGOs such as Article 19 and Reporters Without Borders have found strong clues pointing to a political nature of such targeted violence, but government investigations

have yet to provide sufficient evidence to hold such actors accountable (Bartman, 2018, p.1105).

Additionally, high-ranking government officials, like former President Obrador, fuel negative rhetoric around the media, through inflammatory remarks about reporters. In a press conference Obrador commented on popular news anchor González Levya saying, 'if you listen too much, you could even get a brain tumour' (Alcocer and González, 2023, p.245). The next day, Levya was shot while travelling home from work. Although not necessarily a direct agent behind the attack, Obrador's language has ostensibly emboldened these acts of violence against journalists.

Finally, the government efforts that do exist to protect journalists from violence suffer from underfunding and under-planning. In 2012, the government set up the 'Mechanism' to protect journalists from violence. However, this programme is structurally flawed, providing little support to journalists' families and not planning for the eventual homecoming of those chosen for relocation. Journalist Alberto Amaro Jordán enrolled in the Mechanism in 2019. Since then, Jordán has continued to face threats to his and his family's physical safety. The program ignored crucial details of Jordan's case, for example asking local authorities of Tlaxcala for assistance when Jordan had been openly critical of these authorities in the past. Jordán's experience is not unique; many other journalists involved in the programme expressed that the Mechanism is not doing enough to protect their safety (Kinosian 2023, Esquivias 2024). In practice, the Mechanism has repeatedly failed to keep safe those within the programme. Since 2017, nine journalists within the programme have been killed (Committee to Protect Journalists, 2023 and Kinosian, 2023).

The Celayan journalist Alejandro Martínez was troubled by the violence brought to his town by criminal drug gangs (Avagnina and Rocha, 2024). His online publication and Facebook page 'El Hijo del Llanero Solitito' (The Son of the Lone Ranger) was a

way for Martínez to push back against drug gangs and the consequent corruption in his community. Martínez entered the government's protection programme for journalists after he experienced an attack on his life due to his reporting. Two years later in August 2024, Martínez was a victim of the violence he reported on, dying from a shot in the head while under the watch of this protection programme. It is therefore clear the Mechanism has not achieved its mission to create more security for journalists and journalists will continue to self-censor. Stories like that of Jordán and Martínez further prove to journalists that their purpose and safety is not a priority for the government.

For these reasons, it is evident that the Mexican federal government is failing to recognise the significance of the violence against journalists. In an interview with Reuters, Enrique Irazoque, former

head of the Interior Ministry's Department for Human Rights, commented that 'the Mechanism is absorbing all the problems, but the issues are not federal, they are local' (Kinosian, 2023). Comments like this, and rhetoric from political leaders like Obrador, fail to acknowledge the deep structural issues which have allowed local corruption and crime to flourish throughout Mexico.

The Problem for Democracy

The federal government must limit violence against journalists for the sake of broader political stability. When journalists report freely on issues, it is easier for both government and civil forces to push back against organised crime and corruption. Criminal groups have become increasingly militaristic, making it hard to enforce federal control in certain states. The areas in which these groups operate, such as the state of Veracruz, have become hotspots for corruption with governors like Duarte acting with authoritarian-like power despite living in a broader democratic context (Bartman, 2018, p.1099).

It is essential for the health of democracy that journalists

“The persistence of criminal organisations and corruption in zones where journalism has been effectively eliminated is evidence of the negative effects of this targeted violence.”

feel safe to report freely, especially on matters that differ from the narrative supported by elected officials. In 1917, the writers of Mexico's constitution understood the vitality of the freedom of the press to give voice to opposition: Article 7 promises to protect press freedom which 'cannot be restricted by indirect ways or means' (Organisation of American States, no date). As journalists face threats to their safety and the government fails to properly respond, they are indirectly restricting the power of the press. These threats prevent journalists from living healthy, secure lives, and creating barriers that stop firstly, those who might otherwise become journalists from pursuing such a path and, secondly, existing journalists from posting or pursuing stories that might make them a target.

More importantly, when crime inhibits the media, it ultimately constitutes violence against the citizenry. Article 6 – freedom of access to information – and Article 7 – freedom of speech – work together to express the key protection of the media within a well-functioning democracy. Attacks on the press violate the spirit of these two articles as it inhibits both the ability of the press to exercise speech (Article 7) as well as the citizenry's access to a diverse sources of information (Article 6) (Organisation of American States, nd). Access to information allows citizens in a democracy to properly exercise their vote, promoting good governance and potentially protesting poor government behaviour. Access to a variety of information is essential to the operation of civil society within democracies. Furthermore, these local communities are directly harmed by the continued presence of criminal organisations within their states, leading to upticks in violence and backsliding of the rule of law (Bartman, 2018). Without journalists to expose the activities of these criminal organisations, federal activity to control these groups will fail.

It is also worth considering interactions with recent developments in the Mexican political landscape. Specifically, a 2024 amendment to the constitution will mean judges in Mexico will be elected starting in 2025 (France 24, 2024). The implications for the ability of corruption to further enter the judicial system due to this electoral problem raise possible issues for the justice of journalists in the future.

Conclusion

The journalists of Mexico have immense power in rescuing the country from violence and democratic backsliding. The stories they publish bring to light the issues that corrupt politicians and that criminal organisations intend to hide from the public. They illuminate relationships which have helped TCOs maintain influence within critical regions of the country. Journalists are frequently the targets of violence, likely because these criminal groups recognise the impact of journalist's work in curbing the influence of TCOs. In spite of the danger, there are journalists like Alejandro Martinez who continue to use their platform to combat the issues facing Mexican democracy today.

Mexico faces a long road ahead to help change the narrative around the protection and support of journalists. Newly inaugurated president Claudia Sheinbaum has committed to the protection of journalists under her administration. However, it remains to be seen whether she will deliver on these promises, unlike her predecessor. In time, the Mexican government may come to recognise journalists for what they really are: democracy's last line of defence.

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Bibliography

- Alcocer, S., and González, J. (2023) 'Violence against journalists: A tool to restrict press freedom in Mexico', in D. Negrea, *The Freedom and Prosperity Equation: Exploring the most durable path to development for countries around the world*. Atlantic Council, pp. 233-258. Available at: <https://www.jstor.org/stable/resrep53159.15> (Accessed 15 December 2024)
- Article 19. (2024) *Periodistas asesinados en México*. Available at: <https://articulo19.org/periodistasasesinados/> (Accessed: 12 December 2024)
- Avagnina, G., and Rocha L. (2024) 'Mexican journalist killed while under police protection', *BBC*, 5 August. Available at: <https://www.bbc.co.uk/news/articles/cm2333jzp17o> (Accessed: 16 October 2024)
- Bartman, J. (2018) 'Murder in Mexico: are journalists victims of general violence or targeted political violence?', *Democratization*, 25(7), pp. 1093–1113. Available at: <https://doi.org/10.1080/13510347.2018.1445998>
- Casey, N. (2023) 'Who Hired the Hitmen to Silence Zitácuaro?', *New York Times*, 27 October. Available at: <https://www.nytimes.com/2023/10/03/magazine/mexican-journalists-assassinations.html> (Accessed: 16 October 2024)
- Council on Foreign Relations.org Editors. (2024) 'Mexico's Long War: Drugs, Crime, and the Cartels', *Council on Foreign Relations*, 5 August. Available at: <https://www.cfr.org/backgrounder/mexicos-long-war-drugs-crime-and-cartels#chapter-title-0-4> (Accessed: 16 October 2024)
- Committee to Protect Journalists. (2024) 'Mexican crime reporter Alejandro Martínez Noguez killed while under police protection', 5 August. Available at: <https://cpj.org/2024/08/mexican-crime-reporter-alejandro-martinez-noguez-killed-while-under-police-protection/> (Accessed: 16 October 2024)
- Duchiade, A. (2024) 'Mexico's next president promises to protect the country's journalists. What can she do?', *LatAm Journalism Review*, 21 June. Available at: <https://latamjournalismreview.org/articles/mexicos-new-president-promises-to-protect-the-countrys-journalists-what-can-she-do/> (Accessed: 17 October 2024)
- Esquivias, M. (2024) 'New Documentary Shows Mexican Journalists Have Nowhere to Turn', *Global Investigative Journalism Network*, 18 July. Available at: <https://gijn.org/stories/new-documentary-shows-mexican-journalists-have-nowhere-to-turn/> (Accessed: 11 December 2024)
- Flores Pérez, C. (2013) 'Political protection and the origins of the Gulf Cartel', *Crime, Law and Social Change*, 61(5), pp.517–539. Available at: <https://doi.org/10.1007/s10611-013-9499-x>
- France 24. (2024) 'More than 34,000 register as candidates for Mexico judges' election', 26 November. Available at: <https://www.france24.com/en/live-news/20241126-more-than-34-000-register-as-candidates-for-mexico-judges-election> (Accessed: 26 November 2024)
- Girón, P., Carriedo, L., Díaz, J., and Suárez, C. (2024) *Mexico: Killings of journalists under state protection show urgent need to strengthen federal mechanism*. Available at: <https://www.amnesty.org/en/latest/news/2024/03/mexico-killings-journalists-strengthen-federal-mechanism/> (Accessed: 16 October 2024)
- Jordán, A. (2024) *Where is the promised protection? Journalists in Mexico threatened by state actors and organized crime*. Available at: <https://www.amnesty.org/en/latest/news/2024/05/promised-protection-journalists-mexico-threatened-state-actors-organized-crime/> (Accessed: 11 December 2024)
- Kahn, G. (2023) 'The most dangerous place to be a journalist is not an active war zone but Latin America', *Reuters Institute*, 17 January. Available at: <https://reutersinstitute.politics.ox.ac.uk/news/most-dangerous-place-be-journalist-not-active-war-zone-latin-america> (Accessed: 17 October 2024)
- Kinosian, S. (2023) 'In Mexico, a reporter published a story. The next day he was shot dead', *Reuters*, 16 October. Available at: <https://www.reuters.com/world/americas/mexico-reporter-published-story-next-day-he-was-dead-2023-01-21/> (Accessed: 15 October 2024)
- Organisation of American States. (1857, amended 2013) *Political Constitution of Mexico*. Available at: https://www.oas.org/ext/Portals/33/Files/Member-States/Mex_intro_txtfun_eng.pdf (Accessed 15 December 2024)
- Reporters without borders. (2021) *Mexico*. Available at: <https://rsf.org/en/country/mexico> (Accessed: 14 October 2024)
- Universal Declaration of Human Rights (1948), UNGA resolution 217 A, adopted 10 December 1948. Available at: <https://www.un.org/en/about-us/universal-declaration-of-human-rights> (Accessed: 23

fostering consensus on what constitutes hate speech. The analysis then critiques the current legal framework, taking the International Covenant on Civil and Political Rights (ICCPR) as a case study for identifying the inconsistencies present within the current legal framework when applied at regional and state levels in Europe. Ultimately, balancing the right to freedom of expression with other essential societal interests is an elusive endeavour—a delicate tightrope that requires careful navigation. Thus, this article argues that relying solely on legal measures is insufficient to address the deeper issues within the hate speech policy discourse. To tread this tightrope effectively, broader strategies are essential, including active engagement with civil society, community-led initiatives, and proactive political action to address both the root causes and the consequences of hate speech

The ‘Why?’ Question

In defining hate speech, it is important to understand the rationale for distinguishing it from free speech. One premise of unrestricted free speech rests on the belief that it supports individual self-fulfilment – a concept rooted in Western thought that views the realisation of one’s potential as the ultimate aim of humanity (Wellington, 1979; Voorhoof and Cannie, 2010). Free thought and the open exchange of opinions are considered essential for reaching this goal. However, this ideal of unrestrained expression often overlooks the harmful impacts of hate speech on its victims (Bleich, 2014, p.284). Therefore, contrary to the intended aim of free speech, hate speech silences and demoralises the individuals it targets, discouraging their participation in civil society, including public debate, thereby limiting their ability to realise their potential (Mahoney and Early, 1999). Moreover, hate speech has far-reaching consequences for society at large (MacKinnon, 1993). It not only harms the physical and emotional well-being of individuals subjected to it but also alienates targeted groups, leading to societal estrangement and diminished cultural identities (Cowan et al., 2002). With these rationales underpinning the following discussion, this article will now clarify what constitutes hate speech in scholarly and legal contexts, and whether there is a reliable boundary that defines when speech crosses into ‘hate’, and should thus be restricted. In the

following sections, this article examines the social and legal factors contributing to this definitional ambiguity, aiming first to uncover the complexities behind the concept of hate speech and then to examine why it remains so difficult to delineate.

Defining Hate Speech

The definition of hate speech has been a longstanding and complex challenge, with interpretations varying widely. Narrow definitions, for example, describe hate speech as ‘intended to incite hatred or violence’ against specific groups or individuals (Bakircioglu, 2008, p.4). In contrast, broader definitions encompass ‘any form of expression regarded as offensive to racial, ethnic, and religious groups and other discrete minorities, and to women’ (Walker, 1994, p.8). Broader interpretations similarly define hate speech as ‘[all] words used as weapons to ambush, terrorise, wound, humiliate, and degrade’ (Cowan et al., 2002, p.247). Each of these definitions sets a different threshold for what constitutes hate speech, from direct incitement to broad expressions of hostility and degradation.

Given these varied definitions, it is useful to examine the



legal domain, where certainty of interpretation is often sought through formal restrictions on hate speech. However, despite efforts to impose such restrictions, legal complexities also persist – particularly in drawing a clear line between protected expression and speech that crosses into harm. Following the devastation of World War II, a global consensus emerged calling for the protection of individuals by the international community. The atrocities committed against specific ethnic groups highlighted the potential for national governments to fail in safeguarding the lives and freedoms of their citizens. Hate speech, for instance, played a significant role in normalising prejudice and escalating hatred during this period, contributing to the conditions that enabled the Holocaust alongside other forms of systemic discrimination and violence. In response, the ICCPR (1966) enshrined the principles of equality and non-discrimination. Article 19 of the ICCPR affirms the right to freedom of expression, offering absolute protection for the right to hold opinions and the right to seek, receive, and share information and ideas. However, it allows restrictions on these rights



when they are: a) provided by law; b) aimed at achieving one of the legitimate objectives listed; and c) necessary to protect that objective. In cases involving hate speech, courts often interpret public order and the rights of others as legitimate objectives, with equality and non-discrimination frequently cited as critical considerations (Cowan et al., 2002).

