Transition

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LEEDS HUMAN RIGHTS JOURNAL TEAM

2020/21

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Letter from the *Editor*

Dear *readers,*

Welcome to Volume 9, Issue 1, of the University of Leeds Human Rights Journal.

Given the circumstances of this year, 2020/2021 has been unique yet incredibly successful for the Journal. Having been part of the Journal throughout my university experience, this has been a key aspect of my time at Leeds. Looking at the continuous success and expansion of the Journal during the past few years, I am confident of the Journal's potential over the coming years. Despite the new obstacles encountered, the Editorial Team consisting of our Managing Editors, Online Editor, Marketing Officer, Peer Reviewers, Steering Committee and Graphic Designer have done well to make this project come to fruition.

Working remotely with my Editorial Team this year has been an extremely challenging yet productive experience. The commitment of the team and the drive to reach our goals has contributed to the quality of the Journal this year. At our first editorial team meeting we agreed that we shared the vision of increasing the reach, funding, and quality of the Journal.

Our outreach team, Rachel, Zahra and Niamh, have done a remarkable job of increasing engagement with the Journal through expanding our presence on Facebook, Twitter, Instagram, LinkedIn, and through sending marketing emails to reach as many students as possible. Our Managing Editor responsible for the Journal's finance, Henna, has successfully secured funding from the Centre of Ethnicity and Racism Studies, the Faculty of Social Sciences, and the Laidlaw Foundation which greatly contributes to the activities of the Journal. Our Managing Editor responsible for corresponding with the wider team, Poppy, has been fantastic in communicating with our Peer Reviewers and our newly formed Steering Committee, ensuring that they have the full opportunity to contribute to this year's publication as well as improving the broader activities of the Journal.

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The peer review process this year was enhanced through a more competitive recruitment process, a bigger team, and additional training resources made available to the Peer Reviewers, which I believe has led to a higher standard of work in the ninth volume. We also have Eve Jones join us in the Peer Review team for a second term, bringing in her experience to provide us with her leadership and valuable feedback. The Editorial Team truly appreciates the work done by the Peer Reviewers for their meticulous attention to detail and for their efforts in promoting the Journal.

A new feature to the Journal this year is the establishment of the Steering Committee. The Editorial Team believes that this will provide input in improving the quality of the Journal and equally assist in the continuity in the Journal's management as the Editorial Board is renewed annually. Our administrative members, Tess Hornsby Smith and Ed Clarke, have assisted us with handling our communications within the Faculty of Arts, Humanities and Cultures. While our academic members, Dr Ipek Demir, Dr Adrian Gallagher and Dr Ilias Trispiotis, gave their approval for all the articles that have been published and picked the winning essay for the HRJ Essay Prize.

The scholarship displayed in the publication this year has been of the highest quality starting with the winning piece by Georgia Mackay, which was agreed to be the best piece by the Steering Committee. The following creative piece by Aisha Habib Ahmad titled 'Indefinite Leave to Remain' was a personal favourite that captures the theme of Transition. For indeed, no matter how much has changed I have always felt that I have been 'denied my cup of tea'.

This year the Journal was successful in hosting six events, achieving over 200 attendees to some events, with follow up blog posts by members of the Editorial Team. The first event on Decolonising Human Rights was a personal goal of mine, and I am thankful to the faculty at the Centre for Ethnicity and Racism Studies for collaborating with us to make the event a huge success. That event was followed by the Uyghur Human Rights Crisis and The Kashmir Issue webinars which highlighted the plight of Muslims living under the governments of the two most populous countries. On Human Rights Day, we collaborated with European Centre for the Responsibility to Protect, with Emily Faux from the ECR2P soc hosting the event, to discuss the viability of the R2P beyond the West. Our following collaboration was with Sunny Dhillon from Skills@Library, who delivered a session to train the Editorial Team, Peer Reviewers and contributors on critical writing and research skills. Lastly, on International Women's Day, we hosted the Women in Focus event with an inter-disciplinary panel of speakers from POLIS and Geography. Each of these events brought in-

sight to the reality of human rights and provided a ground for discussion in which the audiences actively contributed.

Furthermore, a main feature of the Journal is our blog which has been adeptly managed by our Online Editor, Zahra, complemented by the social media promotion by our Digital Marketing Officer, Rachel. Some of my personal favourites were by Lawrence Wilde on immigration policy and Aksa Arshad's on Islamophobia, both of which problematises the liberal perspective of human rights by highlighting its exclusion of immigrant and minorities living in the West. I hope the Journal's blog continues to be a place that provides a voice to marginalised communities and safe space to discuss and promote human rights.

I am pleased of how far the Journal has come these last three years and I am confident of its continued success with the Steering Committee and renewed Editorial Team for the next year.

Azhar *Vickland*

Editor-in-Chief, 2020-21

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|	
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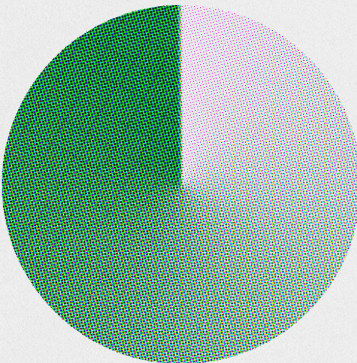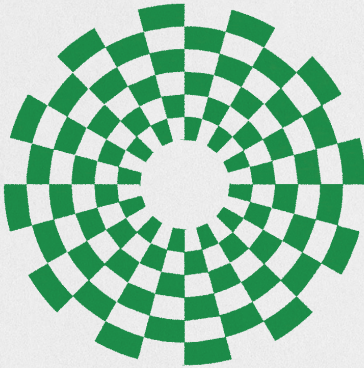
Fore*word*

The theme Transition was born out the Editorial Team's desire to discuss the plethora of changes that have occurred over the past year. From President Biden's inauguration, the Covid-19 pandemic and Black Lives Matter the world has never faced such change or, drive to change. Our generation have witnessed first-hand and, participated in the seismic changes that have occurred over the past 12 months. In this issue we have intended to encapsulate the exciting yet turbulent transitions that have occurred this year, and question what needs to change so that we can progress.

We asked undergraduates to submit academic essays and creative pieces based around our chosen theme of 'Transition'. We received an overwhelming response and a multitude of essays; proving to us that the topic was as relevant and thought-provoking as we had hoped. This year our submissions have been of an exceptional standard, all offering key insights into transitions and, the complexities of transition. Introducing the journal we have Dr Adrian Gallagher's artwork entitled '177 children' which symbolises the 177 children who were tortured to death in the Syrian conflict. Some pieces have focussed on the transition from democracies and cultural genocide, while others have focussed on the transition of LGBT asylum seekers. This year's winning piece is authored by Georgia Mackay on transitional justice settlements in Sierra Leone, which has been picked by our Steering Committee as the most analytical and well-written piece in the journal.

True to the interdisciplinary nature of the journal, we also embraced creative submissions this year, which has attracted a plethora of diverse perspectives on 'Transition'. From Lan Huang's interactive instillation entitled 'White Flowers' to call for freedom of speech , to Eve Jones' poem 'The state of the home' and Aria Aristotelous' poem ' The Tide'; we have attracted diverse perspectives and a significant number of submission encapsulating transitions.

We also decided to feature photographs submitted by Jerome Boyd, Maariyah Fulat, Jorge Hopkin Wang and Megan Allcock. Maariyah Fulat's submissions of the Palestinian solidarity protests, End SARS protests and Sarah Everard's vigil, capture the never-ending fight for human rights at our very doorstep, the Parkinson Steps.

Despite the Covid-19 pandemic hindering in-person events, this year we took the Human Rights Journal into the online sphere and hosted six events online, with a couple of events attracting more than 100 participants and discussing issues such as the Uyghur Human Rights Crisis, Decolonising Human Rights and Women in Focus. Moreover, thanks to the efforts of the Digital Marketing Officer and the Online Editor, the Journal has secured a large following on Instagram.

The blog this year has also had some excellent contributions from Samuel Blencoe's piece on the Catalonian elections to Aksa Arshad's piece on Islamophobia in France; the blog this year has been transformed into space for students to express their anxieties and perspectives on the astonishing events both in Leeds and around the world.

We hope that this issue inspires you to discuss and engage in transitions that have occurred and that will occur in the future.

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The Editorial Board,
2020-21

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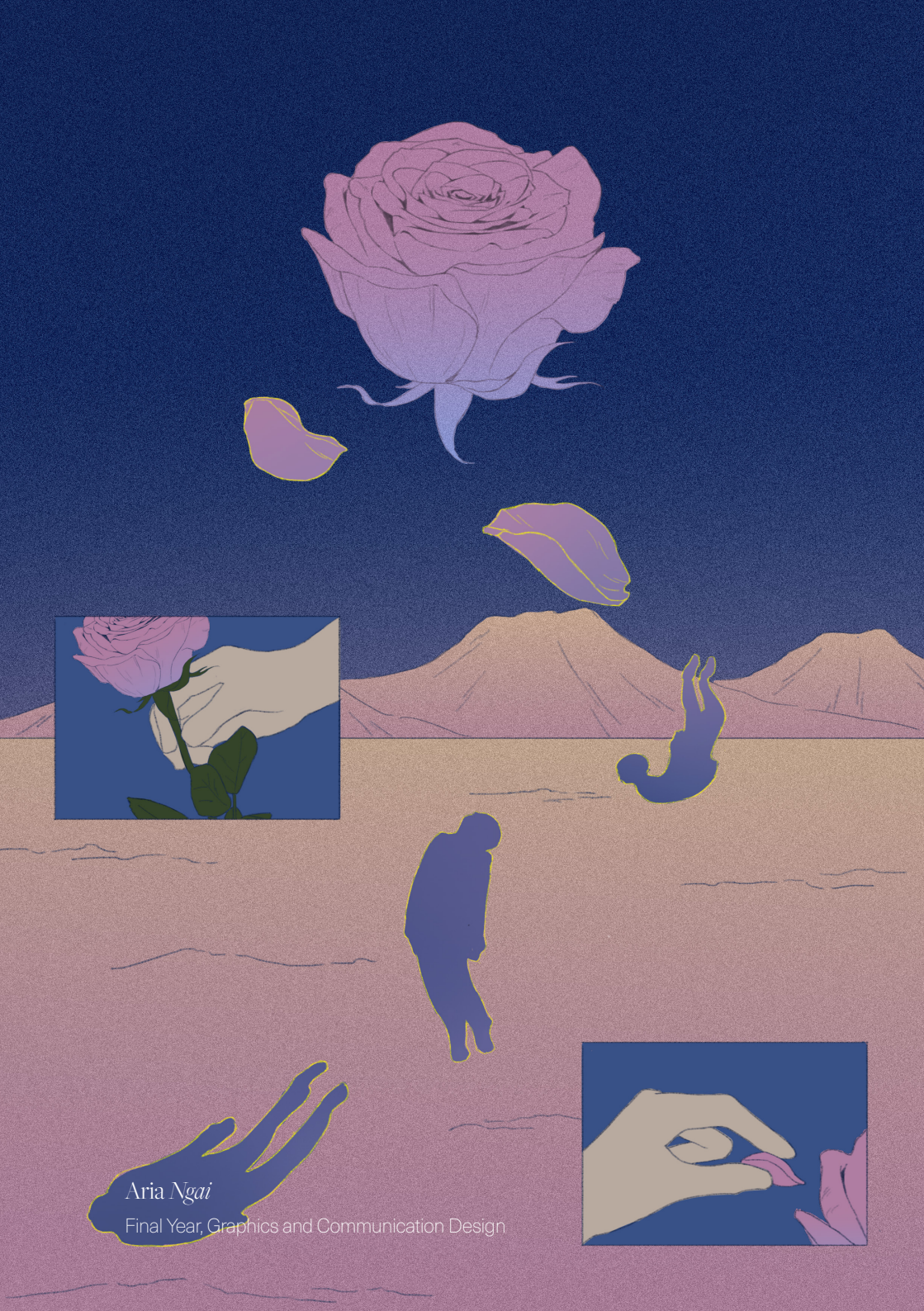
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Aria *Ngai*
Final Year, Graphics and Communication Design

117 Children

Dr Adrian *Gallagher*
@Dr_A_Gallagher

Abstract. Acrylic and Wood.
Completed late 2020

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In June 2020 it was reported that at least 177 children had been tortured to death in the Syrian conflict. The canvas depicts the children using match sticks to reflect that their light in this world was cut tragically short. Essentially, the matches were themselves tortured: burnt, crushed, and broken. The background is painted in white orchid with the word war inscribed in faint blue. The canvass is part of a series on the Syrian conflict which is intended to raise awareness of the crises. Having taught the Syrian crisis for many years at the University of Leeds, I have been struck by how students are somewhat overwhelmed by the complexity of the crisis. I hope that this artwork helps cut through the complexity as essentially, the Syrian government has been primarily responsible for atrocities perpetrated in Syria including torturing children to death.

Adrian Gallagher is an Associate Professor in International Relations at the University of Leeds and Co-director of the European Centre for the Responsibility to Protect.
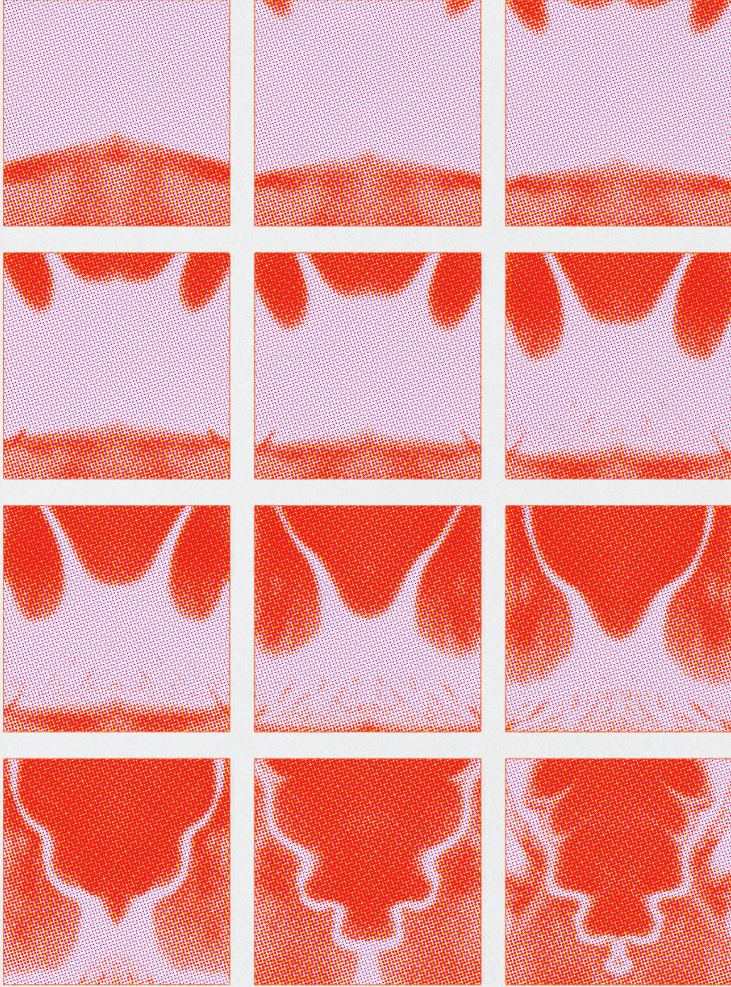
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To what extent have transitional justice settlements in *Sierra Leone* combated cultures of impunity?

Georgia *Mackay*

Final Year, History

HRJ Prize for Best Original Research

Abstract

This essay analyses the extent to which transitional justice settlements in Sierra Leone, following the civil war, 1991-2002, have combatted cultures of impunity around gender-based violence against women and girls. Using evidence of the unending violence in Sierra Leone, it argues that the transitional justice settlements failed to combat cultures of impunity because they did not address the structural violence within the state that left women and girls vulnerable to violence.

Transitional justice, as defined by the International Center for Transitional Justice, 'refers to the ways countries emerging from periods of conflict and repression address large-scale or systematic human rights violations'.[1] This essay will analyse the extent to which transitional justice settlements, following the civil war in 1991-2002, have combated cultures of impunity, focusing specifically on the case of gender-based violence (GBV) against women and girls. Cultures of impunity relate to societal values and customs embedded within a society which allow and facilitate certain crimes to go unpunished. The essay will argue that the transitional justice settlements in Sierra Leone, namely the Special Court for Sierra Leone and the Sierra Leone Truth and Reconciliation Commission, failed to combat cultures of impunity because they did not address the entrenched inequalities within the state, that left women and girls vulnerable to violence. It will move beyond just examining physical forms of gender-based violence and using Johan Galtung's concept of structural violence, examine the structural forms of GBV in Sierra Leone.[2]

1   International Center for Transitional Justice, 'What is Transitional Justice?', ICTJ <https://www.ictj.org/about/transitional-justice> [accessed 2 January 2021].

2   J. Galtung, 'Violence, Peace, and Peace Research', Journal of Peace Research,

The structure of the essay is as follows: it will first provide an overview of the conflict in Sierra Leone and engage with debates around why women were victims of GBV during the war. It will then examine structural violence that existed against women before the war to provide a context for what needed to change. It will go on to discuss each transitional justice settlement in turn and evaluate their efficacy, asking the question: what did not change that needed to change? In this section it will engage with the key debate of whose justice the settlements were trying to achieve. Throughout, it will employ the unending violence against women and girls in Sierra Leone as evidence that the settlements failed to combat cultures of impunity.

The Sierra Leonean Civil War

The civil war began when the Revolutionary United Front (RUF), backed by the National Patriotic Front of Liberia, invaded the country with the aim of overthrowing President Joseph Momoh's government.[3] The conflict played out amongst various factions including the RUF, Armed Revolutionary Council (AFRC) and Civil Defence Forces (CDF).[4] All military groups involved in the conflict committed acts of violence against women and girls. They were abducted, raped, forced into sexual slavery and marriage.[5] Human Rights Watch estimates that 275,000 women and girls were victims of GBV during the war.[6] There are conflicting opinions about why women are victims of sexual gender-based violence (SGBV) during war. Rhonda Copelon argues that rape is an 'engine of war' to maintain soldiers morale.[7] In contrast, Abigail Gyimah and Augustine S.J. Park

6.3 (1969), 167-91.

3   A. Gyimah, 'Gender and Transitional Justice in West Africa: The Cases of Ghana and Sierra Leone', ALC Research Report No. 4, (2009), 1-61 (p. 31) <http://african-leadershipcentre.org/attachments/article/43/ALC%20Report%20No.%204%20Gyimah.pdf> [accessed 23 December 2020]; L. S. Martin, 'Practicing normality: An examination of unrecognizable transitional justice mechanisms in post-conflict Sierra Leone', Journal of intervention and statebuilding, 10.3 (2016), 400-418 (p.405) <https://doi.org/10.1080/17502977.2016.1199480>.

4   Gyimah, 'Gender and Transitional Justice in West Africa', p.31.

5   K. Muddell, 'Capturing the Experiences of Conflict: Transitional Justice in Sierra Leone', MSU Journal of International Law. 15.1 (2007), 85-100 (p.86) <https://heinonline.org/HOL/P?h=hein.journals/mistjintl15&i=91> [accessed 23 December 2020].

6   Human Rights Watch, '"We'll Kill You If You Cry" Sexual Violence in the Sierra Leone Conflict', Human Rights Watch <https://www.hrw.org/report/2003/01/16/well-kill-you-if-you-cry/sexual-violencesierra-leone-conflict#> [accessed 10 January 2021].

7   R. Copelon, 'Surfacing Gender: Reconceptualising Crimes against Women in Time of War', in The Women and War Reader, ed. by L. A. Lorentzen and J. Turpin (New York: New York University Press,1998), pp. 63-80 (p.69).

challenge the notion that sexual violence during war is an isolated event and instead convincingly argue that it is part of a continuum of structural violence perpetrated against women during peacetime.[8] It is therefore necessary to examine these pre-war structures of violence to understand what the transitional justice settlements needed to change to combat cultures of impunity around GBV.

Pre-war structural violence

In his seminal piece, Violence, Peace, and Peace Research, Johan Galtung coined the term 'structural violence', also referred to as indirect violence, to refer to the way that inequalities rooted in social structures and institutions, such as the patriarchy, can indirectly harm people.[9] Sierra Leone continues to be a deeply patriarchal, patrilineal, and gender unequal society.[10] An example of structural violence in Sierra Leone is evident in a clause in the 1991 constitution which states that equality is not sustained in issues of customary law including, marriage, divorce, and inheritance rights.[11] 85% of the Sierra Leonean population falls under the system of customary law.[12] As Muddell discusses, these customary laws often discriminate against women. For example, discriminatory inheritance laws can render a woman landless when her husband dies.[13] Furthermore, until the Registration of Customary Marriage and Divorce Act passed in 2007 there was no minimum age requirement on marriage under customary law. As Barnes et al. argue, early marriage and pregnancy could negatively impact girls by hampering their opportunities to receive education.[14] Abigail Gyimah contests that these '[d]iscriminatory

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8   Gyimah, 'Gender and Transitional Justice in West Africa'; A. Park, ''Other Inhumane Acts': Forced Marriage, Girl Soldiers and the Special Court for Sierra Leone', Social & legal studies, 15.3 (2006), 315-337 <https://doi.org/10.1177/0964663906066611>; see also, K. Barnes, P. Albrecht and M. Olson, 'Addressing Gender-Based Violence in Sierra Leone: Mapping Challenges and Future Entry Points', International Alert, (2007), 2-48 <https://www.international-alert.org/sites/default/files/publications/GBV_Sierra_Leone.pdf> [accessed 21 December 2020].

9   Galtung, 'Violence, Peace, and Peace Research', pp.167-91.

10   H. McFerson, 'Women and post-conflict society in Sierra Leone', Journal of International Women's Studies, 13.1 (2012), 46–67 (p.49); Barnes, Albrecht and Olson, 'Addressing Gender-Based Violence in Sierra Leone', p.11.

11   Sierra Leone Constitution, in Muddell, 'Capturing the Experiences of Conflict', p.89.

12   Barnes, Albrecht and Olson, 'Addressing Gender-Based Violence in Sierra Leone', p.14.

13   Muddell, 'Capturing the Experiences of Conflict', pp.89-90.

14   Barnes, Albrecht and Olson, 'Addressing Gender-Based Violence in Sierra

customs and laws... all exacerbate... institutionalised gender inequalities and makes gender-based violations possible and prevalent in Sierra Leone', therefore Galtung's definition of 'structural violence' can be applied confidently to pre-civil war Sierra Leone.[15] As violence during war is seen as a continuum of violence perpetrated in times of peace, this brief overview demonstrates some of what needed to change during the transition process to combat cultures of impunity around GBV.[16]

The end of the civil war resulted in the introduction of two transitional justice mechanisms: The Sierra Leone Truth and Reconciliation Commission (hereafter, TRC) and The Special Court for Sierra Leone (SCSL). The essay will first turn to the SCSL.

The Special Court for Sierra Leone

The Sierra Leone government, in collaboration with the United Nations, established the SCSL in 2002 to try those who had the 'greatest responsibility' for war crimes, violations of international law and crimes against humanity that occurred during the conflict.[17] Importantly, in doing so they rejected the general amnesty which had been granted to all combatants as part of the 1999 Lomé Peace Agreement.[18] The court indicted thirteen individuals, consisting of members from the RUF, CDF and AFRC, seven of whom were convicted.[19] The SCSL was a mechanism for achieving what is known as retributive justice which seeks justice through punishment.[20] As impunity means exemption from punishment, on paper the SCSL

Leone', p.15.

15   Gyimah, 'Gender and Transitional Justice in West Africa', p.24.

16   Ibid., p.16, p.35.

17   S. Williams and J. Opdam, 'The unrealised potential for transformative reparations for sexual and gender-based violence in Sierra Leone', The International Journal of Human Rights, 21.9 (2017), 1281–1301 (p.1283) <https://doi.org/10.1080/13642987.2017.1360020>.

18   B. Nowrojee, 'Making the Invisible War Crime Visible: Post-Conflict Justice for Sierra Leone's Rape Victims', Harvard Human Rights Journal, 85 (2005), 85-106 (p.97) <https://heinonline.org/HOL/P?h=hein.journals/hhrj18&i=91> [accessed 23 December 2020].

19   Ibid., p.1285; V. Oosterveld, 'The Special Court for Sierra Leone's Consideration of Gender-based Violence: Contributing to Transitional Justice?', Human Rights Review. 10.1 (2008), 73–98 (p.76) <https://doi.org/10.1007/s12142-008-0098-7>.

20   W. Lambourne, 'Transitional Justice and Peacebuilding after Mass Violence', The International Journal of Transitional Justice, 3 (2009), 28–48 (p.30) <https://doi.org/10.1093/ijtj/ijn037>.

combatted impunity. It raised public awareness of GBV and marked a landmark in international law through its prosecution of forced marriage and sexual slavery as a crime against humanity.[21] Binaifer Nowrojee, reminds us of the significance of criminal trials, arguing that 'the importance of holding perpetrators responsible for their actions cannot be underestimated as an aspect of healing the victims of, and witnesses to, major atrocity'.[22]

However, a limitation to the SCSL and international tribunals in general is that it only prosecuted the 'chief architects' of the violence, namely the commanders, with the exclusion of the rank and file.[23] This significantly undermined the impact that the court could have on combatting cultures of impunity because the court did not hold most perpetrators of the violence to account and therefore their crimes went unpunished. Furthermore, preventing the recurrence of crimes is seen as a central aspect of criminal trials, but Mark Drumbl, convincingly suggests that we only need to look at the continuation of crimes today to challenge the idea of criminal trials having a deterrent effect.[24] For example, in the case of Sierra Leone, seventeen years after the end of the conflict in 2019, President Julius Maada Bio declared a public emergency on rape and sexual violence after reported sexual assault cases doubled to 8,500 between 2017 and 2018.[25]

Moreover, times of crisis have demonstrated the structural violence still prevalent in the state. For example, within a year of the Ebola virus outbreak, reported cases of sexual violence went up by 40% and teenage pregnancies by 50%.[26] As Emma-Louise Anderson and Alexander Beresford discuss, the crisis 'laid bare' the inequalities within the state.[27] Parallels can be drawn between this and the coro-

21   Oosterveld, 'The Special Court for Sierra Leone's Consideration of Gender-based Violence', p.75.

22   Nowrojee, 'Making the Invisible War Crime Visible', p.104.

23   Ibid., p.103.

24   M. Drumbl, Atrocity, punishment, and international law (Cambridge: Cambridge University Press, 2009), pp.16-17.

25   President J.M Bio, 'Statement of the Declaration of Rape and Sexual Violence as a National Emergency', Statehouse <https://statehouse.gov.sl/wp-content/uploads/2019/02/Statementby-His-Excellency-Julius-Maada-Bio-President-of-the-Republic-of-Sierra-Leone-on-the-Declaration-of-Rape-and-SexualViolence-as-Public-Emergency-Freetown-7-February-2019.pdf> [accessed 3 January 2021]; The Conversation, 'Taking stock one year after Sierra Leone's gender violence 'emergency'', Relief Web <https://reliefweb.int/report/sierra-leone/taking-stock-one-year-after-sierra-leone-s-gender-violence-emergency> [accessed 11 January 2021].

26   Williams and Opdam, 'The unrealised potential for transformative reparations for sexual and gender-based violence in Sierra Leone', p.1291.

27   E. L. Anderson and A. Beresford, 'Infectious injustice: the political founda-

navirus pandemic. Sierra Leone has had some of the highest rates of sexual GBV compared to other places in West Africa during the pandemic, with a recorded 1,272 incidents of sexual related abuses and violence between January to May 2020.[28] This continuation of GBV in the post war period challenges the efficacy of the SCSL and raises the question of what the court failed to address.

As violence against women during war is a continuum of peacetime violence, what needed to change following the war was more than just raising awareness of the fact GBV had occurred, as done by the SCSL.[29] Instead, to combat cultures of impunity structural change was needed to address the entrenched inequalities within Sierra Leone that made women vulnerable to GBV. As A.B. Houge and K. Lohne contest:

"[t]he construction of criminal law as a panacea for conflict-related sexual violence overestimates criminal law's ability to transform individuals and societies, and distracts attention away from broader social and structural conditions that foster and allow for sexual violence to take place".[30]

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tions of the Ebola crisis in Sierra Leone', Third World Quarterly. 37.3 (2016), 468-486 (p.477) <https://doi.org/10.1080/01436597.2015.1103175>.

28   West Africa Network for Peacebuilding, 'The Impact of COVID-19 Pandemic on Women: Lessons from the Ebola outbreak in West Africa', West Africa Network for Peacebuilding Thematic Report, (2020), 1-8 (p.5) <https://reliefweb.int/sites/reliefweb.int/files/resources/Thematic_Report_Final_-_The_impact_of_COVID-19_on_Women_in_West_Africa.pdf> [accessed 11 January 2021].

29   Gyimah, 'Gender and Transitional Justice in West Africa', p.35.

30   A. B. Houge and K. Lohne, 'End Impunity! Reducing Conflict-Related Sexual Violence to a Problem of Law', Law & Society Review, 51.4 (2017), 755–789 (p.783) <https://doi.org/10.1111/lasr.12294>; see also, P. Akhavan, 'Beyond impunity: can international criminal justice prevent future atrocities', The American Journal of International Law, 95.1 (2001), 7-31 (p.31) <https://doi.org/10.2307/2642034>

Moreover, Park argues that international law is not a 'silver bullet' to address structural violence.[31] Therefore, by neglecting the indirect violence against women in Sierra Leone and only holding those 'most responsible' to account, the court was able to combat individual levels

Sierra Leone Truth and Reconciliation Commission

In contrast to criminal tribunals, truth commissions are a form of restorative justice which aim to restore communities and relationships after conflict through the practice of truth telling.[32] They were popularised as a transitional justice mechanism following their use in Latin America and South Africa.[33] In February 2000, following suggestions from the Lomé Agreement, the government of Sierra Leone passed the TRC Act. The commission, amongst other things, aimed to address impunity and pay special attention to sexual gender-based violence (SGBV).[34] Investigations took place between April and August 2003 and the TRC published their final report to the government in 2004.[35]

The TRC has been lauded for going beyond just investigating acts of physical violence and sought to explore how forms of structural violence against women in Sierra Leone impacted their experiences during the war.[36] In the TRC final report it concluded that structural violence had exacerbated the violence perpetrated against women during the war.[37] Considering this, as well as recommending reparations to victims of GBV, it made important recommendations which sought to tackle structural violence against women.[38] In the recommendations section of the report the commission wrote:

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31   Park, 'Other Inhumane Acts', p.316.

