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*Edited by Jill Steans and Daniela Tepe-Belfrage*

# Handbook on Gender in World Politics

*Edited by*

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INTERNATIONAL HANDBOOKS ON GENDER

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- Women's Coalition for Gender Justice (2009) *Amicus Curiae Observations of the Women's Initiatives for Gender Justice Pursuant to Rule 103 of the Rules of Procedure and Evidence Situation in the Case of the Prosecutor v. Jean-Pierre Bemba Gombo* (Vol. ICC, 31 July), International Criminal Court.
- Wood, Elisabeth J. (2009) 'Armed groups and sexual violence: when is wartime rape rare?', *Politics and Society*, 3 (7), 131–162.

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21. "With all the respect due to their sex":  
gender and international humanitarian  
law

*Helen M. Kinsella*

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International humanitarian law is the body of law that governs the use of force in situations of armed conflict. It does so primarily in two ways. One, it regulates the means (arms, for example chemical weapons) and methods (attacks on enemies, for example bombings) of war. And, two, it protects individuals who are not participating in armed conflict (for example civilians) and individuals who are no longer participating in conflict (for example prisoners of war). Currently, the rules and regulations of international humanitarian law are found in its primary treaties, the 1949 Geneva Conventions I–IV and the 1977 Additional Protocols I–II, as well as the conventions restricting or prohibiting the use of certain weapons such as the 1980 Convention on Certain Conventional Weapons and its four protocols. These treaties refer to and build upon previous treaties, such as the 1899 Hague Conventions, and are supplemented by customary law and the rulings of international tribunals and international courts, such as the International Criminal Tribunal for the Former Yugoslavia, the International Criminal Tribunal for Rwanda, the International Court of Justice and the International Criminal Court.

Although I refer to it as international humanitarian law this nomenclature is relatively recent. The International Committee of the Red Cross (ICRC) promulgated the term international humanitarian law, as opposed to the laws of war, after the 1928 Kellogg–Briand Pact and the 1945 United Nations Charter respectively outlawed war or limited resort to force. It was in the 1950s and 1960s that the director-general of the ICRC, Jean Pictet, championed the use of this term because he believed it to best capture the emphasis on protection and respect of individuals: its humanitarian spirit. Many disagree and argue that, while humanitarian law was indeed in part created to protect individuals not participating or no longer participating in war, its primary role is to protect the interests of states and to allow militaries the maximum flexibility to prosecute war. For these reasons, states and organized militaries refer to it as the

laws of war or, paying formal recognition to the outlawing of war and the incidence of undeclared wars, the laws of armed conflict.

International humanitarian law is a historical artifact of specific forms of war and particular hierarchies of social order and relationships (Kinsella, 2011). Its formal articulation and subsequent interpretations reflect that, as exemplified by the dispute over its name, revealing the potentially competing expectations and interpretations of what or whom the law is intended to protect, what it is intended to accomplish, and in whose service. Notably, it is only feminist scholars who have called attention to and documented how sex and sex differences have been constituted by and used to organize relations of power within the law itself. For example, one of the first scholars to analyze gender and international humanitarian law, Judith Gardam, clearly shows how the use of the term “humanitarian” mistakes the standard figures of the law (combatant, civilian) for neutral images. In fact, she argues, both are modeled on a male norm and, furthermore, it is the male combatant who is the central concern of the law (Gardam, 1993). Consequently, to better understand the relationship of the laws of war and gender I first provide a brief historical overview of the development of laws of war, for it informs its present construction, then offer a survey of critiques made by feminist scholars and practitioners, focusing on two basic tenets of international humanitarian law, those of non-discrimination and of the distinction of combatant and civilian, before turning to the possibility of shaping the law through new interpretations and applications.

## BRIEF HISTORY

The laws of war are composed of two areas of emphasis. The first is the *ius ad bello* that considers the right of resort to war, and the second is the *ius in bello* that restrains the means and methods of war. It is principally the *ius ad bello* that occupied the earliest works on the laws of war owing to persistent disputes over the role and obligations of Christians in participating in war. Continuing in the later Middle Ages, the detailing of theological just war traditions—the work of the Church to define, and defend, licit violence—intermeshed with the secular customs of chivalry. Fundamentally, chivalry was an aristocratic martial code of arms derived from a potent mix of secular and Christian beliefs. In particular, medieval scholars highlighted the secular concepts of honor, prowess, loyalty, and courage—each of which was defined and won through acts of war—as informing the code of conduct for knights. The relationship between Christianity and chivalry was complex and contentious, as befits a

relationship of two distinct, yet interdependent, sources of strategic and social power. Conventionally understood, the conclusion of the Peace of Westphalia in 1648 precipitated the steady diminishment in the importance of Christian thought, specifically its scholarly teachings and debates on *ius ad bello* or just war. In their writings, eighteenth- and nineteenth-century publicists of law and politics contributed to and assisted in the conceptualization of the “secularization” of the laws of war.