The ICCPR also explicitly obliges States Parties to prohibit hate speech. Article 20(2) states: 'Any advocacy of national, racial, or religious hatred that constitutes incitement to discrimination, hostility, or violence shall be prohibited by law.' This dual requirement mandates both advocacy of hatred and incitement for speech to qualify as prohibited under the ICCPR. As an international legal treaty, however, the ICCPR becomes legally binding once ratified and incorporated into national law. However, significant inconsistencies often arise in its interpretation and application across different jurisdictions. European laws and jurisprudence surrounding incitement are described as a 'patchwork,' with significant variations in how states define and apply concepts like incitement and advocacy of hatred. For instance, 'incitement' of Article 20 is rarely enshrined in domestic legislation verbatim; instead, countries often employ comparable but distinct terms such as 'threatening speech' (Denmark), 'provocation' (Spain), or 'stirring up' (UK) (Bukovsk, Callamard and Parmmer, 2011, p.3). The absence of consistent language on incitement suggests either reluctance or unawareness among states to adopt ICCPR's Article 20 terminology fully. A similar lack of alignment is evident when judicial bodies seldom reference Article 20 in domestic cases, instead relying on *ad hoc* opinions without a coherent conceptual framework (Bleich, 2014). Whether due to oversight or deliberate omission, these inconsistencies pose a significant barrier to establishing a unified legal standard for 'incitement' across jurisdictions.

Why is a Universal Definition Difficult?

As such, it becomes evident that establishing a universal definition for hate speech is highly challenging. Ironically, despite the absence of an agreement in definition, there seems to be agreement that achieving one is unattainable. Clarke illustrates that this is understandable due to the varying cultural, social, and

legal contexts in which speech occurs (2007, p.99). For example, the aftermath of World War II and the bitter memories of the Holocaust have made European states more vigilant about the dangers of unchecked speech. Holocaust denial has been a significant issue in Europe, prompting several countries to enact legislation that prohibits and criminalises such expressions (Altman, 2012, p.26).

From a linguistic perspective, hate speech is viewed as an expressive act of hostility, where language reflects and reinforces hatred within specific social and cultural contexts (ElSherief et al., 2018, p.47). This perspective acknowledges hate speech as an act that not only communicates hostility but also actively shapes social interactions and group relations. Scholars note that hate speech often manifests through reasoned arguments that superficially mimic legitimate discourse but nonetheless carry harmful, exclusionary undertones (Russell, 2020, p.4). In this view, the context of speech – including the speaker’s intent and the social setting – is crucial for determining whether it qualifies as hate speech, making a universal, one-size-fits-all definition elusive (Posselt, 2017, p.21). If hate speech is defined too narrowly, it may offer stronger protections for free speech but fail to address speech that, while not directly inciting violence, fosters a climate of prejudice or discrimination against minority groups. On the other hand, broader definitions are more inclusive of harmful language but come with the risk of being overly subjective and restrictive. This subjectivity can create significant challenges in enforcement, potentially overwhelming courts and leading to inconsistent outcomes across different jurisdictions.

How to Tread the ‘Tightrope’

AT THE STATE LEVEL

The lack of universally acknowledged criteria for determining hate speech casts doubt on the ability of case law alone to provide a clear direction for progress. While legal frameworks continue to evolve and the process is far from complete, reliance on case law could inadvertently lead to inconsistent or overly restrictive rulings that risk infringing on free speech. Nevertheless, this does not render a powerless state



of affairs. If establishing comprehensive international standards from the top down takes time, actions must be initiated from the bottom up – from regional, state, and civil society levels.

Historically, violence against certain groups has often been preceded by ideological justifications manifesting as hate speech or public incitement (Bakircioglu, 2008, p.6), as in the Yugoslav Wars of the 1990s (Kiper, 2024). Research indicates that ‘most hate crimes are opportunistic’; not everyone who harbours animosity toward a particular group will act upon it in confrontational scenarios. The factors of each case – including the number and identity of perpetrators and the vulnerability of victims – often determine whether hate speech or crimes occur (Delgado and Stefancic, 2004, in Bakircioglu, 2008, p.46). This underscores the argument that states should adopt proactive measures to minimise the opportunities for both hate speech and hate crimes. For instance, vigilant governments must address the risks posed by unchecked speech, intervening when it possesses the potential to incite crime or violate fundamental rights to equality and non-discrimination. Beyond this, governments must tackle the underlying conditions that foster hatred while actively promoting respect for human rights and the dignity of minority and marginalised groups. States can implement policies that promote social cohesion and

inclusion, reducing the marginalisation that often fuels hate speech. This includes supporting programmes that foster intergroup dialogue and understanding, as well as investing in communities susceptible to extremist ideologies (De Leo and Russo, 2023, p.130). Current examples include anti-discrimination legislation, community integration initiatives, and public education campaigns, such as Germany's efforts to integrate migrants and combat far-right extremism, though some argue these measures may have come too late to address the deeply rooted issues (BBC News, 2024).

AT THE SOCIETAL LEVEL

It has often been the heavy cost of tragic experiences, such as the Holocaust, that has triggered societal change regarding hate speech (Zamri et al., 2023, p.3). Proactive education can help preempt such outcomes, as a well-informed populace is better equipped to discern harmful speech from legitimate expression (Wachs et al., 2022, p.5084). Implementing community education programmes is a crucial step (Lopez-Sanchez and Müller, 2021). Local governments can fund and support initiatives that promote digital literacy, critical thinking, and empathy. These programmes can be integrated into schools, community centres, and libraries to educate citizens – especially youth – about the impacts of hate speech and the importance of respectful communication. Civil society organisations can facilitate workshops and dialogues that bring together diverse groups to address prejudices and misconceptions. By empowering individuals with the tools to challenge hate speech, communities become more resilient against divisive rhetoric. For instance, a critical digital literacy programme in Greece has successfully engaged Roma youth, equipping them with the skills to recognise and counter online hate speech. (Agapoglou et al., 2021, p.116).

Conclusion

Effectively addressing hate speech remains a significant challenge, exacerbated by the absence of a universally accepted definition and inconsistent enforcement within international law. In Europe, divergent state practices hinder the development of clear guidelines that distinguish protected speech from hate speech.

While international frameworks continue to evolve, immediate action at the regional, state, and civil society levels is necessary to create practical, context-specific solutions that uphold the balance between freedom of expression and societal protection.

Since societal values influence legal interpretations, cultivating a culture that rejects hate speech can lead to more consistent and robust legal responses. This paper thus advocates a multifaceted approach that prioritises proactive strategies, such as educational initiatives and community engagement. While prior restraint on speech can pose significant risks to free expression, preventive efforts that address the root causes of hate speech—such as reducing marginalisation and promoting intergroup understanding—can mitigate harm without infringing on fundamental freedoms.

Given the limited scope of this paper, it has not specifically discerned the nuances of hate speech in online spaces, where the scale, speed, and anonymity of communication present unique challenges. Future research should delve deeper into the regulation of online speech, focusing on the interplay between global technology platforms, local laws, and societal norms and rights. The possibility of developing universally applicable criteria for defining hate speech, while accounting for cultural and social diversity, remains a crucial area for exploration. Additionally, studying the long-term impacts of educational and community-driven initiatives in conjunction with legislative measures would provide valuable insights for policymakers. Successfully balancing the right to freedom of expression with the imperative to protect individuals and groups from harm requires sustained effort and collaboration among governments, organisations, and citizens alike.

Bibliography

Agapoglou, T., Mouratoglou, N., Tsioumis, K., and Bikos, K. (2021) 'Combating Online Hate Speech through Critical Digital Literacy: Reflections from an Emancipatory Action Research with Roma Youths', *International Journal of Learning and Development*, 11(2), pp.104–120. Available at: <https://doi.org/10.5296/ijld.v11i2.18524>

Altman, A. (2012) 'Freedom of Expression and Human Rights Law: The Case of Holocaust Denial', in I. Maitra, and M. McGowan (eds), *Speech and Harm: Controversies Over Free Speech*. Oxford: Oxford University Press, pp.24–49.

Bakircioglu, O. (2008) 'Freedom of Expression and Hate Speech', *Tulsa Journal of Comparative and International Law*, 16(1), pp.1–49. Available at: <https://digitalcommons.law.utulsa.edu/tjcil/vol16/iss1/2>

BBC News. (2024) 'Germany unveils measures to tackle far-right surge', 13 February. Available at: <https://www.bbc.com/news/world-europe-68285305> (Accessed: 20 December 2024)

Bleich, E. (2014) 'Freedom of Expression versus Racist Hate Speech: Explaining Differences Between High Court Regulations in the USA and Europe', *Journal of Ethnic and Migration Studies*, 40(2), pp.283–300. Available at: <https://doi.org/10.1080/1369183X.2013.851476>

Bukovsk, B., Callamard, A., and Parrmer, S. (2011) *Towards an interpretation of article 20 of the ICCPR: Thresholds for the prohibition of incitement to hatred*. Available at: <https://teaching.globalfreedomofexpression.columbia.edu/resources/towards-interpretation-article-20-iccpr-thresholds-prohibition-incitement-hatred-work> (Accessed: 1 November 2024)

Clarke, B. (2007) 'Freedom of Speech and Criticism of Religion: What are the Limits?', *eLaw Journal*, 14(94), pp.94–121. Available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1716558

Cowan, G., Resendez, M., Marshall, E., Quist, R. (2002) 'Hate Speech and Constitutional Protection: Priming Values of Equality and Freedom', *Journal of Social Issues*, 58(2), pp.247–263. Available at: <https://doi.org/10.1111/1540-4560.00259>

De Leo, A. and Russo, E. (2023) 'Define and Tackle Hate Speech: The Experience of Social Workers in Italy', *Informing Science: The International Journal of an Emerging Transdiscipline*, 26, pp.115–134. Available at: <https://doi.org/10.28945/5120>

ElSherief, M., Kulkarni, V., Nguyen, D., Yang Wang, W., and Belding, E. (2018) 'Hate Lingo: A Target-Based Linguistic Analysis of Hate

Speech in Social Media', *Proceedings of the International AAAI Conference on Web and Social Media*, 12(1), pp.42–51. Available at: <https://doi.org/10.1609/icwsm.v12i1.15041>

Jensen, M., Yates, E., and Kane, S. (2021) *A pathway approach to the study of bias crime offenders*. Maryland: US department of Justice. Available at: <https://www.ojp.gov/pdffiles1/nij/grants/300114.pdf>.

Kiper, J. (2024) 'Remembering the Causes of Collective Violence and the Role of Propaganda in the Yugoslav Wars', *Nationalities Papers*, 52(1), pp.79–102. Available at: <https://doi.org/10.1017/nps.2022.53>

Lopez-Sanchez, M. and Müller, A. (2021) 'On Simulating the Propagation and Countermeasures of Hate Speech in Social Networks', *Applied Sciences*, 11(24), 12003. Available at: <https://doi.org/10.3390/app112412003>

MacKinnon, C. (1993) *Only Words*. Cambridge, Massachusetts: Harvard University Press.

Mahoney, P. and Early, L. (1999) 'Freedom of Expression and National Security: Judicial and Policy Approaches under the European Convention On Human Rights and Other Council of Europe Instruments', *International Journal of Human Rights*, 19(4), pp.408–428. Available at: https://doi.org/10.1163/9789004481794_008

Posselt, G. (2017) 'Can Hatred Speak? On the Linguistic Dimensions of Hate Crime', *Linguistik Online*, 82(3), pp.5–25. Available at: <https://doi.org/10.13092/lo.82.3712>

Russell, E. (2020) 'Hate in language, Hate and Language', in K. Hall and R. Barrett (eds) *The Oxford Handbook of Language and Sexuality*. Oxford: Oxford University Press.

United Nations. *International Covenant on Civil and Political Rights*. Adopted December 16, 1966. 999 U.N.T.S. 171. Entered into force March 23, 1976.

Voorhoof, D. and Cannie, H. (2010) 'Freedom of Expression and Information in a Democratic Society', *International Communication Gazette*, 72(4–5), pp. 407–423. Available at: <https://doi.org/10.1177/1748048510362711>

Wachs, S., Castellanos, M., Wettstein, A., Bilz, L., and Gámez-Guadix, M. (2022) 'Associations Between Classroom Climate, Empathy, Self-Efficacy, and Countering Hate Speech Among Adolescents: A Multilevel Mediation Analysis', *Journal of Interpersonal Violence*, 38(5–6), pp.5067–5091. Available at: <https://pmc.ncbi.nlm.nih.gov/articles/PMC9900686/>

Walker, S. (1994) *Hate speech: the History of an American controversy*. Lincoln: University of Nebraska Press.

Wellington, H. (1979) 'On Freedom of Expression', *The Yale Law Journal*, 88(6), pp. 1105–1142. Available at: <https://doi.org/10.2307/795625>

Zamri, N., Mohamad Nasir, N., Nurhafiz Hassim, M., Marina Ramli, S. (2023) 'Digital hate speech and othering: The construction of hate speech from Malaysian perspectives', *Cogent Arts & Humanities*, 10, 2229089. Available at: <https://doi.org/10.1080/23311983.2023.2229089>

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THE *OUROBOROS* OF SANCTIONS: STATE REPRESSION AND VIOLENCE IN VENEZUELA

by Gideon Eriaye

Illustration by Camila Sanchez



As early as 1995, former United Nations Secretary-General Boutros Boutros-Ghali openly questioned sanction policy ethics: 'Sanctions, as is generally recognised, are a blunt instrument. They raise the ethical question of whether suffering inflicted on vulnerable groups in the target country is a legitimate means of exerting pressure on political leaders whose behaviour is unlikely to be affected by the plight of

their subjects' (1995, p.268). Despite this observation, the nature of how sanction policy is implemented has remained relatively unchanged, while resulting violence has worsened. Across the last vicennial, US-led sanctions on Venezuela invoked three aims: targeting the Venezuelan oil industry, which is central to the country's economy, limiting regime leaders' resource access in the international community, and expressing

concern over authoritarianism. However, these actions have trapped Venezuela in a self-perpetuating cycle of state repression and deteriorating human rights. Using the long-term case study of Venezuela, this paper illustrates the complex and cyclical relationship between sanctions and civil liberties, harking to Boutrous-Gahli's criticisms.