32   Lambourne, 'Transitional Justice and Peacebuilding after Mass Violence', p.31; G. Millar, 'Local Evaluations of Justice through Truth Telling in Sierra Leone: Post-war Needs and Transitional Justice', Human Rights Review, 12.4 (2011), 515–535 (p.521) <https://doi.org/10.1007/s12142-011-0195-x>

33   Millar, 'Local Evaluations of Justice through Truth Telling in Sierra Leone', p.520.

34   Gyimah, 'Gender and Transitional Justice in West Africa', pp.32-33.

35   Ibid., pp.33-34.

36   Ibid., pp.43-44; Muddell, 'Capturing the Experiences of Conflict', p.89.

37   Muddell, 'Capturing the Experiences of Conflict', p. 90.

38   Gyimah, 'Gender and Transitional Justice in West Africa', p.34.

"Women and girls in Sierra Leone, before, during and after the conflict, were subjected to discrimination by practice, custom and law. There is no basis to justify the discrimination that women have endured in Sierra Leone. The legal apparatus that entrenches discrimination against women must be dismantled. The Commission recommends the repeal of all statutory and customary laws that discriminate against women [emphasis added]".[39]

Sarah Williams and Jasmine Opdam, argue that the recommendations made by the TRC had 'transformative potential'.[40] In providing these recommendations it could be said that the TRC surpassed transitional justice and was promoting what Wendy Lambourne has called 'transformative justice', which 'not only deals with the past but also establishes conditions and structures in order to ensure justice in the present and the future, creating a longer-term vision and commitment'.[41] However, a limitation of truth commissions is that they lack any real power to enact legislation and are reliant on political will.[42]

Following the war, the government has enacted some progressive laws; such as the three gender acts in 2007 which include the Domestic Violence[43], Devolution of Estates[44] and Registration of Customary Marriage and Divorce Acts[45] and the 2012 Sexual Offenses

39   Sierra Leone Truth and Reconciliation Commission, 'Witness to Truth', Report of the Sierra Leone Truth and Reconciliation Commission, (2005) <http://www.sierraleonetrc.org/index.php/view-the-final-report/table-of-contents> [accessed 7 January 2021] (vol.2, c.3).

40   Williams and Opdam, 'The unrealised potential for transformative reparations for sexual and gender-based violence in Sierra Leone', pp.1283-90.

41   Lambourne, 'Transitional Justice and Peacebuilding after Mass Violence', p.45.

42   Williams and Opdam, 'The unrealised potential for transformative reparations for sexual and gender-based violence in Sierra Leone', p.1283; Gyimah, 'Gender and Transitional Justice in West Africa', p.49.

43   Criminalised GBV against women, even in marriage (Williams and Opdam, pp.1293).

44   After a man's death, wife and 'legitimate' children can inherit most of his estate (Williams and Opdam, pp.1293).

45   Minimum age for marriage set at 18 years old, unless parents give consent (Williams and Opdam, 1293).

Act[46], which was amended in 2019[47].[48] Gyimah argues that many of these legal reforms developed as a result of the TRC recommendations.[49] However, despite these law reforms, physical GBV against women and girls is still widespread. As mentioned above, the government had to introduce a national emergency in 2019 in response to a steep rise in reported sexual assault and rape cases.[50] Furthermore, according to the United Nations Human Development Report (2020), 48.8% of Sierra Leone's female population, age 15 and over, have experienced intimate partner violence.[51]

Moreover, structural violence is still pervasive. For example, from 2010 until 2020, pregnant girls were banned from attending school. This was problematic due to the prevalence of teenage pregnancy in the country; Human Rights Watch estimate that teenage pregnancies account for thirty-six percent of all pregnancies in the country.[52] The country also has one of the highest Gender Inequality Indexes,[53] at 0.644 and only 12.3% seats in parliament are held by women.[54]

Williams and Opdam argue that while the government has made some progress, there is 'little evidence of broader structural or societal changes'.[55] Why is this the case? Anderson and Beresford contest that Sierra Leone operates as a 'gatekeeper state', a symptom of which is 'an inability to provide basic services or perform basic

46   The act criminalised human tracking and all non-consensual acts committed against women and children, including within marriage (Williams and Opdam, pp.1293) and raised the age of sexual consent to 18 and raised prison sentences for sexual offenders to a maximum of 15 years (Schneider, p.130).

47   Minimum sentence for rape raised from 5 to 15 years, sped up the court process and people can now face a fine of 10,000,000 Leones ($1000) for attempting to settle sexual assault or rape in the community (even chiefs) (The Conversation, 2020).

48   Williams and Opdam, 'The unrealised potential for transformative reparations for sexual and gender-based violence in Sierra Leone', p.1293; The Conversation, 'Taking stock one year after Sierra Leone's gender violence 'emergency'', Relief Web.

49   Gyimah, 'Gender and Transitional Justice in West Africa', p.41.

50   The Conversation, 'Taking stock one year after Sierra Leone's gender violence 'emergency'', Relief Web.

51   United Nations Development Programme, 'Gender Inequality Index', Human Development Reports <http://hdr.undp.org/en/indicators/68606> [accessed 9 January 2021].

52   Human Rights Watch, 'Sierra Leone: Schools Reopen for Pregnant Girls, Teen Moms', Human Rights Watch <https://www.hrw.org/news/2020/03/31/sierra-leone-schools-reopen-pregnant-girls-teen-moms> [accessed 10 January 2021].

53   Defined as: "A composite measure reflecting inequality in achievement between women and men in three dimensions: reproductive health, empowerment and the labour market." (Gender Inequality Index, 2020).

54   United Nations Development Programme, 'Gender Inequality Index'.

55   Williams and Opdam, 'The unrealised potential for transformative reparations for sexual and gender-based violence in Sierra Leone', pp.1290-1.

social functions for the population'.[56] For example, the government has not invested the money needed to combat GBV. The Centre for Accountability and Rule of Law found that in 2014, Family Support Units were given $400 a year to tackle sexual GBV, but nearly $30,000 had been requested.[57] Additionally, reforms like the 2019 amendment to the Sexual Offenses Act are ideologically sound but limited in practice because they have not addressed the broader structural barriers, such as access to police stations and societal stigmas, which prevent women reporting cases.[58] In the 2020 Afrobarometer report 34.1% of respondents[59] agreed and 37.5% strongly agreed with the question:

"[c]hanges in the law and harsher punishments are not enough to solve the problem of rape and sexual assault; the government should do more to educate people and change sexual attitudes and behaviors [emphasis added]".[60]

Lastly, in Luisa Theresia Schneider's study on Intimate Partner Sexual Violence in Freetown, she found that activists and the state were women pushing women to report violence without considering their lack of 'viable exit strategies'.[61] For example, a lack of shelters for victims of domestic violence means they often must go back to the home where the abuse took place and stigmas around reporting partners can lead to social ostracism. Both of which could prevent women from reporting violence.[62] These examples demonstrate that law reform, as initiated and promoted by the TRC, is just one part of a wider programme of societal restructuring needed to combat cultures of impunity around GBV.

Therefore, despite the TRC having the potential to tackle cultures of impunity, in practice it was limited by its lack of power and reliance on political will. And while the government has made some

56   Anderson and Beresford, 'Infectious injustice', p.471.

57   Centre for Accountability and Rule of Law, in F. M'Cormack-Hale, 'Secret Societies and Women's Access to Justice in Sierra Leone: Bridging the Formal and Informal Divide', Stability, 7.1 (2018) <https://doi.org/10.5334/sta.604>

58   The Conversation, 'Taking stock one year after Sierra Leone's gender violence 'emergency''.

59   Made up of a representative sample of 1,200 people.

60   Afrobarometer, 'Summary of results Afrobarometer, Round 8 survey in Sierra Leone, 2020', Institute for Governance Reform, (2020), 1-83 (p.80) <https://afrobarometer.org/sites/default/files/publications/Summary%20of%20results/summary_of_results-sierra_leone-afrobarometer_round_8-13oct20.pdf> [accessed 9 January 2020].

61   L.T. Schneider, 'Partners as Possession: A Qualitative Exploration of Intimate Partner Sexual Violence in Freetown, Sierra Leone', Journal of Aggression, Maltreatment & Trauma, 28.2 (2019), 127-145 (p. 131) <https://doi.org/10.1080/10926771.2018.1506854>

62   Ibid., p.141-3.

progress, they have not been able to combat cultures of impunity around GBV because they have not adequately addressed the entrenched inequalities in society that leave women and girls vulnerable to violence.

This limitation on the effectiveness of truth commissions as a transitional justice mechanism leads into a wider debate on whose justice the transitional justice settlements were trying to achieve. One of the fundamental issues with both the SCSL and TRC is that they failed to meet the victim's expectations. For example, in Gearoid Millar's study of how locals in Makeni evaluated the TRC as a vehicle of justice, they found a disconnect between people's expectations of the commission versus its reality. They found locals demonstrated a preference for looking towards the future and how to rebuild state infrastructure, as opposed to revisiting the past.[63] Millar sums this up by asking '[w]hat would be the point in knowing who had chopped off your child's hands, when you can't afford to feed her breakfast, cure her boils, or send her to school?'[64] In light of these findings, Millar argues that 'transitional justice must be experienced as justice by those who have suffered an infringement upon their rights'.[65] Furthermore, the Special Court for Sierra Leone found that the victims attending the court had expected to receive financial reparations.[66] Williams and Opdam argue the courts lack of a reparations mandate led to disillusionment and hindered the SCSL's transformative potential.[67] Lambourne convincingly contests that this disconnect occurred because the Sierra Leone government and UN enacted the transitional justice mechanisms without public solicitation, which highlights the importance of considering and consulting victims' expectations and needs during the peace process, so that the transitional justice mechanisms can reflect the goals of the wider population and therefore enhance the extent to which the settlements are able to combat cultures of impunity.[68]

63   Millar, 'Local Evaluations of Justice through Truth Telling in Sierra Leone', p.524.

64   Ibid., pp.530-1.

65   Ibid., p.531.

66   Special Court for Sierra Leone, in Williams and Opdam, 'The unrealised potential for transformative reparations for sexual and gender-based violence in Sierra Leone', pp.1284.

67   Williams and Opdam, 'The unrealised potential for transformative reparations for sexual and gender-based violence in Sierra Leone', pp.1286.

68   Lambourne, 'Transitional Justice and Peacebuilding after Mass Violence', p.29.

Conclusion

In conclusion, this essay has argued that the transitional justice settlements in Sierra Leone failed to combat cultures of impunity around gender-based violence because they did not address the structural violence in the state which makes women and girls vulnerable to violence. Using evidence of the unending GBV in Sierra Leone today it first evaluated the SCSL and argued that by nature criminal trials can combat individual levels of impunity but not cultures of impunity because they do not lead to structural change. It then moved on to examine the TRC and concluded that the truth commission had the potential to combat cultures of impunity but was limited in practice by its reliance on political will, which was lacking. This research is important because it demonstrates that impactful societal restructuring, on a state and local level, is a necessary prerequisite in order to meaningfully tackle cultures of impunity around gender-based violence.

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Indefinite Leave to *Remain*

Aisha *Habib Ahmad*

Final Year, Classical Literature and English

40

When an immigrant first enters this country, they are given Definite Leave to Remain. After a five-year period, they are given Indefinite Leave to Remain status, which affords them the ability to stay in the country, but not be considered a British citizen. You require ILR status to apply for citizenship. It is the transitory state between not-being and being British.

The Brexit vote and the subsequent negotiation of laws have been an insistent, unremitting reminder that the illusion of belonging is a fragile thing for immigrants. The issue of belonging is not an issue for one cohesive identity. The universality and yet differences between different racial and ethnic identities that pervade an immigrant's journey to defining themselves is in itself hard to do justice, but it is the topic I would like to broach in Indefinite Leave to Remain.

The poem is in blank verse and does not have a single overarching narrator, but lives in a collective but individual "we" that is angry, discontent, grieving and resigned at the same time. It talks about fitting in, and the active disjointedness of figuring out what that means in a world that does not know what to do with immigrants.

History is written for the victors,
and their generations hence,
so they can look back on all that they've accomplished
and praise the lord that they're blessed.
This I understand but—

Black is a colour that has been turned into a race,
and sure, they call themselves the n word now—what does that erase?
Their music thrums in every radio channel's electric vein
and they laugh on billboards and go on holidays
and are allowed to return
and I suppose that's progress but
go back
a couple of centuries and –
they were packed up
like sardines in ships of rotting iron and packaged
off to the highest bidders,
like all the bric-a-brac that's Made in China,
always Made in China.
Is it over if the shackles are invisible now?

The "Orientals" were erased from your
white white history—wiped from every text and photographical
etching.

              (Why did it take me till it was too late to learn
              that the Ottomans are the reason the Tudors thrived?)

Have they really been here longer than the rain-pattered awning
over my head
at the Greggs I buy a sandwich at
on the way to work every morning where I writhe slowly,
quietly,
in my own skin?

If shattered Kohinoors built this town, then why're its people still bleeding?

              If you prick us, do we not bleed?

You told me to leave in 2016—
this country we built, this country you lead.
I'm an immigrant, true, but so are you.

              (How does Arthur belong to Scandinavia and the Saxons
              any more than to Carthage and the Balkans?)

Our children
believe the whites can do no wrong, ashamed
of speaking in their mother tongues.

                                                    (speak English, you're in England)

My tongue slips on every language now.

You deride our outrage, chastise our contempt;
Two hundred and fifty-eight pages but race isn't an issue, well then.
You "learn" our etiquettes
in valiant attempts to make amends,
and some are glad.

                                                    (how exotic, namaste, thank you?)

Maybe this is progress?
"They have such cute traditions, such sweet curries!"
"Such a nice doctor, he's from Somalia you know—"
But gang violence is up, so we're foreign once more.

                        Do you feel stifled when you go to (our) alien lands?
                        You promised us freedoms, not vice versa, and you still make demands.
                                                    You sit on your throne of lies:

42

COME TO CIVILISATION
ALL WELCOME WITH OPEN ARMS

if only we spoke your song.

Well.

I learnt your words; I corrected every lexical error and mispronunciation.

                                I taught myself you were right and I was wrong.
                        My children, now old, wish they could sing Swahili songs.

I eroded my culture to feel like I belonged. I was told freedom awaited me
if only I was white enough—
(good enough)
But I must've misunderstood,
or it got lost in translation somewhere between your mouth
and my will,
because I haven't done anything wrong my whole
life, and you side-eye me still.

03

So many laws
you make, so many papers you sign,
but if history is alive now,
current as a Grenfell fire or a nine minute knee,
you'll never make up for what us millions have lost
to time.

<div align="right">(and time again, and again, and again)</div>

Us Afghanis and Pakistanis and Indians, from the East Indies and the West Indies
and the Centres of sliced continents—
we've nailed our beds to these quicksand floors
because you've auctioned away our drifting souls,
and we don't sit at the tables that barter
for our antiquities.

<div align="right">What identity do I have left?
I sing an ideology of an anthem I can't know—
why do I relate to skins that aren't my own?
Why can I not find a me
when I'm told there's nothing I can't be?</div>

There's no right you can give us without reminding us
that we're not whole.
Our lives echo with a silence we can't even begin to
comprehend how to fill,
and all the gap between us and them does is grow.

<div align="right">We don't belong from where you took us;
we don't belong where we've been "resettled";
we don't belong to the masses;
we don't belong to our little sub-classes.</div>

We live in the grey space between the lies and the truths,
in the tiny pigment hidden by calcified weary eyes. We cry
silent streams
in remembrance of shores we've never seen.
You've made us nostalgic for what you've taken,
for what we'll never get to be.
Our ancestors must baulk at our audacity—
we're barbarians to our own ethnicity.

<div align="right">(another place I don't belong, I see)</div>

It's 2021 and there're statues in rivers flooded with grief;
this anger is old –
We've been down this road a thousand times over
and your denial denies closure.

                                        (is that another door without a key for me?)

Empires rise and fall every day. I am learning to contextualise
my bereavement.
My pain and anger, I am reassured slowly,
quietly,
aren't justified
when there are others suffering more than I.

I'm an immigrant, I'm an outsider, and I always will be,

                        (my English teacher in year 10 told me it didn't matter
                            what my name was or how foreign I looked as long
                                                            as I did my best)
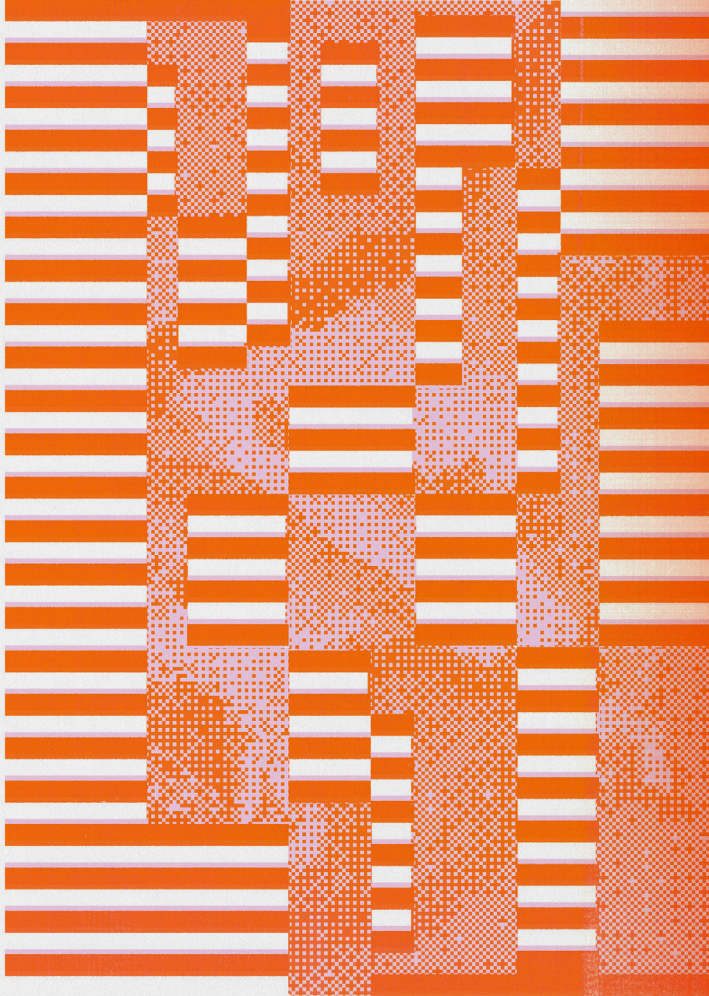
and now I am calmly, gently, denied my cup of tea.

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Tanzania's 2020 Elections: Transition from Democracy to Authoritarianism?

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Abstract

The party, Chama Cha Mapinduzi (CCM) have ruled Tanzania since independence in 1961, even after multi-party elections were introduced in 1992. A general election took place on 28th October 2020, in which President John Magufuli won a second term in office with a reported 84.7% of votes.[1] In the 5 years leading up to the election, the Tanzanian Government enacted policies and strategies to restrict political space enabling them to manipulate the 2020 election, but these changes went largely unrecognised by the international community. The Tanzania Elections Watch noted that 'the 2020 elections marked the most significant backsliding in Tanzania's democratic credentials'.[2] This essay will explain the measures taken by the Government to prevent democratic elections and analyse the concern amongst commentators that Tanzania has transitioned back to authoritarianism.

1   National Electoral Commission (NEC), Commission announces Magufuli elected to be the President of United Republic of Tanzania on 28th, 31 October 2020 <https://www.nec.go.tz/news/commission-announces-dkt-magufuli-elected-to-be-the-president-of-united-republic-of-tanzania-on-28th-october-2020> [Accessed 19 November 2020]

2   Tanzania Election Watch (TEW), Preliminary Election Report, 30 October 2020, <https://tanzaniaelectionswatch.org/download/tanzania-elections-watch-preliminary-election-report-on-the-general-election-held-in-the-republic-of-tanzania-on-the-28th-october-2020/> [Accessed 19 November 2020], p. 10.

Introduction

Multi-party elections were introduced in Tanzania in 1992 due to internal and external pressure to democratise. Tanzania's ruling party, CCM, have won every election to date, usually by a considerable margin. The 2020 election can be recognised as the least democratic in Tanzania's recent history due to increased legislation constricting the political and civic space. Freedom House labelled Tanzania as 'partly free' with a score that has declined 18 points over the last decade, one of the worst declines globally and they stated that 'since the election of President John Magufuli in 2015, the Government has cracked down with growing severity on its critics in the political opposition, the press and civil society'.[3]

In 2015, John Magufuli was chosen as a 'compromise presidential candidate' by senior party leaders as rival factions in CCM competed for power and Magufuli had distanced himself from factional competition and his reputation had not been tarnished by corruption.[4] CCM won the 2015 presidential election with 58% of the popular vote, their smallest win margin to date, whilst the largest opposition party, Chame Cha Demokrasia na Maendeleo (Chadema), obtained 40% of the vote.[5] Scholars argued that this smaller win margin came as a shock to the ruling party who, from 2015 to 2020, sought to reduce opportunities for the opposition to mobilise public support.[6] Additionally, it can be argued that Magufuli manipulated the 2020 election to exhibit his popularity to the international community in the form of a 'Rwanda-style' victory; this comparison was drawn from the electoral victories of President Paul Kigame of Rwanda who has regularly won over 90% of the majority vote.[7] It could have been especially important for Magufuli to appear popular after his approval rating among

3   Freedom House, Tanzania <https://freedomhouse.org/country/tanzania/freedom-world/2020> [Accessed 24 November 2020]

4   Thabit Jacob and Rasmus Hundsbæk Pedersen, 'New resource nationalism? Continuity and change in Tanzania's extractive industries', The Extractive Industries and Society, 5.2 (2018), 287-292 (p. 290); Machiko Tsubura, '"Umoja ni ushindi (Unity is victory)": management of factionalism in the presidential nomination of Tanzania's dominant party in 2015', Journal of Eastern African Studies, 12.1 (2018), 63-82.

5   Dan Paget, 'The authoritarian origins of well-organized opposition parties: The rise of Chadema in Tanzania', African Affairs, 118.473 (2019), 692-711.

6   Dan Paget, 'Again, making Tanzania great: Magufuli's restorationist developmental nationalism', Democratization, 27.7 (2020), 1240-1260.

7   Thabit Jacob, Tanzania's 2020 elections: What's at stake? [Webinar] Danish Institute for International Studies, 23 October 2020 <https://www.diis.dk/en/event/tanzanias-2020-elections-whats-stake> [Accessed 4 November 2020]

Tanzanian citizens decreased from 96% in 2016 to 55% in 2018.[8] Dan Paget referred to Magufuli's regime as 'restorationist developmental nationalism', in which Magufuli presented the current order as a corrupt deviation from the idealised 'Nyerere's Tanzania'; through this narrative, Magufuli justified authoritarian measures as necessary to preserve national unity and ensure development.[9]

Elections are often considered to be a core principle of democratic governance, but in "Elections Without Democracy: The Menu of Manipulation", Andreas Schedler identified that elections can also be used as an instrument of authoritarian control.[10] Measures taken by Magufuli in the run up to the 2020 elections have caused concern that Tanzania is headed towards 'absolute authoritarianism'.[11] Tanzania can be described as an electoral authoritarian regime, in which elections are organised to obtain an appearance of legitimacy to satisfy external actors whilst allowing the regime to reinforce their hold on power.[12] Schedler outlined 7 tactics that electoral authoritarian regimes can use to engineer elections, namely: using reserved positions; engineering the failure of opposition parties; preventing voters from acquiring fair knowledge about available choices; informal disenfranchisement; systematic violence against opposition candidates, civil society and independent media outlets; electoral fraud and institutional bias; and reversing the outcome of an election.[13] This analysis will use Schedler's work as a primary source and demonstrate that 5 of the 7 tactics that he identified were utilised by CCM to manipulate the 2020 election.

8   Aikande Clement Kwayu and Dan Paget, 'COVID-19 is casting Magufuli in the worst light, in an election year', The Conversation, 13 May 2020 <https://theconversation.com/covid-19-is-casting-magufuli-in-the-worst-light-in-an-election-year-138329> [Accessed 8 December 2020]

9   Paget, Again, making Tanzania great: Magufuli's restorationist developmental nationalism.

10   Andreas Schedler, 'Elections Without Democracy: The Menu of Manipulation', Journal of Democracy, 13.2 (2002), 36-50 (p. 36).

11   Karuti Kanyinga, 'Tanzanian election leaves a highly polarised society with an uncertain future'. The Conversation, 1 November 2020 <https://theconversation.com/tanzanian-election-leaves-a-highly-polarised-society-with-an-uncertain-future-149191> [Accessed 21 November 2020]

12   Schedler, Elections Without Democracy: The Menu of Manipulation, p. 36.

13   Schedler, Elections Without Democracy: The Menu of Manipulation.

Engineering the failure of opposition parties

According to Schedler, ruling parties can engineer the failure of opposition parties through creating legal instruments that permit them to exclude opponents, using informal methods to cause fragmentation and conducting violence.[14]

Public assemblies are crucial for opposition parties to disseminate their campaign message. In 2016, the Tanzanian Government passed a law that banned public gatherings outside of election periods and justified the ban as a means of preserving national unity.[15] However, sitting MPs were permitted to organise gatherings in their constituencies; this benefitted CCM as they had the majority of seats and prevented opposition parties from campaigning outside of their constituencies.[16] For the 2020 election, the National Electoral Commission (NEC) scheduled a 2-month period for campaigns to take place.[17] Opposition parties rely on campaigns outside of election periods to gain public support and CCM engineered the failure of opposition parties by preventing this.[18] Additionally, opposition candidates were temporarily banned from campaigning in October 2020. Chadema leader, Tundu Lissu was suspended from campaigning for 7 days as punishment for making seditious statements.[19] Lissu argued that it was another example of 'a discredited and compromised electoral system'.[20] The Zanzibar Electoral Commission also issued a 5-day campaigning ban on the ACT-Wazalendo presidential candidate, Seif Shariff Hamad, for similar reasons.[21]

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14   Schedler, Elections Without Democracy: The Menu of Manipulation, p. 42.

15   Sabatho Nyamsenda, Bulldozing like a fascist? Authoritarian populism and rural activism in Tanzania, EPRI 2018 International Conference: Authoritarian Populism and the Rural World, Conference Paper No.78 (2018)

16   Dan Paget, 'Tanzania: Shrinking Space and Opposition Protest', Journal of Democracy, 28.3 (2017), 153-167 (p. 158).

17   Amnesty International, Lawfare: Repression by Law Ahead of Tanzania's General Elections (London: Amnesty International, 2020)

18   Paget, Tanzania: Shrinking Space and Opposition Protest, p. 158.

19   Tom Odula, 'Observers say Tanzania's presidential vote is already flawed', The Washington Post, 25 October 2020 <https://www.washingtonpost.com/world/africa/observers-say-tanzanias-presidential-vote-is-already-flawed/2020/10/25/0b00b962-1699-11eb-a258-614acf2b906d_story.html> [Accessed 26 October 2020]

20   Morris Kiruga, 'Tanzania: Candidate Tundu Lissu is suspended just ahead of polls', The Africa Report, 5 October 2020 <https://www.theafricareport.com/44469/tanzania-candidate-tundu-lissu-is-suspended-just-ahead-of-polls/> [Accessed 21 November 2020]

21   Fatma Karume, 'TANZANIA ELECTION 2020: Neither free nor fair', fatma karume aka Shangazi on medium.com, 25 October 2020, <https://medium.com/@fatma_karume/tanzania-election-2020-neither-free-nor-fair-c5cdc9bd5575> [Accessed 26 October 2020]

In 2019, the Government passed amendments to the Political Parties Act which gave CCM increased power to arbitrarily ban parties, including laws to ban parties that engaged in common forms of activism.[22] Opposition politicians criticised the amendments as a further move towards a 'de facto one-party state' and the prevention of democratic elections.[23] In 2019, opposition groups boycotted local elections after widespread disqualification resulted in 95% of their candidates unable to run.[24] For the local Governments that are under opposition control, Rachel McLellan argued that the Government utilised a 'punishment regime' to distribute resources away from those areas in an attempt to hinder opposition support.[25] Additionally, it can be argued that the Government's economic strategy cut off sources of political finance for external political opponents.[26] The Government's efforts to engineer the failure of opposition parties have been subtle and gradual resulting in relatively little criticism from the international community, whilst measures have demonstrated the Tanzanian Government's commitment to transition away from democratic principles.

Preventing voters from acquiring fair knowledge about available choices

Incumbent leaders may obstruct opposition forces from disseminating their campaign messages to prevent voters from understanding electoral choices or by amplifying their own campaign messages by using public funds and state-controlled media.[27]

Since 2015, legislation has been enacted in Tanzania to stifle freedom of speech, curb criticism of the Government and prevent the dissemination of opposition campaign messages. Tanzania was ranked 124th out of 180 countries in Reporters Without Borders 2020 World Press Freedom Index after a fall of 53 places since 2016.[28] The 2015 Cyber-

22   Freedom House, Tanzania.

23   Fumbuka Ng'wanakilala, 'Tanzania MPs grant government sweeping powers over political parties', Reuters, 30 January 2019 <https://www.reuters.com/article/us-tanzania-politics-idUSKCN1PO0IA> [Accessed 7 February 2021]

24   Freedom House, Tanzania.

25   Rachel McLellan, Job Market Paper: The Politics of Local Control in Electoral Autocracies (2019) <https://www.rachaelmclellan.com/job-market-paper> [Accessed 21 November 2020], (p. 5).