Beginning in the early eighteenth century, marked by the steady emergence of secularizing nation-states and the conceptualization of war as an instrument of state formation and practice, the laws of war shifted to primarily concerns of the *ius in bello* as distinct from considerations of *ius ad bello*. Therefore, the evaluation of the justness or right of a resort to force no longer determined the restraints on the means and methods of war. In other words, the *ius in bello* could develop as a standard relatively independent of the reasons for or justice of the war itself. This was an important development in the laws of war, for it required that each belligerent, specifically understood as a sovereign state, obey and uphold the laws of war irrespective of a determination of the just or unjust nature of their cause. In the nineteenth and early twentieth centuries, the *ius in bello* was further distinguished between the Law of the Hague and the Law of Geneva. The Law of the Hague describes the “law of warfare proper, that is, the means and methods of war” (Gardam, 1993: 3). A fundamental precept of the laws of war, as articulated in the 1868 St. Petersburg Declaration, is that “the only legitimate object which States should endeavor to accomplish during war was the weakening of the military forces of the enemy” (Gardam, 1993: 3). As further developed in the 1899 and 1907 Hague Regulations (Respecting the Law and Customs of War on Land), the right of each belligerent to injure enemies is not unlimited. Excessive harm and superfluous or unnecessary suffering (harm and suffering deemed inessential to the strategic pursuit of military objectives) are to be avoided.

It is primarily the Law of Geneva, within the *ius in bello*, which progressively developed and delimited the protection of and respect for those who do not participate or are no longer participating in war within the twentieth century. The Law of Geneva promotes and provides for the respect and protection of noncombatants, civilians, and civilian objects—as far as the requirements of military necessity and the maintenance of public order will allow. In the twenty-first century, the Law of Geneva is rooted in both customary and codified law, as represented by the four Geneva Conventions of 1949 and the two Additional Protocols of 1977.

Although distinct, humanitarian law and human rights law are frequently invoked in conjunction to underscore the essential concept of human dignity upon which each holds itself to be founded. This mutual reference is grounded in a relationship between the two forms of law clearly articulated in the turbulent decolonization decades of the 1960s and 1970s—as is well illustrated in the General Assembly Resolutions of 1968 and 1969 on “Respect for Human Rights in Armed Conflicts.” Drawing from the rubric of human rights, these statements defined the essential humanitarian and human rights principles applicable in all armed conflicts, whether of an international or internal character, and underscored the necessity of the further development of international humanitarian law to respond to violations in internal armed conflicts.

The concerted effort to expand the purview of international humanitarian and human rights law, and to link their application, was a direct result of the contentious conclusion of two decades of decolonization and national liberation wars. A similar pattern is notable in contemporary endeavors to further establish the complementarities of the two branches of law to better respond to armed conflicts. For example, international human rights and humanitarian law increasingly converge in the rulings of regional criminal tribunals and the International Criminal Court, in the declarations of the United Nations General Assembly and of the Security Council, in the individual reports of the Special Rapporteurs to the United Nations, and in the work of non-governmental organizations. Customary law is also a significant dimension of international humanitarian law, drawn into the rulings of multiple tribunals and international courts. Thus, international humanitarian law, international criminal law, and international human rights law continue to create a formidable system of law. One place where that is noticeable is in the punishment of violations of international humanitarian law, specifically sexual violence, which is also arguably the site of most scholarship on the relationship of gender and international humanitarian law, successfully advocating for rape to be categorized as both a war crime and a crime against humanity.<sup>1</sup>

## GENDER AND INTERNATIONAL HUMANITARIAN LAW

While feminist scholars have demonstrated how international humanitarian law is gendered and sexed, each of those concepts has been conceptualized in different ways, with varying dependence on the biological given-ness of sex. For example, the ICRC is involved in a research program on women and war, which takes into consideration and

responds to the critiques first voiced by notable scholars such as Judith Gardam, Hilary Charlesworth, Christine Chinkin, and others (see Chinkin and Charlesworth, 1998). Its 2001 report *Women Facing War* states that while gender is the “socially defined or constructed sex roles or attitudes” sex is “genetic physiological or biological differences only” (International Committee of the Red Cross and Lindsey, 2001: 35). This definition of sex and gender is also common to many United Nations resolutions and documents on women and war; namely, gender is frequently operationalized as if it were the social construction of sex difference, in effect as if sex were a referent of gender. And it is sometimes stated quite dramatically that there can *only* be two sexes—male and female—from which gender is derived. This matters deeply, for it presumes not only that the many traits and characteristics that differentiate genders are organically and biologically rooted and are essentially immutable and, thus, ahistorical, but also that the relations of sex are dichotomous, oppositional, heterosexual, and hierarchical (Towns, 2010; Pratt, 2013).