The aims of economic sanctions are contested by scholars. While some argue their motivations are 'not employed for economic reasons, but political ones' (deKieffer, 1983, p. 207), others articulate a nuanced approach that recognises that sanctions have varied goals and impacts. The latter reveals that they can also be used both for economic and political coercion, and symbolic disapproval of a state's actions, especially by Western states (Faulkner, 2018). In addition, the use of sanctions is often 'constructed as a form of justice in the inter-state system' by Western states and scholars (Hofer, 2023, p.10). While there is extensive literature on the sender state's objectives in sanction policy research, there is a pervasiveness of indifference to analysing the counterintuitiveness of sanction policy on target states.

There is a converging consensus on the dysfunctionalities of sanctions and subsequent consequences against authoritarian states. Although sanctions are often seen as an alternative to war, as tools they are, however, by no means less harmful or violent, especially against civilian populations (Hofer, 2023). This analysis conceptualises sanctions themselves as a form of violence as it is increasingly evident that sanction policies against authoritarian states generally 'harm the masses and not those in power' (Faulkner, 2018, p.7). Furthermore, sanctions enable authoritarian regimes to perpetuate violence that contributes towards state repression, demonstrated through the marginalisation of rights such as freedom of speech, the exacerbation of inequality, and the exploitation of power imbalances (Wood, 2008). Sanctions, despite their aims, are theorised as both tools of violence and potential catalysts of forms of violence that disproportionately affect civilians and the vulnerable.

Causation vs. Correlation?

Data collected from Reporters Without Borders (RSF) Press Freedoms Index (Reporters without Borders, 2016) demonstrates a significant decrease in press freedoms within Venezuela between the 2005 and 2018, though the rate of decline fluctuates within this time period. Unsurprisingly, such years coincide with major US sanctions on Venezuela. From this, one may assume that every time the US sanctions Venezuela, press freedoms (and other democratic rights) decline. However, accounting for correlation versus causation, do sanctions actually worsen democratic rights and civil liberties in authoritarian states, and if so, how do sanctions cause or contribute to such state repression?

Multiple statistical models consistently demonstrate that there is an observed positive relationship between the severity of sanctions, the severity of state repression, and the deterioration of human rights. In fact, Peksen states outright that even human rights sanctions directly lead to 'a higher probability of integrity rights violations' (2009, p.74). This is further supported by the suggestion that repression will likely increase when sanctions are imposed against already repressive states (Wood, 2008). These statistical models affirm the hypothesis, drawn from the Reports Without Borders dataset, that a wave of sanctions on authoritarian regimes such as Venezuela will worsen human rights and basic freedoms.

How Regimes Capitalise on Sanctions

If a positive relationship between sanctions and increased human rights violations exists, how and why do regimes seem to double down when levied with sanctions? There are observable causal relationship factors contributing to how regimes capitalise on sanctions, thus increasing state repression and worsening human rights. Among these is their usage by regime leaders to justify repression against anti-regime groups and those critical of the state through depicting sanctions as external threats that influence and drive domestic upheaval (Peksen, 2009). Usually, this capitalisation seeks to deflect and distract from the troubles of their regimes and instability. However, the role sanctions play in spurring the domestic instability that allows regimes to respond with state repression must be considered.

For much of the 2010s, Venezuela has been described as going through a process of 'authoritarian hardening', becoming an autocracy (Bull & Rosales, 2020, p.6). As one of many regimes where the consequences are observable, US-led sanctions have had an adverse effect on Venezuelan democratic rights in two areas. First, they have contributed to a decline in the socioeconomic environment that harms the civilian population resulting in state repression. Second, they have enabled the regime to legitimise a hostile narrative that justifies their actions.

Sanctions and Socio-Political Unrest

Critical to linking the effect of sanctions and its relationship to repression is examining the presence of socio-political unrest. There is no doubt that the blame for the economic challenges in Venezuela falls largely on dictators such as Hugo Chavez and Nicolás Maduro and their poor handling of national finances (Rodríguez, 2023). Despite rising oil prices and further expected growth, oil production declined in Venezuela and subsequently worsened the state's economic development. The evidence attributes this decline to the important role US-led sanctions played (Rodríguez, 2023). While the domestic struggles that Venezuela faces are not necessarily caused by US-led sanctions, they contribute, nonetheless, towards declining socioeconomic conditions and discontent. As the Washington Office on Latin America (WOLA) Report articulates 'these sanctions... cause greater discontent among Venezuelan Society' (Oliveros, 2020, p.12). Therefore, sanctions-driven instability and discontent increases the likelihood of protests and strikes amidst socio-political and economic decline (Zartman, Paul and Entelis, 1971). Highlighting a relationship between economic decline and political outcomes, civil unrest is likely to be met with state repression against civil liberties, especially in authoritarian states. In the case of Venezuela, US-led sanctions have had a significant impact

“While the domestic struggles that Venezuela faces are not necessarily caused by US-led sanctions, they contribute, nonetheless, towards declining socioeconomic conditions and discontent.”

to this effect. Not only have they accelerated economic collapse and social discontent, but these sanctions have further 'lock[ed] Venezuela in a downward economic spiral' (Weisbrot & Sachs, 2019, p.21), driving up poverty, scarcity of key resources, and poor public health outcomes. The 2014 protests in Venezuela which saw mass demonstrations and decreases in press freedoms and civil liberties demonstrated the endemic nature, and latent consequences of this discontent. Despite being triggered by violence against students, economic struggles were a key factor in mobilisation and civil unrest. Media coverage (see Appendix A) highlighted the multifaceted nature of the crisis where key demands for 'economic changes to curb inflation and alleviate shortages' were central (BBC, 2014). The coverage included responses by the Venezuelan government in the form of increased repression, arbitrary violence against unarmed protestors and activists, and the silencing of political opponents, as well as the banning of all forms of protest not approved by the government.

The relationship between sanctions and repression in Venezuela is deeply intertwined with the country's socio-political unrest. The protests serve as a clear example of how economic hardship, worsened by sanctions, leads to civil mobilisation that is only met with violent government crackdowns and repression of freedom of speech. US-led sanctions have thus contributed, not only to Venezuela's economic

decline but also to the intensification of state repression in response to growing social unrest.

The Pretext for Repression

Venezuela has consistently used sanctions as a justification for its repressive actions against its citizens, often framing narratives of foreign interference as inciting internal tensions. Following the release of a UN report deeming the effects of Western sanctions on Venezuela as devastating, Maduro publicly stated that 'We have denounced the illegal sanctions against the

entire people of Venezuela' and that 'we also acted to mitigate the brutal impact these coercive measures had against our social, cultural, educational and economic life' (Pozzebon and Hu, 2021). To undermine the country's national sovereignty, both the Chavez and Maduro governments have labelled opposition figures as traitors accused of colluding with foreign powers. This has led to violations of human rights and repression in the form of arbitrary arrests, imprisonment, and torture of opposition leaders, activists, and journalists. Sanctions are used as a pretext to repress dissent among the civil population where claims of external influence are responsible for internal political opposition. This was even present during the aforementioned 2014 protests, where the Guardian coverage highlighted the Venezuelan government justifying its actions by framing the protests as being orchestrated and backed by foreign powers such as the United States (López, 2014). Where US-led sanctions were attributed, evidence of such foreign interference, destabilisation, and regime change enabled the Government to present itself as defending national sovereignty.

These case studies of Venezuela suggest conclusions no different than those informed by the previously mentioned literature and statistical models. When the United States responded to the increased repression following the 2014 protests with further sanctions issued by Executive Order 13692 in 2015 (U.S. Department of State, n.d.), Venezuela saw a further decline in civil liberties. According to the RSF Freedom Index, Venezuela dropped from a score of 59.39 in 2015 to 55.23 by 2016 (Reporters without Borders, 2016). The Venezuelan government attributed Western sanctions and wider US influence, aimed to subvert the regime, necessitated an expansion of executive powers subsequently declaring a state of emergency (see Appendix B). This led to the implementation of a series of decrees that bypassed the national assembly to impose curfews and limit civil liberties. The government frames these actions as a necessary response to the economic and political warfare it deems imposed by the West. An almost trilateral cyclical relationship emerges between foreign sanctions, increased state repression, and civil unrest; an ouroboros, if you will. Using the nature of sanctions, the Venezuelan regime leverages the rhetoric of foreign meddling to legitimise its violence against opposition, positioning itself as

a defender of national sovereignty and eroding civil liberties.

Conclusion

This case of Venezuela highlights the complex and often counterproductive effects of sanctions, particularly in authoritarian states. While the primary intention of sanctions is to pressure political leaders into altering their behaviour to promote democracy and human rights, they often have the opposite effect in authoritarian contexts. Venezuela reveals that sanctions, far from being a benign alternative to military intervention, can act as a form of economic violence that disproportionately harms civilian populations, eroding freedom of speech. They can worsen economic conditions and provide the regime with a powerful narrative to justify repression. In this context, sanctions not only fail to achieve their intended political outcomes but actively reinforce the regime's grip on power.

Moreover, sanctions exacerbate the very conditions that lead to socio-political unrest. Unrest that authoritarian regimes like Venezuela frequently respond to with violent crackdowns to maintain control, often against freedom of speech. The cyclical nature of this dynamic is evident in Venezuela's recent history, where each wave of sanctions has been followed by heightened government repression and further deterioration of human rights. Each element reinforces the other, trapping countries such as Venezuela in a downward spiral.

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Bibliography

- Boutros-Ghali, B. (1995) 'Report of the Secretary-General on the Work of the Organization. Supplement to an Agenda for Peace: Position Paper of the Secretary-General on the Occasion of the Fiftieth Anniversary of the United Nations', *International Peacekeeping*, 2(2), pp.253-81. Available at: <https://heinonline.org/HOL/P?h=hein:journals/intltpkg2&i=259>
- Bull, B. and Rosales, A. (2020) 'The crisis in Venezuela', *European Review of Latin American and Caribbean Studies / Revista Europea de Estudios Latinoamericanos y del Caribe*, 109, pp.1-20. Available at: <https://www.jstor.org/stable/26936900>
- deKieffer, D. (1983) 'The Purpose of Sanctions', *Case Western Reserve Journal of International Law*, 15(2), pp.205-208. Available at: <https://scholarlycommons.law.case.edu/jil/vol15/iss2/1>
- Faulker, C. (2018) 'On the Efficacy of Sanctions: Why Regimes and Motives Matter', *Global Tides*, 12(9), pp.1-8. Available at: <https://digitalcommons.pepperdine.edu/globaltides/vol12/iss1/9>
- Hofer, A. (2023) 'Violence at a Distance: Correcting International Law's Short-Sighted Vision of Economic Coercion', in K. Kingham (ed) *Routledge Handbook of the Political Economy of Sanctions*. London: Routledge, pp.1-16. Available at: <https://ssrn.com/abstract=4488573>
- Oliveros, L. (2020) *The Impact of Financial and Oil Sanctions on the Venezuelan Economy*, WOLA Advocacy for Human Rights in the Americas. Available at: <https://www.wola.org/wp-content/uploads/2020/10/Oliveros-report-summary-ENG.pdf> (Accessed: 16 October 2024)
- Peksen, D. (2009) 'Better or Worse? The Effect of Economic Sanctions on Human Rights', *Journal of Peace Research*, 46(1), pp.59-77. Available at: <http://www.jstor.org/stable/27640799>
- Pozzebon, S. and Hu, C. (2021) 'US-led sanctions on Venezuela 'devastating' to human rights, says UN report', *CNN*, 12 February. Available at: <https://edition.cnn.com/2021/02/12/world/us-venezuela-sanctions-alina-douhan-intl/index.html> (Accessed: 15 October 2024)
- Reporters Without Borders. (2016) 'RSF Index 2016'. Available at: <https://rsf.org/en/index?year=2016> (Accessed: 15 October 2024)
- Rodríguez, F. (2023) 'How Sanctions Contributed to Venezuela's Economic Collapse', *Institute for Comparative & Regional Studies*, 13 January. Available at: <https://korbel.du.edu/regional-studies/news-events/all-articles/how-sanctions-contributed-venezuelas-economic-collapse> (Accessed: 16 October 2024)
- U.S. Department of State (no date) *Venezuela-related Sanctions*. Available at: <https://www.state.gov/venezuela-related-sanctions/> (Accessed: 16 October 2024)
- Weisbrot, M. & Sachs, J. (2019) *Economic Sanctions as Collective Punishment: The Case of Venezuela*, Center for Economic and Policy Research. Available at: <https://cepr.net/images/stories/reports/venezuela-sanctions-2019-04.pdf> (Accessed: 15 October 2024)
- Wood, R. (2008) 'A Hand upon the Throat of the Nation: Economic Sanctions and State Repression, 1976-2001', *International Studies Quarterly*, 52(3), pp.489-513. Available at: <https://www.jstor.org/stable/29734248>
- Zartman, I., Paul, J., and Entelis, J. (1971) 'An Economic Indicator of Socio-Political Unrest', *International Journal of Middle East Studies*, 2(4), pp.293-310. Available at: <http://www.jstor.org/stable/162719>

APPENDICES

APPENDIX A: NEWS COVERAGE OF THE 2014 VENEZUELAN PROTESTS

López, V. (2014) 'Venezuela braces for more violence – but it could work in Maduro's favour', *The Guardian*, 14 February. Available at: <https://www.theguardian.com/world/2014/feb/14/venezuela-violent-clashes-chavistas-opposition> (Accessed: 16 October 2024)

BBC. (2014) 'What lies behind the protests in Venezuela?', 27 March. Available at: <https://www.bbc.co.uk/news/world-latin-america-26335287> (Accessed: 16 October 2024)