26   Michaela Collord, 'Tanzania – Where President Magufuli's politics and his economics meet', Democracy in Africa, 19 November 2017 <http://democracyinafrica.org/tanzania-president-magufulis-politics-economics-meet/> [Accessed 2 March 2021]

27   Schedler, Elections Without Democracy: The Menu of Manipulation, p. 43.

28   Reporters Without Borders (RSF), 'Tanzanian media unable to cover Covid-19

crimes Act established legislation to control online activities, controversially restricting opportunities for criticism of the Government; the Act made it a criminal offense to publish deceptive information online and the clause on 'publication of false information' has been used to convict individuals for merely insulting President Magufuli.[29]

The 2016 Media Services Act created a Government-controlled body to have responsibility for the accreditation of journalists and media outlets and it introduced laws on sedition, defamation and publication of false statements.[30] Additionally, the measures gave the Government increased control over media outlets owned by foreign companies, including Mwananchi and The Citizen, and extended coverage to include online platforms.[31] Popular analyses blame repressive measures on Magufuli's leadership, but the Cybercrimes Act and Media Services Act were introduced to Parliament prior to the choice of Magufuli as CCM's presidential candidate.[32] Therefore, it can be implied that the Tanzanian Government was already headed towards curbing freedom of speech and media and Magufuli acted as a continuation of this policy, rather than its catalyst. In 2016, the Government halted live coverage of Parliament and moved to publish only select material; the decision was justified as cost reduction.[33] The Tanzania National Panel Survey found that the approval ratings of national politicians fell when Tanzanians watched more TV.[34] The halting of Parliamentary coverage was criticised by opposition parties and civil society organisations (CSOs) for denying an important opportunity for the Government to be held to account.[35]

The Tanzania Communications Regulatory Authority (TCRA) is a quasi-independent Government body that is responsible for regulating the communications and broadcasting sectors. Since 2015, the

epidemic', 5 November 2020, <https://rsf.org/en/news/tanzanian-media-unable-cover-covid-19-epidemic> [Accessed 2 February 2021]

29   Paget, Tanzania: Shrinking Space and Opposition Protest, p. 156.

30   International Press Institute, 'New media bill threatens press freedom in Tanzania', 4 November 2016 <https://ipi.media/new-media-bill-threatens-press-freedom-in-tanzania/> [Accessed 4 February 2021]

31   Paget, Tanzania: Shrinking Space and Opposition Protest, p. 157.

32   Paget, Tanzania: Shrinking Space and Opposition Protest, p. 158.

33   Karume, TANZANIA ELECTION 2020: Neither free nor fair.

34   Ruth Carlitz and Constantine Manda, 'Tanzania loves its new anti-corruption president. Why is he shutting down media outlets?' The Washington Post, 25 January 2016 <https://www.washingtonpost.com/news/monkey-cage/wp/2016/01/25/tanzania-loves-its-new-anti-corruption-president-why-is-he-shutting-down-media-outlets/> [Accessed 2 March 2021]

35   Murithi Mutiga, 'Tanzania cuts live parliamentary coverage, ending vital news source for citizens', Committee to Protect Journalists, 13 May 2016 <https://cpj.org/2016/05/tanzania-cuts-live-parliamentary-coverage-ending-v/> [Accessed 4 February 2021]

TCRA has arbitrarily suspended many independent newspapers, including The Citizen and Mawio.[36] Most recently in June 2020, the TCRA revoked the licence of Tanzania Daima for breaching the law without citing specific content that was illegal; Tanzania Daima is an independent newspaper owned by Freeman Mbowe, Chairman of the opposition party, Chadema.[37] Many Tanzanian journalists have been detained, including Erick Kabendera whose arrest was viewed as persecution by many human rights organisations and activists.[38]

Due to Government intervention, the media did not provide balanced election coverage and citizens relied on social media as an alternative. However, during election week, the Government shut down the internet and subsequently hampered communication and access to information.[39] Additionally, social media sites were blocked, which led Twitter Public Policy to tweet that there was 'blocking and throttling of Twitter' and reiterate that internet shutdowns 'violate basic human rights'.[40] Measures that blocked social media and the internet predominantly affected young people and those living in urban areas, who were viewed as the greatest threat to CCM's hold on power.[41] The measures implemented restricted freedom of the press and prevented voters from hearing criticism of the Government and acquiring knowledge about opposition parties.

Informal disenfranchisement

Schedler argued that political actors can influence electoral outcomes by controlling the composition of the electorate, however, formal disenfranchisement is not a viable model in contemporary times.

36   Amnesty International, Human Rights in Africa: Review of 2019 (London: Amnesty International, 2020), (p. 87).

37   Committee to Protect Journalists, Tanzanian government revokes license of Tanzania Daima newspaper, 26 June 2020 <https://cpj.org/2020/06/tanzanian-government-revokes-license-of-tanzania-daima-newspaper/> [Accessed 26 January 2021]

38   Amnesty International, Human Rights in Africa: Review of 2019, p. 87.

39   Tanzania Election Watch, Preliminary Election Report, p. 7.

40   BBC News, 'Tanzania elections: Tundu Lissu alleges 'shameless' fraud', BBC News, 28 October 2020a. <https://www.bbc.co.uk/news/world-africa-54703693> [Accessed 28 October 2020]

41   Kanyinga, Tanzanian election leaves a highly polarised society with an uncertain future.

Therefore, electoral authoritarian regimes have devised methods of informal disenfranchisement, for example, through registration methods and voting procedures.[42]

The NEC in Tanzania has been criticised for inadequately updating the voter registry and intentionally preventing the registration of new voters.[43] Robert Macdonald found that younger voters were more inclined to support opposition parties due to their differing experience with CCM's evolving administrative style and their greater reluctance to accept attempts to discredit opposition parties.[44] Since 2015, an estimated 7 million young people became eligible to vote but CCM viewed their votes as a direct threat to regime survival and moved to block their democratic rights.[45] The NEC is required to register newly eligible voters at least twice in a 5-year period; however, the voters' registry only opened once since 2015.[46] In the local elections, the NEC controversially stated that voters could not use their national voter identification cards and would have to register separately with local and regional authorities, this resulted in notably lower levels of registration.[47] The blockages presented by the informally Government-controlled NEC have led to disenfranchisement of the youth, the group that represented the greatest threat to CCM's regime.

Systematic violence against opposition candidates, civil society and independent media outlets

Voters must be insulated from external pressure to freely express their electoral preferences; however, regimes use intimidation, violence or the threat of violence to deter citizens from voting for the opposition.[48] In Tanzania, opposition candidates and supporters have regularly been detained or attacked by affiliates of the Government.[49] ACT-Wazalendo leader, Zitto Kabwe, was charged with incitement in 2018

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42   Schedler, Elections Without Democracy: The Menu of Manipulation, p. 44.

43   Freedom House, Tanzania.

44   Robert Macdonald, 'Age and gender voting trends in the 2015 Tanzanian general election', Journal of Eastern African Studies, 12.1 (2018), 44-62.

45   Karume, TANZANIA ELECTION 2020: Neither free nor fair.

46   Karume, TANZANIA ELECTION 2020: Neither free nor fair.

47   Freedom House, Tanzania.

48   Schedler, Elections Without Democracy: The Menu of Manipulation, p. 44.

49   Nyamsenda, Bulldozing like a fascist? Authoritarian populism and rural activism in Tanzania.

and accused of violating the Media Services Act in 2019.[50] Freeman Mbowe was assaulted in a 'politically-motivated' attack in June 2020, by suspected Government associates, after he accused the Government of covering up the extent of Tanzania's Covid-19 outbreak.[51] Chadema's presidential candidate, Tundu Lissu, was the victim of an assassination attempt in 2017, suspected to have been orchestrated by the Government.[52]

In 2019, the Government enacted new legislation to expand the authority of the Registrar for Non-Governmental Organisations (NGOs) to monitor, suspend and deregister CSOs.[53] Additionally, the Political Parties Act was amended to criminalise the participation of CSOs in popular mobilisation towards a political cause.[54] In June 2020, the NEC announced a list of NGOs accredited to observe the 2020 elections but the list excluded several of the main human rights organisations in Tanzania, including the Legal and Human Rights Centre who had observed all previous multi-party elections.[55] Violence against opposition candidates and supporters was widely reported during election week and at least 9 ACT-Wazalendo supporters were killed by the police in Zanzibar.[56]

Electoral fraud and institutional bias

Schedler explained that democratic elections require the equal weighting of votes through impartial election management, however, biased electoral commissions can utilise their position to conduct fraudulent practices directly (e.g. through ballot rigging) or indirectly (e.g. through redistributive practices).[57]

The NEC has been accused of institutional bias and facilitating electoral fraud. Since 2000, all senior NEC officials have been appointed

50   Amnesty International, 'Tanzania: Opposition politicians arrested as crackdown escalates ahead of election', (2020) <https://www.amnesty.org/en/latest/news/2020/06/tanzania-opposition-politicians-arrested-as-crackdown/> [Accessed 21 November 2020]

51   Amnesty International, Tanzania: Opposition politicians arrested as crackdown escalates ahead of election.

52   Jacob, Tanzania's 2020 elections: What's at stake?

53   Freedom House, Tanzania.

54   Tanzania Election Watch, Preliminary Election Report, p. 8.

55   Tanzania Election Watch, Preliminary Election Report, p. 8.

56   Tanzania Election Watch, Preliminary Election Report, p. 4.

57   Schedler, Elections Without Democracy: The Menu of Manipulation, p. 44.

by the President and the current NEC Director used to be a party candidate for CCM.[58] Amendments to the Political Parties Act allowed the NEC to deregister political parties, suspend party members and disqualify candidates for ambiguous reasons with little evidence; this enabled 28 CCM MPs, 11% of total MPs, to be elected unopposed in the general election.[59] CCM were also accused of coercing voters through vote buying, intimidation and offering material incentives.[60] The 2020 election lacked sufficient independent observers and the NEC was accused of displaying limited transparency throughout the electoral process.[61] Unlike previous years, the EU were not invited to observe the election.[62] The NEC has dismissed accusations of electoral fraud, despite claims that opposition polling agents were prevented from entering polling stations and several social media posts that displayed alleged rigging.[63] Irregularities during election week were widely reported and following the election, the UK Foreign Office and EU raised doubts about the outcome due to voting irregularities and the margins of victory.[64] However, their statements failed to recognise the contribution of authoritarian measures enacted in the 5 years prior in the unlikely election result.

Conclusion

During and following the election, the international media predominantly reported on election day interference and overlooked the authoritarian legislative changes that occurred between 2015 and 2020. Following the election, there was increased crackdown on opposition parties after calls for protests, with several candidates be-

58   Karume, TANZANIA ELECTION 2020: Neither free nor fair; Freedom House, Tanzania.

59   Amnesty International, Human Rights in Africa: Review of 2019; Kanyinga, Tanzanian election leaves a highly polarised society with an uncertain future.

60   Freedom House, Tanzania.

61   Tanzania Election Watch, Preliminary Election Report, p. 5.

62   Odula, Observers say Tanzania's presidential vote is already flawed.

63   Tundu Lissu, 'Here's concrete evidence of ballot tampering orchestrated by NEC @TumeUchaguziTZ in favor of CCM. We urgently call for democratic action [...]', [Twitter post] (@TunduALissu, 28 October 2020)

64   James Durridge, 'Presidential elections in Tanzania: UK statement', Foreign, Commonwealth & Development Office, 1 November 2020 <https://www.gov.uk/government/news/uk-statement-following-the-presidential-elections-in-tanzania> [Accessed 24 November 2020]; European Union (EU), 'Tanzania – Declaration by the High Representative on behalf of the EU on the elections in Tanzania', 2 November 2020 <https://www.consilium.europa.eu/en/press/press-releases/2020/11/02/tanzania-declaration-by-the-high-representative-on-behalf-of-the-eu-on-the-elections-in-tanzania/> [Accessed 6 April 2021]

ing detained, including Tundu Lissu and Freeman Mbowe.[65] Many commentators on Tanzanian politics have become increasingly concerned that CCM could seek to pass further authoritarian policies now that they have a firmer grip over Parliament.[66] President Magufuli passed away 5 months after the election; he was replaced by the Vice President Samia Suluhu who is likely to remain in power until the next general election in 2025.[67] The trajectory towards authoritarianism is expected to continue under the new President as power remains in the hands of CCM.

This essay has utilised Schedler's work on electoral authoritarian regimes to demonstrate that Tanzania may be in transition from democracy to authoritarianism.[68] Legislation enacted by the Government, an increased crackdown on media freedom, and systematic efforts to constrict the political space all contribute to a weakening democracy. Electoral fraud is often assumed to be limited to ballot stuffing and on-the-day election rigging, but Tanzania's 2020 election proved that elections can be rigged before votes are even cast. Due to the gradual nature of Tanzania's transition, the democratic decline has generally gone unrecognised or under-reported by the international community.

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65   Athuman Mtulya, 'Tanzania elections: Chadema's Freeman Mbowe arrested', BBC News, 3 November 2020 <https://www.bbc.co.uk/news/world-africa-54777226> [Accessed 6 November 2020]; Jason Burke, 'Tanzanian government cracks down on opposition after disputed election', The Guardian, 2 November 2020 <https://www.theguardian.com/world/2020/nov/02/tanzanian-opposition-figures-arrested-after-disputed-election>   [Accessed 24 November 2020]

66   Ahmed Rajab, Tanzania's 2020 elections: What's at stake? [Webinar] Danish Institute for International Studies, 23 October 2020. <https://www.diis.dk/en/event/tanzania-as-2020-elections-whats-stake> [Accessed 4 November 2020]

67   Al Jazeera, 'Profile: Samia Suluhu Hassan, Tanzania's new president', 19 March 2021 <https://www.aljazeera.com/news/2021/3/19/tanzanias-hassan-quiet-achiever-who-wants-to-get-things-done> [Accessed 6 April 2021]

68   Schedler, Elections Without Democracy: The Menu of Manipulation.

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61

White *Flowers*

Lan *Huang*
Second Year, Fine Art

The misconception of totalitarianism is that freedom can be imprisoned. This is not the case. When you constrain freedom, freedom will take flight and land on a windowsill.
— Ai Weiwei

In White Flowers, I call for freedom of speech. I mourn Li and the lives that have passed away in the nightmare global pandemic.

It is a traditional custom in China that people would use white flowers to commemorate the lives that have passed away. In this work, the white flower is mourning the lost lives. Simultaneously, it is mourning the dead voice. It is not silent mourning, it is mourning with sound, a powerful, unyielding, but somewhat helpless mourning.

LEEDS HUMAN RIGHTS JOURNAL

LEEDS HUMAN RIGHTS JOURNAL

Interactive installation, 2021
120 × 80 × 25 cm
Red speakers, white paper, candles

Red Speakers

Technical procedures, 2020
16 × 13 × 13 cm
Speakers,
Sound Sensor Module,
Screen
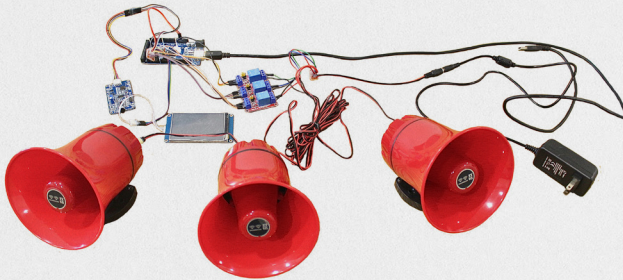
LEEDS HUMAN RIGHTS JOURNAL

The three programmed loudspeakers can receive sounds and make different responses. When the external sound goes above the decibel level I set, the three speakers will respond with the sound of what I recorded in advance. The sounds once the loudspeaker receives, regardless of their content, all will be alerted if the sound exceeds a certain decibel level. And the real-time triggering decibels can be adjusted by considering the practical space where they are installed. The sounds I finally chose to record into these three loudspeakers are gunshots, something broken, and an alarm.

Background

White Flowers is inspired and based on the miserable encounter of Li Wenliang, who was a Chinese ophthalmologist known for raising awareness of early COVID-19 infections in Wuhan, and then was dubbed a whistleblower. He was proclaimed an "ordinary hero" because he played a key role in 2019–20 COVID-19 pandemic. He shared the information about the then-unknown virus in his WeChat group at theearliest time, hoped to remind people around him to stay alert. After screenshots of his WeChat messages were shared on the Chinese Internet and gained more attention, the supervision department of his hospital summoned him for a talk, blaming him for leaking the information. On 3 January 2020, police from the Wuhan Public Security Bureau investigating the case interrogated Li, issued a formal written warning and censuring him for "publishing untrue statements about seven confirmed SARS cases at the Huanan Seafood Market". He was made to sign a letter of admonition promising not to do it again. The police warned him that any recalcitrant behavior would result in prosecution.

Unfortunately, on 7 February 2020, Li died of COVID-19. And his death made a big reaction in state media — How Chinese doctor Li Wenliang died twice in China's state media. People felt so regretful and angry. The hashtag #WeWantFreedomOfSpeech gained over 2 million views and over 5,500 posts within 5 hours before it was removed by censors, as were other related hashtags and posts.

武汉市公安局 武昌分局 中南路街派出所

训 诫 书

武公（中）字（ 20200103 ）

被训诫人 李文亮　　　　性别 男　出身年月 ___

身份证号各类及号码 ___

现住址（户籍所在地） 武汉市 ___

工作单位　　武汉市中心医院

违法行为（时间、地点、参与人、人数、反映何问题、后果等）

2019 年 12 月 30 日在微信群"___"发表有关华南水果海鲜市场确诊 7 例 SARS 的不属实的言论。

现在依法对你在互联网上发表不属实的言论的违法问题提出警示和训诫。你的行为严重扰乱了社会秩序。你的行为已超出了法律所允许的范围，违反了《中华人民共和国治安管理处罚法》的有关规定，是一种违法行为！

公安机关希望你积极配合工作，听从民警的规劝，至此中止违法行为。你能做到吗？

答：能

我们希望你冷静下来好好反思，并郑重诚你：如果你固执己见，不思悔改，继续进行违法活动，你将会受到法律的制裁！你听明白了吗？

答：明白

被训诫人：李文亮　　2020 年 1 月 3 日

训诫人：___　　工作单位：

2019 年

@xiaolwl

05

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2. Wikipedia, 'Li Wenliang', <https://en.wikipedia.org/wiki/Li_Wenliang> [accessed 26 March 2021].

Jorge Hopkins *Wang*

Second Year, Digital Media

Old man with black suit stares
into the distance (Cleethropes)

Life with distance.
It is the life in 2020/2021.

Lan *Huang*
Second Year, Fine Art

Inside and Out:
COVID-19
and
Austerity Britain's
Unattainable '*Home*'

Philippa *Dearlove*
Third Year, Music and Music Psychology

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Abstract

This article will analyse how the visible, 'hidden' and statutory homeless populations in the UK have experienced the COVID-19 pandemic. Through utilising interviews published in news outlets, research publications and articles, as well as podcasts and videos, this article will analyse how five widely-theorised characteristics of 'home' have been impacted by changes to governmental policy and society throughout the pandemic. These characteristics include: safety/ sanctuary, control, privacy, stability and belonging. Additionally, through analysis of the 'Everyone In' scheme and eviction ban, this article will demonstrate how the implementation of temporary and insufficient relief has failed to support those accustomed to the "crisis-ordinary" of the state's discriminatory housing provision. Therefore, those subjected to continued housing precarity are faced with a multi-faceted sense of loss, as they become further reliant on the state's impersonal and reductionist conceptualisation of what constitutes a suitable 'home.'

Inside and Out: COVID-19 and Austerity Britain's Unattainable 'Home'

The meaning of home has been subjected to decades of scrutiny. 'Home' is a subjective, "multidimensional concept" widely theorised as a representation of the "values and aspirations that societies hold, including those relating to gender, class, culture and stage of life-cycle."[1] Additionally, as Zenzole Isoke notes in her research on the 'Politics of Homemaking' amongst black feminists, home for marginalised bodies represents a space to "foster hope, leadership capacity, and a strong, stable and positive sense of self-identity."[2] Comparatively, homelessness must be conceptualised as an individualistic "feeling," grounded in external influences and identity-construction; as "homelessness can be felt in the domestic sphere" and "'home environments' can be established on the street."[3] Therefore, existing in states of being both at home and homeless must be analysed through a lens attuned to "the dynamic meaning making process people attribute to" the construction of 'home,' further necessitating the implementation of a targeted and personal approach to returning those most marginalised, and subsequently vulnerable, 'home.'[4]

This article will analyse how the visible, 'hidden' and statutory homeless populations in Britain have experienced the COVID-19 pandemic. The visible homeless population refers to those physically houseless, often sleeping rough or staying in homeless shelters. Those described as 'hidden' live in precarious or unsafe living conditions; sofa surfing, or staying in squats, lodgings, hotels and tents.[5] Additionally, the statutory homeless population refers to households classified

1   Ella Harris, Mel Nowicki and Katherine Brickell, 'On-Edge In The Impasse: Inhabiting The Housing Crisis As Structure-Of-Feeling', Geoforum, 101 (2019), 156-164 (p. 160) <https://doi.org/10.1016/j.geoforum.2018.09.001>.

2   Zenzele Isoke, 'The Politics Of Homemaking: Black Feminist Transformations Of A Cityscape', Transforming Anthropology, 19.2 (2011), 117-130 (p. 118) <https://doi.org/10.1111/j.1548-7466.2011.01136.x>

3   Lindsey McCarthy, '(Re)Conceptualising The Boundaries Between Home And Homelessness: The unheimlich', Housing Studies, 33.6 (2017), 960-985 (p. 961) <https://doi.org/10.1080/02673037.2017.1408780>.; Darrin J. Hodgetts and others, 'The Mobile Hermit And The City: Considering Links Between Places, Objects, And Identities In Social Psychological Research On Homelessness', British Journal Of Social Psychology, 49.2 (2010), 285-303 <https://doi.org/10.1348/014466609x450465>

4   Cameron Parsell, 'Home Is Where The House Is: The Meaning Of Home For People Sleeping Rough', Housing Studies, 27.2 (2012), 159-173 (p. 159) <https://doi.org/10.1080/02673037.2012.632621>.; Katherine H. Leith, 'Home Is Where The Heart Is... Or Is It?', Journal Of Aging Studies, 20.4 (2006), 317-333 <https://doi.org/10.1016/j.jaging.2005.12.002>.

5   Jenny Preece, Elisabeth Garratt and Jan Flaherty, 'Living Through Continuous Displacement: Resisting Homeless Identities And Remaking Precarious Lives', Geoforum, 116 (2020), 140-148 (p. 141) <https://doi.org/10.1016/j.geoforum.2020.08.008>.

as "eligible" to receive "help" from local authorities, meaning they are reliant on the "legal duties" of local authorities to provide financial and housing support.[6] Through analysis of interviews published in news outlets, research publications and articles, as well as podcasts and videos, I will analyse how five widely conceptualised and interlinking characteristics of 'home' have been impacted by changes to governmental policy and wider society throughout the COVID-19 pandemic. These characteristics include; safety/ sanctuary, control, privacy, stability and belonging.[7] Due to availability of information the essay will focus primarily on those facing housing precarity due to financial implications, rather than those experiencing forms of homelessness wherein domestic violence and other forms of emotional and physical abuse render a space unsafe.[8] Additionally, this article will focus primarily on the subjective experiences of those at the "losing end" of the housing crisis, due to the severe impacts of COVID-19 upon this demographic.[9] Therefore, due to extensive media coverage and nationwide analysis, governmental reasoning and justification for implemented approach and legislation will not be analysed.

6   Ministry of Housing, Communities and Local Government, 'Statutory Homelessness, October to December (Q4) 2018: England', Official Statistics: Statutory homelessness in England: October to December 2018 <https://assets.publishing.service. gov.uk/government/uploads/system/uploads/attachment_data/file/804329/Statuto- ry_Homelessness_Statistical_Release_October_to_December__2018.pdf> [Accessed 6 April 2021]; Ministry of Housing, Communities and Local Government, 'Statutory Homelessness, July to September (Q3) 2019: England', Official Statistics: Statutory home- lessness in England: July to September 2019 <https://assets.publishing.service.gov.uk/ government/uploads/system/uploads/attachment_data/file/873677/Statutory_home- lessness_release_Jul-Sep_2019.pdf> [Accessed 6 April 2021].

7   Iliana Ortega-Alcázar and Eleanor Wilkinson, "I Felt Trapped': Young Wom- en's Experiences Of Shared Housing In Austerity Britain', Social & Cultural Geography, (2020), 1-16 <https://doi.org/10.1080/14649365.2020.1829688>.;Dara V. Chan, 'Safe Spaces, Agency, And Connections To "Regular Stuff": What Makes Permanent Support- ive Housing Feel Like "Home"', Rehabilitation Counseling Bulletin, 63.2 (2018), 102-114 <https://doi.org/10.1177/0034355218814927>.; Frances Heywood,'Adaptation: Altering The House To Restore The Home', Housing Studies, 20.4 (2005), 531-547 <https://doi. org/10.1080/02673030500114409>.; J. Duyvendak, The politics of home: Belonging and nostalgia in Europe and the United States: Belonging and Nostalgia in Western Europe and the United States (London: Palgrave Macmillan, 2011), pp.38-40.

8   Maria Kaika, 'Interrogating The Geographies Of The Familiar: Domesticat- ing Nature And Constructing The Autonomy Of The Modern Home', International Jour- nal Of Urban And Regional Research, 28.2 (2004), 265-286 (p. 270) <https://doi.org/10. 1111/j.0309-1317.2004.00519.x>.; Alison Blunt and Ann Varley, 'Geographies Of Home', Cultural Geographies, 11.1 (2004), 3-6 <https://doi.org/10.1191/1474474004eu289xx>.; Iliana Ortega-Alcázar and Eleanor Wilkinson, 'I Felt Trapped', p. 8.

9   Ella Harris, Mel Nowicki and Katherine Brickell, On-Edge In The Impasse, p. 161.

Throughout the pandemic, despite the number of 'rough sleepers' in the UK declining by over 37%, the number of statutory homeless has risen by 14.9%, meaning that 288,470 people are now reliant on temporary, government provided accommodation; the "highest figure for 14 years."[10] Poverty has been on a steady increase over the last decade, widely linked to austerity measures implemented by Gordon Brown's Labour government and proceeding Conservative governments following the financial crash in 2007/2008.[11] Due to the disproportionate numbers facing housing insecurity and continued cuts to social services, Britain entered the pandemic unequipped to support those most vulnerable.[12] To the many living in conditions deemed to be unsafe prior to the pandemic, namely those sleeping rough with limited access to basic survival needs and those living in shared, "overcrowded" accommodation, the implementation of restricting legislation has caused further financial and social hardship.[13] In particular, those physically houseless, who, despite being extremely vulnerable to COVID-19 due to a statistically higher prevalence of underlying health conditions, have been faced with innumerate issues surrounding access to sanitation, support and information.[14] Shaqib,

10   Ministry of Housing, Communities and Local Government, 2020, 'Statutory Homelessness Annual Report, 2019-20, England', Official Statistics: Statutory homelessness in England: financial year 2019-20 <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/923123/Annual_Statutory_Homelessness_Release_2019-20.pdf> [Accessed 7 April 2021]. ; Shelter, '253,000 People Are Trapped In Temporary Accommodation - Shelter England', Shelter England, 2021   <https://england.shelter.org.uk/media/press_release/homeless_in_a_pandemic_253000_people_are_trapped_in_temporary_accommodation_> [Accessed 6 April 2021].

11   Ella Harris, Mel Nowicki and Katherine Brickell, On-Edge In The Impasse, p. 157.; J. Pearce, 'Commentary: Financial crisis, austerity policies, and geographical inequalities in health', Environment and Planning A, 45.9 (2013), 2030-2045 <https://doi.org/10.1068/a4663>.

12   Margo Barker and Jean Russell, 'Feeding The Food Insecure In Britain: Learning From The 2020 COVID-19 Crisis', Food Security, 12.4 (2020), 865-870 <https://doi.org/10.1007/s12571-020-01080-5>.; Peter Allebeck, Richard Horton.' The COVID-19 Catastrophe. What's Gone Wrong And How To Stop It Happening Again?', European Journal Of Public Health, 31.1 (2020), 234-234 <https://doi.org/10.1093/eurpub/ckaa216>.; Alan Maynard, 'Shrinking The State: The Fate Of The NHS And Social Care', Journal Of The Royal Society Of Medicine, 110.2 (2017), 49-51 <https://doi.org/10.1177/0141076816686923>.

13   Iliana Ortega-Alcázar and Eleanor Wilkinson, 'I Felt Trapped', p. 11.

14   Rebecca Karb and others, 'Homeless Shelter Characteristics And Prevalence Of SARS-Cov-2', Western Journal Of Emergency Medicine, 21.5 (2020) <https://doi.org/10.5811/westjem.2020.7.48725>.; Shelter, '253,000 People Are Trapped In Temporary Accommodation - Shelter England', Shelter England, 2021 <https://england.shelter.org.uk/media/press_release/homeless_in_a_pandemic_253000_people_are_trapped_in_temporary_accommodation_> [Accessed 6 April 2021].

an asylum seeker who usually "rotates between various people's couches in Brighton," describes feelings of anxiety, stating "I can't take it easy, I can't relax. You don't know where you can get it. Maybe it's better on the streets than in people's houses," demonstrating that fear of contracting COVID-19 has caused a disconnection from his usual support networks as the streets become a safer home for him.[15] At the end of March, the implementation of the highly commended 'Everyone In'[16] scheme which aimed to temporarily house "all people sleeping rough," as well as those staying in hostels and night shelters, meant that many, such as Al Hollis, received the first support in a "long, long, long…time."[17] However, despite the provision of extensive and targeted support for many, as Gil Williams, Housing Chair of Brighton and Hove Council, comments, government funding has been "completely inadequate," meaning councils have been forced to stretch funds and nationwide inequality has been accentuated as prosperous regions are inherently enabled greater flexibility in council fund distribution.[18] Therefore, with one in five reported to leave temporary accommodation provided by the London Greater Authority, questions surface as to whether the scheme has enabled councils in regions of low socio-economic status to consistently administer the appropriate support, with many homeless people returning to where they appear to have felt safer, the streets.[19]

Those living in shared, government provided housing have also become increasingly unsafe following the onset of the COVID-19 pandemic. In research conducted between 2015 and 2018, 40 women

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15   Nicola Kelly, 'UK Asylum Seekers Fear For Safety In Cramped Temporary Housing', Aljazeera, <https://www.aljazeera.com/news/2020/5/6/uk-asylum-seekers-fear-for-safety-in-cramped-temporary-housing> [Accessed 6 April 2021].

16   Ministry of Housing, Communities and Local Government, 'Rough Sleeping Snapshot In England: Autumn 2020', GOV.UK <https://www.gov.uk/government/statistics/rough-sleeping-snapshot-in-england-autumn-2020> [Accessed 6 April 2021].

17   Rory Challands, Coronavirus: UK Emergency Housing Funding Running Out, online video recording, Aljazeera, 13 June 2020, <https://www.aljazeera.com/videos/2020/6/13/coronavirus-uk-emergency-housing-funding-running-out> [Accessed 6 April 2021].; Local Government Association, 'Lessons Learnt From Councils' Response To Rough Sleeping During The COVID-19 Pandemi', Local.Gov.Uk, 2021 <https://www.local.gov.uk/lessons-learnt-councils-response-rough-sleeping-during-covid-19-pandemic> [Accessed 6 April 2021].

18   Rory Challands, Coronavirus: UK Emergency Housing Funding Running Out, online video recording, Aljazeera, 13 June 2020, <https://www.aljazeera.com/videos/2020/6/13/coronavirus-uk-emergency-housing-funding-running-out> [Accessed 6 April 2021].; A. Hastings, Bailey, N., Besemer, K., Bramley, G., Gannon, M., & Watkins. D. 'Coping with the Cuts?: Local Government and Poorer Communities' (York: Joseph Rowntree Foundation, 2013) 1-165 (p. 13) [accessed 7 April 2021].

19   May Bulman, 'Hundreds Of Homeless People Pushed Back On To Streets Of London During First Lockdown 'Due To Lack Of Support'', The Independent, 2021 <https://www.independent.co.uk/news/uk/home-news/homeless-rough-sleepers-hotels-london-b1785437.html> [Accessed 6 April 2021].

between the ages of 18 and 35, detailed their experiences of shared accommodation.[20] All accounts within the publication share experiences of feeling "intimidated" or "unsafe" in their temporary housing. Ifeoma, a black woman living in a shared house with "fifteen other people" in South-East London, describes how she felt unsafe living amongst the other residents who were unemployed and "suffering with mental health problems, and substance abuse."[21] Like Ifeoma, who states "no one" had "taken into consideration everything [she'd] been through," Alice had been housed with a group of strangers "of whom three were men," despite her history of domestic violence, causing her to feel "intimidated" by her housemates.[22] Following the onset of the pandemic, restrictions implemented to control the virus have invariably involved the instruction to "stay at home,"[23] causing many to be trapped in the unsafe environments that they previously "avoided."[24] Additionally, many shared houses are "overcrowded" due to being repurposed from "accommodating the nuclear family" to housing "as many sharers as possible."[25] Therefore, residents are not only at heightened risk due to their inability to socially distance from other housemates, but also as a result of most "living spaces" being "turned into bedrooms," many will experience great deprivation of human contact, particularly as the outside world becomes restricted and closed. Therefore, now more than ever, with the necessity to socially distance and implement self-care practices, residents of shared houses are victims of the inequality that is "built into the urban fabric and infrastructure;" their accommodation directly subjects them to "deadly risks from which the wealthy are protected."[26]

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20   Ortega-Alcázar and Wilkinson, 'I Felt Trapped', p. 11.