Put specifically in terms of humanitarian law, while technically all individuals are guaranteed equal protection under international humanitarian law, termed the principle of non-discrimination, women are granted special protections owing to their special needs which are held to be a consequence of their biological sex. As the authoritative Commentary on the 1949 Geneva Convention IV specifically states, “the Geneva Conventions expressly stipulate that women are to be treated with all the respect due to their sex,” and, moreover, it is “natural and normal” to do so (Pictet, 1952: 119). This is not an “adverse distinction,” which would be prohibited by the Conventions, but one which is allowed, for it is based on “suffering, distress or weakness” (Pictet, 1952: 119). This suffering, distress, or weakness both refers to and includes the always-present threat of sexual violation; therefore women are again “the object of special respect and shall be protected in particular against rape, forced prostitution and any other form of indecent assault” (Protocol Additional I, article 76). Left formally undefined by international humanitarian law, the concept of “all the respect” and “special respect” encompasses “physiological specificity, honour and modesty, pregnancy and child-birth.”<sup>2</sup> As scholars have pointed out, the conception of honor that striates international humanitarian law, deriving as it does from both Christian and chivalric sources, is distinctly different if it is used in relation to a woman or to a man (Gardam, 1993, 1997; Kinsella, 2011: 776). Thus, respect due to women on the basis of their sex is rooted in the suffering, distress, or weakness women, literally and figuratively, embody at all times, owing to their sexual and reproductive characteristics—women are

already and always raped/rapeable, and are already/always reproducing.<sup>3</sup> Moreover, as Judith Gardam and Michelle Jarvis (2001) make clear, even as women and (their) children are produced as possessing special needs and in need of special protection, the protections afforded to them are couched in prescriptive rather than prohibitive language. And yet men, who must too be at risk for they are also sexual and reproductive creatures, are not in need of special protection, while their honor is gained and secured through martial feats, in effect as combatants, one of which is protecting “their” women from other men (thus the prescriptive rather than prohibitive language).

Another effect is to relegate women to the status of civilians, those suffering distress and weakness, regardless of evidence to the contrary. And when this is the governing presumption, the metric of harm and of excessive harm (inherited from the nineteenth-century precept that war is between sovereign states and formal militaries) is indexed to the combatant, such that even collateral damage is assessed according to military objectives.

Much has been written on the role of gender in producing the distinction of combatant and civilian (Sjoberg, 2006; Kinsella, 2011), and in governing its implementation (Gardam, 1993; Jones, 2004; Carpenter, 2006), drawing attention to the failure of international humanitarian law to conceptualize or reflect the experiences of the sexes in armed conflict, experiences in which neither sex perfectly aligns with the predicate of sex/gender produced by the law itself. As the history of international humanitarian law illuminates, the construction and protection of the heterosexual family, itself linked to the formation and defense of sovereign states, are both reflected and produced through the law, and women are protected in relation to the success of both (Kinsella, 2011).

Yet, because the nexus of gender/sex and of international humanitarian law is historically constituted, the possibility of change is always extant. Indeed, the clear inclusion of rape as a crime against humanity, as well as the continuing exploration of the ways in which the law both overturns and affirms the concept of honor inherited from chivalric and Christian sources, is one example. Another example is the ICRC’s plan to update and reissue the Commentaries on the 1949 Conventions, first published in the 1950s, and those on the Protocols Additional, first published in the 1980s, to better reflect and acknowledge the changing context of the law’s articulation and implementation. Both point to the necessity of continuing to interpret, identify, and alter the politics of meanings captured by the phrase “with all the respect due to their sex.”

## NOTES

1. The literature on sexual violence in armed conflict is extensive. See, for example, Mitchell (2004); Stern and Eriksson Baaz (2013); Chinkin (2014).
2. This entailed special protections for pregnant women, nursing mothers, and mothers of young children (Krill, 1985).
3. Sexual violence against men in armed conflict was not even raised in the preliminary meetings that produced the law and the commentaries, while men caring for younger children or men in need of protection premised on their reproductive capability was also never mentioned. See Sivakumaran (2007).