APPENDIX B: NEWS COVERAGE OF VENEZUELAN STATE OF EMERGENCY

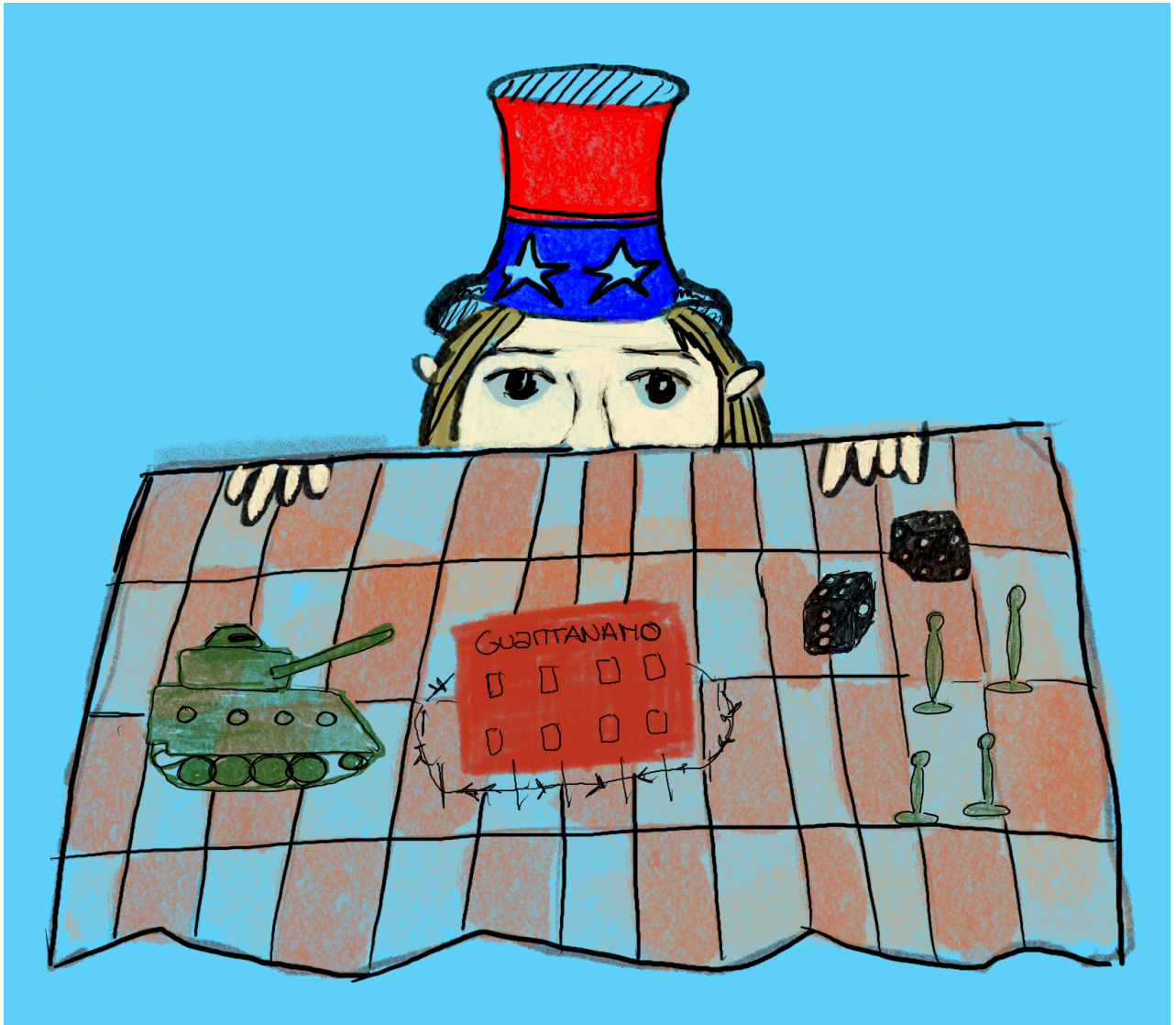
Ulmer, A. and Pons, C. (2016) 'Venezuela president declares emergency, cites U.S., domestic "threats"', *Reuters*, 14 May. Available at: <https://www.reuters.com/article/us-venezuela-politics-idUSKCN0Y501X/> (Accessed: 16 October 2024)

The Guardian. (2016) 'Venezuela president declares 60-day state of emergency, blaming US for instability', 14 May. Available at: <https://www.theguardian.com/world/2016/may/14/venezuela-president-declares-60-day-state-of-emergency-blaming-us-for-instability> (Accessed: 16 October 2024)

POLITICAL VIOLENCE IN GUANTÁNAMO BAY: CAUSES, METHODS, AND THOSE LEFT BEHIND

by Mahrukh Khurshid

Illustration by Lucienne Saisselin



This article includes descriptions of torture and degrading treatment of prisoners in Guantanamo Bay, including psychological and ‘stealth’ tactics. Readers may find some content distressing.

Aspectre is haunting the United States: the memory of 9/11. In response to the attack, the US’ vicious counter-terrorist offensive in Afghanistan retributed members of the responsible pan-Islamist organisation al-Qaeda, led by Osama bin Laden. However,

several innocent people, including 21 children, were peremptorily detained in the Guantánamo Bay prison in Cuba, along with the true perpetrators (Bridge Initiative, 2020). Of the prison’s total 780 prisoners, fifteen still remain, at least nine died in custody, and only two were actually convicted of a crime (Human Rights First, 2018; U.S. Department of Defense, 2025). This article will explore the formation of the prison, and the use of stealth techniques through the paradigm of sovereign and bodily autonomy to ultimately critique

why the prison continues to operate. The 'Forever Prisoners' of Guantanamo Bay embody the spectre of 9/11, persisting even 23 years after the event.

Formation and Practices of the Prison

Why were so many political prisoners wrongfully convicted in the first place? The US Government paid civilians bounties of 3000-25000 US dollars to identify members of al-Qaeda, including 'local warlords...paid by the CIA'; the majority of Guantánamo prisoners were captured in this manner (Human Rights First, 2018; U.S. Government Publishing Office, 2020, p.5). This impetuous incentivisation can be partially explained by the 'one percent doctrine', formulated by Vice-President Dick Cheney: 'if there's a 1% chance that Pakistani scientists are helping al-Qaeda build or develop a nuclear weapon, we have to treat it as a certainty in terms of our response' (Suskind, 2006, p.62). This hyperbolic depiction of the dangers of terrorism, otherwise known as threat inflation, helps explain the disproportionate number of innocents detained at Guantánamo.

One such example of an innocent prisoner is Fouad Mahmoud al-Rabiah, who was told by a senior interrogator: 'There is nothing against you. But you will not leave this place innocent' (Worthington, 2009). The interrogators dishonestly promised to send al-Rabiah 'home to Kuwait' if he confessed to his role in the 9/11 attack, which he then did (Worthington, 2009). Al-Rabiah was ultimately sent home on 9 December 2009 when his interrogators' coercion was discovered (Frakt, 2013, p.209-210). This pattern of false confessions featured throughout the Bush Administration, explaining why four prisoners' convictions, including that of al-Rabiah, were later overturned (Frakt, 2013, p.209; Human Rights First, 2018). Whilst the Obama Administration sought to close Guantanamo Bay, citing its association with torture and its undermining of American values, these efforts faced significant political and administrative obstacles (Savage, 2016). By contrast, the Trump Administration continued to support 'enhanced interrogations', synonymous with torture, because 'it worked,' focusing on assigning blame rather than procuring reliable information (Vrij et al., 2017, p.928).

Several innocent detainees entirely unconnected to al-Qaeda repeatedly suffered abusive interrogation methods in defiance of the 1949 Geneva Convention Relative to the Treatment of Prisoners of War (Worthington, 2009). Though the Bush Administration agreed to comply with the Geneva Convention for 'detained Taliban combatants', 'those it decided were al-Qaeda terrorist network fighters would not be so designated' (Huggins, 2012, p.57). These actions were partially excused by the laws of exception applied during the post-9/11 state of emergency declared by President Bush (Scheppele, 2024). The extent of political violence implemented was widely regarded as inessential, even among government officials. Dennis Blair, the Director of National Intelligence in 2009-2010, released a statement admitting that 'the same information could have been obtained through other means', demonstrating that torture is simply a brute exercise of sovereign power wielded against its perceived terrorist threats, who may have been loyal to other sovereigns (Blair, 2009). In this way, the context of the war on terror was instrumental in the extreme treatment of detainees.

Torture: Techniques and Effects

To maintain their anti-torture facade, the US Government has taken care to implement 'stealth technologies' of torture which leave no physiological evidence on the prisoners (Wilcox, 2014, p.63). These techniques include, but are not limited to: waterboarding, sleep deprivation, dietary manipulation, in which prisoners are fed bland liquid meals for sensory deprivation, and humiliation via public nudity – which Governmental reports are quick to clarify does not qualify as 'sexual abuse' (Bradury, 2005, p.12). On the contrary, James Glanz, a Pulitzer Prize winning American journalist, maintains that any form of intimidation during an investigation qualifies as torture, which is 'a terrible slope that even the most practised interrogators can slide down' (2004). Stealth techniques conceal the deleterious effects of torture, further worsening the paucity of statistical evidence on the treatment of captives in Guantánamo Bay. As such, stealth techniques enable the US to use Guantánamo to tiptoe up to the limit of their sovereign power; the power to 'take life or let live', without crossing it

(Wilcox, 2014, p.52). This power must adhere to the following maxim: 'Bodies are tortured, but they are not allowed to die', which means that sovereign power can intimidate perceived enemies of the state up to the brink of death, but cannot openly murder in an act of political violence (Wilcox, 2014, p.59).

The banning of suicide reflects this control, although seven of the nine deaths that occurred in Guantánamo Bay were allegedly suicides (Bridge Initiative, 2020). This contradiction indicates the unique status the bodies of political prisoners reserve: they can suffer violence in interrogations, but are not allowed to die without first being pressed for 'actionable intelligence' (Wilcox, 2014, p.53). This is exemplified in the case of the currently detained yet uncharged prisoner Abu Zubaydah, about whom a CIA official remarked, 'He received the finest medical attention on the planet. We got him in very good health so we could start to torture him' (Suskind, 2006, p.100). The patent futility of such torture tactics however, is astounding. In the interrogation of Zubaydah, most of the useful information learnt was revealed before Zubaydah was waterboarded; moreover, none of this information could help interrupt any significant terrorist plots (Finn and Warrick, 2009, p.1). It seems that US officials would rather leave an innocent detainee indefinitely uncharged than admit to a court they were waterboarded on false assumptions, a clear example of sunk-cost fallacy operating in the political sphere. In keeping with this denial, Zubaydah, like many other prisoners, was sent to Jordan upon discovering his innocence, as a sort of middle ground between conviction and acquittal (Finn and Warrick, 2009).

This overextension of sovereign power has been known to wring false confessions out of fragile minds. According to declassified Bush Administration documents, Khalid Sheikh Mohammed was waterboarded 183 times, and Zubaydah was waterboarded at least 83 times (Bradbury, 2005). Repetitive waterboarding makes the

tactic's efficacy doubtful: when does the prisoner start simply telling the interrogator what they want to hear instead of the truth – assuming that they reveal any accurate information at all? Overall, stealth techniques have allowed the US to extricate the false confessions they deemed necessary while still ostensibly disavowing torture.

Hunger Strikes and Bodily Autonomy

The body has a complicated relationship with the manifestation of a prisoner's perceived guilt. Arguably, what causes Guantánamo prisoners the most irreversible damage during their detainment is the invisibility of stealth techniques (Wilcox, 2014, pp.63–64). Their pain, though bitterly felt and unimaginably profound, does not physically manifest on their bodies, which may make them 'feel responsible for what is happening to them, inducing feelings of fear, shame, guilt and grief, as well as intense humiliation' (Reyes, 2007, p.599). This may make it difficult for prisoners to verbalise their pain, as it feels insurmountably unrepresentable (Scarry, 1985, p.35).

“These stealth techniques so fully pervade the prisoner’s consciousness that their false confessions represent the trade of one ethnic identity for another, as the prisoners are forced to ‘speak the name of the sovereign’ and propagate a parochial, anti-terrorist narrative (Kahn, 2008, p.42).”

Wilcox believes that the invisibility of stealth techniques poses an even greater danger (2014). 'A failure of the pain to be recognised as pain, as possibly reversible, is a failure of someone to be recognised as precisely human', which explains why prisoners would rather see pain physically manifest on their bodies than have it go completely unrecognised by others, as this would

threaten their own very humanity (Wilcox, 2014, p.66). Hence, many prisoners go on hunger strikes in a desperate effort to reclaim bodily autonomy, as the hunger striker physically appears ill, whereas the subject of stealth techniques of torture usually does not (Wilcox, 2014, p.65). These stealth techniques so fully pervade the prisoner's consciousness that their false confessions represent the trade of one ethnic identity

for another; as the prisoners are forced to 'speak the name of the sovereign' and propagate a parochial, anti-terrorist narrative (Kahn, 2008, p.42). Moreover, political torture robs them of the capacity to see their suffering 'as a sacrifice for' their original nation, further undermining their former ethnic identity (Kahn, 2008, p.176). The hunger strikers' desire to rebel and 'deny the presence of the sovereign' is so strong that they attempt to exert some modicum of bodily autonomy by martyring themselves (Wilcox, 2014, p.65).

These attempts are predictably punished, as US officials want to avoid the endangering of potential information about future attacks by al-Qaeda. Hunger strikers are inflicted to yet more displays of biopower, or 'the power to "make live and let die"', which includes tactics to force-feed riotous prisoners (Wilcox, 2014, p.54). Recent advances in technology have further entangled biology and politics, allowing the overarching control of a sovereign over its people's bodies (Wilcox, 2014). This allows for prisoners to be subjected to the will of the increasingly terrorist sovereign, an integral component of the enactment of political violence.

Why has this Injustice been Allowed to Continue?

Despite these obviously pernicious human rights violations, fifteen Guantánamo Bay prisoners still remain incarcerated in inhumane conditions (U.S. Department of Defense, 2025). This is due to a nuanced arsenal of tactics deployed by the US Government, including concealment, the simultaneous encouragement of fear and infantilisation, and the distancing of the sovereign from torture (Wilcox, 2014, p.62). The US Government's first line of defence against potential enquiry into the veracity of the Guantánamo prisoners' convictions is concealment. Acknowledging that the war in Afghanistan had ended, when US President Joe Biden remarked that 'Al Qaeda was decimated', he blatantly overlooked the prisoners that were still detained in Guantánamo US President Joe Biden's statement acknowledging that the war in Afghanistan had ended and 'Al Qaeda was decimated', in which he completely ignored that prisoners were still detained in Guantánamo (The White House, 2021). This behaviour is emblematic of a broader paradigm:

US officials take pains to avoid discussing Guantánamo Bay, even to justify its existence (Rosenberg, 2020). This dissimulation keeps the egregious human rights violations out of mind.