21   Ortega-Alcázar and Wilkinson, 'I Felt Trapped', p. 10.

22   Ortega-Alcázar and Wilkinson, 'I Felt Trapped', p. 10.

23   Boris Johnson, Coronavirus: Boris Johnson advises UK to stay at home if possible, online video recording, BBC News, 16 March 2020, <https://www.bbc.co.uk/news/av/uk-51917950> [Accessed 6 April 2021].; BBC News, Coronavirus warning: "Stay at home to save lives" – as deaths rise, online video recording, Youtube, 3 April 2020, <https://www.youtube.com/watch?v=xNYdLqplvlI&ab_channel=BBCNews> [Accessed 3 June 2021].

24   Ortega-Alcázar and Wilkinson, 'I Felt Trapped', p. 11.

25   Ortega-Alcázar and Wilkinson, 'I Felt Trapped', p. 11.

26   D Madden, 'Deadly cityscapes of inequality,' The Sociological Review Blog 19 (2017) <https://www.thesociologicalreview.com/deadly-cityscapes-of-inequality/> [accessed 18 May 2021].; Harris, Nowicki and Brickell, On-Edge In The Impasse, p. 160.

Feeling unsafe is often linked to a lack of control. Control is widely the-orised to be a central characteristic of home construction, as "people feel at home when they have control, or at least a degree of control over space."[27] Interviews with asylum seekers published in Aljazeera on the 6th May 2020 reveal that migrants living in temporary, shared accommodation feel a heightened desire to exercise control over their space due to safety concerns prompted by the pandemic. Amira, an asylum seeker from Northern Iraq, living in shared accomodation with "18 other asylum seekers," describes how fears of contracting COVID-19 has caused tension in her household.[28] She states: "We are so worried … we have been told nothing - no rules, no instruc-tions - and we are arguing about everything. Religion, cleaning, food… everything."[29] Her statement suggests she is unable to feel relaxed in her home due to a lack of structure and order. Conflict regarding "religion, cleaning" and "food" possibly suggests that self-care prac-tices attached to the resident's sense of home are an emotive source of tension, as through exercising these practices in such a spatially restricted house they inadvertently inhibit and influence each oth-ers' lifestyles. Additionally, with the implementation of continuously changing legislation and guidance for controlling COVID-19, individu-al differences amongst residents are likely to be heightened, as within a backdrop of nationwide uncertainty and confusion, each member seeks to gain control over the space.[30] Sarah Taal, director of the Baobab Women's Project, comments on the limited support availa-ble for migrants in the UK during the pandemic, stating that "drop-in advice and food banks have closed, destitution payments cannot be collected, and interpretation when contacting services by phone is also challenging."[31] Her statement emphasises that, despite many fa-cilities adapting to enable continued support, alterations have inevita-

27   Parsell, "Home Is Where The House Is", p. 160.

28   Nicola Kelly, 'UK Asylum Seekers Fear For Safety In Cramped Temporary Housing'' Aljazeera, (2021) <https://www.aljazeera.com/news/2020/5/6/uk-asylum-seekers-fear-for-safety-in-cramped-temporary-housing> [Accessed 6 April 2021].

29   Ibid.

30   Kyriakidou, Maria, et al. "Government and media misinformation about COVID-19 is confusing the public." LSE COVID-19 Blog (2020) , <https://blogs.lse.ac.uk/covid19/2020/05/07/government-and-media-misinformation-about-covid-19-is-con-fusing-the-public/>[accessed 18 May 2021].

31   G. Watts, 'COVID-19 and the digital divide in the UK'. The Lancet Digital Health, 2.8 (2020) pp. 395-396 <10.1016/S2589-7500(20)30169-2>; Nicola Kelly, 'UK Asy-lum Seekers Fear For Safety In Cramped Temporary Housing', Aljazeera (2021) <https://www.aljazeera.com/news/2020/5/6/uk-asylum-seekers-fear-for-safety-in-cramped-tem-porary-housing> [Accessed 6 April 2021].

bly caused accessibility issues for many. Therefore, due to conflicting guidance from central government throughout the pandemic, inaccessibility of resources and information, and continued overcrowding and inequality within social housing, marginalised bodies face increased hostility as they seek to gain control of their homes.

Families facing poverty and hardship for the first time are also experiencing a detachment from their home prompted by a loss of control. According to Child Poverty Action Group, "one in five households in the UK have an income below the poverty line," invariably meaning that they can no longer "afford basic essentials."[32] Antionette, a new mother who was "advised to stay home because of her health and the risk of contracting COVID-19," describes being unable to cover London's high living costs, despite her husband working "full-time with the Metropolitan Police."[33] She states, "I can't go out to the shop. I can't cook. I can't sleep"… I'd come back to my house depressed," demonstrating that the loss of control over her household has caused her to feel helpless as she becomes further detached from her sense of home.[34] Antionette and her husband are amongst the highest proportion of individuals struggling to make ends meet; those "in full or part-time employment, and/or furlough."[35] These families often lack the strategies and support networks that those more accustomed to living "on the breadline" call upon in times of emergency, meaning that in a time of national emergency they are forced to develop coping strategies largely independent of the, now less accessible, social services.[36] Additionally, research suggests that families heavily engrossed in the public realm, "where social norms, legislation or the role of the employee means that a degree of autonomy is constrained," place a heightened importance on exercising control over their homes as a space where they can exhibit free-will.[37] Further, capitalism, and subsequently social cohesion, requires individuals to

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32   Child Poverty Action Group, 'Measuring Poverty', CPAG (2021) <https://cpag.org.uk/child-poverty/measuring-poverty> [Accessed 7 April 2021]; E. Clifford, 'A day in the life of a London food bank', Aljazeera (2021) <https://www.aljazeera.com/economy/2021/1/6/a-day-in-the-life-of-a-london-food-bank> [Accessed 17 February 2021].

33   E. Clifford, "A day in the life of a London food bank" (2021) Available at: <https://www.aljazeera.com/economy/2021/1/6/a-day-in-the-life-of-a-london-food-bank> [Accessed 17 February 2021].

34   Ibid.

35   E. Clifford, 'A day in the life of a London food bank', Aljazeera (2021) <https://www.aljazeera.com/economy/2021/1/6/a-day-in-the-life-of-a-london-food-bank> [Accessed 17 February 2021].; Joseph Rowntree Foundation, "UK Poverty 2020/21", JRF, 2021 <https://www.jrf.org.uk/report/uk-poverty-2020-21> [Accessed 7 April 2021].

36   Ibid.; E. Clifford, "A day in the life of a London food bank" (2021) Available at: <https://www.aljazeera.com/economy/2021/1/6/a-day-in-the-life-of-a-london-food-bank> [Accessed 17 February 2021].

37   Parsell, "Home Is Where The House Is", p. 161.

"study, sell their labour power, consume and invest" for future-oriented hopes of financial stability.[38] Therefore, many families will be faced with "frustration, disillusionment and despair" as their future goals fade further into the distance and they are subject to increased austerity measures and instability.[39]

Privacy

Many may not seek support due to the stigma surrounding financial hardship. Privacy is deemed to be a fundamental characteristic of home construction.[40] Linked to exercising control over one's space, privacy entails the ability to restrict the access of others to both one's mental and physical space.[41] Due to poverty necessitating "greater interaction with state services," many describe feelings of being "scrutinized" and "looked down on" as they attempt to "negotiate" resources for "themselves and their families to be able to get by."[42] In a study analysing residents' perspectives on a "pioneering" pop-up social housing estate in South-East London, residents describe feelings of being judged by a "spectral presence of authorities" watching them within their homes.[43] Further, in a study conducted by Clarke, women in council housing describe how "spectral judgements" of imagined others impacted "how they lived within their homes."[44] Those sleeping rough also report a loss of privacy through interaction with social services, as Pat Cadwallader states, [shelters are] "too rigid, in terms of curfews and all the meetings you were expected to attend."[45] During the pandemic, with the implementation of repressive measures such as curfews and exercise limitations providing authorities with

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38   D. Webb,'Modes of hoping', History of the Human Sciences, 20.3 (2007) 65-83 (p. 76).

39   Ibid.

40   McCarthy, '(Re)Conceptualising The Boundaries Between Home And Homelessness: The unheimlich', p. 963.

41   E. Malos & G. Hague,'Women, housing, homelessness and domestic violence', Women 's Studies International Forum , 20.3 (1997) 397–409. <doi:10.1016/S0277-5395(97)00023-X>.; Ortega-Alcázar and Wilkinson, 'I Felt Trapped', p. 8.

42   Harris, Nowicki and Brickell, On-Edge In The Impasse, p. 162.

43   Ibid.

44   Harris, Nowicki and Brickell, On-Edge In The Impasse, p. 163.; A. Clarke, "The aesthetics of social aspiration", in Home Possessions: Material Culture behind Closed Doors, ed. by D. Miller (Oxford: Routeledge , 2001) 1-231, pp.23–47 [accessed 7 April 2021].

45   Adam Forrest, 'The problem with homeless hostels. And why they need fixed', The Big Issue. (2021) < https://www.bigissue.com/latest/problem-homeless-hostels-need-fixed/> [Accessed 19 May 2021].

greater legal power and responsibility, questions arise as to whether schemes such as 'Everyone In' compromised the homeless body's privacy and freedom of movement as they became a more visible and governable body.[46] Additionally, research suggests that those who rely on state service are "disproportionately scrutinized and criminalized for minor acts of noncompliance."[47] Therefore, amongst unprecedented levels of state control, those most dependent on the state's support, will likely experience fear of prosecution, or the retraction of care, in the event of noncompliance with the stringent, and ever-changing, bureaucratic rules. Hence, as authoritarian measures are introduced, those facing financial hardship may not seek support from state services due to feelings of being "judged" for their behaviour both within their homes, and wider society; the impeachment of their privacy causing a further detachment from their sense of home.

Stability

Throughout the pandemic the housing stability of many residents has been wholly determined by the state. Despite legislation introduced to prevent the eviction of residents during lockdown, many renters report feelings of "anxiety" and hopelessness as future eviction dates loom.[48] Additionally, The Independent's figures show that upwards of 500 households were "forced out by county court bailiffs" during the winter lockdown, demonstrating the existence of covert "loopholes" for landlords in the government's legislation.[49] For the many who face eviction, the "crisis-ordinary" of temporary social housing presents the only viable option of remaining integrated in mainstream housing and society as they know it.[50] However, those living in government-provided accommodation also report instability and frequent displacement, as Alice and Ifeoma describe, having been moved a "considerable

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46   Tony Winterburn, 'Boris Johnson's Government is Considering 'Draconian Measures To Curb the spread of Vovid-19', Euro Weekly News (2021), < https://www.euroweeklynews.com/2021/01/11/boris-johnsons-government-is-considering-draconian-measures-to-curb-the-spread-of-covid-19/> [Accessed 19 May 2021]

47   Harris, Nowicki and Brickell, On-Edge In The Impasse, p. 162.

48   May Bulman, ''Where is the humanity?' The renters facing homelessness as evictions set to resume within days', The Independent, Home News, (20th August 2020), <https://www.independent.co.uk/news/uk/home-news/rent-evictions-homeless-government-covid-lockdown-a9678571.html> [Accessed 17 February 2021].

49   Jon Stone, 'Landlords evicting hundreds during lockdown with government's new 'eviction ban' loopholes', The Independent, UK Politics, (16th February 2021), <https://www.independent.co.uk/news/uk/politics/eviction-ban-lockdown-extended-loopholes-landlords-b1802188.html> [Accessed 17 February 2021].

50   Harris, Nowicki and Brickell, On-Edge In The Impasse, p. 159.

distance" from their "friends, family and work," causing a disconnection from their support networks and previous lives. Similarly, families housed in the highly appraised, modular PLACE/Ladywell development in South-East London describe being "on-edge" as they breath in a local atmosphere of "anxiety and uncertainty." As Harris, Nowicki and Brickell note, residents of PLACE/Ladywell are aware of their "positionality in the housing crisis."[51] Therefore, as the media presents the estate as "quasi-utopian," knowledge that the government prioritises the "interests of developers and overseas investors" over "providing homes for ordinary people," causes distrust towards the integrity of their fortune; they do not trust they will be the "real beneficiaries" of such a development.'[52] The resident's distrust possibly suggests that those subjected to the "long-suffering" of social housing precarity live their lives awaiting deadlines "imposed by external bodies" such as "councils, developers and gentrifiers."[53] These deadlines not only impact all aspects of an individual's lifestyle and identity, but also prevent any preparation for the long-term due to a lack of "mental space" and uncertainty surrounding the future.[54] Many also experience fear as tragedies such as the Grenfell tower fire, which devastatingly killed 72 residents of a "predominantly social-housing block," explicitly highlight how governance practices deem "the lives of low-income people as lacking in economic and social value."[55] Therefore, in a climate of distrust towards governmental priorities, as poverty rises due to mass-unemployment and insufficient furlough-schemes, many are experiencing fear as their impending reliance on governmental support looms.[56]

51   Harris, Nowicki and Brickell, On-Edge In The Impasse, p. 162.

52   Ibid.

53   Ibid.

54   Clement Henry Moore, 'Algeria 1960: The Disenchantment of the World, The Sense of Honour, The Kabyle House or The World Reversed', By Pierre Bourdieu. American Political Science Review, 74 (1980), 532–33 <http://dx.doi.org/10.2307/1960704>.; Harris, Nowicki and Brickell, On-Edge In The Impasse, p. 161.

55   Harris, Nowicki and Brickell, On-Edge In The Impasse, p. 159.

56   D. Witteveen, 'Sociodemographic inequality in exposure to COVID-19-induced economic hardship in the United Kingdom', Research in Social Stratification and Mobility, 69, (2020) (no pagination: article no.100551) <https://doi.org/10.1016/j.rssm.2020.100551>.

Displacement also causes many to detach from their sense of 'home'. Ahmed and Robinson describe 'home' as a sense of "belonging".[57] In austerity Britain, citizenship and integration in society is largely cen-tred around "homeliness and homemaking," with those outside of "normative visions of familial-domesticity, such as young single peo-ple, single migrant workers, and those without dependents" being positioned as simply "in need of housing, rather than a stable place to call home."[58] The administration of support in Britain is also discrimi-natory, as Chair of Crisis UK describes: the "two-tiered system" deter-mines those they "can help" and those they "can't," creating a height-ened sense of those who belong within conceptualisations of British citizenship and those who don't.[59] Throughout the pandemic, over 700 migrants have been released from detention centres.[60] An anon-ymous individual released on bail in April 2020 from Brook House, a detention centre near Gatwick Airport, describes how around 20% of the remaining 40 people at the centre "have been granted bail," however are not permitted to leave because "they haven't got an address."[61] This demonstrates that the discrimination present with-in both the housing and social service systems causes individuals to endure prolonged periods of unjustified incarceration, despite the severe ongoing risks COVID-19 poses to prison health.[62] Additionally, an interviewee in Aljazeera's publication describes how he had been "dreaming" of freedom "for more than a year," but when he was sud-denly released due to the pandemic he felt "confused" and "didn't… know where to go" emphasising the displacement and severe exclu-

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57   S. Ahmed, 'Home and away: narratives of migration and estrangement', In-ternational Journal of Cultural Studies, 2.3 (1999) 329–347 [Accessed 6 April 2021].; Rob-inson, C., ''I think home is more than a building': young home(less) people on the cusp of home, self and something else', Urban Policy and Research, 20.1 (2002) 27–38.

58   M. Nowicki, 'A Britain that everyone is proud to call home? The bedroom tax, political rhetoric and home unmaking in U.K. housing policy', Social & Cultural Geography , 19.5 (2018) p. 649.

59   The LGA Podcast, 'Forget What You Think You Know', (Dec 2020) Homeless-ness and the Pandemic.

60   Jon Ironmonger, 'Coronavirus: UK detention centres 'emptied in weeks'', BBC News, (2021), <https://www.bbc.co.uk/news/uk-52560093> [Accessed 17 February 2021].

61   N. Kelly, 'UK asylum seekers fear for safety in cramped temporary housing.' Aljazeera, (2021), <https://www.aljazeera.com/news/2020/5/6/uk-asylum-seekers-fear-for-safety-in-cramped-temporary-housing> [Accessed 17 February 2021].

62   Jon Ironmonger, 'Coronavirus: UK detention centres 'emptied in weeks'', BBC News, (2021), <https://www.bbc.co.uk/news/uk-52560093> [Accessed 17 February 2021].

sion from society his captivity had caused him.[63] Figures published in The Independent's 2021 report show that "more than one-quarter of rough sleepers are foreign nationals," many of whom are categorised as "No Recourse to Public Funds" (NRPF) migrants, "an umbrella term" for "irregular migrants" such as "illegal entrants, visa overstayers and refused asylum seekers," who have "no entitlement to housing or welfare benefits;" including access to most homeless shelters.[64] Emphasising that, through unlawful detention and discriminatory resource distribution, migrants in Britain are being forced into a 'hidden' state, where they are scarcely able to exist, let alone belong. Therefore, despite the state of national emergency prompting the mass release of unlawfully detained asylum seekers, and a temporary reform of support provision, prominent through inclusive schemes such as 'Everyone In,' the inescapable fate of re-incarceration and post-Brexit deportation looms in the ostracised migrant's post-pandemic reality.[65]

In conclusion, despite the 'Everyone In' scheme and eviction ban providing some temporary relief to those in a position of severe vulnerability, many have experienced a multi-faceted sense of a loss throughout the COVID-19 pandemic. With home ownership and stability becoming "unattainable for the majority," many are forced to rely on inconsistent and discriminatory state provision.[66] This article has demonstrated how the visible, 'hidden' and statutory homeless populations have seen their sense of home impacted by: safety concerns, due to high exposure to COVID-19 contraction and a lack of information and support, as well as, privacy and autonomy concerns, due to heavy integration and reliance upon state services and ever-changing governmental policies. Additionally, this article has outlined how discrimination within state provision has prompted a further detachment from 'home' amongst many as temporary and insufficient relief schemes are administered to specific, 'legal' sectors of the homeless population. Therefore, revealing that, in a climate of distrust and un-

63   N. Kelly, 'UK asylum seekers fear for safety in cramped temporary housing.' Aljazeera, (2021), <https://www.aljazeera.com/news/2020/5/6/uk-asylum-seekers-fear-for-safety-in-cramped-temporary-housing> [Accessed 17 February 2021].

64   May Bulman, ''Unacceptable and cruel: Foreign rough sleepers to face deportation after Brexit', The Independent, Home News, (2021), <https://www.independent.co.uk/news/uk/home-news/brexit-rough-sleepers-foreign-deportation-home-office-b1220933.html> [Accessed 17 February 2021].; Fitzpatrick, S., Bramley, G. and Johnsen, S., "Pathways into Multiple Exclusion Homelessness in Seven UK Cities", Urban Studies, 50.1 (2012) p. 32.

65   May Bulman, ''Unacceptable and cruel: Foreign rough sleepers to face deportation after Brexit', The Independent, Home News, (2021), <https://www.independent.co.uk/news/uk/home-news/brexit-rough-sleepers-foreign-deportation-home-office-b1220933.html> [Accessed 17 February 2021].; P. Simpson, and T. Butler, 'Covid-19, prison crowding, and release policies', BMJ, (2020), <https://doi.org/10.1136/bmj.m1551> [Accessed 10 January 2021].

66   Harris, Nowicki and Brickell, On-Edge In The Impasse, p. 159.

certainty, the loss of stability and autonomy both inside and outside the house has caused an overbearing sense of hopelessness across Britain. As the metaphorical barrier of 'home' deconstructs, the "undesirable outside" seeps in.[67]

67   McCarthy, '(Re)Conceptualising The Boundaries Between Home And Homelessness: The unheimlich', p. 963.

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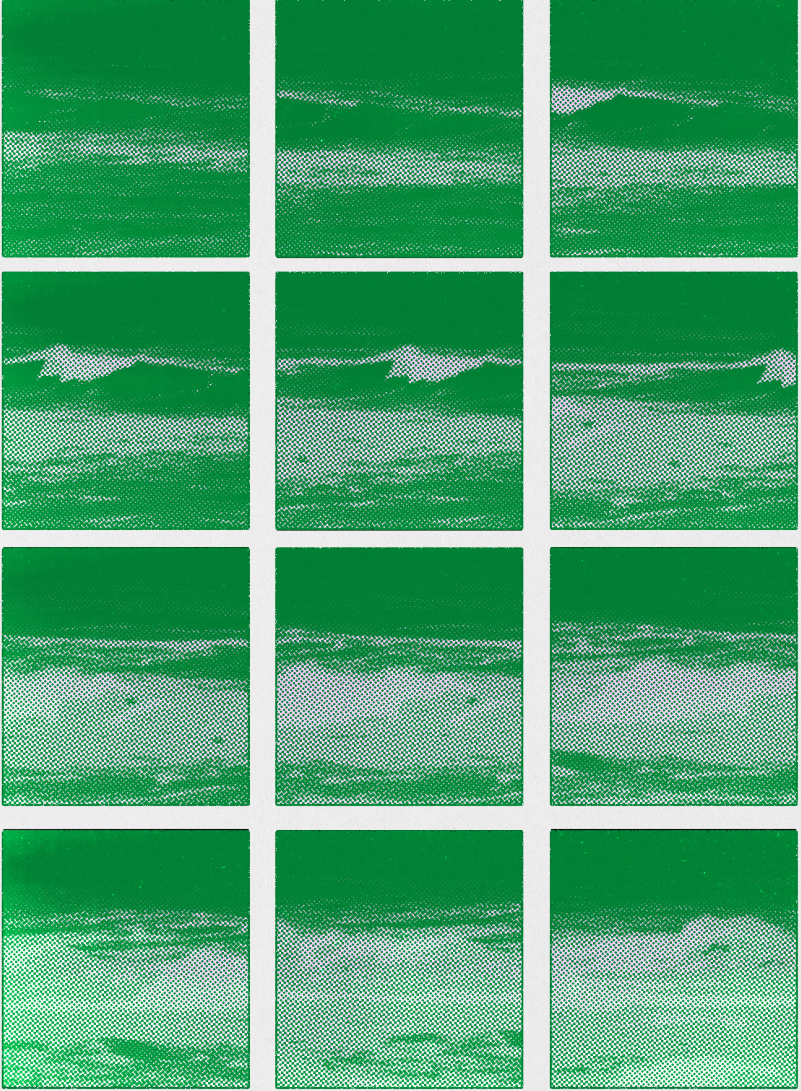
Impunity in Transitional Justice: a comparison of *retributive* and *restorative* justice through the cases of Rwanda and South Africa

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Abstract

In 1994, The Rwandan Genocide saw death toll estimates ranging from 500,000 to 1,000,000, largely the Tutsi minority, over 100 days.[1] South Africa's Apartheid, a system of institutionalised segregation along racial lines, ended the same year.[2] 27 years later, many of those who survived continue to live with scars caused by a wide range of human rights abuses and structural violence. In Transitional Justice, South Africa has been described as pursuing peace without justice, whilst Rwanda pursued justice without peace. This paper demonstrates that, despite taking different, cultures of impunity exist both South Africa and Rwanda. Both Rwanda's rigid construction of 'victim' and 'perpetrator' and South Africa's minimisation of such a dichotomy, led to cultures of impunity in two ways. Firstly, individualising guilt left the structural causes of violence unaddressed in both states. Under the structural framing of impunity, leaders are not held accountable for this violence, and neo-imperial and neo-liberal actors are granted impunity. Secondly, in South Africa, a new national identity relies on a culture of xenophobia that excuses authoritarian behaviour. In Rwanda, continued identity chasms between Tutsi and Hutu mean that both groups experience 'impunity in the eye of the beholder' whilst the RPF benefit form 'victor's impunity'. These dynamics continue to shape the lives of South Africans and Rwandans and impunity will persist as long as they continue to be unacknowledged and unaddressed. The durability of impunity for complex, structural violence is significant and should be better navigated when making Transitional Justice decisions.

1   A, Des Forges. "Leave none to tell the story": genocide in Rwanda. Human Rights Watch. 2000. African Union, Rwanda: The Preventable Genocide <https://www.refworld.org/docid/4d1da8752.html> [accessed 9 December 2020].

2   TRC, Truth And Reconciliation Commission Of South Africa Report. Department of Justice. <https://www.justice.gov.za/trc/report/finalreport/Volume5.pdf> [Accessed 1 January 2021].

Introduction

In 1994, The Rwandan Genocide saw death toll estimates ranging from 500,000 to 1,000,000, largely the Tutsi minority, over 100 days.[3] South Africa's Apartheid, a system of institutionalised segregation along racial lines, ended the same year.[4] 27 years later, many of those who survived continue to live with scars caused by a wide range of human rights abuses and structural violence. Despite vast differences in the causes and execution of violence, South Africa and Rwanda both experienced political violence that manifested itself in crimes against humanity.[5] In transitional justice, South Africa has been described as pursuing peace without justice, whilst Rwanda pursued justice without peace.[6] Nonetheless, both are saluted as international success stories.[7] Since their transitions were defined by conflicting values of retribution and reconciliation, there must be common denominators in such international praise. Traditionally, cultures of impunity are understood through rights-based definitions; a lack of consequence for the perpetuation of human rights.[8] This essay extends this traditional rights-based understanding to include structural violence; injustice along racial, gendered, ableist and/or class lines because of political, social, or economic policy and not limited to direct human rights abuses.[9] In doing so, this essay establishes two denominators which permitted cultures of impunity. Both factors, individualising guilt and (re)constructing national identity, stem from the construction of 'victim' and 'perpetrator' roles. In South Africa, these dynamics were

3   Des Forges. "Leave none to tell the story"

4   TRC, Truth And Reconciliation Commission Of South Africa Report. Department of Justice. <https://www.justice.gov.za/trc/report/finalreport/Volume5.pdf> [Accessed 1 January 2021].

5   UN, United Nations Office on Genocide Prevention and the Responsibility to Protect. Un.org. <https://www.un.org/en/genocideprevention/crimes-against-humanity.shtml> [Accessed 28 March 2021].

6   M, Mamdani. From conquest to consent as the basis of state formation: reflections on Rwanda. New Left Review, 216 (1996), 3-36 (p.5). Reconciliation without justice. Southern Africa Political & Economic Monthly 10 (1997), 22-25. (p.24). Amnesty or Impunity? A Preliminary Critique of the Report of the Truth and Reconciliation Commission of South Africa (TRC). Diacritics 32 (2002), 33-59 (p.33)

7   World Bank, Yes Africa Can: Success Stories from a Dynamic Continent. World Bank. https://documents1.worldbank.org/curated/en/304221468001788072/pdf/634310PUB0Yes0061512B09780821387450.pdf [Accessed 28 March 2021].

8   Schabas W A. Justice, democracy, and impunity in post-genocide Rwanda: Searching for solutions to impossible problems. Criminal law forum, 7 (1996), 523-560 (p.529).

9   J, Galtung. Violence, Peace, and Peace Research. Journal of peace research 6 (2016), 167-191 (p.170).

downplayed to promote a unified nation,[10] whilst in Rwanda, a rigid narrative constructed only Tutsi as victim and all Hutu as perpetrator.[11] Individualising guilt ignored structural causes of violence, excusing government responsibility and the role of neo-liberal and neo-imperial actors.[12] In South Africa, the successful reconstruction of national identity permits impunity for authoritarian policing of foreign nationals,[13] whilst Rwanda's attempts to reconcile identity fail as both Hutu and Tutsi perceive ongoing cultures of impunity that benefit their perpetrators.[14]

Transitional Justice

Transitional justice denotes the methods used to transport a state out of mass violence or authoritarian rule into peaceful, democratic stability.[15] Transitioning into a new democratic state always requires compromise and inevitably prompts normative questions about what constitutes 'justice'.[16] Debate tends to centre around two conceptions of 'justice': restorative and retributive. Retributive justice is based on Western legal systems, wherein rule of law and punishment act as deterrents, whilst restorative justice takes punishment alone as insufficient, emphasising reconciliation.[17] South Africa pursued restorative justice whilst Rwanda demonstrated an overwhelming interest in retributive justice. Beyond the binary of restorative and retributive justice, recent debate has focused on the need to address the root causes of injustice. Postcolonial

10   Mamdani, Amnesty or Impunity? p.33

11   A, Chakravarty. Investing in Authoritarian Rule: Punishment and Patronage in Rwanda's Gacaca Courts for Genocide Crimes. (New York: Cambridge University Press, 2015) 135-165 (p.138). Ingelaere B. 'Does the truth pass across the fire without burning?' Locating the short circuit in Rwanda's Gacaca courts. The Journal of modern African studies 47 (2009) 507-528. (p.507)

12   M, Mamdani. Amnesty or Impunity? (p.33). Moyo K. Postcolonial transitional justice: Zimbabwe and beyond. (Abingdon, Oxon: Routledge, 2019) 1-13 (p.7)

13   J, Steinberg. Security and Disappointment: Policing, Freedom and Xenophobia in South Africa. British journal of criminology. 52 (2012), 345-360.(p.345)

14   Chakravarty, Investing in Authoritarian Rule. (p.157)

15   A, Beresford and D, Wand, Understanding bricolage in norm development: South Africa, the International Criminal Court, and the contested politics of transitional justice. Review of international studies 46 (2020) 534-554.

16   P, Gready. The Era of Transitional Justice: The Aftermath of the Truth and Reconciliation Commission in South Africa and Beyond. (London: Routledge, 2011) 1-18 (p.4)

17   International Center for Transitional Justice. A Mixed Approach To International Crimes. 1-33. <https://www.ictj.org/sites/default/files/ICTJ_Report_Colombia_MixedProcedures.pdf> [Accessed 12 December 2020].

transitional justice addresses historical injustices as well as the immediate past.[18] Fletcher et al demonstrated three key legacies of colonisation: power concentrated in few elites, a legal system which mixes Western civil judicial systems with customary law and chiefdoms, and a mistrust of Western intervention. [19] The interplay of these three legacies can be seen in the cases of South Africa and Rwanda, despite their differences.