## REFERENCES

- Carpenter, R. Charli (2006) *Innocent Women and Children: Gender, Norms and the Protection of Civilians*, Aldershot: Ashgate.
- Chinkin, Christine (2014) ‘Gender and armed conflict’, in Andrew Clapham and Paola Gaeta (eds), *The Oxford Handbook of International Law in Armed Conflict*, Oxford: Oxford University Press, pp. 675–699.
- Chinkin, Christine and Hilary Charlesworth (1998) *Feminist Analysis of International Law*, Manchester: Manchester University Press.
- Gardam, Judith (1993) *Non-combatant Immunity as a Norm of International Humanitarian Law*, Norwell, MA: M. Nijhoff.
- Gardam, Judith (1997) ‘Women and the law of armed conflict: why the silence?’, *International and Comparative Law Quarterly*, 46 (1), 55–80.
- Gardam, Judith Gail and Michelle J. Jarvis (2001) *Women, Armed Conflict, and International Law*, Boston, MA: Kluwer Law International.
- International Committee of the Red Cross and Charlotte Lindsey (2001) *Women Facing War: ICRC Study on the Impact of Armed Conflict on Women*, Geneva: ICRC.
- Jones, Adam (2004) *Gendercide and Genocide*, Nashville, TN: Vanderbilt University Press.
- Kinsella, Helen (2011) *The Image before the Weapon: A Critical History of the Distinction between Combatant and Civilian*, Ithaca, NY: Cornell University Press.
- Krill, Françoise (1985) ‘The protection of women in international humanitarian law’, *International Review of the Red Cross*, 249 (25), 337–363.
- Mitchell, David S. (2004) ‘Prohibition of rape in international humanitarian law as a norm of *ius cogens*: clarifying the doctrine’, *Duke Journal of Comparative and International Law*, 15, 219–258.
- Pictet, Jean (1952) *The Geneva Conventions of 12 August 1949: Commentary*, Geneva: International Committee of the Red Cross.
- Pratt, Nicola (2013) ‘Reconceptualizing gender, reinscribing racial–sexual boundaries in international security: the case of UN Security Council Resolution 1325 on “Women, Peace and Security”’, *International Studies Quarterly*, 57 (4), 772–783.
- Sivakumaran, Sandesh (2007) ‘Sexual violence against men in armed conflict’, *European Journal of International Law*, 18 (2), 253–276.
- Sjoberg, Laura (2006) ‘Gendered realities of the immunity principle: why gender analysis needs feminism’, *International Studies Quarterly*, 50 (4), 889–910.



- Stern, Maria and Maria Eriksson Baaz (2013) *Sexual Violence as a Weapon of War? Perceptions, Prescriptions, Problems in the Congo and Beyond*. London: Zed Books.
- Towns, Ann E. (2010) *Women and States: Norms and Hierarchies in International Society*. Cambridge: Cambridge University Press.

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## 22. Refugees and asylum

*Jane Freedman*

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In June 2014, the United Nations High Commissioner for Refugees, Antonio Guterres, announced that the global total of refugees and displaced persons had exceeded 50 million for the first time since the Second World War. This growing number of refugees and displaced persons can be linked to ongoing wars and conflicts, such as those in Syria or South Sudan for example, but wars are not the only reason that people are forced to migrate from their country and to seek refuge elsewhere. Men and women flee owing to various types of persecution, not all of which are fully recognized by the states and international organizations from which they may ask for protection. Gendered differences exist both in the causes of forced migration and in the experiences and needs of refugees and asylum seekers. But still too often these differences are not taken into consideration in national and international policies for protection of forced migrants.

### DATA AND CLAIMS

According to available data, women and girls represented 49 per cent of the global refugee population in 2013, a proportion which has remained more or less constant for the past decade (UNHCR, 2014). However, there is still a lack of sex-disaggregated data for many of the populations 'of concern' to the UNHCR. Even with regard to women coming to seek asylum in countries of the Global North, there are relatively few reliable sex-disaggregated statistics, particularly with reference to motives for asylum claims and results of decision-making and appeals. Many governments do not provide a breakdown of statistics on asylum claimants according to sex, and even fewer provide gendered statistics regarding the proportions of asylum seekers granted refugee status, or other forms of subsidiary protection. There are even fewer reliable statistics concerning women refugees and internationally displaced persons (IDPs) who remain within countries of the South. The lack of accurate gender-disaggregated statistics on refugees and asylum seekers has led some people to make exaggerated claims as to the numbers of women amongst