If someone pervades this first line of defence, the US Government has constructed an underlying wall of anti-terrorist propaganda, saying that Guantánamo's prisoners are 'the most dangerous, best-trained, vicious killers on the face of the earth' (Ward, 2009, p.148). These exaggerations are designed to instil fear. To return to the example of Biden's statement, he summarily labelled al-Qaeda members 'enemy combatants', which suggests that even if the public became more aware of the Guantánamo Bay prisoners, they would support their detainment due to national propaganda (The White House, 2021). High-ranking officials tend to frame the 'war on terror' as never-ending, which has enabled them to disfigure the public perception of these prisoners into 'unpeople', or something incomprehensibly inferior and 'other'-after all, it is easy to excuse torture when it's wielded against something entirely foreign (Bush, 2003; Chaudhuri, 2012, p.192).

Simultaneously, the Guantánamo Bay prisoners are portrayed to be a sort of quasi-population of infantilised dependants in need of external management; this is particularly evident in the force-feeding of hunger strikers, analogous to a parent's actions towards their picky eater (Wilcox, 2014, p.76). Indeed, a naval surgeon said of a hunger striker, 'He's refused to eat 148 consecutive meals. In my opinion, he's a spoiled brat, like a small child who stomps his feet when he doesn't get his way' (Smith, 2007, in Wilcox, 2014, p.75). This portrayal of the prisoners as precocious dependants anticipates the concern that the American public might become overly fearful of the Guantánamo prisoners, thereby giving away power to terrorist organisations (Wilcox, 2014, p.76). Instead, the public is told that the US is sufficiently capable to deal with the terrorist threat and is even benefitting the savage terrorists by reforming them, as Chaudhuri's postcolonial analysis of political torture supports (2012). At no point is any doubt about the prisoners' guilt introduced.

Thirdly, if the public overcomes these initial roadblocks to truth and maintain sympathy for the torture victims,

the US government has distanced the idea of the sovereign from torture in two ways (Wilcox, 2014, p.62). Firstly, geographical distancing allows for the torture to occur not on US soil but a plot of Cuban land leased by the government, which helps ensure prisoners are wholly unable to appeal their detainment. Secondly, multiple officials have furthered political distancing by claiming that the US is against the use of torture in investigations, instead using the phrase 'enhanced interrogations'; similarly, 'the technique of sleep deprivation [was] renamed "sleep management"' (Reyes, 2007, p.610; Wilcox, 2014, p.62). This allows the public to feel safe from being subjected to similar methods of torture, and serves as another tool to censor conceptions of political violence in Guantánamo Bay.

Conclusion

It is through these strategies that the US Government has sustained practices like wrongful imprisonment, use of torture, and theft of bodily autonomy in the Guantánamo humanitarian crisis. To justify their conduct in Guantánamo, the US exploited the use of insular anti-terrorist propaganda in support of an aggressive war on terror. However, the wrongfully imprisoned continue to comprise the spectre of 9/11; blighting the US' facade of disavowing the inhumane treatment of political prisoners, as agreed upon in the Geneva Convention. In turn, other member states should recognise that the war on terror is no excuse for adopting terrorist behaviour internally - instead, they must exercise their power to ensure the innocents detained at Guantánamo Bay are freed.

Bibliography

- Ackerman, S. (2015) 'Only three of 116 Guantánamo detainees were captured by US forces', *The Guardian*, 25 August. Available at: <https://www.theguardian.com/us-news/2015/aug/25/Guantánamo-detainees-captured-pakistan-afghanistan> (Accessed: 24 November 2024).
- Blair, D. (2009) 'Statement by the Director of National Intelligence Mr. Dennis C. Blair', 21 April. Available at: https://www.dni.gov/files/documents/Newsroom/Press%20Releases/2009%20Press%20Releases/20090421_release.pdf (Accessed: 20 January 2025).
- Bradbury, S. (2005) 'Re: Application of United States Obligations under Article 16 of the Convention Against Torture to Certain Techniques That May Be Used in the Interrogation of High Value al Qaeda Detainees', *US Department of Justice, Office of Legal Counsel*, 30 May. Available at: <https://www.justice.gov/sites/default/files/olc/legacy/2013/10/21/memo-bradbury2005.pdf> (Accessed: 24 November 2024).
- Bridge Initiative. (2020) 'Factsheet: The Human Cost of Guantánamo Bay Detention Camp'. Available at: <https://bridge.georgetown.edu/research/factsheet-the-human-cost-of-guantánamo-bay-detention-camp/> (Accessed: 20 January 2025).
- Bush, GW. (2003) 'Remarks by the President on Homeland Security', *Office of the Press Secretary*, 10 September. Available at: <http://georgewbush-whitehouse.archives.gov/news/releases/2003/09/20030910-6.html> (Accessed: 24 November 2024).
- Chaudhuri, S. (2012) 'Unpeople: Postcolonial reflections on terror, torture and detention in Children of Men', in S. Ponzanesi and M. Waller (eds) *Postcolonial Cinema Studies*. Routledge, pp.191-204.
- Finn, P, and Warrick, J. (2009) 'Detainee's Harsh Treatment Foiled No Plots,' *Washington Post*, 29 March. Available at: <http://www.washingtonpost.com/wp-dyn/content/article/2009/03/28/AR2009032802066.html> (Accessed: 24 November 2024).
- Frakt, D. (2013) 'Prisoners of Congress: The Constitutional and Political Clash Over Detainees and the Closure of Guantánamo', *University of Pittsburgh Law Review*, 74(2). Available at: <https://doi.org/10.5195/lawreview.2012.195>
- Glanz, J. (2004) 'The World; Torture Is Often a Temptation and Almost Never Works,' *The New York Times*, 9 May. Available at: <https://www.nytimes.com/2004/05/09/weekinreview/the-world-torture-is-often-a-temptation-and-almost-never-works.html> (Accessed: 24 November 2024).
- Huggins, M. (2012) 'STATE TORTURE: INTERVIEWING PERPETRATORS, DISCOVERING FACILITATORS, THEORIZING CROSS-NATIONALLY - PROPOSING "TORTURE 101"', *State Crime Journal*, 1(1). Available at: <https://www.jstor.org/stable/41917770>
- Human Rights First. (2018) 'Guantánamo by the Numbers'. Available at: <https://humanrightsfirst.org/library/Guantánamo-by-the-numbers/> (Accessed: 20 January 2025).
- Kahn, P. (2008) *Sacred Violence: Torture, Terror, and Sovereignty*. Ann Arbor: University Of Michigan Press.
- Rosenberg, C. (2020) 'The Growing Culture of Secrecy at Guantánamo Bay', *The New York Times*, 4 April. Available at: <https://www.nytimes.com/2020/04/04/us/politics/the-growing-culture-of-secrecy-at-guantanamo-bay.html> (Accessed: 20 January 2025).
- Reyes, H. (2007) 'The worst scars are in the mind: psychological torture', *International Review of the Red Cross*, 89(867), pp.591–617. Available at: <https://doi.org/10.1017/s1816383107001300>
- Savage, C. (2016) 'Obama sends plan to close Guantanamo to Congress', *The New York Times*, 23 February. Available at: <https://www.nytimes.com/2016/02/24/us/politics/obama-guantanamo-bay.html> (Accessed: 28 January 2025).
- Scarry, E. (1985) *The Body In Pain: The Making and Unmaking of the World*. New York: Oxford University Press.
- Scheppele, K. (2024) 'Law in a Time of Emergency: States of Exception and the Temptations of 9/11', *Journal of Constitutional Law*, 6(5). Available at: <https://ssrn.com/abstract=611884>
- Suskind, R. (2006) *The One-Percent Doctrine: Deep Inside America's Pursuit of its Enemies since 9/11*. New York: Simon and Schuster.
- The White House. (2021) 'Remarks by President Biden on the End of the War in Afghanistan', 31 August. Available at: <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/08/31/remarks-by-president-biden-on-the-end-of-the-war-in-afghanistan/> (Accessed: 24 November 2024).
- U.S. Department of Defense. (2025) 'Guantanamo Bay Detainee Transfer Announced'. Available at: <https://www.defense.gov/News/Releases/Release/Article/4022534/Guantanamo-bay-detainee-transfer-announced/> (Accessed: 20 January 2025).

Bibliography *continued*

U.S. Government Publishing Office. (2020) 'TORA BORA RE-VISITED: HOW WE FAILED TO GET BIN LADEN AND WHY IT MATTERS TODAY'. Available at: <https://www.govinfo.gov/content/pkg/CPRT-111SPRT53709/html/CPRT-111SPRT53709.htm>. (Accessed: 20 January 2025).

Vrij, A., Meissner, C., Fisher, R., Kassin, S., Morgan, C., and Kleinman, S. (2017) 'Psychological Perspectives on Interrogation,' *Perspectives on Psychological Science*, 12(6), pp. 927–955. Available at: <https://www.jstor.org/stable/48596960>

Ward, I. (2009) 'The stuff of nightmares' in *Law, Text, Terror*. Cambridge: Cambridge University Press, pp. 148–170.

Wilcox, L. (2014) 'Dying Is Not Permitted: Guantánamo Bay and the Liberal Subject of International Relations.', in *Bodies of Violence: Theorizing Embodied Subjects in International Relations*. New York: Oxford Studies in Gender and International Relations, pp. 49–79.

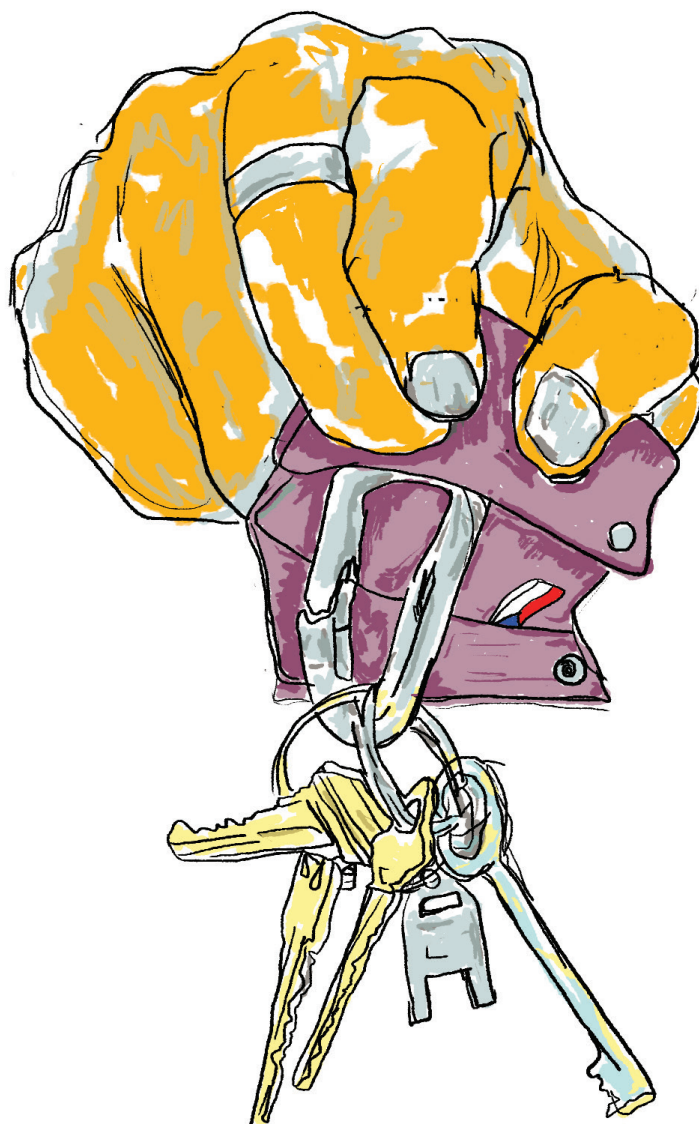
Worthington, A. (2009) 'A Truly Shocking Guantánamo Story: Judge Confirms That an Innocent Man Was Tortured to Make False Confessions', September 30. Available at: <https://www.andyworthington.co.uk/2009/09/30/a-truly-shocking-Guantánamo-story-judge-confirms-that-an-innocent-man-was-tortured-to-make-false-confessions/> (Accessed: 24 November 2024).

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WHY IS THE MODERN LEFT FAILING TO IMPROVE THE POSITION OF MARGINALISED GROUPS IN THE CZECH REPUBLIC?

by Jitka Burian

Illustration by Hrishitony Dutta



In 1989, the Velvet Revolution marked the start of a new era for the Czech Republic, characterised by a constant struggle to build independent statehood from the remains of centuries-long foreign dominion. After 35 years, the country still faces a wide range of challenges, including the construction of a democratic system which grants uniform protection to all interests, even the marginalised ones. Its contextual particularities

make the Czech Republic an essential case study for understanding how various factors influence the political struggle for social equality. This essay argues that the Czech Republic's Eastern Bloc history, the national preeminence of atheism, and homogenous demography all present significant obstacles to the contemporary leftist social progress strategies, leaving marginalised groups without a space where their voices

can be heard and respected. Specifically, women and LGBT+ communities suffer at the expense of the nation's Soviet heritage as well as its secular context, while migrants along with Roma people experience negative impacts of the lack of diversity.

The Persisting Soviet Legacy

Because the nation continues to view restrictions on individual freedoms justified in the name of greater social justice as a Soviet elite power-seeking tactic, many current equality-oriented policies are consequently discredited. The Communist Party of Czechoslovakia (KSČ) had been, since its rise to power in 1948, very active in adopting freedom-limiting measures formally justified by the promotion of socialism (Šimral, 2009, pp.78-80). For instance, oversight of platforms like the press, education, and media is regarded as a key tool in upholding socialist ideals in an 'ideological struggle' with foreign regimes. Minister R. Barak, of the government department concerned with these areas, stressed that 'press oversight is a political instrument and must work completely under the control and direction of the party' (1958, cited in Rendek, 2019). Moreover, many Czechoslovakian citizens were, in the name of combating the 'class enemy', prevented by the KSČ from pursuing certain forms of education and employment based solely on their class origin or their family's political associations (Pospíšilová, 2010, p.12). In reality, these restrictions on freedom did not lead as much to the spread of socialist sentiments as they did to the creation of the 'red bureaucrats' elite, cementing the Party's legal power (Evanson, 1985, p.255; Rendek, 2019).