Winston argued that transitional justice settlements are a 'cluster' of contested components. First, identifying the 'problems', then the 'values' which central actors wish to pursue, and finally the 'behaviours' necessary to meet them.[20] Understood through this model, South Africa addressed the apartheid by prioritising truth and forgiveness, which materialised in conditional amnesties and the Truth and Reconciliation Committee (TRC). Rwanda addressed the genocide of the Tutsi minority by valuing punishment and deterrence thus implementing trials and tribunals. South Africa's TRC has been described as exemplifying pursuit of reconciliation without justice whilst Rwanda demonstrates pursuit of justice without reconciliation.[21] Under international law, states are obliged to prosecute the crime of genocide as amnesties remain illegal in cases of 'crimes against humanity'.[22] Therefore, Rwanda's transitional justice followed international law in ways that South Africa's did not. Nonetheless, both states are generally regarded as success stories by the international community.[23] Since their transitions were defined by conflicting values of reconciliation and punishment, possibly alluding to common denominators which prompted their international praise.

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18   S, Maddison and L, Shepherd. Peacebuilding and the postcolonial politics of transitional justice, Peacebuilding, 2 (2014) 253-269. Moyo, Postcolonial transitional justice. (p.9)

19   L, Fletcher, H,M Weinstein, and J, Rowen. Context, timing and the dynamics of transitional justice: A historical perspective" Hum. Rts. Q. 31 (2009): 165-174 (p.195).

20   C, Winston. Norm structure, diffusion, and evolution: A conceptual approach. European Journal of International Relations 24 (2017) 638-661 (p.647).

21   Mamdani, From conquest to consent as the basis of state formation. New Left Review no. 216, (1996) 3-36 (pp.21) Mamdani, Reconciliation without justice. (p.22). Mamdani, Amnesty or Impunity? (p.40)

22   C, Cissé. The End of a Culture of Impunity in Rwanda? Prosecution of Genocide and War Crimes before Rwandan Courts and the International Criminal Tribunal for Rwanda. Yearbook of international humanitarian law 1 (1998) 161-188 (p.170). K, Moyo. Postcolonial transitional justice (p.10).

23   World Bank, Yes Africa Can.

Writing whilst transitional justice was being shaped in Rwanda, Schabas described impunity as 'at best, merely a perpetuation of human rights violations and, at worst, a virtual invitation to pursue them'.[24] Understood this way, in a culture of impunity, one can permit or commit human rights violations without fear of prosecution. Expanding on this traditional, rights-based definition, this essay conceptualises a culture of impunity as one where structural violence is produced and reproduced without consequences. Injustice along racial, gendered, ableist and/or class lines because of political, social, or economic policy is structural.[25] Committing or permitting structural violence is thus considered as significant as direct human rights abuses as its effects are deep-rooted, often invisible, and severely impactful. Attempts to reduce cultures of impunity should, therefore, include steps to reduce structural violence.

Critically, the persistence of cultures of impunity is understood as the result of a dilemma that post-colonial states face in transitional justice: balancing the need for donor aid and investment (therefore obeying imperial demands) whilst adapting to local understandings of justice.[26] Arguing that African actors continue to be influenced by colonial hegemony is not to downplay their agency. African actors shape transitional norms through a process of 'bricolage': combining and adapting new and used ideas and practices to address a problem.[27] Bhabha describes 'ambivalent' alterations of resistance and complicity between colonisers and the colonised.[28] For example, Rwanda's Gacaca courts and South Africa's TRC occupy a 'third space' where transitional justice projects are distorted by imperial hegemonic demands, whilst adapting to African agency and tradition.[29] However, agency is a form of negotiation that usually takes place within Western discourse.[30] To negotiate their rights and articulate their experience, African voices are force to operate within a predefined discursive field writ-

24   Schabas, Justice, democracy, and impunity (p.529).

25   Galtung, Violence, Peace, and Peace Research (p.190).

26   Moyo, Postcolonial transitional justice (p.2).

27   Beresford & Wand, Understanding bricolage in norm development (p.2).

28   Bhabha, H. Of Mimicry and Man: The Ambivalence of Colonial Discourse. In Tensions of Empire, University of California Press. (2019). 152-160 (p.157).

29   Moyo, Postcolonial transitional justice (p.40).

30   Bhabha, Of Mimicry and Man. (p.153)

ten by the West.[31] In Rwanda, Gacaca is a restorative tradition that became a state-sanctioned, political project centred on a Western style of retributive justice.[32] Similarly, South Africa's TRC adapted Western mechanisms by promoting the native idea of ubuntu (humanness).[33] Therefore, by encompassing a shared core, such as the end-goal of peace, transitional justice norms continue to persist despite including the seemingly contradictory commitments, of retribution and restoration.[34]

Transitional justice discourse often depicts the West as liberators and post-colonial leaders as criminals in a 'self' versus 'other' opposition that maintains Western.[35] Western hegemony relies upon the discursive (re)production of the Self/Other binary; the relationship is not a simplistic one-way diffusion of norms, but rather, a preservation of difference.[36] Ignoring structural violence rooted in colonialism can all too easily place blame on personality or greed in reductive and racist imaginaries of African Individuals as criminal, rather than the true root causes of impunity. Thus, acknowledging colonialism (as well as genocide and apartheid) reveals that, despite taking oppositional approaches to transitional justice, cultures of impunity exist in similar ways in Rwanda and South Africa, as both countries limited definitions of victim and perpetrator.

Transitional Justice in South Africa and Rwanda

The new South African government, Mandela's African National Congress (ANC), implemented conditional amnesties in conjunction with the TRC, which operated between 1995 and 2002.[37] Conditional amnesties could protect even the highest-level organisers

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31   Bhabha, Of Mimicry and Man. (p.159). G, C, Spivak. Can the subaltern speak? Die Philosophin 14 (2003): 42-58 (p.45).

32   Ingelaere, Does the truth pass across the fire without burning? M, A, Geraghty. Gacaca, Genocide, Genocide Ideology: The Violent Aftermaths of Transitional Justice in the New Rwanda. Comparative studies in society and history 62 (2020) 588-618 (p.590).

33   M, Nolan. The Elusive Pursuit of Truth and Justice: A Review Essay; History after Apartheid: Visual Culture and Public Memory in a Democratic South Africa. Radical History Review 97 (2007): 143-154 (p.146).

34   Beresford & Wand, Understanding bricolage in norm development. (p.2).

35   Bhabha, Of Mimicry and Man. (p.153) Moyo, Postcolonial transitional justice (p.12). E, Said, "Introduction," from Orientalism. ARC, Amsterdam University Press, 2018 423-426.

36   Bhabha, Of Mimicry and Man. (p.154)

37   TRC, Truth And Reconciliation Commission Of South Africa Report.

of the apartheid.[38] So long as perpetrators provided 'full disclosure' about their crime, and the crime was both politically motivated and proportional, then they would not be prosecuted, and victims forfeited the right to prosecute.[39] Confessions were understood as an important source of justice and healing for victims as well as a means of uncovering a balanced historical account, based on truths heard from victims and perpetrators.[40]

In stark contrast, when the Rwandan Patriotic Front (RPF) came to power, under Kagame, amnesty was seen as granting perpetrators impunity.[41] Trials were seen as the best means of establishing truth.[42] Their response was a tripartite of legal mechanisms: The International Criminal Tribunal for Rwanda (ICTR), national courts, and Gacaca. Established by the Security Council, there were significant tensions in the effective implementation of the ICTR, related to the colonial legacy of mixed legal norms.[43] The ICTR felt like a distant and Western imposition to many Rwandans, significantly differing from local notions of justice,[44] and the UN was largely discredited after being passive and withdrawing peacekeepers.[45] When it became clear that crimes committed by the RPF could fall under the court's jurisdiction, relations quickly deteriorated[46]. The national courts were instead used to prosecute, not just the leaders of the genocide, but anyone suspected of being involved. To reduce pressure on national courts, Gacaca operated between 2002 and 2012, passing judgement on almost two million cases - convicting 86 percent[47].

38   TRC, Truth And Reconciliation Commission Of South Africa Report.

39   Mamdani, Amnesty or Impunity? (p.45).

40   Schabas, Justice, democracy, and impunity.(p.534).

41   C, Cissé. "The End of a Culture of Impunity in Rwanda? Prosecution of Genocide and War Crimes before Rwandan Courts and the International Criminal Tribunal for Rwanda." Yearbook of international humanitarian law 1 (1998): 161–188. (p.168).

42   B, Loveman and E, Lira. Truth, justice, reconciliation, and impunity as historical themes: Chile, 1814-2006. Radical History Review 97 (2007) (p.43).

43   Fletcher et al, Context, timing and the dynamics of transitional justice.

44   Cissé, The End of a Culture of Impunity in Rwanda? (p.170)

45   Des Forges, "Leave none to tell the story".

46   International Crisis Group, Five Years After The Genocide In Rwanda. P, Erlinder. The UN Security Council ad hoc Rwanda tribunal: international justice or juridically-constructed 'victor's impunity'? DePaul journal for social justice 4 (2010) (p.131).

47   M, A, Geraghty. Gacaca, Genocide, Genocide Ideology: The Violent Aftermaths of Transitional Justice in the New Rwanda. Comparative studies in society and history 62 (2020) 588-618. (p.592).

'Victim' and 'Perpetrator'

The RPF strictly defined victims of the genocide as Tutsi, and perpetrators as Hutu. This framing of victim and perpetrator permits 'victor's impunity', leaving no space for alternative narratives. Though the ANC took the opposite approach, both states permit cultures of impunity as a result of the same two challenges: individualising guilt and reconstructing national identity.

The RPF created a coherent narrative about its heroic role in ending genocide.[48] Trials inherently produce an 'us' vs 'them' dichotomy between victim and perpetrator.[49] The 'Self' (Tutsi) was constructed as innocent victims and the 'Other' (Hutu) as dangerous perpetrators.[50] There was a 'logic of guilt by association'[51] whereby all Hutu became associated with genocide, with no room for Hutu victims of genocide or war.[52] Furthermore, the RPF remain unwilling to acknowledge allegations of crimes committed by themselves during the civil war.[53] Exemplifying that, the nature of official memory is always filtered by political and ideological constraints of the moment and none more clearly than in Rwanda.[54] One-sided prosecutions demonstrate a tribunal skewed for political gains, safeguarding impunity for Kagame and the RPF. Erlinder describes 'victor's impunity': due to winning the war the RPF have total control of national 'memory' of the genocide, even tightly policing conversation about ethnicity.[55] The reporting of the genocide is so hotly disputed that death toll estimates range from 500,000 to 1,000,000.[56] This huge margin makes understanding the proportions of Tutsi and Hutu deaths difficult. Consequently, some political scientists have claimed Hutu deaths outnumbered

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48   Chakravarty, Investing in Authoritarian Rule. (p.156).

49   Ingelaere, Does the truth pass across the fire without burning?(p.600).

50   D, Bentrovato. Rwanda, Twenty Years On: Assessing the RPF's Legacy through the Views of the Great Lakes Region's New Generation. Cahiers D'Études Africaines, 55 (2015) 231-254.(p.239). Geraghty, Gacaca, Genocide, Genocide Ideology (p.601).

51   Mamdani. From conquest to consent as the basis of state formation (p.22)

52   R, Lemarchand. Genocide in the Great Lakes: Which Genocide? Whose Genocide? African Studies Review, 41 (1998) 3-16 (p.5). Cissé, The End of a Culture of Impunity in Rwanda?(p.188).

53   Erlinder. The UN Security Council ad hoc Rwanda tribunal. (p.132).

54   Loveman and Lira, Truth, justice, reconciliation.(p.44).

55   Erlinder. The UN Security Council ad hoc Rwanda tribunal.(p.133).

56   Des Forges, Leave none to tell the story (p.15)

Tutsi - at odds with the RPF's official account (and difficult to evidence).[57] It is clear that there are many Hutu victims whose truth is unheard and whose perpetrators are granted impunity.

In contrast, the ANC's TRC has been criticised for lacking clear understandings of 'victim' and 'perpetrator' from the outset. [58] Unlike the RPF, who had political motive to erase their own crimes from 'memory' of the genocide, the ANC had motive to unite all South Africans. The agreement negotiated with the apartheid regime allowed whites to continue ownership of the best land, mines, manufacturing industry and financial institutions, thus it was vital to promote a unified South Africa to avoid further political contestation about this uneasy fact. [59] However, both the rigid and loose definitions of 'victim' and 'perpetrator' worked to the same ends.

'Individualising Guilt

By focusing on crimes committed by individual perpetrators, conversation about wider, structural causes of violence was omitted in both cases (which is as important as rights-based violence when navigating impunity). Structural violence is embedded into the political, social, and economic fabrics of society; injustice along racial, gendered and/or class lines are structural in that they prevent people from achieving their physical and/or mental potential.[60] During the apartheid and genocide, entire communities were targeted for ethnic cleansing and policing. Yet entire communities did not fit the category of 'victim'.[61] Ignoring structural violence makes fertile the grounds for impunity. Individualising guilt obliterates the institutionalisation of 'crimes against humanity' by removing historic context.[62]

Chakravarty demonstrated how, in Rwanda, mass trials connect-

57   BBC, Rwanda's Untold Story Documentary. [video]   <https://vimeo.com/107867605> [Accessed 31 March 2020].

58   Mamdani, Amnesty or Impunity? (p.40).

59   P, Bond. From racial to class apartheid: South Africa's frustrating decade of freedom. Monthly Review, 55 (2004).

60   Galtung, J. Peace by peaceful means: peace and conflict, development and civilization, (1996) SAGE Publications Ltd, London. (p.171)

61   Mamdani, Amnesty or Impunity?(p.42).

62   Mamdani, Amnesty or Impunity?(p.44). Nolan, The Elusive Pursuit of Truth and Justice (p.148). Moyo, Postcolonial transitional justice. (p.10)

ed citizen's interests to authoritarian elites with the discretionary power to decide who is included and excluded from the benefits of patronage.[63] Gacaca allowed the RPF to forge cheap clientelist networks in rural areas, where fear of prosecution was an effective bargaining tool. In patron-client networks, patrons control large state resources and have the power to distribute them to clients as they choose, whilst clients seek access to resources by offering their loyalty and support.[64] Authoritarian patron-client networks functioned by reinforcing Tutsi as victims and Hutu as perpetrators, preventing conversation about structural violence or Hutu victims. RPF soldiers massacred unarmed civilians after conflict had ceased, reportedly gathering Hutu for meetings only to throw grenades into large crowds.[65] These people fit no definition of 'victim' and could seek no justice. Similarly, the TRC's focus on the future trivialised suffering of the past, simultaneously rendering certain forms of violence visible 'while obliterating others'[66]. Evans argued that endorsing reconciliation above all else can encourage acceptance of the status quo. [67] Ross found that women were constructed as 'secondary witnesses' whose experiences were often marginalised. [68] Hearings were only concerned with politically-motivated, 'bodily' violence – disregarding the violence inherent to daily legal discrimination, like pass laws and forced removals.[69]

Both the RPF's and ANC's categorisations of victim/perpetrator were unable to highlight violence as a form of power which, unaddressed, persisted through transitional justice and granted impunity to ex-colonial states, International Governmental Organisations (IGOs), the international community and African architects of structural violence. Without a holistic understanding of collective guilt and the complex spectrums of victimhood, both cases demonstrate that the root causes of 'crimes against humanity' are not fully addressed. In both Rwanda and South Africa, impunity is

63   Chakravarty, Investing in Authoritarian Rule (p.160).

64   F, Cooper, Chapter 7: The recurrent crises of the gatekeeper state. In: Cooper, F, Africa since 1940. Cambridge: Cambridge University Press, (2002) 156-190. (p.158). Beresford, A. Power, patronage, and gatekeeper politics in South Africa. African Affairs, 114 (2015) 226-248 (p.234).

65   Des Forges, Leave none to tell the story (p.15)

66   A, Castillejo-Cuéllar. Knowledge, Experience, and South Africa's Scenarios of Forgiveness. Radical History Review 97 (2007) 11–42 (p. 12)

67   M, Evans, M. A future without forgiveness: beyond reconciliation in transitional justice. International Politics, 55 (2018) 678-692 (p.681).

68   F, Ross. Bearing Witness: Women and the Truth and Reconciliation Commission in South Africa. (2003). London; Sterling, Virginia: Pluto Press. 1-59 (p.12).

69   Castillejo-Cuéllar. Knowledge, Experience, and South Africa's Scenarios of Forgiveness (p.15). Nolan. The Elusive Pursuit of Truth and Justice (p.150).

granted to neoliberal actors, deeply intwined with the global economy, such as IGOs and ex-colonial states who contribute to an environment of disciplinary neoliberalism without consequence.

Whilst not blameless, the ANC and RPF inherited weak colonial state apparatus, reliant on donor aid and investment in extractive economies, creating dependency and underdevelopment.[70] The states were built for the preservation of white interests over the interests of the majority. An incapacitated state has few means of challenging such embedded structures. Despite the ANC promising a social-democratic model of state-led growth, they quickly embraced a neo-liberal, free market approach through adopting the Growth, Employment and Redistribution policy. [71] South Africa's transition has been described as 'racial to class apartheid'[72] due to having sustained the world's greatest income inequalities, which persist 27 years after the ANC came to power.[73] Likewise, Rwanda pursued market-led policies and structural reform supported by IGOs like the International Monetary Fund and World Bank, including a chain of 'National Strategies for Transformation' which aim to move Rwanda into a High-Income Country by 2050.[74] Neoliberalism is critical to modern geopolitics: structural adjustment forces 'developing' states to adopt neoliberal economic policies, whilst simultaneously promoting 'liberal' values.[75] Embracing neoliberalism shows the 'disciplinary' nature of capital: in a globalised world where industry offshores to the most profitable conditions, states needing investment must attract capital through playing the rules of the game.[76] States must appear well-disciplined neoliberal sites to avoid capital flight and investment strike. This means choosing from a 'classical structural adjustment menu: lower import tariffs, cuts in state spending, and large cuts in public sector wages'[77]. Disciplinary neoliberalism limits post-colonial state's capacity to address structural violence. With limited power, especially to challenge the role or legitimacy of international organisations and

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70   W, Rodney. How Europe underdeveloped Africa. (1972). Bogle-L'Ouverture Publications. 1-146 (p.19).

71   Gready. The Era of Transitional Justice. (p.17).

72   Bond, From racial to class apartheid.

73   Freedom House. Freedom in the World 2019: South Africa.   <https://freedomhouse.org> [Accessed 5 Nov. 2020].

74   World Bank, Overview.   <https://www.worldbank.org/en/country/rwanda/overview> [accessed 12 December 2020].

75   S, Hall. The neoliberal revolution. Soundings. 48 (2011) 9–28.(p.14).

76   S, Gill S. Globalization, Market Civilization and Disciplinary Neoliberalism. In: Hovden E., Keene E. (eds) The Globalization of Liberalism. (2002). Millennium. Palgrave Macmillan, London. 399-423 (p.401).

77   Bond, P. From racial to class apartheid.

ex-colonial states, many post-colonial states must grant impunity to their former colonisers as well as donor states, foreign investors and IGO's who they rely on despite imposed conditionalities.

'Reconciling identities

A second consequence of the victim/perpetrator framing in both states is the reconstruction of national identity. 'Self' is defined as much by what it is not as what it is: an 'Other' is essential to the experience of the 'Self'[78]. The newfound national identities of both states permit cultures of impunity, but in different ways. In South Africa, impunity is granted for the authoritarian policing of foreign nationals whilst, in Rwanda, both Hutu and Tutsi perceive ongoing impunity.

The apartheid regime constructed the 'Self' as white and superior in opposition to the 'Other' as black and inferior. To downplay this binary, the ANC redefined what it meant to be 'South African'. National identity ('us') became entangled with being different and superior to the rest of Africa ('them') through identifying with Western values of human rights, neoliberalism, and liberal democracy.[79] This hegemonic discourse of South African exceptionalism is neo-colonial as it makes relations with the West integral to South African identity.[80] António Guterres, UN Secretary-General, reasoned that colonialism, slavery, and apartheid left structural injustices upon which xenophobia flourished, demonstrating the importance of considering past injustices and well as the apartheid.[81]

Consequently, a culture of impunity persists in South Africa where authoritarian policing of foreign nationals is permitted and even valued. Justified by existing in a space of 'productive liminality' – a term coined by Beresford et al - the notion of 'transitioning' vali-

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78   Bhabha, Of Mimicry and Man. (p.154).

79   Bøås M, Liberia and Sierra Leone-dead ringers? The logic of neopatrimonial rule. Third world quarterly 22 (2001) 697-723. (p.705). M, Neocosmos. The Politics of Fear and the Fear of Politics: Reflections on Xenophobic Violence in South Africa. Journal of Asian and African studies (Leiden). 43 (2008) 586-594. (p.590). L, Landau. Loving the alien? Citizenship, law, and the future in South Africa's demonic society. African Affairs 109 (2010) 213-230. (p.215).

80   Neocosmos. The Politics of Fear and the Fear of Politics. (p.586).

81   UN News, 'Inequality defines our time': UN chief delivers hard-hitting Mandela day message.   United Nations. <https://news.un.org/en/story/2020/07/1068611> [Accessed 15 November 2020].

dates the hybrid use of authoritarian tools without losing legitimacy as a democracy.[82] Huntington described hybridity as unstable: ultimately leaders yield to pressure to democratise or repress threat using authoritarian rule.[83] However, for 'liminal' states like Rwanda and South-Africa, hybridity offers potentially indefinite stability.[84] A characteristic of 'productive liminality' is an 'extraordinary mandate': the idea that liberation is an ongoing task that the ANC alone is mandated to realise. Liberation must be seen as incomplete to continue to legitimise rule. The idea that a foreign 'Other' threatens South African 'Self' provides the ANC with an opportunity to demonstrate its state apparatus and position itself as protector of all South Africans from foreign threat.[85] The government and its apparatus reinforce a narrative of invasion by illegal immigrants because harbouring xenophobia is an effective way to legitimise continued ANC rule. [86] The ANC can thus display authoritarian policing towards foreign nationals without losing legitimacy in electorate eyes. Irrationally, legitimacy as 'protector' rests on demonstrating such authoritarianism - guaranteeing impunity for such action.

The RPF also attempted to unify the nation. Rwanda has a long history of ethnic hierarchy. German colonisers gave the Tutsi minority privileged power and Belgian colonisers solidified hierarchies with ethnic identity cards.[87] After independence, the new Hutu regime 'essentially replaced the hierarchical Tutsi system with a similar one dominated by Hutus'[88]. As a party comprised of Anglophone Tutsis, the RPF sought to portray that they were liberating the entire population, not just Tutsi[89]. Like South Africa, they promote the idea that 'we are all Rwandans'[90]. However, a culture of impunity

82   A, Beresford, M, Berry, L, Mann. Liberation movements and stalled democratic transitions: reproducing power in Rwanda and South Africa through productive liminality. Democratization. 25 (2018) 1231-1250. (p.1231).

83   S, Huntington. The third wave: democratization in the late twentieth century. (1991). Norman: University of Oklahoma Press: 1-25. (p.5).

84   Beresford, Berry & Mann. Liberation movements and stalled democratic transitions. (p.1231).

85   Steinberg, Security and Disappointment (p.350).

86   Neocosmos. The Politics of Fear and the Fear of Politics. (p.589).

87   C, Kellow. The role of radio in the Rwandan genocide. Journal of communication 48 (1998) 107-128 (p.109). A, Storey. Structural adjustment, state power & genocide: The World Bank & Rwanda. Review of African Political Economy 28 (2001) 365-385. (p.366).

88   Kellow, The role of radio in the Rwandan genocide. (p.114).

89   Beresford, Berry, and Mann (2018). Liberation movements and stalled democratic transitions (p.1240).

90   Party Website, Unity. Available at: <http://rpfinkotanyi.rw/index.php?id=319> [Accessed 5 December 2020].

undermines attempts to unify the nation: the population (Hutu and Tutsi) feel that their perpetrators benefit from impunity. Mamdani and Chakravarty acknowledge irony in the 'we are all Rwandans' message at a time when Tutsi and Hutu have never been more polarised.[91] The Tutsi want justice by seeing their perpetrators punished. They fear Hutu calls for more substantive democracy hide the will of the majority to finish the genocide. Simultaneously, the Hutu want better democratic representation and fear Tutsi demands for justice only validate the minority government's use of authoritarian tools. The RPF's narrative is at odds with many Hutu experiences. Many prosecuted felt they were simply on the losing side of a justified war.[92] The African Union described 'impunity in the eye of the beholder' in Rwanda: many Tutsi perceive ongoing impunity while perpetrators wait to be tried, whilst many Hutu perceive political and ethnic oppression, especially those detained without defence.[93] Everyday Hutu and Tutsi feel a culture of impunity that benefits their persecutors - both sides of the violence feel that justice is yet to be done.

Conclusion

Despite taking different approaches to Transitional Justice, cultures of impunity exist both South Africa and Rwanda. The durability of impunity for complex, structural violence is significant and should be better navigated when making Transitional Justice decisions. By extending the traditional rights-based understanding of impunity to include permitting and committing structural violence without repercussion, this essay has been able to take account of colonial and neo-liberal causes of impunity as well as the effects of immediate crisis like genocide and apartheid. Despite oppositional values of retributive and restorative justice, ex-colonial states must balance pressures from the West with local understanding of justice, producing cultures of impunity and sustained structural violence in both states. It has been demonstrated that both Rwanda's rigid construction of 'victim' and 'perpetrator' and South Africa's minimisation of such a dichotomy, led to cultures of impunity

91 Mamdani, From conquest to consent as the basis of state formation. (p.20). Chakravarty, Investing in Authoritarian Rule. (p.159).

92 M, Drumbl. Restorative Justice and Collective Responsibility: Lessons for and from the Rwandan Genocide. Contemporary Justice Review: CJR, 5 (2002) 5–22 (p.13.) Chakravarty, Investing in Authoritarian Rule.(p.160).

93 African Union, Rwanda: The Preventable Genocide (p.188).

in two ways. Firstly, individualising guilt left the structural causes of violence unaddressed in both states. Under the structural framing of impunity, leaders are not held accountable for this violence, and neo-imperial and neo-liberal actors are granted impunity. Secondly, in South Africa, a new national identity relies on a culture of xenophobia that excuses authoritarian behaviour. Whilst in Rwanda, continued identity chasms between Tutsi and Hutu mean that both groups experience 'impunity in the eye of the beholder' whilst the RPF benefit form 'victor's impunity'. These dynamics continue to shape the lives of South Africans and Rwandans and impunity will persist as long as they continue to be unacknowledged and unaddressed.

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A Beresford and D Wand. Understanding bricolage in norm development: South Africa, the International Criminal Court, and the contested politics of transitional justice. Review of international studies 46 (2020) 534-554.

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P, Bond. From racial to class apartheid: South Africa's frustrating decade of freedom. Monthly Review, 55 (2004)

A Chakravarty. Investing in Authoritarian Rule: Punishment and Patronage in Rwanda's Gacaca Courts for Genocide Crimes (2015) New York: Cambridge University Press.

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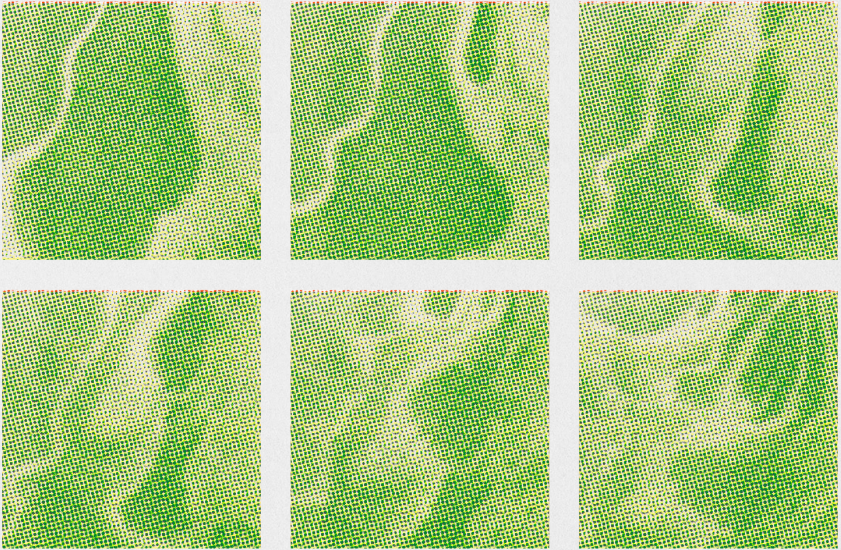
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Self-identity and *self-conflict* in post-colonial literature: Tsitsi Dangarembga's Nervous Conditions

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Abstract

In the essay submission, I will be focusing on Tsitsi Dangarembga's 'Nervous Conditions' (a novel from the ENGL3025 Postcolonial Literature module) as a microcosmic example of how colonisation has affected the minds of black Africans to date, compromising their self-autonomy. I will delve into the hybridisation of the African identity with the influence of British norms and traditions, and how this has created a toxic, conflicting, self-destructive postcolonial culture in what is now known as Zimbabwe, which is reflective of most African societies. I will also explore how the African psyche has been transformed through colonisation, to be a tool of self-loathing and self-conflict. This essay will allow us to raise further questions regarding the continued hybridisation of 1st and 2nd generation Black British Africans, and how we struggle to navigate, balance and negotiate our blend of cultural influences, as products of Western society and postcolonial African culture.

At Babamukuru's I expected to find another self, a clean, well-groomed, genteel self who could not have been bred, could not have survived, on the homestead' (Nervous Conditions).
What happens to the self in postcolonial literature? Explore the theme of self-identity and self-conflict

Nervous Conditions is set in 1970s Rhodesia, a society characterised by a fifteen-year period of ongoing civil conflict and the emergence of the decolonial movement. In the novel, the characters exemplify the 'nervous condition' of the colonised African native, and what Dangarembga diagnoses as colonial Rhodesia's 'crisis in personhood'.[1] She takes inspiration from Fanon's diagnosis: 'The condition of native is a nervous condition', adopting a psychoanalytical approach to the construction of her characters and evoking explicitly their 'crises of personhood'.[2] They experience some form of psychological 'nervousness' (be it colonial, gendered or socioeconomic) whilst navigating the intersections of their identities. This can be likened to Du Bois' notion of 'double consciousness', the 'sense of always looking at oneself through the eyes of others' – the lens of whiteness.[3] The concept refers to the duality of living as an African American in racist America, an analogy which is comparable to that of the hybridised African native. Whilst Tambu continues to discover her own 'self' against the backdrop of colonial, anti-black indoctrination, Nyasha tackles the struggle of surviving as a hybrid of 'Africanisation' and 'Westernisation', and the other female characters sacrifice their needs and personal fulfilment as black mothers living under a racist patriarchy.[4] This essay will examine the generational inheritance of colonial anxiety through cultural transmission by analysing the 'nervous conditions' of the self in the novel, and the ways in which the characters' identities are under pressure to conform to expectations of Rhodesian society.