In light of these historical considerations, the current Czech population places personal freedom above any other value (European Commission, 2021, p.6). Therefore, contemporary policies intervening with such freedom, even if in pursuit of a socially just objective, face extensive backlash. In the 2024 European Union (EU) Parliamentary elections, the two most successful Czech parties took strong stances against censorship under the EU regulations. The overall winning party, ANO, directly referenced this point by an allusion to the country's Eastern bloc past, stating they want to 'give the people in our country as well as in Europe

back the freedom which we imagined in 1989 and which, unfortunately, we are gradually losing again' (*Chceme lidem u nás i v rámci Evropy vrátit svobodu takovou, jakou jsme si představovali v roce 1989 a o kterou bohužel zase postupně přicházíme.*) (ANO, 2024, p.13). Analogous trends also appear in contemporary activism. For example, the majority of the Czech population disagreed with platforms that limited the availability of content deemed inappropriate during the rise of the Black Lives Matter (BLM) movement (Simar, 2020).

Similarly, the EU quota aimed at promoting gender equality within the workplace received widespread criticism, with both economists and politicians emphasising that women are capable of reaching important positions on their own (Cechl, 2024; Lánský, 2024). Such an adverse approach towards this freedom-restricting policy results in negative labelling of the very individuals whose interests the policy seeks to advance, i.e. women attempting to build up their career. Although the quota is not yet in full force, its portrayal in the media already centres around the language of capability. Many view the measure as undermining the 'fair' market within which people reach high positions based on merit, not some higher systematic interest (Fejtová, 2023, pp.43, 45). This depiction of equality measures as 'cheating' clauses is intensified when considering the KSČ's past exploitation of social equality as a guise for political patronage. Consequently, even if gender equality statistics improve, the extent to which this extends into practice is, at best, uncertain.

The Soviet legacy further affects voting preferences and thus the incentives for political actors. The aforementioned populist party ANO has enjoyed an overwhelming victory in the last regional elections and will likely repeat such triumph in the upcoming 2025 governmental elections (ČSÚ 2024; Mahdalová and Škop, 2024). Notably, this success has come after the party's recent EU Parliament affiliation with Hungary's Prime Minister Viktor Orbán, who has been very vocal about his illiberal stands (Patriots.eu, 2024; Štětka and Mihelj, 2024, p.11). Considering that such open disregard of LGBT+ rights has not acted as an obstacle to ANO's success amongst voters, it is not surprising that many politicians behave in a similar manner

without apparent concern about potentially losing the electorate's support. For instance, the Deputies' Chamber repeatedly refused the 'marriage for all' policy, even in light of the fact that since 2022, the number of queer people in the Czech Republic experiencing discrimination and violence grew by 7 percent (Milde, 2024). While queer activist groups actively try to engage in lobbying activities and have been able to expand their agenda due to foreign funding, the lack of motivation on behalf of domestic actors combined with medial backlash to more daring campaigns means that the materialised achievements remain greatly limited and unable to substitute the absence of re-election incentives (Sloboda, 2022, pp.293-295).

Markedly, the majority public opinion on LGBT+ within the Czech Republic is rather positive. However, the issue has not been highly politicised, in contrast to the topic of freedom restrictions examined above (Štětka and Mihelj, 2024, pp. 133-134). Politicians often rely on this disparity; for instance, ANO's leader Andrej Babiš openly refused to take a stand against Hungary's disputed 'anti-LGBT+ awariness' law and justified his inaction by placing emphasis on freedom of a democratically elected government over EU-set standards regarding minority rights (Beranová, 2021). The fact that the Czech electorate is amiable towards the LGBT+ community yet at the same time forgiving when it comes to infringements of the group's rights arguably suggests that the modern left has failed to sufficiently demonstrate why queer interests should be just as political as restrictions on majorital democratic freedoms. This ultimately leaves the playing field unevenly skewed in favour of the nation's Soviet heritage.

Secular Political Debate

Another intricacy to consider is that the Czech Republic's qualification as an atheist country makes combating political actors with discriminative objectives

an unusually complex challenge for leftist agendas (Sčítání, 2021). Within Czech political discourse, the Church and the 'folk' remain strictly separate, often even framed as in opposition to each other (Fila, 2019, pp.47, 60-63). The far-right thus finds itself unable to sway the public opinion solely by references to Church-linked dogmas as these appear to have no intrinsic value for the citizens' interests. Instead, far-right actors employ such doctrines in the pretence of seemingly secular arguments. For example, the conservative *Aliance pro rodinu* (Alliance for Family) published an article that scrutinised a proposed inclusion of LGBT+ topics into the Czech mandated curriculum, using historical and legal references as well as data analysis (Alipro, 2024). The piece also subtly frames the very existence of queer people as an ideological question; thus, they effectively mask a substantively doctrinal conclusion behind a complex inquiry. Such strategies arguably constitute one of the reasons why Czech opposition

“The Czech Republic’s overwhelming homogeneity, however, means most citizens do not regularly interact with people of other nationalities or ethnicities. Their judgement of such groups becomes dependent on sources rather than personal experience.”

to LGBT+ rights, as opposed to countries with stronger clerical tradition, lacks an openly aggressive character; consequently making justification of a more demanding leftist movement rather difficult (Sloboda, 2022, p.297). Notably, one of the most prominent successes of Czech LGBT+ activism has been the passing of the Registered Partnership Act in 2006 accomplished via willingness towards material compromises; on the other hand, attempting to drive a demanding 'all or nothing' bargain in the following years failed to further perpetuate legislative progress (Sloboda, pp.289, 294).

As Czech discriminatory groups avoid dogmatic argumentation, they often tend to apply a more sophisticated rhetoric. For instance, a civil group *Tradiční Rodina* (Traditional Family) explicitly states within their objectives they are not homophobic and they support 'independent women with equal rights', while at the same time implicitly positioning LGBT+ and feminist activism into a direct conflict with children's wellbeing and national interest (TR 2024). Resultantly, views of

these far-right actors often get underappreciated in severity, not giving rise to 'extremist' labels even where such labels would otherwise be due. This leads to a lack of formal safeguards, as in the case of Alliance for Family members cooperating so closely with the government that even several religious groups openly called it a breach of democratic principles (Petice, 2023). In consequence, women and the queer community become especially vulnerable, for far-right groups frequently lobby against equality policies concerned with private life, such as the ratification of the Istanbul Convention, an international treaty aimed at mitigating violence against women (Chytra, 2024). As these discriminatory sentiments make their way into the mainstream political discourse by lacking a prima facie radical nature, combating them poses a much more convoluted challenge than dealing with outlier doctrinal claims.

Homogeneity and Prejudice

Lastly, it is crucial to consider the nation's significant lack of ethnic and cultural diversity and its causal link to the population's vulnerability to fear-installing populist campaigns (Eurydice, 2023). According to Gordon Allport's contact hypothesis, frequent inter-group contact leads to improved relations between different demographics and lowers the likelihood of prejudice (Barni et al., 2020). The Czech Republic's overwhelming homogeneity, however, means most citizens do not regularly interact with people of other nationalities or ethnicities. Their judgement of such groups becomes dependent on sources rather than personal experience. Socially conservative political actors have exploited this, utilising international affairs to position minorities at the centre of complex societal issues. For instance, the Czech economy depends largely on Germany (Dražalová, Kábrt and Galuščák, 2023). Czech media frequently capitalises on this rather one-sidedly reliant relationship by prioritising fear, specifically in its portrayal of the migration issue ever since the start of the 2015 European migrant crisis. Recent headlines on iDnes, the most visited domestic news website (NetMonitor, 2024), include 'One Syrian family, 110 crimes. Migrant criminality moves Germany' (Sládek, 2024a) or 'Two-thirds of state benefits go to migrants, yet they do not even account for thirty percent of the

German population' (Sládek, 2024b). Such coverage not only initiates fear of Germany's possible economic collapse, an event most probably to be followed by catastrophic consequences for the Czech Republic, but also gives the readers a considerably negative picture of migrants, further reinforcing their marginalisation.

Consequently, a pattern of perceiving migrants as a threat to the citizens' welfare and safety emerges (Štětka and Mihelj, 2024, p.123). It can distinctly be identified within both the objectives of protests against Ukrainian refugees and a campaign launched by a far-right SPD Party (*Svoboda a přímá demokracie*) that saw posters depicting a black man covered in blood and holding a knife, accompanied by the title 'Imported surgeons will not solve the shortcomings in the health sector - stop the EU migration pact' (Danda, 2024). The impacts of such perception extend materially into migrants' everyday lives; Ukrainian refugees, for example, are commonly subjected to both verbal and physical discrimination (Amnesty International, 2023). So far, the left has failed to launch a sufficient counter narrative. Within the 2024 EU Parliamentary elections, even most of the progressive parties avoided supporting openly pro-migration programmes to gather wider voter support, backing international aid rather than an inter-border one (Programy do voleb, 2024). Certain organisations, such as the Association for Integration and Migration (SIMI), seek to improve the situation. However, SIMI's budget allocation illustrates that while receiving a considerable number of donations, the resulting sums available to such actors are merely sufficient to cover the most pressing issues linked to migrants' livelihood, with little resources left for awareness raising projects (SIMI, 2023, pp.5-6,8-13). Since institutional donors substitute the majority of the funding (p. 14), increased governmental focus on inter-border aid seems essential for enabling population-wide incentives. Notably, Czech citizens' engagement with digital news has been linked to more liberal stands towards migration (Štětka and Mihelj, 2024, p.143), suggesting online platforms to be a possibly useful and relatively inexpensive tool for leftist movements to utilise in altering the electorate's and thus also the executive's sentiments. Nevertheless, neither SIMI nor other major organisations, including for example OPU (Organizace pro pomoc uprchlíkům) or CIC (Centrum pro integraci cizinců), employ this strategy

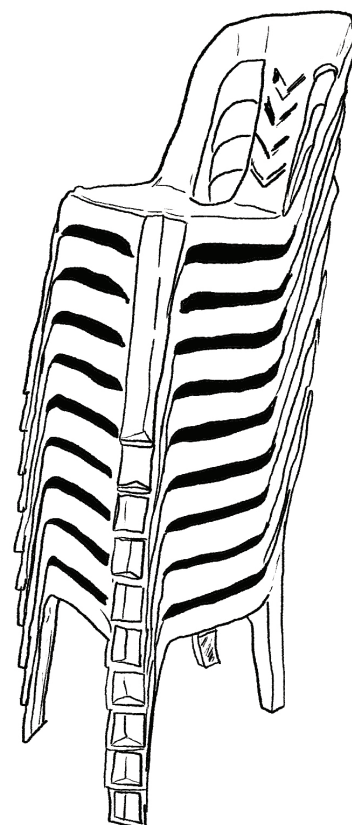
on a significant scale (OPU, 2024) (CIC, 2024).

Another group impacted by Czech homogeneity are the Romani people. After being forced to stop travelling under the Communist regime and receiving little assistance with societal integration, a socio-economic segregation emerged which persists today, as seen in the systematic isolation of Romani children within education (Amnesty International, 2023). Media portrayal continues its fear-dominant strategy by focusing mostly on welfare and criminal matters about the Romani community (Ryšavý, 2023). For instance, iDnes has recently published an article titled ‘The Romani people show up with bags and then immediately sell’. Foresters are worried about buckthorn thieves’ (Křivohlavý, 2024). A headline from novinky.cz likewise reads ‘Romani men blackmailed a bar operator with a made-up story. They came for the money thirty times’ (Mrázová, 2024). Leftist politicians, with a similar approach, aim for majority votes rather than dedicating their platform to minorities’ struggles. Local activism, too, fails at supplementing the lack of direct integration, particularly due to the employment of Western-centred action models. Romea’s project SafeNet serves as a great example since it targets online hate speech (Romea, no date), a strategy ineffective within the Czech context for reasons relating to freedom restrictions examined within the first argument of this text. While the left stays silent, or at best applies strategies not well suited for the nation’s specific circumstances, the media’s negative and fear-centred depictions of Romani people and migrants continue to inform public perceptions, thus reinforcing their segregation from society.

Conclusion

Upon detailed examination, it becomes clear that the Czech Republic’s history continues to prejudice the country’s public sphere, along with implications of atheism and homogeneity, making the political playing field uneven at the expense of marginalised groups’ well-being. Thus far, the modern left has been unable to adjust its strategies accordingly, responding to domestic particularities by either partially abandoning unpopular objectives or applying schemes incompatible with predominant national sentiments. As long as it

continues with such disregarding approaches, Czech marginalised groups are likely to remain within the democratically grey systematic realm, silenced in their oppression by mainstream demands and priorities.



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Bibliography

Aktuální projekty. (2024) *CIC - centrum pro integraci cizinců*. Available at: <https://www.cicops.cz/cz/o-nas/55-projekty/aktualni-projekty> (Accessed: 18 December 2024).

ALIPRO. (2024) 'Zpětná vazba k revizím RVP. Co vadí respondentům, zejména z řad rodičů?', 3 October. Available at: <https://alipro.cz/zpetna-vazba-k-revizim-rvp-co-vadi-respondentum-ze-jmena-z-rad-rodicu/> (Accessed: 13 October 2024).

Amnesty International. (2023) *Czech Republic: Human Rights Report 2023*. Available at: <https://www.amnesty.org/en/location/europe-and-central-asia/western-central-and-south-eastern-europe/czech-republic/report-czech-republic/> (Accessed: 10 October 2024)

ANO 201 I. (2024) *Česko pro tebe všechno*. Available at <https://www.anobudeliz.cz/file/edee/2024/cesko-pro-tebe-vsecko.pdf> (Accessed: 12 October 2024).

Association for Integration and Migration. (2023) *Annual Report 2023*. Available at: https://www.migrace.com/docs/240701_a4_vz_2023_eng.pdf (Accessed: 18 December 2024).

Barni, D, Cavazza, N., Russo, S., Vieno, A., Roccatò, M. (2020) 'Intergroup contact and prejudice toward immigrants: A multinational, multilevel test of the moderating role of individual conservative values and cultural embeddedness', *International Journal of Intercultural Relations*, 75, pp. 106–117. Available at: <https://doi.org/10.1016/j.ijintrel.2020.02.004>

Beranová, K. (2021) 'Babiš se k výzvě lídrů EU na Podporu Sexuálních Menšin Nepřidá. Nevím, proč bych to dělal, říká', *Novinky.cz*, 8 July. Available at: <https://www.novinky.cz/clanek/domaci-babis-se-k-vyzve-lidru-eu-na-podporu-sexualnich-mensin-neprida-nevim-proc-bych-to-delal-rika-40365693> (Accessed: 19 December 2024).

Cechl, P. (2024) 'Kvóty na zastoupení žen? Radši řešte uplatnění pro matky, zní z firem', *Novinky.cz*, 7 February. Available at: <https://www.novinky.cz/clanek/ekonomika-kvoty-na-zastoupeni-zen-radsi-reste-uplatneni-pro-matky-zni-z-firem-40459814> (Accessed: 14 October 2024).

Chytrá, Z. (2024) 'Výzva „Senátoři, Zamítněte Ratifikaci Istanbulské úmluvy!“, *Tradiční rodina z.s.*, 23 January. Available at: <https://tradicni-rodina.cz/kampane/vyzva-senatori-zamitnete-ratifikaci-istanbulske-umluvy/> (Accessed: 15 October 2024).

ČSÚ. (2024) *Volby do zastupitelstev krajů konané 20.9. – 21.9.2024*. Available at: <https://www.volby.cz/app/kz2024/cs/home> (Accessed: 19 December 2024).

Danda, O. (2024) 'SPD se absurdně brání, že za její nenávistnou kampaň může vláda', *Novinky.cz*, 8 September. Available at: <https://www.novinky.cz/clanek/domaci-spd-se-absurdne-brani-ze-za-její-nenavistnou-kampan-muze-vlada-40487135> (Accessed: 13 October 2024).

Dražalová, A., Kábrt, M. and Galuščák, K. (2023) *The dependence of Czech exports on Germany*, CNB - Czech National Bank. Available at: <https://www.cnb.cz/en/monetary-policy/monetary-policy-reports/boxes-and-articles/The-dependence-of-Czech-exports-on-Germany/> (Accessed: 19 December 2024).

European Commission. (2021) *Values and Identities of EU citizens*. Luxembourg: Publications Office of the European Union.

Eurydice. (2023) 'Population: demographic situation, languages and religions', 14 November. Available at: <https://eurydice.eacea.ec.europa.eu/national-education-systems/czechia/population-demographic-situation-languages-and-religions#:~:text=In%20the%20Census%202021%2C%2083.8,the%20most%20frequently%20declared%20nationalities> (Accessed: 12 October 2024).

Evanson, R. (1985) 'Regime and working class in Czechoslovakia 1948–1968', *Soviet Studies*, 37(2), pp. 248–268. Available at: <https://doi.org/10.1080/09668138508411581>

Evropské Volby. (2024) *programydovoleb.cz*. Available at: <https://programydovoleb.cz/volby/evropske-volby/161> (Accessed: 12 October 2024).

Fejtová, K. (2023) *Problematika genderových kvót na českém pracovním trhu*. Bc thesis. Vysoká škola ekonomická v Praze. Available at: https://vskp.vse.cz/english/90254_the-problematics-of-gender-quotas-on-the-czech-labor-market?page=17 (Accessed 18 December 2024).

Fila, F. (2019) *Contemporary Public Debate on Religion: Parliamentary Debate on Church Property Restitution and its Taxation in the Czech Republic*. Master's Thesis. Charles University Available at: <https://dspace.cuni.cz/bitstream/handle/20.500.11956/119892/120334039.pdf?sequence=1&isAllowed=y> (Accessed 18 December 2024).

Křivohlavý, P. (2024) 'Romové naběhnou s Pytlí a Pak hned prodávají', *Lesníky Trápí Zloději Bukvic*, *iDNES.cz*, 8 November. Available at:

https://www.idnes.cz/usti/zpravy/litvinov-lesy-cr-bukvice-sber-ne-legalni-prodej.A241107_143232_usti-zpravy_grr (Accessed: 18 December 2024). Morochovičová, E. (2020).

Lánský, T. (2024) 'Kvóty žen do vedení? Hloupost EU, míní firmy. Hrozí však až milionové pokuty', *iDNES.cz*, 18 August. Available at: https://www.idnes.cz/zpravy/domaci/kvoty-zeny-firmy-pokuty-eu-vedeni.A240816_204855_domaci_stud (Accessed: 13 October 2024).

Mahdalová, K. and Škop, M. (2024) 'Unikátní volební model Seznam Zpráv. Kdo vyhraje sněmovní volby', *Seznam Zprávy*, 17 September. Available at: <https://www.seznamzpravy.cz/clanek/volby-do-poslanecke-snemovny-unikatni-model-kdo-vyhraje-snemovni-volby-210722> (Accessed: 20 October 2024).

Milde, F. (2024) 'Nový průzkum: Alarmující nárůst diskriminace vůči LGBT+ lidem v ČR a nízká důvěra v politickou reprezentaci', *jsmefer.cz*, 12 October. Available at: https://www.jsmefer.cz/pruzkum_znate_sva_prava (Accessed: 15 October 2024).

Mrázová, K. (2024) 'Romové Vydírali Provozovatele Baru Smyšlelou historkou. pro Peníze Přišli Třicetkrát', *Novinky.cz*, 30 June. Available at: <https://www.novinky.cz/clanek/krimi-romove-vydirali-provozovatele-baru-smyslenou-historkou-pro-penize-prisli-tricetkrat-40482146> (Accessed: 19 December 2024).

Patriots.eu. (2024) *Patriots.eu welcomes four new member parties*. Available at: <https://patriots.eu/home/fi/patriotseu-welcomes-four-new-member-parties> (Accessed: 19 December 2024).

Petice. (2023) 'Výzva k odvolání Aliance pro Rodinu ze struktur státu'. Available at: https://www.petice.com/vyzva_k_odvolani_aliance_pro_rodinu_ze_struktur_statu (Accessed: 15 October 2024).

Pospíšilová, L. (2010) *Události let 1948-1989 ve vzpomínkách pamětníků*. PhD thesis. Masarykovy University. Available at: <https://is.muni.cz/th/h0zjj/> (Accessed 25 November 2024).

Projekty. (2024) *OPU.cz*. Available at: <https://www.opu.cz/projekty/> (Accessed: 19 December 2024).

Rendek, P. (2019) '(DIS)Information War against its own people. A brief look at Czechoslovak history', *Minulost.cz*, 13 December. Available at: <https://www.minulost.cz/?q=en%2Fdisinformation-war-against-its-own-people-brief-look-czechoslovak-history> (Accessed: 11 October 2024).

Romea. (no date) *SafeNet: Bezpečné on-line prostředí*. Available at: <https://www.sdruzeniromea.cz/index.php/co-delame/safen-et-bezpecne-on-line-prostredi> (Accessed: 10 October 2024).

Ryšavý, Z. (2023) 'Romani people face discrimination and negative media portrayal in Czechia', *Balkan Insight*, 1 November. Available at: <https://balkaninsight.com/2023/11/01/romani-people-face-discrimination-and-negative-media-portrayal-in-czechia/> (Accessed: 15 October 2024).

Sčítání. (2021) *Náboženská víra*. Available at: <https://scitani.gov.cz/nabozenska-vira> (Accessed: 14 October 2024).

Simar. (2020) *Internetová Češi o Black Lives Matter: Čtvrtina označuje aktuální situaci za příliš vyhrčenou*. Available at: <https://simar.cz/cerstve-namleto/internetovi-cesi-o-black-lives-matter-ctvrtina-oznacuje-aktualni-situaci-za-prilis-vyhrocenou.html> (Accessed: 13 October 2024).

Sládek, J. (2024a) 'Dvě třetiny dávek jdou migrantům, v Německu jich přitom není ani třicet procent', *iDNES.cz*, 3 April. Available at: https://www.idnes.cz/zpravy/zahranicni/migranti-nemecko-pracovni-trh-davky.A240402_181521_zahranicni_kori (Accessed: 11 October 2024).

Sládek, J. (2024b) 'Jedna syrská rodina, 110 zločinů. Kriminalita migrantů hýbe Německem', *iDNES.cz*, 7 August. Available at: https://www.idnes.cz/zpravy/zahranicni/nemecko-migrace-kriminalita-syrie-zlocin.A240806_190634_zahranicni_stud (Accessed: 11 October 2024).

Sloboda, Z. (2021) 'Development and (re)organisation of the Czech LGBT+ movement (1989–2021)', *East European Politics*, 38(2), pp. 281–302. Available at: <https://doi.org/10.1080/21599165.2021.2015686>

Šimral, V. (2009) *Kings, Knights and Pawns: Power Struggles in Czechoslovakia 1948-1989*. Master's thesis. Masarykovy University. Available at: <https://is.muni.cz/th/oqm1i/Rigo.pdf> (Accessed 18 December 2024).

Štetka, V. and Mihelj, S. (2024) *The Illiberal Public Sphere: Media in polarized societies*. Cham: Palgrave Macmillan.

Tradiční Rodina, Z. (2024) *Tradiční rodina z.s.* Available at: <https://tradicni-rodina.cz/> (Accessed: 18 December 2024).

PENINSULA DIVIDED: THE HUMAN COST OF FAMILY SEPARATION IN KOREA'S DIVISION

by Adrian Chung

Illustration by Lydia Kempton



'Even animals get to be with their families, yet I have been separated from mine for over 70 years. My tears have dried, but my desire to see my family remains. How can I bear leaving my wife and child behind in North Korea?' asked Hyun Joon Lee, a victim of Korea's separation, just months before his passing in 2020. (Lee and Lee, 2020).

For over half a century, inter-Korean relations have been dominated by power struggles, reflected in missile tests and military conflicts. While most literature on this topic centres on geopolitical dynamics, it often overlooks the human toll and the deep, structural violence inflicted on separated families. A shift towards a more human-centred perspective on the Korean division is urgently needed, one that weighs the personal costs alongside political ones. The significant influence of inter-Korean relations on family reunification efforts is exemplified by improved relations, such as those fostered by the 1998 Sunshine Policy, which brought new opportunities for family reunions. Accordingly, this essay highlights the often overlooked yet essential dimension of inter-Korean relations, by focusing on the lived experiences of the separated families, with the basic human right of family unity denied according to the Universal Declaration of Human Rights Article 16 (UN General Assembly, 1948). Addressing this human cost is crucial to achieve peace in the Korean Peninsula.

Background of the Korean Peninsula

The historical and political context of the inter-Korean conflict, rooted in the division of the Korean Peninsula after World War II and the subsequent Korean War is critical in understanding how it manifests itself today. Korea was an independent and unified nation before Japan's annexation and colonisation in 1910. The once independent nation was reduced to a mere frontier province of the Japanese empire and served as a foothold for future invasions into the continent (Ku, 2021). After the Japanese surrender in 1945, the Moscow conference was held and a five year trusteeship for Korea was decided by the United States, the Soviet Union and Britain. The Korean peninsula was split along the 38th parallel into Soviet and American zones of occupation with two rival and ideologically opposed governments (Ku, 2021). The Soviet-

controlled Northern side became the Democratic People's Republic of Korea, or North Korea, while the American-controlled Southern side became the Republic of Korea, or South Korea. The desire to unify the Korean Peninsula eventually led to the Korean War in 1950, displacing and detaching innumerable families on both sides of the perimeter (Foley, 2001). Despite the signing of the Korean Armistice Agreement in 1953, the president of South Korea, President Syngman Rye, opposed the agreement and never signed it (Levie, 1993). The Korean Peninsula technically remained at war for decades without a peace agreement, leaving many unable to reunite with loved ones and deepening the emotional scars caused by decades of separation.

Despite the collapse of the Berlin Wall in 1989 and the dissolution of the Soviet Union in 1991— both emblematic of the decline of global ideological divisions— the ideological division in the Korean Peninsula persisted. The North remained Socialist and Anti-Imperialist, while the South developed into a democratic and capitalist nation, reflecting the enduring legacy of the Cold War in the region. The Demilitarised Zone (DMZ) remains a striking reminder of Korean separation, with at least ten million Koreans affected by the division of barbed wire and landmines (Brady, 2008). The loss of family ties remains an unremitting source of anxiety and distress for many, exacerbated by the difficulty of establishing contact with loved ones in the North through official and secure channels (Office of the United Nations High Commissioner for Human Rights, 2016). Park (2009) emphasised the need for peacebuilding to ensure peace and prosperity in the region and beyond, creating an environment for family reunification. Separated families are unable to reach each other from the other side, which inflicts an immense emotional toll on them.

Following the 30th anniversary of the Korean War ceasefire in 1983, the Korean Broadcasting System (KBS) created and aired a special live broadcast titled 'Finding Dispersed Families.' Initially planned as a 95-minute broadcast, the overwhelming positive response in finding loved ones on the other side of the Peninsula, led to its extension to a total of 453 hours over 138 days. In 2015, the United Nations Educational, Scientific and Cultural Organization (UNESCO) recognised the programme's impact by including it in

the Memory of the World Register. KBS noted that it 'raised widespread recognition in Korea and around the world of the deep scars that the Cold War had left on individuals' (KBS, n.d.). The programme has shown how the prolonged separation of families can be a form of emotional cruelty and invisible intergenerational violence, as the fundamental right to family reunification is denied.

Family Voices

To fully understand the human cost of the inter-Korean conflict, it is important to acknowledge the profound burden and mental weight that separation has inflicted on individuals and families. The Office of the United Nations High Commissioner for Human Rights (2016) highlights several accounts of separated families and illustrates the long-term impacts of Korea's division. One account involves a woman, Ms Kim Keum-ok, who mentioned that:

The only record I have for my son and three daughters is a section in the family history book that includes a description of what is inherited. I recall the exact location of our farm and I believe there is an address book of North Korea at the Seoul National Library that could be used to cross-check it; that is all I could do (OHCHR, 2016, p.12).

Another man, Mr Kim Gu-Hyun recalled a policy to disperse villages where members of the same extended family lived: 'there were more than 100 households in my hometown with the family name Kim, and they were all dispersed. I had to leave' (OHCHR, 2016, p.18). The report estimates that up to five million Koreans relocated to either the North or the South during the war, leaving their families behind, while as many as one hundred thousand were forcibly disappeared. Fewer than two thousand people could obtain information on their lost relatives or meet them in person as of October 2015 (OHCHR, 2016). Crucially, these stories are only the tip of the iceberg as interviews can only be conducted in South Korea. Many North Koreans remained silenced due to strict controls in communication. Consequently, numerous personal narratives, deeply marked by emotional scars and the lingering hope for reconciliation, remain unheard. This highlights the ongoing psychological and social impact of

Korea's division, with much of the suffering concealed.