Firstly, the 'self' is presented as fluid and transformative through the self-development of Tambu as a character. As a poor, black girl, Tambu is 'positioned' at the bottom of what Patricia Hill Collins refers to as society's 'matrix of domination' – 'the intersecting

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1   Bhakti Shringarpure, 'A Crisis of Personhood: Tsitsi Dangarembga', BOMB Magazine (2019) <https://bombmagazine.org/articles/tsitsi-dangaremgba/> [Accessed 28 November 2020]

2   Tsitsi Dangarembga, Nervous Conditions, (Oxford: Ayebia Clarke Publishing Ltd, 2004). (Foreword).

3   William E. Du Bois, The Souls of Black Folk, (New York: Dover Publications, 1903), pp. 2-3.

4   Vernantius Emeka Ndukaihe., Achievement as Value in the Igbo/African Identity: The Ethics, (Münster: LIT Verlag, 2006). p. 357.

oppressions of sexuality, race, gender and class'.[5] Although she experiences both poverty and gender oppression in her hometown in rural Rhodesia, her direct contact with the realm of whiteness is limited until she relocates to the mission, the Westernised Christian missionary school which is run by her uncle, Babamukuru . She confesses: 'I like to think of my transfer to the mission as my reincarnation' - an awakening which would leave her 'feeling clean and warm and expensive'.[6], [7] The semantic field of cleanliness is a recurring motif in the plot, as Tambu relishes in the refinement of her 'new' identity.[8] She asserts, 'At Babamukuru's I would have a bookcase. My books would live in a bookcase. It would keep them clean. My clothes would be clean too, without fields and smoke and soot to mess with them'.[9] Dangarembga's employment of pastoral imagery and the active voice here is noteworthy, as it lends a quality of vivacity to the inanimate 'books', 'bookcase' and 'clothes', emphasising the role of the mission as 'a world where burdens lightened with every step' – a site of revival in Tambu's pursuit for social mobility.[10] The depiction of the missionary as a tool of self-improvement and personal refinement is emphasised when Tambu states that the missionaries 'lighten the darkness' of her fellow Africans, reinforcing the polarisation of white as good and black as 'evil'.[11] Tambu's attraction to Christianity as a tool of self-renewal reflects the appeal of Christianity to the natives in colonial Africa. It is argued that many Africans simply converted to Christianity because they 'considered it to be a new way of life – that of the educated, the religion of the elite, the religion whose followers wore decent clothes in decent places of worship'.[12] Like many Africans, Tambu begins to stereotypically associate white Christianity with 'progress'.[13] She internalises the anti-black prejudices brought to Africa by the missionaries, recalling that she learnt that 'sin was definitely black' and praising the white missionaries as 'special' for spreading Christianity to 'darkest Africa'.[14] Upon her arrival at the

5   Patricia Hill Collins, Black Feminist Thought Knowledge, Consciousness, and the Politics of Empowerment [Second edition] (New York: Routledge, 2009), p. 126.

6   Dangarembga, Nervous Conditions, p. 105.

7   Dangarembga, Nervous Conditions, p. 92.

8   Dangarembga, Nervous Conditions, p. 94.

9   Dangarembga, Nervous Conditions, p. 60-61.

10   Dangarembga, Nervous Conditions, p. 195.

11   Dangarembga, Nervous Conditions, p. 105.

12   Ndukaihe., Achievement as Value in the Igbo/African Identity: The Ethics, p. 357.

13   Dangarembga, Nervous Conditions, p. 120.

14   Dangarembga, Nervous Conditions, p. 105.

mission, Tambu feels in 'danger of becoming an angel, or at very least, a saint'.[15] Not only is this an indication of the commencement of Tambu's religious indoctrination, it also evidences that the missionary represents a promise of beatification to Tambu, suggesting that her gaining proximity to whiteness cleanses her of her innate 'portion of sin' as a black African.[16] The naivety of Tambu's character allows Dangarembga to deconstruct how whiteness was romanticised as the salvation of Africans in colonial Rhodesia, alluding to Cole's concept of the 'white saviour industrial complex', a term which refers to 'the confluence of practices, processes, and institutions that reify historical inequities to ultimately validate white privilege'.[17] Tambu's internalised racism mirrors the conflicted condition of the colonised 'native' - the black African in war-torn Rhodesia. Through her coming of age, Dangarembga presents the self as a malleable entity which is to be discovered and negotiated.

Secondly, the 'self' is presented as fragile and conflicted through the character of Nyasha. She represents the emerging 'new wave of young African intellects' in colonial Africa who have 'started to talk back' through decolonial discourse, introducing the 'let's return to our roots' campaign.[18] During her psychological breakdown Nyasha laments, 'they've deprived you of you, him of him, ourselves of each other'.[19] The adjective 'deprived' depicts the image of 'them' - white colonial authorities - robbing her family of the opportunity to discover their own identities. Moreover, Nyasha's disdain for being neither 'one of them' nor 'one of you' is further illustrated when she suggests that her family 'shouldn't have gone' to England 'because now they're stuck with hybrids for children' which 'offends them'.[20] The word 'hybrids' echoes Du Bois' concept of 'double consciousness', revealing her sense of duality and, ultimately, exclusion from both Western and African cultures. As argued by Ndukaihe, the African native 'suffers a psychological imbalance' from being plunged into a 'crises of allegiance' - a 'serious conflict of both cultural and religious identities'.[21] This rationalises

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15   Dangarembga, Nervous Conditions, p. 94.

16   Dangarembga, Nervous Conditions, p. 91.

17   Brittany A. Aronson, 'The White Savior Industrial Complex: A Cultural Studies Analysis of a Teacher Educator, Savior Film, and Future Teachers', Journal of Critical Thought and Praxis, 6.3 (2017) p. 37. https://doi.org/https://doi.org/10.31274/jctp-180810-83 [Accessed 28 November 2020]

18   Ndukaihe., Achievement as Value in the Igbo/African Identity: The Ethics, p. 357.

19   Dangarembga, Nervous Conditions, p. 205.

20   Dangarembga, Nervous Conditions, p. 79.

21   Ndukaihe, Achievement as Value in the Igbo/African Identity: The Ethics, p. 357.

'the conflict of self versus surrender' that Nyasha undergoes.[22] As the Westernised daughter of the headmaster of a Christian missionary school, she epitomises the African elite in colonial society, who 'had to live according to two different cultural settings, i.e. on the one hand the Christian or European or American culture and on the other the African'.[23] Nyasha's societal position at the intersection of blackness, womanhood and Christianity enables her to develop an individualised 'faculty of criticism'[24] which allows her to 'observe' and identify 'issues' in Rhodesian society 'that she alone had seen'.[25] For example, she asserts determinedly, 'I am not a good girl, I am evil'.[26] By actively declaring herself as evil in a society where native Rhodesians 'were taught that sin was definitely black', Nyasha ultimately embraces her native African identity, expelling any whiteness from her hybrid condition.[27] She subverts the narrative of black as evil, implying that the true 'evil' is 'to forget who you were, what you were and why you were that' in the 'process' of 'assimilation'.[28] Nyasha's character serves to 'challenge' the gaze which defines and polarises whiteness and blackness.[29] Furthermore, the fragility of Nyasha's self can be deduced from Dangarembga's description of her mental breakdown. The phrase 'she began to rock, her body quivering tensely' not only amplifies the nervousness and instability of her condition, it also depicts the image of an infant being rocked to sleep, emphasising Nyasha's child-like desperation in her refusal to conform and be 'a good girl'.[30] Tambu recalls Nyasha 'breaking mirrors', 'jabbing the fragments viciously into her flesh' and 'stripping the bedclothes'[31] The verbs used by Dangarembga here create a semantic field of self-destruction, reinforcing the image of Nyasha 'stripping' herself of her hybrid identity. Arguably, this is emblematic of her desire to purge herself of her 'Englishness'.[32] The self-conflict in the character of Nyasha is a microcosm of the inner conflict experienced by the colonised Christian African, who 'has a divided self, a divided

22   Dangarembga, Nervous Conditions, p. 120.

23   Ndukaihe., Achievement as Value in the Igbo/African Identity: The Ethics, p. 357.

24   Dangarembga, Nervous Conditions, p. 101.

25   Dangarembga, Nervous Conditions, p. 52.

26   Dangarembga, Nervous Conditions, p. 205.

27   Dangarembga, Nervous Conditions, p. 105.

28   Dangarembga, Nervous Conditions, p. 181.

29   Dangarembga, Nervous Conditions, p. 81.

30   Dangarembga, Nervous Conditions, p. 205.

31   Dangarembga, Nervous Conditions, p. 205.

32   Dangarembga, Nervous Conditions, p. 207.

identity'.[33] She is a personification of the process of decolonisation and the 'crisis of personhood' in colonial Africa, a 'dualistic continent' which Koster argues is 'possessed with a demon of instability and fundamentally torn from itself, tragically peddling between yesterday and today, between tradition and modernity, between Africanisation and Westernisation' (p.357).

Lastly, Dangarembga explores the sacrifice of the 'self' through the characters of Maiguru and Mainini. Positioned at the intersection of blackness and womanhood, both characters, like other black African women, experience the 'painful condition of double jeopardy, the double strain of being a woman in a sexist society and black in a racist one'.[34] Maiguru actively maintains gender norms in order to validate her husband's masculine ego and 'preserve' his identity as patriarch.[35] By addressing Babamukuru as 'my Daddy-d', she conveys the dynamic in their marriage as paternalistic.[36] This is emphasised when Babamukuru likens his wife to a child, telling Lucia, 'My wife would not have disobeyed me in the way Tambudzai did'.[37] Furthermore, Tambu suggests that Maiguru 'effaces' herself in order to 'preserve Babamukru's sense of identity and value', signifying that Babamukuru's masculine persona relies on Maiguru's juxtaposing, subservient, feminine presence to uplift it.[38] Essentially, Maiguru sacrifices her autonomy and individuality to uphold the structure of her family. On the other hand, as a woman of a lower-class, Mainini also sacrifices her physical health and mental wellbeing to disrupt the conditions of poverty in her family. Her sense of discomfort towards the 'Westernisation' of her children is emphasised when she voices her superstitions of 'the Englishness' as 'the problem'.[39] Rather than obstructing her family's assimilation into Eurocentric culture and religiosity, she chooses between 'self and security', like Maiguru.[40] She recognises the promise of security that is offered by a missionary education, stating, 'That is why they say education is life. Aren't we all

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33   Ndukaihe, Achievement as Value in the Igbo/African Identity: The Ethics, p. 357.

34   Faith Pullin, 'Landscapes of Reality: The Fiction of Contemporary Afro-American Women', Black Fiction: New Studies in the Afro-American Novel since 1945. Es. A. Robert Lee. (London: Vision, 1980). p. 178.

35   Dangarembga, Nervous Conditions, p.104.

36   Dangarembga, Nervous Conditions, p. 83.

37   Dangarembga, Nervous Conditions, p. 174.

38   Dangarembga, Nervous Conditions, p. 104.

39   Dangarembga, Nervous Conditions, p. 207.

40   Dangarembga, Nervous Conditions, p. 103.

benefiting from [Babamukuru's] education?' (p.161).[41] In turn, she fatalistically 'endures' her suffering and her health deteriorates as her children become more educated, a sacrifice she calculates as a worthy cost of her family's socioeconomic progression.[42] Both Maiguru and Mainini represent the self-sacrifice that characterises the lives of the disenfranchised black women in colonial Rhodesia, demonstrating that the patriarchy which 'men took everywhere with them' didn't 'depend on poverty and lack of education or tradition'.[43] Through these characters, Dangarembga seeks to initiate a 'womanist' conversation on the emancipation of African women, promoting 'an [intersectional] feminism that locates women's oppression [...] within a matrix of other intersecting oppressions'.[44]

To conclude, the agency of the 'self' is often de-constructed and challenged in postcolonial literature. Postcolonial literature is typically self-critique, as its characters are often forced to question their own deep-rooted, colonial mentality as products of colonial society, enabling postcolonial African writers to unsettle colonial ideologies through their texts. Being the first of its kind (a narrative about black African women written by a black African woman) to be published in Zimbabwe, Nervous Conditions offers a voice to black African women living under the shadow of colonialism. As 'many Africans on the continent [and] in the Diaspora' seek to 'raise people's consciousness', Dangarembga's novel is a womanist embodiment of this decolonial effort, playing a key role in 'the struggle for womanhood [and] selfhood'.[45]

41   Dangarembga, Nervous Conditions, p. 161

42   Dangarembga, Nervous Conditions, p. 155.

43   Dangarembga, Nervous Conditions, p. 176.

44   Shringarpure, BOMB Magazine

45   Safoura Salami-Boukari, African Literature: Gender Discourse, Religious Values, and the African Worldview, African Heritage Press, (2012) p. 36. <http://ebookcentral.proquest.com/lib/leeds/detail.action?docID=1399128> [Accessed 28 November 2020]

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Why abolishing UK 'tampon tax' isn't enough to end period *poverty or stigma.*

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With the UK's transition out of the European Union, the HM Treasury has abolished the VAT on 'period products' which is mandated under EU law. This is just part of the wider government action to end period poverty by rolling out free tampons in schools and hospitals around England. Period poverty - not only an issue in the UK but worldwide - is the lack of access to menstruation products due to financial constraints. And, although abolishing tampon tax is a necessary step (and a welcomed step), the UK is far from ending period poverty. It is important that we do not mistake abolishing VAT on what was never a 'luxury item' for abolishing the financial troubles or the stigma caused by menstruation.

According to a study commissioned by INTIMINA prior to the ending of tampon tax, the average woman spent £10.24 per month on menstrual products, which summates to £4,916 during a typical productive lifetime. On average, the eradication of tax will save the consumer roughly 7p on a pack of 20 tampons, and as little as 5p on a 12-pack of pads. Continuing with the study's calculations for a lifetime's reduction in cost, it will save menstruators an average of £40 throughout their menstrual life. Not exactly the savings you would expect to be able to end period poverty. Well, that's simply because it can't. In fact, I would argue the real power of not taxing menstrual products is not the financial benefits, but rather the end to classing period products as a 'luxury'. A step that is both applauded and crucial.

A central factor in eradicating the taboos that come alongside periods is the 'embarrassment' girls and women feel in relation to their periods. With the continuing usage of terms like 'sanitary products' and 'feminine hygiene products' there is no wonder that almost three quarters (71%) of females aged 14-21 admit they are embarrassed when purchasing period products. Terminology in everyday use that makes girls and women feel there are somehow 'unsanitary' or 'unhygienic' is what continues to prop up this stigma in modern-day society. As you may have noticed in this article, as well as many others recently published, terms without negative connotations like 'period products' or 'menstruation products' serve as a much more realistic description. Menstruation and fertility are not unsanitary, they're natural. But, if we are to discuss feminine hygiene, I would suggest perhaps the first step should not be to cut the price of said 'hygiene products' by 5p, but instead provide government funding in order to offer these products to those in need. I can see how appearances would suggest this is exactly what the government is already doing. But the truth is... they are simply not doing enough.

The government's declared 'Period Product Scheme' seems to me more of a marketing ploy than an actual initiative. For, if you look at the fine print, schools are offered free period products for their students only if (and this is the important bit) they are under the age of 19, they admit to their teachers they either have forgotten the products, or declare they simply cannot afford the products. So, ultimately, the government is not only refusing to support students at universities or other higher-education institutions (who are just as likely to be unable to afford their menstruation products) but they are asking 12 to 19 year-olds across the country to go to their teachers and announce they are incapable of paying for an essential product. Is this really all the government could come up with? If I were to be granted a very frank conversation with the Treasury's finest Rishi Sunak, I would suggest that they instead organise an

online initiative, where women (of any age) can apply for government aid for period products, one where we don't shame women into face-to-face confessions of poverty.

So, although the eradication of the 'luxury' VAT on period products marks a significant moment in the fight against period discrimination and poverty, we are far from the end. We should not take the government's 'one small step' as a definitive end to period campaigning. As long as menstruation is seen as unhygienic and embarrassing for women, the stigma around menstrual bleeding will not go away. Perhaps, when women are offered shame-free (and even financially free) disposable menstruation products (named exactly for what they are), then the end of period poverty and stigma will be within our reach.

Accompanying comment

As a passionate feminist myself, I think it is always important that women's issues are kept relevant and highlighted in the media. On the specific issue of tampon tax, I have been enthusiastic for years about the possible abolition and yet, when the day finally came, I faced a strange sense of dissatisfaction – something I expected to come naturally. I quickly realised that this was not the rapid end to period poverty or taboo we had expected, but instead a very small step on the long journey ahead. In keeping with the theme of transition, I wanted to convey the sense that stigma doesn't die overnight with the change of a law, but something for which we must never stop fighting... until there is nothing left to fight for.
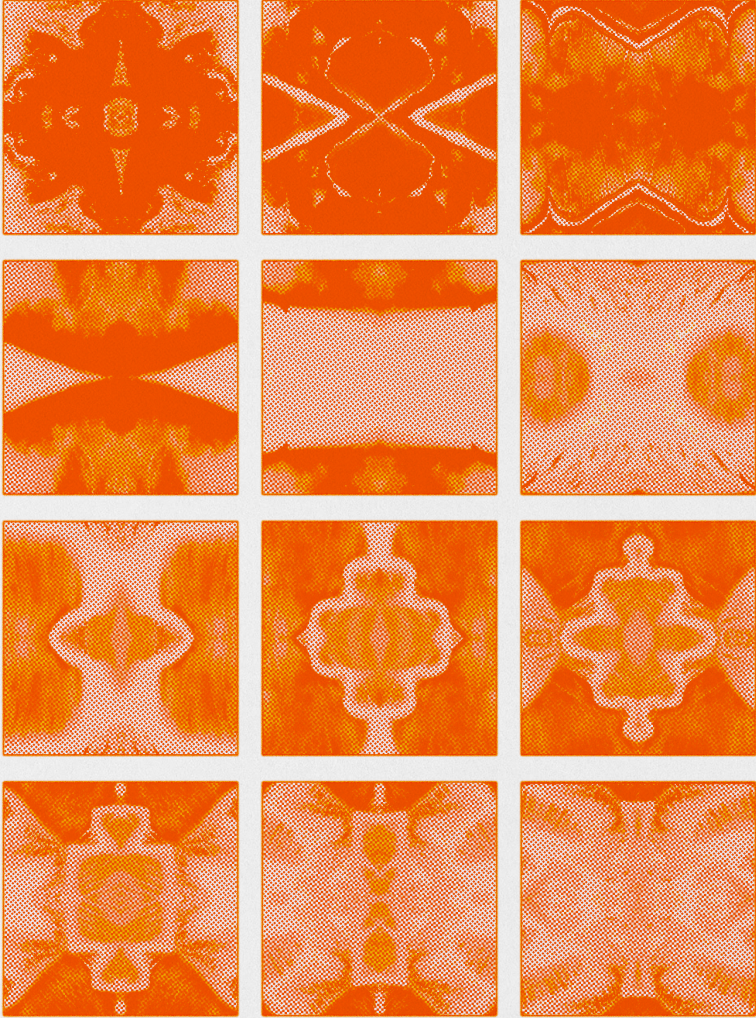
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Viewing the contemporary treatment of *Uyghur* Muslims in *Xinjiang* province through a colonial lens as a form of Cultural Genocide

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Abstract

The Uyghur human rights crisis has attracted an unprecedented level of attention and discussion in the last six months not only from governments but also individuals and international organisations. The terminology used in these discussions is both nuanced and emotionally charged: the choice of terms used undeniably shapes the gravitas with which the situation is perceived. This essay seeks to assess the utility of the prevalently used term 'Systematic State Oppression' and argues that 'Cultural Genocide' presents a more apt framework through which to holistically view the multitude of ways in which Uyghur Muslims are being persecuted. The historical origins of the term are reviewed, as well as the potential limitations that are posed due to its lack of legal grounding. Finally, the ever-widening chasm between international rhetoric and action is examined, with a neo-liberal lens applied in order to best understand the importance of non-state actors in shaping a global response.

Viewing the contemporary treatment of Uyghur Muslims in Xinjiang province through a colonial lens as a form of Cultural Genocide

This essay argues that whilst the term systematic state oppression is useful when examining the treatment of Uyghur Muslims in the Xinjiang province, the term cultural genocide is a more accurate descriptor, particularly with regard to the long-term effects of certain policies. Whilst the Chinese government maintains a narrative that Uyghurs present a domestic religious extremist threat, this essay argues that this is merely rhetoric, and will instead propose that the government's actions can be seen as a contemporary form of colonialism.[1] Colonialism will be broadly defined for the purpose of this essay as domination that involves the subjugation of one group of people by another.[2] This essay proposes that the government's main reason for supressing Muslim minorities is due to Xinjiang's strategic importance as a region with extensive natural resources and a vital geographical block in China's Belt and Road initiative. The Belt and Road initiative is a global infrastructure development plan that was enshrined into the CCP's constitution in 2017. Whilst the Uyghurs are not the only Turkic minority being persecuted in Xinjiang, this essay will focus purely on the Uyghur experience in order to provide a greater depth and focus of analysis.

The attempts to erase a history of Uyghur traditions and practises and its long-term consequences are better conveyed in the term cultural genocide than systematic state oppression. Cultural genocide refers to the systematic and wilful attempt to destroy a groups cultural structures, both tangible and intangible.[3] The term state oppression is limited in the sense that it only acknowledges the immediately palpable effects of the state's actions and does not consider the longer-term aim of permanent cultural erasure. The importance of these cultural practises is also demonstrated through the strategies Uyghurs employ in order to protect them, as Darren Byler attests in his scholarship. Byler argues that the dominant Han focused nature of Institutions and the fluent Chinese language requirement makes it difficult to maintain the traditional Uyghur languages and musical practises.[4] Whilst the destruction of

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1   Reuters, 'Xinjiang Crackdown Must Continue, Top China Leader Says', The Guardian <https://www.theguardian.com/world/2019/mar/26/xinjiang-crackdown-must-continue-top-china-leader-says> [accessed 17 January 2021].

2   'Colonialism', Stanford Encyclopaedia of Philosophy <https://plato.stanford.edu/entries/colonialism/> [accessed 19 November 2020].

3   Leora Bilsky and Rachel Klagsbrun, 'The Return of Cultural Genocide?', European Journal of International Law, 29.2, (2018), 373-396 (p. 374).

4   Darren Byler, 'Native Rhythms in the City: Embodied Refusal among Uyghur Male Migrants in Urumchi', Central Asian Survey. 37.2 (2017), 191-207; and Amy Anderson

musical traditions may appear minor in comparison to the more blatant human rights violations that occur in Xinjiang's detention camps, Uyghur music is deeply intertwined with traditional religious knowledge.5 As such, it is not an exaggeration to say that the erosion of musical practises also prohibits the Uyghurs' human right to freely practise their religion.

Whilst persecution of Uyghur Muslims has occurred since the inception of the People's Republic of China in 1949, the 2009 Urumqi riots were pivotal in allowing the Chinese Communist Party (henceforth referred to as the CCP) to legitimise their claims that the Uyghurs were a dangerous minority, and therefore justify increasing surveillance and intrusive policies.6 Despite Xinjiang being officially declared an autonomous region in 1956, this autonomy has been continuously limited due to the presence of the Xinjiang Production and Construction Corps (henceforth referred to by their Chinese name, the Bingtuan) established two years earlier in 1954.7 The continued monolithic (some evidence even suggests expansionary) power of the Bingtuan allowed the CCP to rapidly escalate their persecution of the Uyghurs following the Urumqi riots. The violent nature of the riots and high official death count of 197 people marked 'a turning point in the recent history of the region'.8 Whilst accounts of the riots vary greatly, their undeniably violent nature added a sense of legitimacy to the government's narrative of Uyghurs posing a domestic terrorist threat.9 The continued use of this narrative can be seen through the surprising frequency with which the riots are still brought up in the party mouthpiece newspaper, China Daily, to justify the government's actions in Xinjiang over a decade later.10 As China

and Darren Byler '"Eating Hanness": Uyghur Musical Tradition in a time of Re-education', China Perspectives, 3.118 (2019), pp. 17-26.

5   Anderson and Byler, China Perspectives, p. 20.

6   'China's Algorithms of Repression', Human Rights Watch <https://www.hrw.org/report/2019/05/01/chinas-algorithms-repression/reverse-engineering-xinjiang-police-mass> [accessed 19 November 2020].

7   Australia Strategic Policy Institute, The Xinjiang Data Project <https://xjdp.aspi.org.au/> [Accessed 17 January 2021]; Reuters, 'Xinjiang Crackdown Must Continue, Top China Leader Says', The Guardian.

8   Gulbahar Haitiwaji and Rozenn Morgat, '"Our souls are dead': how I survived a Chinese 're-education' camp for Uighurs', The Guardian <https://www.theguardian.com/world/2021/jan/12/uighur-xinjiang-re-education-camp-china-gulbahar-haitiwaji>   [accessed 19 November 2020].

9   Byler, Darren, Central Asian Survey, p. 194.

10   Li Yang, 'Critics of Xinjiang Policies have failed to see the real picture', China   Daily   <http://www.chinadaily.com.cn/global/2019-07/24/content_37494833.html> [accessed 17 January 2021]; Zhao Yuanzhen, 'Human Rights are not a Passcode for US Interference in Xinjiang', China Daily <https://www.chinadaily.com.cn/a/201911/20/WS-5dd49963a310cf3e35578964.html> [accessed 17 January 2021]; Bobby Naderi, 'Give China the Credit it Deserves in Xinjiang', China Daily, <https://global.chinadaily.com.

Daily is fully funded by the CCP itself, these op-eds lack the credibility of more independent news sources. Furthermore, their repeated use of a few examples of historic Uyghur violence seems a tenuous justification for the current detention of one million Uyghur Muslims and other minorities since 2017.11

A shift to systematic persecution

The appointment of Chen Quanguo as head of Xinjiang in 2016 marked the beginning of a new, more systemic form of Uyghur oppression in the form of detention and forced labour camps.12 Whilst the mass internment of Uyghurs only began in May 2017, the year 2016 can be seen as a preparatory year in which the government laid the legal and administrative framework for legitimising the camps. The 2016 Counter-Terrorism Law sought to pre-emptively justify subsequent state suppression, with its extremely broad definition of terrorism leading a UN special report to raise concerns it could 'allow for the conflation of domestic protest, dissent, peaceful human rights activism or religious activity with international terrorism'.13 Whilst the Office of the High Commissioner for UN Human Rights is a widely respected and trusted source of information on human rights abuses, its purely advisory capacity does heavily limit the extent to which it can effectively implement the changes it seeks. The position of Special Rapporteur does not have the power to challenge China's national sovereignty, which remains absolute and thus means the report can only advise changes rather than actually carry them out.14 Although the report's recommendations could be practically implemented through the UN Security Council, China's veto power makes such a scenario extremely unlikely given their current denial of any wrongdoing. The passing of the 2016 counter-terrorism law also supports Raphael Lemkin's theorisation that genocide (in this case cultural) is often facilitated through legal decrees that initially look innocuous but belie a more problematic intent which becomes clear when viewed in a holistic manner.15 As such, the appointment of

cn/a/201912/10/WS5deef241a310cf3e3557d062.html> [Accessed 17 January 2021].

11   Australia Strategic Policy Institute, The Xinjiang Data Project.

12   Reuters, 'Xinjiang Crackdown Must Continue, Top China Leader Says', The Guardian.

13   Office of the High Commissioner for Human Rights, 'OLCHN18/2019' <https://www.ohchr.org/Documents/Issues/Terrorism/SR/OL_CHN_18_2019.pdf> [accessed 17 January 2021].

14   Ibid.

15   Bilsky and Klagsburn, The Return of Cultural Genocide, p. 377.

Chen Quanguo and the 2016 counter-terrorism law can be viewed in conjunction as strategic preparation for the ensuing cultural genocide.

Chen Quanguo's rhetoric of the importance of Weiwen which translates to 'maintaining stability' served to further legitimise the building of camps as a necessary part of maintaining social order in Xinjiang. As such, human rights are compromised with the justification that they are of secondary importance to wider social stability. However, this essay argues that such a narrative is a merely palatable rhetoric designed to shift both international and domestic focus away from the state's more economically based motivations. Whilst the creation of the Integrated Joint Operations Platform (IJOP) application was touted as a tool for maintaining social stability, a Human Rights Watch's report found little to no evidence of this after reverse engineering a copy of the mass surveillance app.16 The IJOP app functions as a one of the main systems enabling mass surveillance in Xinjiang by the authorities.17 Whilst the government claims the IJOP was created in order to combat terrorism, Human Rights Watch has refuted this assertion, stating that their extensive analysis showed that this was not a 'central goal of the system'.18 The report is somewhat limited as a source due to the innate constrictions of reverse engineering an app, however, by explicitly acknowledging these limitations in the report itself Humans Rights Watch maintains a high degree of transparency and credibility as an organisation.

Whilst the term cultural genocide more accurately encompasses the contemporary treatment of Uyghur minorities than systematic state oppression, its lack of legal grounding makes it problematic in terms of coordinating an international response. The original creator of the term genocide, Raphael Lemkin, saw the cultural aspects of the crime as fundamental to differentiating it from a mass murder charge.19 Despite Lemkin's deliberate inclusion of cultural genocide in his 1944 book Axis Rule in Occupied Europe, the term was completely omitted from the finalised 1948 Genocide Convention, thus meaning it now operates in a purely historical rather than legal capacity.20 The Genocide Convention defines genocide in legal terms and was universally accepted by the UN General Assembly in 1948. As such, it 'currently international law limits genocide to physical or biological extermination'21 , with this fact casting some doubt over whether the term cultural genocide is

16   'China's Algorithms of Repression', Human Rights Watch.
17   Ibid.
18   Ibid.
19   Bilsky and Klagsburn, The Return of Cultural Genocide, p. 374.
20   Ibid, p. 374-6.
21   Ibid, p. 379.

only useful when theoretically assessing the CCP's actions in Xinjiang but falls short in a more pragmatic context. This being said, the term's wide usage by journalists, think tanks and academics alike renders it a useful international standard in some senses.22 The term's clear definition and historical grounding means it is less susceptible to having its meaning distorted through translation, as a term such as systematic state oppression might.

Han Settlers as Colonialists

Both personal Uyghur testimonials and academic scholarship support claims that the state has been oppressing Uyghurs long before the rhetoric of a domestic terrorist threat was employed by the CCP. Han settlers in the Xinjiang region overwhelmingly control and thereby monetise from the area's extensive coal, oil and natural gas resources. Darren Byler argues this is evidence of 'structural violence through large-scale land seizures' in which Uyghur land has been colonised and profited from by Han settlers.23 Gulbahar Haitiwaji's recent Guardian article also corroborates evidence of discrimination, detailing that Uyghurs were being explicitly banned from applying to certain job as early as the 1980s.24 This is corroborated in Amnesty International reports from as early as 1999, detailing gross human rights violations occurring towards Uyghurs within the Xinjiang region.25 Whilst this evidence clearly demonstrates that oppressive strategies had been employed long before 2016, this author would argue that the establishment of the IJOP app and detention camps marks an undeniable shift to a more systematic form of oppression, rather than merely being linked to isolated incidents and individuals. Hence, whilst there are reasonable grounds to argue that Uyghurs have been historically discriminated against as an ethnic minority, this should not be conflated with the more recent development of far harsher and wider reaching oppression within the region.