Issues of Divided Families First Addressed

The North-South Korea Red Cross Talks in 1971 marked a significant turning point in post-war inter-Korean relations, which ostensibly addressed what Foley (2021) referred to as the 'humanitarian' issue of 'family separation among Koreans' (Foley, 2021, p.383). The 4 July South-North Joint Communiqué was signed in 1972, representing the first agreement ever made between North Korea and South Korea since the beginning of their division. The two Koreas agreed to 'seek reunification of the divided country' (Nam, 1975, p.477). The 'Divided Family Reunions' programme was introduced with the promise of solving or even ending family separation (Foley, 2021). The first reunion of divided family members occurred in 1985, when 50 South Koreans went to Pyongyang while 50 North Koreans travelled to Seoul. While these reunions briefly reunited family members after decades apart, they were ultimately separated again. Foley underlined that interpersonal and communal concerns are placed secondary to what is perceived as state security and stressed the need for a mechanism to ensure continued contact (2021). Suh explains that the issue of separated families will always be challenging, as both sides have conflicting priorities: the North prioritises political stability, while the South focuses more on humanitarian aspects (2002). Family reunions allow information from the South to flow into the North, which Pyongyang fears may endanger the political stability of the regime.

Sunshine Policy: Efforts for Family Reunification

The turn of the twenty-first century marked a gradual improvement in relations between the two countries. In 2000, President Kim Dae-Jung became the first South Korean president to visit North Korea, attending the first-ever inter-Korean summit since the Korean War. This historic summit took place in Pyongyang from 13 to 15 June, where President Kim met with North Korea's Supreme Leader, Kim Jong-il (Levin and

Han, 2002). Under President Kim's leadership, South Korea adopted the Sunshine Policy towards North Korea from 1998 to 2008, aiming to pursue a more peaceful relationship with North Korea and reduce its international isolation of its neighbour (Levin and Han, 2002). President Kim was also awarded the Nobel Peace Prize in 2000 for his work on democracy and human rights in South Korea and East Asia, particularly for attempting peace and reconciliation with North Korea (The Nobel Prize Organisation, 2000). The Sunshine Policy significantly improved the efforts to reunite families that had been separated.

The Sunshine Policy was based on three basic principles: zero tolerance towards North Korean armed provocations, no South Korean efforts to undermine or unify the North, and active attempts by South Korea to promote reconciliation and cooperation on the Korean Peninsula (Levin and Han, 2002). This policy led to the establishment of the Kaesong Industrial Region, where South Korean firms could employ labour from North Korea, creating a win-win situation for both countries and establishing economic ties. Additionally, the Red Cross facilitated efforts to re-establish family links between the divided countries. Occasional family reunions for displaced individuals during the implementation of the Sunshine Policy. However, only a small fraction of eligible individuals were given this opportunity. Approximately 130,000 individuals in the South have registered for dispersed family reunions since 1953, yet only 2,325 families have been reunited since the Inter-Korean Summit in 2000 (OHCHR, 2016). Nevertheless, the Sunshine Policy still played a pivotal role in strengthening bonds among divided families, offering them hope and opportunity for a reunion and fostering a broader dialogue about reconciliation and healing.

Geopolitical Challenges

The geopolitical tensions between North Korea and South Korea are not merely matters of political discourse; they dictate the success and frequency of family reunion efforts, and shape the very fabric of human lives on both sides of the divide.

The geopolitical tensions between North Korea and South Korea are not merely matters of political discourse; they dictate the success and frequency of family reunion efforts, and shape the very fabric of human lives on both sides of the divide. According to Lee, family reunion efforts were hampered by the deterioration of inter-Korean relations following the rise to power of conservative President Lee Myung-bak in 2008, after a decade of progressive liberal rule in South Korea (2023). President Lee approached inter-Korean relations from a pragmatic economic standpoint, focusing on a market-oriented perspective, increased nuclear threat from the North, and a shift in public opinion against unconditional economic support to Pyongyang, leading to the discontinuation of the Sunshine Policy and hostile relations (Park, 2008). The securitisation of North Korea by the South involved a strict linkage between the military security concerns of the nuclear programme and inter-Korean relations, which also encompassed several other aspects apart from security, such as economic and cultural cooperation (Milani, 2018). After 2008, family reunion efforts were further curtailed due to the decline in inter-Korean relations. The year 2010 was particularly tumultuous, marked by significant events such as the sinking of the South Korean Navy vessel Cheonan – attributed to a North Korean torpedo attack – and the bombing of Yeonpyeong Island by North Korean forces (Lee, 2023). These incidents escalated North-South Korea tensions and stalled reconciliation efforts. In a bid to facilitate family reunions amidst strained relations in light of these events, the North requested rice and fertiliser from the South. However, hopes for the continuation of the reunion programme were ultimately dashed in light of escalating tensions and political deadlock (Bagherzadeh, 2014).

The destruction of the Inter-Korean Liaison Office in June 2020 marked another low point in relations. Consequently, Pyongyang's nuclear and missile programme has been a central source of regional tension.

In the current global political climate – characterised by intense China-US competition, ongoing conflicts, and economic uncertainty – the prospects for regular and successful family reunions remain uncertain. The voices of separated families have been further marginalised and suppressed by the geopolitical priorities of both governments. Urgent issues such as nuclear negotiations and military competition between the two nations, and the economic sanctions imposed on North Korea by the international community have overshadowed the humanitarian crisis of family divisions.

Another complicating factor is that family reunion programmes are often used as bargaining chips in negotiations, exploiting humanitarian issues for political gain. These programmes should represent an opportunity for inter-Korean exchange and peace efforts, rather than serving as a means to an end. To address this, the Office of the United Nations High Commissioner for Human Rights (2016) proposed a framework for family reunions based on human rights obligations from international humanitarian law and agreements. Importantly, this framework places human rights and victim experiences at the heart of the decision-making process, positioning individuals as active participants rather than passive beneficiaries. Additionally, it calls for both governments to address the discriminatory procedures and power imbalances that perpetuate the involuntary separation of families in both nations. Milani highlighted the importance of broadening the current security concept to include human security, treating it as equal to state security (2018). With this in mind, Milani further asserts that the two Koreas should aim to manage their relations cooperatively to reduce tensions, foster mutual trust, and promote national reconciliation through interactions and cooperation in non-political fields like family reunions and cultural exchanges (2018).

Conclusion

Today, countless families remain separated across the border; unable to meet their loved ones on the other side. For too long, the interpersonal, familial and community consequences of the Korean conflict have been overlooked. The division of Korea is not merely a political, economic, or military issue; it is also

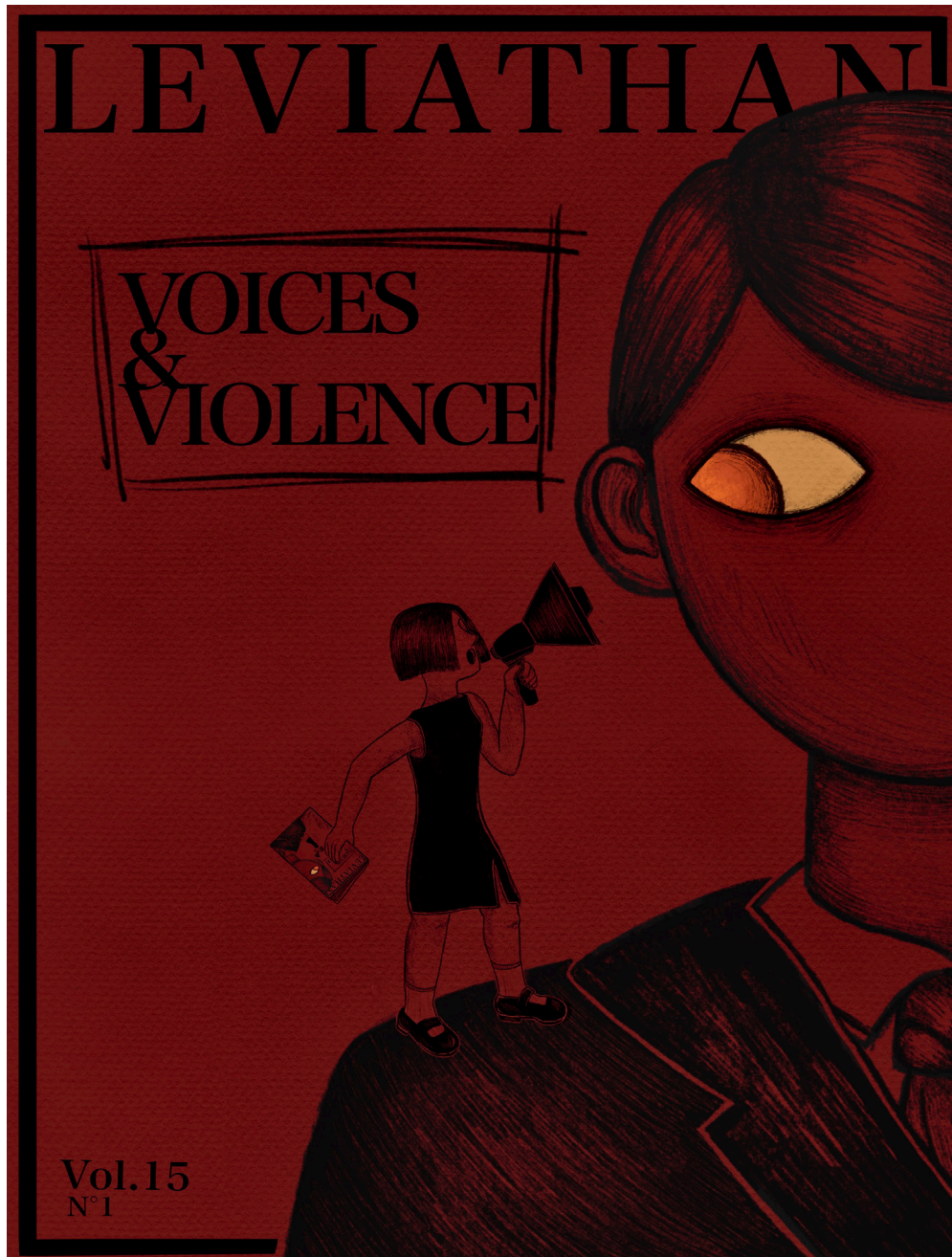
a profoundly personal one. Every story of a separated family – Ms Kim locating her family home and Mr Kim leaving his village due to forced dispersion – serves as a critical reminder of the overlooked human cost of geopolitical tensions. These voices must be central to political discourse and policy advocacy, shifting the focus to the importance of humanitarian connections. The physical and psychological violence of separation has been ignored for decades, yet reclaiming these stories can powerfully advance the movement for family reunification. Amplifying these voices is essential for building a vision of a peaceful, stable, and prosperous Korean Peninsula.

Bibliography

- Bagherzadeh, N. (2014) 'Inter-Korean Family Reunions', *International Relations of Northeast Asia*, City University of Hong Kong. Available at: <http://lbms03.cityu.edu.hk/oaps/ais2014-5045-bna911.pdf> (Accessed: 15 October 2024)
- Brady, L. (2008) 'Life in the DMZ: Turning a Diplomatic Failure into an Environmental Success', *Diplomatic History*, 32(4), pp.585-611. Available at: <https://doi.org/10.1111/j.1467-7709.2008.00714.x>
- Foley, J. (2001) 'Ten Million Families: Statistic or Metaphor?', *Korean Studies*, 25(1), pp.96-110. Available at: <https://doi.org/10.2307/23719473>
- Foley, J. (2021) 'Korea's First-Generation Divided Families: the End of the Line?' *World Affairs*, 184(3), pp.381-401. Available at: <https://doi.org/10.1177/00438200211024746>
- Korean Broadcasting System. (n.d.) 'Finding Dispersed Families.' Available at: <http://english.kbsarchive.com/#:~:text=%E2%80%9CFinding%20Dispersed%20Families%E2%80%9D%20raised%20widespread%20recognition%20in%20Korea%20and%20around,took%20place%20in%20September%201985> (Accessed: 15 October 2024)
- Ku, D. (2021) *Korea 1905-1945: From Japanese Colonialism to Liberation and Independence*. Amsterdam: Amsterdam University Press, pp.73-105. Available at: <https://doi.org/10.1017/9781912961221>
- Lee, E. and Lee, P. (2020) '70 Years of Separation: The Families Who Remain Divided by the Korean War', *The Diplomat*, 25 June. Available at: <https://thediplomat.com/2020/06/70-years-of-separation-the-families-who-remain-divided-by-the-korean-war/> (Accessed: 15 October 2024)
- Levin, N. and Han, Y. (2002) 'The Sunshine Policy: Principles and Main Activities.' in *Sunshine in Korea: The South Korean Debate over Policies Toward North Korea*. Santa Monica, CA: RAND Corporation, pp.23-32.
- Milani, M. (2018) 'Securitizing Cooperation: Nuclear Politics and Inter-Korean Relations', *North Korean Review*, 14(1), pp.11-29. Available at: <https://www.jstor.org/stable/26396131>
- Nam, K. (1975) 'North-South Korean Relations: From Dialogue to Confrontation', *Pacific Affairs*, 48(4), pp.477-499. Available at: <https://www.jstor.org/stable/2756448>
- Office of the High Commissioner for Human Rights. (2016) *Torn Apart the Human Rights Dimension of the Involuntary Separation of Korean Families*. Office of the High Commissioner for Human Rights. Available at: https://www.ohchr.org/sites/default/files/Documents/Publications/Report_TORN_APART.pdf (Accessed: 15 October 2024)
- Park, J. (2008) 'Lee Myung-Bak Administration's North Korea Policy: Challenges and Tasks', *The Journal of East Asian Affairs*, 22(2), pp.39-61. Available at: <https://www.jstor.org/stable/23257896>
- Park, K. (2009) 'Preparing for a Peace Process in the Korean Peninsula', *Asian Perspective*, 33(3), pp.183-207. Available at: <https://www.jstor.org/stable/42704686>
- Suh, J. (2002) 'The Reunion of Separated Families under the Kim Dae-Jung Government', *The Journal of East Asian Affairs*, 16(2), pp.352-384. Available at: <https://www.jstor.org/stable/23257253>
- The Nobel Prize Organisation. (2000) *The Nobel Peace Prize 2000*. Available at: <https://www.nobelprize.org/prizes/peace/2000/dae-jung/facts/> (Accessed: 20 November 2024)
- UN General Assembly. (1948) *Universal declaration of human rights (217 [III] A)*. United Nations. Available at: <https://documents.un.org/doc/resolution/gen/nr0/043/88/pdf/nr004388.pdf> (Accessed: 19 November 2024)

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Voices & Violence



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Concluding Remarks

Stay Tuned for Tipping Point, coming Spring 2025

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