22   'China's Algorithms of Repression', Human Rights Watch; Haitiwaji, Gulbahar and Morgat, Rozenn, ''Our souls are dead': how I survived a Chinese 're-education' camp for Uighurs', The Guardian <https://www.theguardian.com/world/2021/jan/12/uighur-xinjiang-re-education-camp-china-gulbahar-haitiwaji> [accessed 19 November 2020]; Darren Byler, 'Native Rhythms in the City', Central Asian Survey, p. 193.

23   Darren Byler, 'Native Rhythms in the City', Central Asian Survey, p. 194.

24   Haitiwaji and Morgat, Our souls are dead, The Guardian.

25   'Gross Violations of Human Rights in the Xinjiang Uyghur Autonomous Region', Amnesty International <https://www.amnesty.org/download/Documents/144000/asa170181999en.pdf> [accessed 24 January 2021].

Norrie Macqueen's seminal text 'Colonialism' demonstrates the economic benefits that the CCP reap from acting in a colonially minded manner in Xinjiang. In particular, Macqueen's three fundamental economic purposes provided by capitalism (controlled market for the colonisers' domestic goods, ability to exploit raw materials and provision of cheap labour) can all be seen in practise by the CCP in Xinjiang.26 Amy Anderson and Darren Byler have also argued that contemporary Han colonialism is shown through the reshaping and removing of traditional Uyghur cultural practises such as music making.27 Despite Xinjiang being formally listed as an autonomous region, the area has historically maintained a strong separatist identity. Indeed, certain Uyghur activists in diaspora prefer the term East Turkestan, in order to emphasise the region's separate identity from the rest of China.28 The threat of an independent East Turkestan can also be shown through the Xinjiang authorities' response to it. Gulbahar Haitiwaji states that the initial evidence that was given to justify her detention was a photograph of her daughter holding a flag with the symbol of East Turkestan in Paris.29 The extremity of this reaction only reinforces the sense that even the idea of East Turkestan as an entity is deeply concerning to them.

Evidence of a colonial mind set of Han superiority over China's ethnic minorities can be found in disparate parts of Chinese culture, from excerpts of Mao's writings to the language that is currently used on the Chinese embassy's twitter page. Chairman Mao was the founder of the People's Republic of China, and ruled as the country's chairman from the Republic's establishment in 1949 until 1976. When Mao stated that '[i]t is the Han nationality whose population is large and the minority nationalities whose territory is vast and whose resources are rich' he reinforced a divisive narrative that ostracised China's ethnic minorities from the overwhelmingly Han majority of the population.30 Such a divide has outlived Mao himself, and has been amplified by the 'othering' of the Uyghur minority. This can be linked to a colonial narrative of Han superiority, where the human rights of Uyghurs are curtailed through the justification that this is actually being done for the benefit of those being subjugated. This rhetoric is exemplified through the now deleted US embassy tweet which claimed that the CCPs actions 'emancipated' Uyghur women and meant they were 'no-longer baby making ma-

26   Norrie Macqueen, Colonialism (Harlow: Longman, 1990) p.142.

27   Amy Anderson and Darren Byler '"Eating Hanness": Uyghur Musical Tradition in a time of Re-education', China Perspectives, p. 19.

28   Aydin Anwar, The Uyghur Human Rights Crisis, Zoom Talk, University of Leeds Human Rights Journal, (2020).

29   Haitiwaji and Morgat, Our souls are dead, The Guardian.

30   'Gross Violations of Human Rights in the Xinjiang Uyghur Autonomous Region', Amnesty International.

chines'.31 Such language also supports Raphael Lemkin's distinction that cultural genocide has both 'positive' and 'negative' facets, by which he delineates the negative as the destruction of the national pattern of a group and the positive as the imposition of a new one which the oppressor deems to be superior.32

Despite the announced 'graduation' of all camp attendees reported by the government in 2019, this merely marked a shift to a more materially exploitative but equally systemic form of oppression.33 The Xinjiang Data project presents convincing evidence that continued systematic oppression of Uyghurs is occurring in detention facilities located all over the Xinjiang province, particularly when supported with the ever-growing number of personal testimonies from those who've been released from camps. Whilst the Chinese government claimed on December 9th, 2019 that all Uyghurs had graduated from the internment camps, satellite imagery from the XJDP refutes this claim, showing that 380 camps have been newly built or significantly expanded since 2017.34 Instead of ethnic minorities being released from camps and returning to normal civilian life, they are now being used as cheap and exploitable labour in order to make commercial goods.35

Whilst detention camps are a significant part of the systematic state oppression, the excessive state involvement in everyday civilian life is what makes the oppression particularly pernicious. Individuals' freedoms can also be limited through house arrest, being banned from leaving China and other less severe but still oppressive measures.36 Multiple testimonials from those living in Xinjiang describe the whole province as being under surveillance, with the heavy presence of party cadres in Uyghur homes being a blatant example of this.37 The Los Angeles Times recently reported there were up to one million cadres placed in Uyghur homes from the 2016 to 2020 period, with a leaked 2018 manual for cadres encouraging the questioning of children on the grounds that they would not be able to lie convincingly.38 This cadre presence

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31   Haitiwaji and Morgat, Our souls are dead, The Guardian.

32   Bilsky and Klagsburn, The Return of Cultural Genocide, p. 378.

33   Australia Strategic Policy Institute, The Xinjiang Data Project.

34   Ibid.

35   'Working on the Chain Gang', The Economist <https://www.economist.com/united-states/2021/01/09/congress-is-moving-to-block-goods-made-with-the-forced-labour-of-uyghurs> [accessed 17 January 2021].

36   China's Algorithms of Repression', Human Rights Watch.

37   Alice Su, '"Will they let us live?" Inside Xinjiang, Survivors of China's Internment Camps Speak', Los Angeles Times <https://www.latimes.com/world-nation/story/2020-12-17/china-xinjiang-uighurs-muslim-minority-camps> [accessed 17 January 2021].

38   Alice Su, '"Will they let us live?" Inside Xinjiang, Survivors of China's Internment

removes any element of privacy from Uyghur life, and is convincing evidence that the Chinese state's systematic oppression is by no means limited to incarceration in detention camps.

Co-ordinating an International Response

When viewing Xinjiang in an international context, a neo-liberal understanding helps explain why the international response to the Uyghur human rights crisis has been so limited. Neo-liberalism argues that there exists a polycentric distribution of international economic power, due to the increasing importance of non-state actors on the global stage (such as multinational corporations). Despite American policy becoming increasingly vocal in its condemnation of the Chinese government's actions through the 2020 Uyghur Human Rights Policy Act and more recent Uyghur Forced Labour Prevention Act, these bills will have an extremely limited impact without wider international support and/or greater corporation cooperation.39 A recent EU-China commercial pact suggests the EU will not be as severe as the USA in its diplomacy with China, with the pact leaving it largely at China's own discretion to maintain 'continued and sustained efforts' to stop the use of forced labour in Xinjiang.40 As such, a coordinated international response may not involve traditional international blocks of cooperation. Furthermore, this author argues that the most effective form of response would also involve cooperation from multinational corporations, international civil society organisations and other major non-state actors. A 2020 report from the Australia Strategic Policy Institute found evidence of at least 82 global brands using forced Uyghur labour.41 As has already been seen with the American industry's pushback against the 2020 Uyghur Forced Labour prevention act, nation states will struggle to enforce meaningful change without some degree of cooperation from increasingly powerful multinational corporations. An apt example of the power of multinational support is the Fair Labour Association prohibiting

Camps Speak', Los Angeles Times.

39   'UN Uyghur Human Rights Policy Act of 2020', Congress, <https://www.congress.gov/bill/116th-congress/senate-bill/3744>
[accessed 17 January 2021]; 'Cynicism Explains a Flawed New EU China Commercial Pact', The Economist <https://www.economist.com/china/2021/01/07/cynicism-explains-a-flawed-new-eu-china-commercial-pact> [accessed 17 January 2021].

40   'Cynicism Explains a Flawed New EU China Commercial Pact', The Economist.

41   Vicky Xiuzhong Xu; Danielle Cave; James Leibold; Kelsey Munro; Nathan Ruser, '"Uyghurs for Sale" Re-education, forced labour and surveillance beyond Xinjiang', Australia Strategic Policy Institute <https://www.aspi.org.au/report/uyghurs-sale> [accessed 17 January 2021], p.3.

sourcing and production from Xinjiang on December 23rd, 2020, the first time in the organisation's history they have issued a ban over concerns of human rights abuses.42

The past inconsistencies of certain nation states' response to China's anti-terrorism policies suggests their motivations may be more strategic than humanitarian. Whilst the USA is currently actively legislating to prevent Uyghur exploitation and condemn human rights abuses, this stance has been far from consistent. Following the 9/11 attacks the USA actively praised China's 'Strike Hard' counterterrorism campaign, which provided the legal framework and police presence in order to enact the cultural genocide they condemn today.43 Byler and other scholars also suggest that Muslim- majority countries such as Saudi Arabia, Morocco and Qatar may be reluctant to condemn China's actions against a Muslim minority due to the Belt and Road Initiative's potential to increase their own nation's wealth.44 As such, an international response that rests purely on nation states risks being rapidly eschewed if doing so is economically beneficial or politically convenient to the nation state.

Finally, international action will always be heavily limited in its effectiveness without a domestic response to accompany it. Xinjiang's largest market for cotton remains China itself, with The Economist suggesting that this means an international boycott would be ineffective even if it was ratified by many of the world's major economies.45 Sympathy with the Uyghur cause is highest in the Xinjiang region, with China's highly regulated press meaning that the majority of the population are only able to access an unchallenged state mandated narrative.46 Hostility towards Uyghurs can be seen tacitly in many aspects of everyday Chinese life, such as when a 2019 Wired report uncovered that Uyghurs are regularly banned from Airbnb's because of fear that a police search will inevitably follow.47

42   Fair Labor Association, FLA Statement on Sourcing from China <https://www.fairlabor.org/blog/entry/fla-statement-sourcing-china> [accessed 17 January 2021].

43   Murray Scot Tanner and James Bellacqua, 'China's Response to Terrorism', CNA <https://www.uscc.gov/sites/default/files/Research/Chinas%20Response%20to%20Terrorism_CNA061616.pdf> [accessed 17 January 2021].

44   Darren Byler, Native Rhythms in the City, p. 191-207.

45   Working on the Chain Gang', The Economist.

46   Darren Byler, Native Rhythms in the City, p. 191-207.

47   Charles Rollet, 'Airbnb Listings in China are littered with racist discrimination', Wired <https://www.wired.co.uk/article/airbnb-china-uyghur-muslim> [accessed 17 January 2021].

In conclusion, whilst the CCP consistently maintains a narrative that the steps they have taken in Xinjiang are proportionate to the terrorist threat the Uyghur minority poses, evidence of such threat is sparse and rests heavily upon a small number of events whose narrative is often contested. By way of contrast, there are increasingly well documented and evidenced reports of the Uyghurs suffering from human rights abuses ranging from privacy violations to torture. The term systematic state oppression provides a useful frame of analysis; however, it does not account for the long-term repercussions of the cultural erosion that is currently occurring. Cultural genocide is a far more accurate descriptor of the gravity of the situation, however its lack of legal grounding casts some doubt over how useful it would be for holding the Chinese communist party accountable for their actions.

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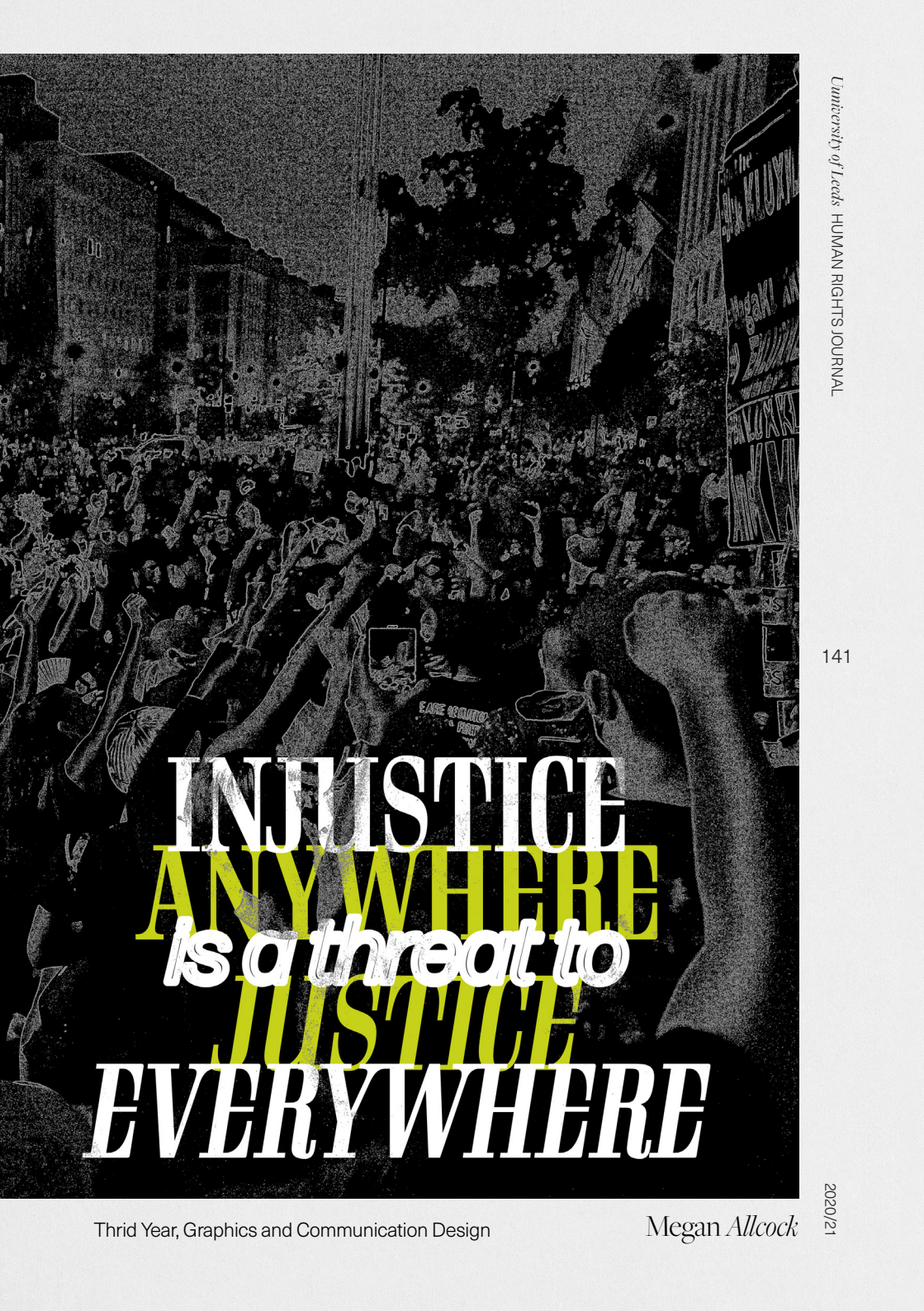
INJUSTICE ANYWHERE *is a threat to* JUSTICE EVERYWHERE

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Megan *Allcock*

The State of *Home*

Eve *Jones*
Final Year, English and Social Policy

This piece is inspired by Sylvia Plath's poem Mushrooms (1959), most often interpreted as portraying the growing women's movement at the time of writing. The women, represented as mushrooms, discreetly reclaim space, moving from the domestic into the public sphere. I wanted to write a version of Mushrooms that responded to the reversal of this transition for women during Covid-19. Before the pandemic, women were already doing around three times as many hours of domestic work as men each day.[1] Although evidence suggests that unpaid workloads for all genders has increased during Covid-19, the gap between men and women's contributions has also widened.[2] Evidence from 55 high and middle-income countries suggests that 28 million women aged over 25, compared to 24.1 million men, have left paid work altogether over the pandemic.[3] Women are also more likely to be teachers, nurses, carers and cleaners, some of the professions most vulnerable to COVID-19 exposure, and therefore more likely to suffer from incompetent state responses to Coronavirus.[4] My poem explores this setback in women's rights as they return to the home and the sacrifices they've been forced to make by negligent governments.

Soft fists, insist on
twitching, climbing
down from the ceiling

Curtains, statements
alien pavements
re-cracking the cracks,
drafts we excluded
blowing us back

Under the bedding
we help with the pencils
the needles, the plastic
bleaching our fists
too soon–
too soon–

Must diet on water,
don't trust us with paper
make plates into dishes,

turn fivers to mounds
make crumbs of thirty
fill indoor mouths–

All while they plaster,
sew up their pockets,
small bellies, friends,
big bellies of pounds.
We are the home
front facing, faceless,
noseless, wantless

perfectly tasteless,
we take up no space
now martyrs, applauded

denying the air,
we're watching figures
while they're busy shaking
steering, spinning
domestic "war"
we're not hands, not heroes,
not good civic mouths

We lie dormant
sweet,
and rosy for now

We shall in mourning
return to the crannies
our seeds, our feet
just inside the door.
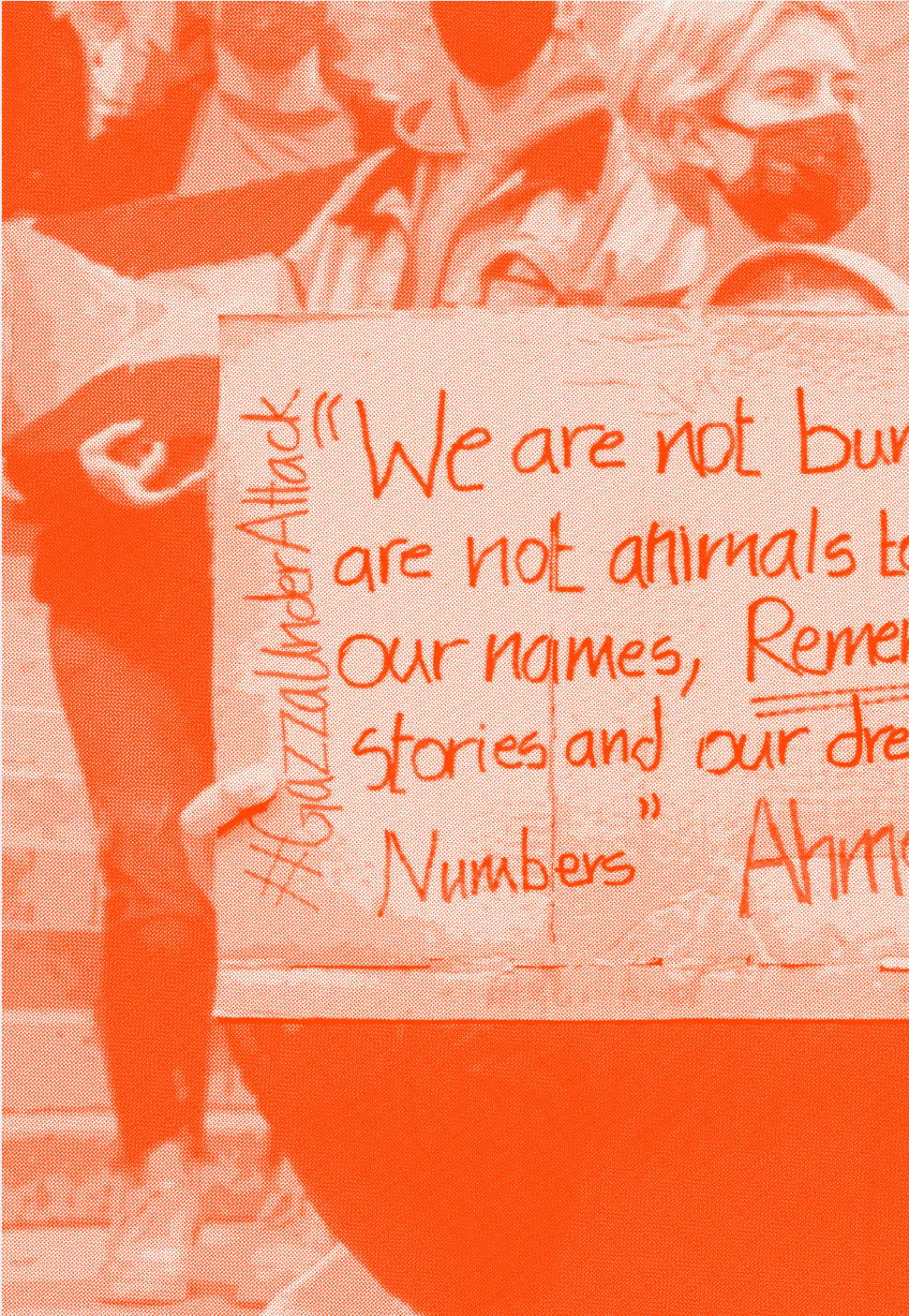
ich of numbers, we
o die this way. Remember
mber our features, our
ams. Remember we aren't
ed from Gazza

Maariyah *Fulat*
Final Year, Art and Design
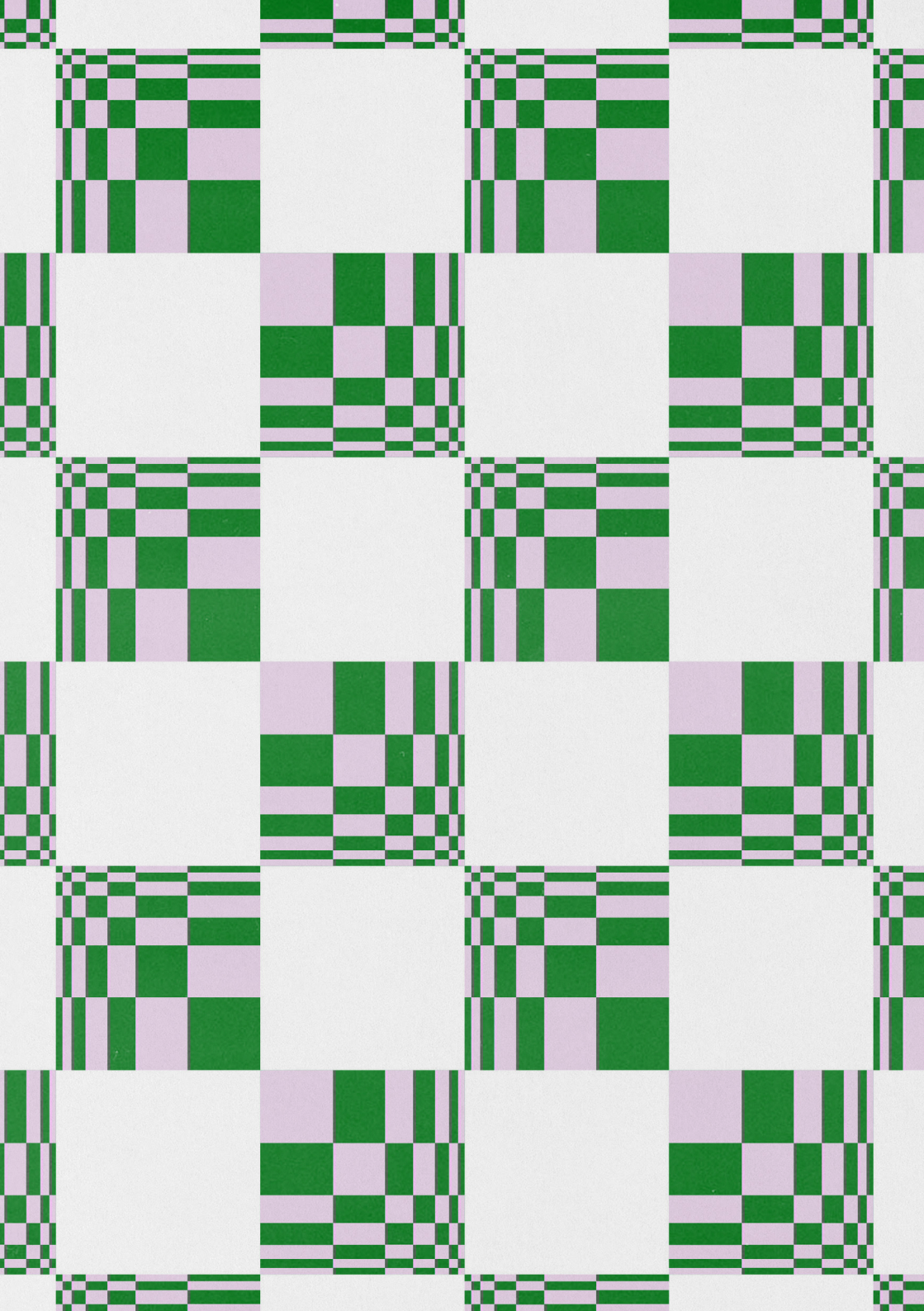
Teenage Pregnancy
and
Female Vulnerability
in Africa's
Refugee Camps

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Second Year, Politics and Sociology

Abstract

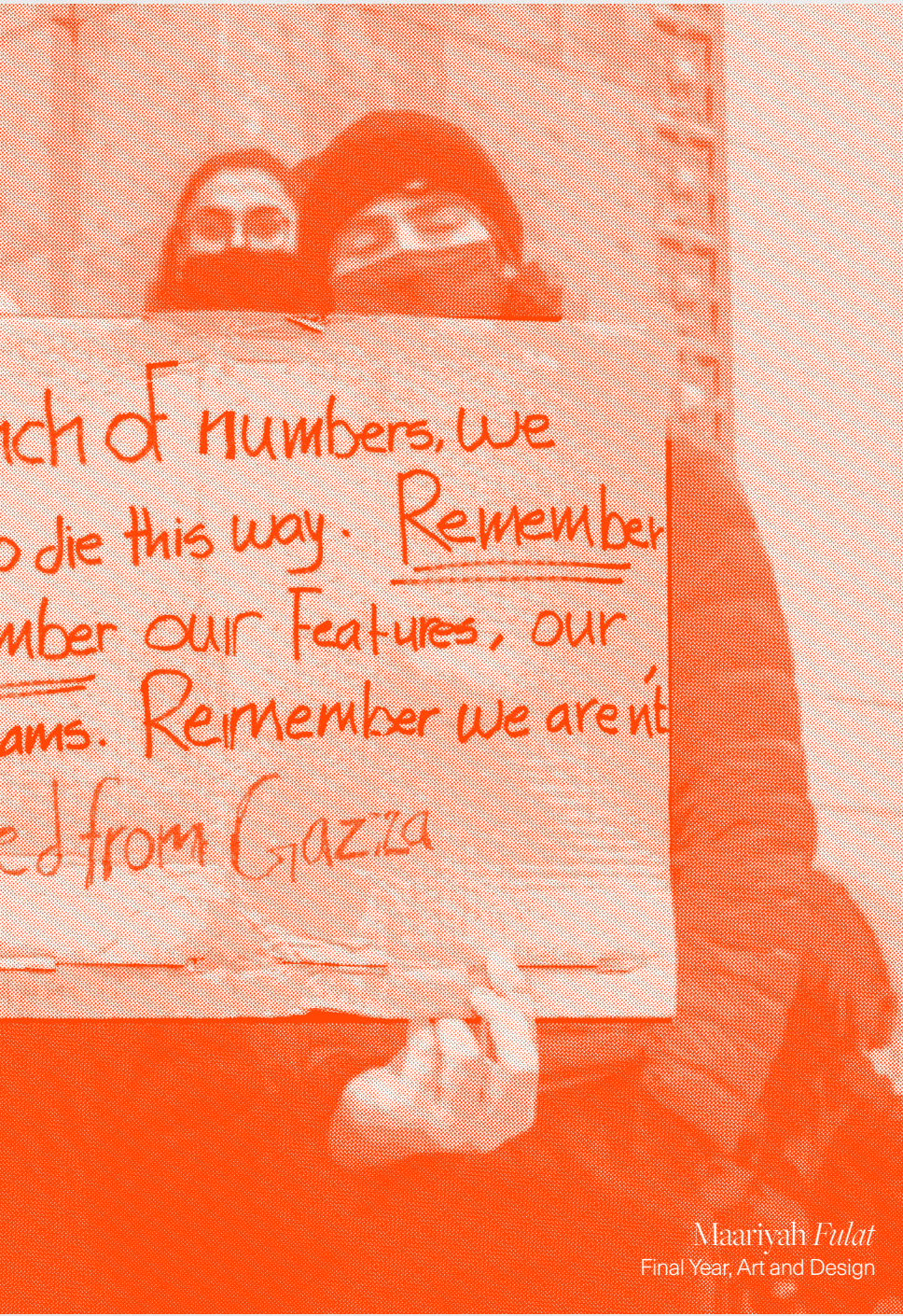Teenage pregnancy in refugee camps is a significant problem; it is now one of the greatest health problems facing female teenage refugees.[1] Yet, there is limited research on the topic. This piece focuses on this issue in relation to Africa, where the largest refugee population currently resides.[2] This research analyses the key causative and correlational factors identified within the existing literature, as organised into the following themes: food insecurity and power relations, cultural factors and education, and lastly the structure of refugee camps and scarcity of resources. By examining these, it is evident that an intersectional approach regarding key causes and correlational factors of teenage pregnancy is necessary. Lastly, a section on policy recommendations and conclusions seeks to highlight the urgent need for vital changes, such as more appropriate services and improvements in educational and organisational policy.

1   Desire Urindwanayo and Solina Richter, 'Teenage Pregnancy in Refugee Camps; A Narrative Synthesis', Journal of International Women's Studies. 21(1) (2020), pp. 254-270 (p.1), < https://vc.bridgew.edu/cgi/viewcontent.cgi?article=2224&context=jiws > [accessed 9th May 2020]

2   The United Nations High Commissioner for Refugees. C2020a, 'Inside the World's 10 Largest Refugee Camps.' ' UNHCR: Geneva <https://www.arcgis.com/apps/MapJournal/index.html?appid=8ff1d1534e8c41adb5c04ab435b7974b   >   [accessed 9th May 2020]

Introduction

The current global refugee crisis has resulted in an unprecedented number of forcibly displaced people, causing an increase in refugee camp populations.[3] This applies especially within Africa, where the largest camps in the world are currently situated.[4] A significant number of pregnancies within refugee camps are thus to a degree expected, however, high numbers of young teenage pregnancies are not. Teenage pregnancy has consequently become one of the most significant health issues amongst female refugees over the past twenty years, yet sexual health education and related resources have remained shockingly scarce.[5] A lack of research on the topic suggests that reparation and re-settlement should be the main focus within camps, as implied by studies by those such as Roxberg.[6] However, this is negated by other existing literature, which, although limited and to a degree outdated, highlights the increasing vulnerability of young women in refugee camps. Examining why teenage pregnancy rates are extortionately high in this context, in addition to exploring the causes and implications of this, portrays a desperate need for reform and further research from a culturally sensitive and intersectional perspective.

Food Insecurity and Power Relations:

Food insecurity and sexual exploitation are fundamental factors involved in high rates of teenage pregnancy within refugee camps. Many camps in Africa, and around the world, struggle to provide necessary nutrition to their residents. Refugees are not given full autonomy over what they can consume, and long-term malnutrition

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3   The United Nations High Commissioner for Refugees. c2020b. 'Refugee Statistics', UNHCR: Geneva < https://www.unrefugees.org/refugee-facts/statistics/ >, [accessed 30th April 2020].

4   The United Nations High Commissioner for Refugees, c2020b, 'Refugee Statistics'.

5   Urindwanayo, D and Richter, S. Teenage Pregnancy in Refugee Camps; A Narrative Synthesis., p.1.

6   Roxberg, M. '"I am a shame…"A qualitative field study of the prevalence of teenage pregnancy within two Burundian refugee camps in Tanzania', Malmö University Electronic Publishing, (2007), < http://muep.mau.se/handle/2043/6526?show=full >, [accessed 4th May 2020].

is common amongst adult refugees and children in camps, thus having a dehumanising effect.[7] Work by Ecker suggests that sex and sexual acts have become a commodity, as some young female residents of camps seek to trade them for food as a means of survival, at times encouraged or praised by their families to do so out of necessity.[8] Although Ecker's research is relatively vague, and her interviews lack levels of detail, she highlights that this type of trade could be for products as minimal in nutritional value as an orange.[9] Within the current or previously war-torn countries of Africa such as Sierra Leone, Somalia, and Libya, this type of sex has sadly become a "rite of passage" for adolescents.[10]

Research on sexual exploitation as initiated by those in positions of power is highly valuable when considering high teenage pregnancy rates. Invaluable articles by those such as Ferris highlight that not only are some leaders within the camps known to sexually exploit young women, but also those from humanitarian and medical agencies and organisations, which exacerbates the need for justice and accountability.[11] Furthermore, according to Ferris, young women aged 13-18 are the most targeted demographic regarding exploitative sex in return for medicine, food, or other necessary resources.[12] This power dynamic is often present in many aspects of refugees' lives, both in the past and present, as sexual abuse is also consistently used as a "strategy of war".[13] Baaz et al. explore this in their comprehensive and crucial work on examining the discourse surrounding rape as a weapon of war; sexual violence occurs during conflict as a tactic or strategy.[14] Additionally, Seifert argues that it has

7   University of Global Health Equity. 'Managing the Complexities of Food Security Among Refugees.', < https://ughe.org/managing-complexities-food-security-among-refugees/ >, [accessed 30th April 2020].

8   Ecker, N. 'Where There is no Village: Teaching About Sexuality in Crisis Situations. Sex' Information and Education Council of the United States (SIECUS) Report., 26(5), (1998), pp. 7-10, as cited in Urindwanayo, D and Richter, S. 'Teenage Pregnancy in Refugee Camps; A Narrative Synthesis.', p. 265.

9   Ecker, as cited in Urindwanayo, D and Richter, S. 'Teenage Pregnancy in Refugee Camps; A Narrative Synthesis.', p. 264.See also: Ferris, E., 'Abuse of Power: Sexual Exploitation of Refugee Women and Girls', p. 585

10   Ecker, N. 1998. Where There is no Village: Teaching About Sexuality in Crisis Situations, pp. 7-10, (p.7).

11   Elizabeth Ferris, 'Abuse of Power: Sexual Exploitation of Refugee Women and Girls', The University of Chicago Press. 32(3), (2007), pp. 584-591, < https://www.journals.uchicago.edu/doi/pdf/10.1086/510338>

12   Ferris, 'Abuse of Power: Sexual Exploitation of Refugee Women and Girls', pp. 584-591.

13   Baaz, M.E., & Stern, M. Sexual violence as a weapon of war? Perceptions, prescriptions, problems in the Congo and beyond. (Sweden: Zed Books, 2013), p.19.

14   Baaz, M.E., & Stern, M. Sexual violence as a weapon of war? Perceptions, prescriptions, problems in the Congo and beyond. (Sweden: Zed Books, 2013), pp. 42-63

such a pervasive and consistent presence within the context of conflict that it undeniably exists primarily as a systematic tool wielded to break down a culture, enforced by both implicit and explicit commands.[15] Sexual violence is therefore often utilised as a power tool both during and post-conflict, and young women are persistently subjected to it. Consequently, unwanted pregnancy at a significantly young age occurs, and in refugee camps heightens vulnerability amongst an already vulnerable group.

However, it must also be noted that similar research has the power to discourage the involvement and reputation of certain agencies, and create a damaging stereotype or perception of some humanitarian workers and organisations. Nevertheless, it is pivotal for such research to be carried out to prevent future exploitation and uphold justice. The majority of sexual exploiters are not held to account, often precisely due to an overall lack of resources and fear of both food insecurity and further exploitation; exploiters are very rarely dismissed.[16] The implications of this consist of not only pregnancy, but also sexually transmitted diseases. Food insecurity and relations of power are therefore foundational in terms of causation when investigating teenage pregnancy rates within refugee camps. They have become increasingly relevant regarding the current situation; food insecurity is expected to worsen due to the impact of Covid-19, which emphasises a crucial need for further research on the topic.[17]

15   Seifert, R. (1994) 'War and rape: a preliminary analysis', in A. Stiglmayer (ed.), Mass Rape: The war against women in Bosnia-Herzegovina, Lincoln: University of Nebraska Press, pp. 54–72, as cited in Baaz, M.E., & Stern, M. Sexual violence as a weapon of war? Perceptions, prescriptions, problems in the Congo and beyond. (Sweden: Zed Books, 2013), p.1-71. See also; Seifert, R, 'The Second Front: the logic of sexual violence in wars', Women's Studies International Forum, 1996, 19(1): pp. 35–43, as cited in Baaz, M.E., & Stern, M. Sexual violence as a weapon of war? Perceptions, prescriptions, problems in the Congo and beyond. (Sweden: Zed Books, 2013), pp. 17-71

16   Ferris, E., 'Abuse of Power: Sexual Exploitation of Refugee Women and Girls', pp. 584-591.

17   United Nations News. 'Economic sanctions should be lifted to prevent hunger crises in countries hit by COVID-19 – UN rights expert.', United Nations <https://news.un.org/en/story/2020/03/1060742 > [accessed 6th May 2020].

It is also highly important to explore the involvement of cultural factors, in addition to the type and level of education provided, when investigating high teenage pregnancy rates within refugee camps in Africa. In general, early motherhood and marriage are common within the countries of Niger, the Central African Republic, South Sudan, and Chad, all of which contain a relatively high population of refugees, with a minimum 50% child marriage rate in each.[18] This unquestionably perpetuates overall adolescent pregnancy rates. The prevalence of these rates is likely to affect familial reactions to teenage pregnancy, which tend to be varied depending on levels of economic status and education.[19] Furthermore, it is often not socially accepted to have an abortion; the majority of parents are likely to advise against abortions, and abortion services are largely unavailable in some refugee camps.[20] Familial and cultural views are especially likely to continue to be maintained and influenced within refugee camps in Africa.[21] However, it is necessary to note that the occurrence of child marriage is not specific to Africa, and is also relatively common in Asia and South America.[22] Nevertheless, this phenomenon should not be used to perpetuate the paradigm of 'Orientalism' as defined and discussed by Edward Said, which is often directed towards the Global South.[23] Adoption of such Orientalist notions can result in the relevant countries being viewed as having mystical or barbaric cultures, as a consequence of colonial thought and processes. Therefore, it should not be used to perpetuate a Eurocen-

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18   Girls Not Brides Organisation. 'Interactive Atlas'. < https://atlas.girlsnot-brides.org/map/> [accessed 8th May 2020].

19   Nana Yaa Konadu Gyesaw and Augustine Ankomah. 'Experiences of pregnancy and motherhood among teenage mothers in a suburb of Accra, Ghana: a qualitative study', International Journal of Women's Health, 5, (2013), pp. 773-780. < https://pubmed.ncbi.nlm.nih.gov/24250233/> [accessed 7th May 2020].

20   Gyesaw and Ankomah, Experiences of pregnancy and motherhood among teenage mothers in a suburb of Accra, Ghana: a qualitative study, pp. 773-780. See also: Roxberg, M. '"I am a shame…"A qualitative field study of the prevalence of teenage pregnancy within two Burundian refugee camps in Tanzania', p.1.

21   Ecker, N. 1998. Where There is no Village: Teaching About Sexuality in Crisis Situations, pp. 7-10

22   Girls Not Brides Organisation. 'Interactive Atlas', <https://atlas.girlsnot-brides.org/map/>

23   Said, E. 1979. 'Orientalism.' (New York: Random House Inc., 1979) <:https://monoskop.org/images/4/4e/Said_Edward_Orientalism_1979.pdf > [accessed 5th May 2020].

tric or Western perspective of the Global South as being an inferior 'other' to the Global North. This can be a common consequence of research executed and interpreted by often non-native individuals and groups, and can occur spatially and temporally.[24] It is also important to note that cultural factors like norms, gender roles, and socialisation cannot be solely blamed for high teenage pregnancy rates, as Gyesaw and Ankomah highlight; teenage pregnancies can also evidently occur due to adolescent desire.[25]

Ecker also provides important further insight on cultural factors, as her speciality relates to sex education.[26] Her work is highlighted as one of the most influential on the topic of teenage pregnancy in refugees by Urindwanayo and Richter, with the latter being the authors of the most recent comprehensive research on the issue.[27] In her work, Ecker has found that the discussion of sex and sexuality is often considered to be taboo in many cultures.[28] Therefore, a lack of discussion and sex education within the family could also be a significant factor in contributing to high rates of teenage pregnancy. Furthermore, rape culture and violence against women are also enforced within refugee camps, often perpetuated by stereotypes and perceived fixed gender roles existing within certain African cultures.[29] The existence of high rates of sexual violence against refugees is not a new pattern; in 2003 a study found that 55% of Liberian refugee women in Sierra Leone had been raped since being displaced.[30]

24   Capan, Z. 'Eurocentrism and the Construction of the "Non-West"', E-International Relations, < https://www.e-ir.info/2018/06/19/eurocentrism-and-the-construction-of-the-non-west/ > [accessed 6th May 2020].

25   Gyesaw and Ankomah, 'Experiences of pregnancy and motherhood among teenage mothers in a suburb of Accra, Ghana: a qualitative study', pp. 773-780.

26   Ecker, N. 1998. Where There is no Village: Teaching About Sexuality in Crisis Situations, pp. 7-10,

27   Urindwanayo, D and Richter, S, 'Teenage Pregnancy in Refugee Camps; A Narrative Synthesis', pp. 254-270,

28   Ecker, N. 1998. Where There is no Village: Teaching About Sexuality in Crisis Situations, pp. 7-10, as cited in Urindwanayo, D and Richter, S, 'Teenage Pregnancy in Refugee Camps; A Narrative Synthesis', p. 263.. See also: Roxberg, M. '"I am a shame..."A qualitative field study of the prevalence of teenage pregnancy within two Burundian refugee camps in Tanzania', [accessed 4th May 2020].

29   Roxberg, M. '"I am a shame..."A qualitative field study of the prevalence of teenage pregnancy within two Burundian refugee camps in Tanzania.', [accessed 4th May 2020]. See also: Urindwanayo, D and Richter, S, 'Teenage Pregnancy in Refugee Camps; A Narrative Synthesis', 2020

30   A. Benton, 'Research Report: Prevalence of Gender-based Violence Among Liberian Women in Three Refugee Camps, International Rescue Committee (IRC) (Sierra Leone, February 2004) unpublished data; cited in Ward, J and Marsh, W. 'Sexual Violence Against Women and Girls in War and its Aftermath: Realities, Responses, and Required Resources. < https://www.svri.org/sites/default/files/attachments/2016-01-15/CCEF504C15AB277E852571AB0071F7CE-UNFPA.pdf>, p.1

The existence of polygamy within certain cultures has also been claimed to encourage a perception of young women as cheap labour by obtaining them as brides, however, this could result in problematic interpretations.[31] Although unrecognised by Ecker, when discussing this topic from different culturally monogamous perspectives it is imperative to maintain a high level of cultural relativity, in order to prevent patronizing forms of Western domination regarding a view on a supposedly ideal perspective of sexuality. This approach should be adopted in any future research.

It is also questionable that Ecker'sresearch, despite being over twenty years old, has been deemed one of the most useful key pieces of research within the literature on teenage pregnancy in refugee camps.[32] Culture is not static, and subsequently the validity or suitability of applying her work to present times is likely to have depleted. Furthermore, other research and articles point to increasing recent female liberation and empowerment movements in some African countries. In some instances this has stimulated significant societal changes, such as increased female representation within parliament.[33] However, it must be recognised that increased numbers of women in parliament does not necessarily reflect a significant overall change in societal attitudes and discourse, and can either merely be a case of superficiality, or as a result of horrific events unrelated to female empowerment movements.[34] For example, the genocide in Rwanda resulted in a decreased population of males, and thus higher female representation.[35] Yet, despite varying causes, societal

31   Ecker, N, 'Where There is no Village: Teaching About Sexuality in Crisis Situations', pp. 7-10; See also: Urindwanayo, D and Richter, S, 'Teenage Pregnancy in Refugee Camps; A Narrative Synthesis', pp. 255-270

32   Ecker, N. 1998. Where There is no Village: Teaching About Sexuality in Crisis Situations, pp. 7-10.

33   Tripp, A. 'How African Feminism Changed the World', African Arguments, <https://africanarguments.org/2017/03/08/how-african-feminism-changed-the-world/> [accessed 6th May 2020].

34   Reinl, H. '"Feminist Utopia" in Post-Genocide Rwanda? Dismantling the Narrative Around Women's Political Representation', Centre for Feminist Foreign Policy, < https://centreforfeministforeignpolicy.org/journal/2018/12/18/feminist-utopia-in-post-genocide-rwanda-dismantling-the-narrative-around-womens-political-representation> [accessed 5th April 2021];

35   Reinl, H. '"Feminist Utopia" in Post-Genocide Rwanda? Dismantling the Narrative Around Women's Political Representation', Centre for Feminist Foreign Policy, < https://centreforfeministforeignpolicy.org/journal/2018/12/18/feminist-utopia-in-post-genocide-rwanda-dismantling-the-narrative-around-womens-political-representation> [accessed 5th April 2021]; See also: Konte, M. and Osei Kwadwo, V. 'Po-

change like higher female political representation creates opportunities and a foundation for female empowerment that can continue to be built upon. Subsequently, examining cultural factors provides useful insight into potential causational factors regarding teenage pregnancy in refugee camps. Nevertheless, for the imminent future it is necessary to note that cultural elements consistently change, and thus cannot be the sole cause of high teenage refugee pregnancies.

Men are prioritised in some African education systems, such as within Nigeria; some families view investing in their sons' education as more worthwhile than investing in their daughters', who are perceived to hold economic status primarily through marriage.[36] Furthermore, the 2019 United Nations High Commissioner for Refugees (UNHCR) report on refugee education states that globally only 24% of refugees are enrolled in secondary school education, and only 63% are enrolled in primary education.[37] For women, education is more limited, resulting in heightened vulnerability to child marriage, sexual exploitation, and teenage pregnancy.[38] When applied specifically to refugee camps, where education is also limited, the prevalence of teenage pregnancies can be partially explained.[39] However, the report also praises the efforts of countries such as Uganda, Rwanda, and Kenya for making major progress in this area, as access to state education for refugees has increased. Nonetheless, although an improvement, these policy changes are not sufficient as resources still remain limited. Consequently education, or the lack of it, is also a key correlational factor to consider when investigating teenage pregnancy within refugee camps in Africa.

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litical Empowerment of Women in Africa: Influence or Number?', IMPAKTER, < https://impakter.com/political-empowerment-of-women-in-africa-influence-or-number/> [accessed 5th Aprill 2021].

36   Godiya Allanana Makama. 'Patriarchy and Gender Inequality in Nigeria: The Way Forward', European Scientific Journal. 9(17), (2013), pp. 115-144, < https://core.ac.uk/download/pdf/236407158.pdf> [accessed 7th May 2020]

37   The United Nations High Commissioner for Refugees. 'Stepping Up: Refugee Education in Crisis.' UNHCR: Geneva. < https://www.unhcr.org/steppingup/wp-content/uploads/sites/76/2019/09/Education-Report-2019-Final-web-9.pdf, > [accessed 30th April 2019].

38   The United Nations High Commissioner for Refugees, 'Stepping Up: Refugee Education in Crisis.', [accessed 30th April 2019].

39   Barbara Kurshan. 'How Education Brings Hope to Refugee Children', Forbes,   <https://www.forbes.com/sites/barbarakurshan/2019/12/03/how-education-brings-hope-to-refugee-children/#606ce6e950a8> [accessed 3rd May 2020].

The structure of refugee camps and the resources available within them are fundamental for exploring correlational factors of young teenage pregnancies. Sexual health is often seen as a taboo subject, whilst only limited general education is offered within camps due to a lack of funds.[40] Whilst some states in Africa, like Uganda, have changed their policy to allow access to secondary school education to refugee children.[41] education levels amongst refugees remain low on average, with only 3% of refugees going to university.[42] Sexual health services in refugee camps remain remarkably low on the agenda, and this is also prevalent in other countries where the topic is arguably not as taboo, for instance in the UK, according to a report by Rachel Hek.[43] This is unexpected, as countries in the Global North are largely argued to be more progressive - highlighting how a potential cause of teenage refugee pregnancies is a worldwide phenomenon. Crucially, Hek emphasises the importance of being especially sensitive when providing such services, as refugees are likely to already have sustained traumatic experiences.[44] Yet, focus on sexual health services within the report were remarkably brief. This further enforces the idea that sexual health should not be discussed, ultimately resulting in higher rates of sexually transmitted diseases. Although being sensitive and considerate is highly important when discussing such topics with refugees, it is nevertheless pivotal that sexual health is addressed within refugee camps to improve quality of life in a variety of ways.

Moreover, maternal services are limited, and do not meet the needs of young mothers. Transport to hospitals is often insecure due to the rural surroundings or the proximity of nearby war zones.[45] However,

40   Kurshan, B, 'How Education Brings Hope to Refugee Children', [no pagination].

41   The United Nations High Commissioner for Refugees. 'Uganda Launches New Education Response Plan for Africa's Biggest Refugee Crisis.' <https://www.unhcr.org/afr/news/press/2018/9/5b9fabe84/uganda-launches-new-education-response-plan-for-africas-biggest-refugee.html> [accessed 11th May 2020].

42   The United Nations High Commissioner for Refugees, 'Stepping Up: Refugee Education in Crisis.', [accessed 30th April 2019].

43   Rachel Hek. 'The Experiences and Needs of Refugee and Asylum Seeking Children in the UK: A Literature Review.' No. 635, (National Evaluation of Children's Fund: University of Birmingham, 2005) < https://dera.ioe.ac.uk/5398/1/RR635.pdf> pp. 1-71.

44   Hek, R, 'The Experiences and Needs of Refugee and Asylum Seeking Children in the UK: A Literature Review, 2005, pp. 1-71.

45   Emily Woodrow. 'Innovative Ways for Women in Refugee Camps to Find Maternal Health Care.' The Centre for Global Reproductive Health <http://dukecenter-

most reports and training tend to emphasize the physical needs of adult women, consequently ignoring the increased needs of teen-age mothers.[46] Due to often underdeveloped skeletal structures, young girls are more likely to suffer from complications during birth.[47] A World Health Organization article from 2020 stated that the most likely cause of death between young women aged 15-19 globally is related to pregnancy, as they are more prone to complications such as eclampsia and puerperal endometritis.[48] The article highlights that this is more likely to occur in 'developing' countries, or the Global South.[49] Whilst this wording is questionable, and in many ways can be perceived as a Westernised ethnocentric insult, the evidence portrayed highlights that it is abhorrent to ignore adolescent teen-age pregnancy, and that it must be investigated further. Interestingly, overall rates of adolescent fertility have decreased, by 11.6%,[50] arguably due to increased focus on Sustainability Development Goal 3, which focuses on good health and wellbeing, by the United Nations. However, rates remain unnervingly high in Central Africa.[51] Although adolescent pregnancy has become more of a priority over recent years - the 2020 UNHCR report officially mentions adolescent mothers, in comparison to no mention in the 2010 report - differences between teenage and adult mothers must be recognised when creating health policies for refugee camps. Ignoring physical differences could result in death.

Arguably, the physical structure of the camp itself is also key in influencing rates of unwanted teenage pregnancies. Refugee camps are often separated from the local community, to prevent potential disturbances,[52] which in some ways portrays refugees in a manner

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forglobalreproductivehealth.org/2018/08/24/innovative-ways-for-women-in-refugee-camps-to-find-maternal-health-care/ >[accessed 6th May 2020].

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47   World Health Organisation. 'Adolescent Pregnancy; Issues in Adolescent Health and Development.' World Health Organisation: Geneva. <https://apps.who.int/iris/bitstream/handle/10665/42903/9241591455_eng.pdf;jsessionid=E164D7054FC-CDF88CCB4ADC465A69404?sequence=1> [accessed 26th April 2020].

48   World Health Organisation. 'Adolescent pregnancy fact sheet.' < https://www.who.int/news-room/fact-sheets/detail/adolescent-pregnancy > ' [accessed 3rd May 2020].

49   World Health Organisation. 'Adolescent pregnancy fact sheet.' [no pagination].

50   World Health Organisation. 'Adolescent pregnancy fact sheet.' [no pagination].

51   World Health Organisation. 'Adolescent pregnancy fact sheet.' [no pagination].

52   Jahre et al. 'Approaches to the design of refugee camps', Journal of Humanitarian Logistics and Supply Chain Management. 8(3), (2017), pp. 323-345, <https://biopen.bi.no/bi-xmlui/bitstream/handle/11250/2571782/Approaches%20on%20design%20of%20refugee%20camps%202018.pdf?sequence=4&isAllowed=y>   [ac-

Saidwarned against;[53] as an 'other'. However, this also results in isolated blind spots away from the public eye, where women can be targeted by predatory rapists. Refugee women are more likely to carry out household tasks, such as collecting water and cooking, in comparison to men.[54] To carry out some of these tasks, a journey to a location outside the camp is necessary, and it is common for women to be sexually assaulted and raped during these journeys,[55] which creates a consistent threat looming over household chores and everyday life.

Furthermore, camps are often created using a top-down approach,[56] which could theoretically deny the needs and experiences of refugees as camps are created by officials and specialists. In this way, the lay-out and creators of refugee camps must be considered when investigating methods to lower levels of teenage pregnancy.

Conclusions & Policy Recommendations

There are a distinct range of factors contributing to high rates of teenage pregnancy amongst the refugee population, not only in Africa, but also around the world. Arguably the clearest issue portrayed by this review is the lack of recent research existing in the related literature. The most recent narrative synthesis on the subject by Urindwanayo and Richter, published in 2020, states a demand for more current research to be carried out, whilst referencing some of the most influential research as being over twenty years old.[57] Despite providing highly valuable insight, these studies are now outdated in a variety of ways; more research must be funded and executed to inform necessary policy changes. Research should also, where possible, be carried out by those who are part of the culture in ques-

cessed 8th May 2020].

53   Said, E. 'Orientalism.', (New York: Random House Inc., 1979).

54   Roxberg, M. '"I am a shame…"A qualitative field study of the prevalence of teenage pregnancy within two Burundian refugee camps in Tanzania.', [accessed 4th May 2020]

55   Roxberg, M. '"I am a shame…"A qualitative field study of the prevalence of teenage pregnancy within two Burundian refugee camps in Tanzania.', [accessed 4th May 2020].

56   Jahre et al., Approaches to the design of refugee camps, pp. 323-345.

57   Urindwanayo, D and Richter, S, 'Teenage Pregnancy in Refugee Camps; A Narrative Synthesis', pp. 254-270.

tion, potentially decreasing any Western bias or harmful stereotypes within research.

Food insecurity remains a key correlational factor regarding teenage pregnancy within refugee camps. Poor nutrition at an early age results in restricted childhood development, and has a damaging long-term effect.[58] When experienced in addition to the increased risks of health issues for pregnant young women of standard nourishment, this exacerbates the likelihood of maternal mortality. According to the UNHCR, multi-storey food gardens have been set up in camps in Kenya and Ethiopia to target a lack of food.[59] However, action by the state is unlikely to be significant, if economically sanctioned by the United Nations and the European Union. This is currently the case in Zimbabwe in relation to the United Nations. after sanctions were originally carried out against Robert Mugabe.[60] However, a recent United Nations article stated that economic sanctions largely contribute to food crises,[61] which consequently undermines fundamental human rights. Therefore, economic sanctions should be questioned as the most appropriate and useful means to penalise a country, and its effect on food security should be scrutinised more thoroughly.

Furthermore, there must be an increase in the accountability of sexual exploiters, who are often in positions of power.[62] Firstly, exploiters must unquestionably be held to account by co-workers and thus the organisation they belong to. Whilst training programmes are also useful to an extent, they are not sufficient on their own. As Roxberg suggests, refugees themselves must be incorporated into employment by humanitarian organisations to provide invaluable guidance and different perspectives on the issue.[63] This would also be ben-

58   The United Nations High Commissioner for Refugees. 'Nutrition and Food Security.' UNHCR: Geneva   <https://www.unhcr.org/uk/nutrition-and-food-security. html> [accessed 10th May 2020].

59   The United Nations High Commissioner for Refugees. 'Nutrition and Food Security.', [accessed 10th May 2020].

60   Reality Check Team. 'Zimbabwe sanctions: Who is being targeted?', British Broadcasting Corporation, < https://www.bbc.co.uk/news/world-africa-50169598> [accessed 11th May 2020].

61   United Nations News. 'Economic sanctions should be lifted to prevent hunger crises in countries hit by COVID-19 – UN rights expert.' United Nations <https://news.un.org/en/story/2020/03/1060742> [accessed 6th May 2020].

62   Ferris, E, 'Abuse of Power: Sexual Exploitation of Refugee Women and Girls', pp. 584-591.

63   Roxberg, M. '"I am a shame…"A qualitative field study of the prevalence of teenage pregnancy within two Burundian refugee camps in Tanzania.', [accessed 4th May 2020].

eficial when regarding the creation and design of refugee camps themselves. The involvement of young and older female refugees, employed to advise on the design of camps, would help increase the safety and security of women within them, whilst potentially dismantling any patriarchal structures. In addition, a consequent means to decrease the number of unwanted pregnancies would be to improve refugee camp policy. Here, change must again come from within to prevent paternalistic, Eurocentric policy and avoid 'othering'. Any policies should also adopt an intersectional approach regarding the factors and causes discussed, a stance widely supported in the existing relevant literature and especially by Roxberg and Urindwanayo and Richter.[64]

Access to education for refugees is increasing within Africa, however, more needs to be done. Certain pilot schemes, such as those in Kenya, have increased higher education opportunities for some refugees,[65] whilst many universities from other states, funds, and charities from around the world have offered scholarships to refugees.[66] However, young mothers are unlikely to take advantage of this in comparison to men.[67] Roxberg implies that this could be influenced by young mothers' consequent negative outlook on life, however this is the type of attitude when researching this topic that we must confront.[68] A negative outlook does not result in limited educational opportunities and experiences of young mothers, instead, a lack of supportive services provided by those in charge is the cause of a lack of education. Young mothers should not be depicted as generally hopeless and helpless; this fuels an unhelpful stereotype that often leads to a stigmatisation. Whilst it is also unhelpful to ignore that there are young mothers who do experience these feelings, more services must be made available to encourage the opposite experi-

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64   Urindwanayo, D and Richter, S, 'Teenage Pregnancy in Refugee Camps; A Narrative Synthesis', pp. 254-270; see also Roxberg, M. '"I am a shame…"A qualitative field study of the prevalence of teenage pregnancy within two Burundian refugee camps in Tanzania.', [accessed 4th May 2020].

65   Stephen Harris. 'How a pilot project in Kenya helps refugees go to university', The Conversation <https://theconversation.com/how-a-pilot-project-in-kenya-helps-refugees-go-to-university-118540 > [accessed 11th May 2020].

66   European Resettlement Network. 'Supporting Refugees to Access Higher Education.'   < https://www.resettlement.eu/page/supporting-refugees-access-higher-education   >, [accessed 2nd May 2020].

67   The United Nations High Commissioner for Refugees, 'Stepping Up: Refugee Education in Crisis.', [accessed 30th April 2019].

68   Roxberg, M. '"I am a shame…"A qualitative field study of the prevalence of teenage pregnancy within two Burundian refugee camps in Tanzania.', [accessed 4th May 2020].

ences and to target the perception that young mothers have a bleak future. Schemes have been created to aid this, but these are more targeted towards young people in general - as highlighted by the content of a 2019 UNHCR report on the matter.[69] Thus, it is vital that more services are created to specifically encourage young mothers, and to help support their families.

69   The United Nations High Commissioner for Refugees, 'Stepping Up: Refugee Education in Crisis.', [accessed 30th April 2019].

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The *Tide*

Aria *Aristotelous*
Final Year, English Language and Linguistics

'The Tide' is a poem which explores the theme of 'Transition' during the period of the rise of Covid-19. It is futile to argue that this past year has not been filled with a series of unexpected changes, in our routine, character and even appearance. My personal need to express the way these specific changes made me feel and how they have managed to affect my mental health led me to composing this poem. At a certain point, the poem shifts alignments with the left one representing the more negative way through which I sometimes perceive things and events, while the right one presents the idea of seeing this change through semi-rose-coloured glasses as I do not fully accept the new reality, but I am surely coming to terms with it. It appears that although we, humans, are aware that change is inevitable and ever-changing, we always find ourselves getting upset over any kind of change.

my body aches
I feel sore to the bone
maybe it's the weight of my new pastimes
piling up on my back
trying to fill, already filled, time with
silly things, silly people

I lay in bed
In my head, I cry out loud
I reach to grab my phone to check the time,

the date and
if the world has already ended without me realising

but I'm weak, so instead I take a wild guess

Monday, Wednesday, Friday, Sunday
the days have lost their order
and order has lost any significance it may had had

Words sound silly
silly like the people articulating them

I force my eyes shut
I go to my happy place
but
my mountain looks too steep today
my shelter too wrecked to embrace me

I attempt to make my happy place look even happier
Or rather, simply happy.
I can't and that's ok

An old feeling arises again
making its way from the bottom of my spine
all the way to the back of my neck
nostalgia.
It makes me crave normalcy
it makes me yearn for freedom

What is freedom, though, if not merely a state of mind?

Accompanying nostalgia,
the years I took for granted crawl back into my brain
2020, 21, 20-too trapped inside my mind

My head now filled with a superfluity of
my dreams and my 'what if's
my worries, oh an abundance of them
I tremble, my heart pounding, I lose control

and I just

I open my eyes

The sun hitting my face,
I stare at the ceiling,
I get out of bed.
I giggle out loud.
My body does not ache, I lied.
It's Monday morning.
8 February 2021.
And I am aware.
Eight has always been my lucky number
not that it has brought me any luck
but
I am terrified of change,
so, changing it was never a choice.
I take a deep breath,
Fill my lungs with fresh oxygen,
hold it for two moments and
I let out a big sigh.
The kind of sigh that people sitting on the beach
on a warm day in early August heave,
without anything to worry about whatsoever.
The sigh of relief.
Thus, I allow myself to inhale deeply,
to let everything sink in.
Sinking with them, I reach for the surface,
exhaling my 8's, my worries and my 'what if's,
now, going with the tide.

It is hard to see the true form through a translucent window

Jorge Hopkins *Wang*
Second Year, Digital Media

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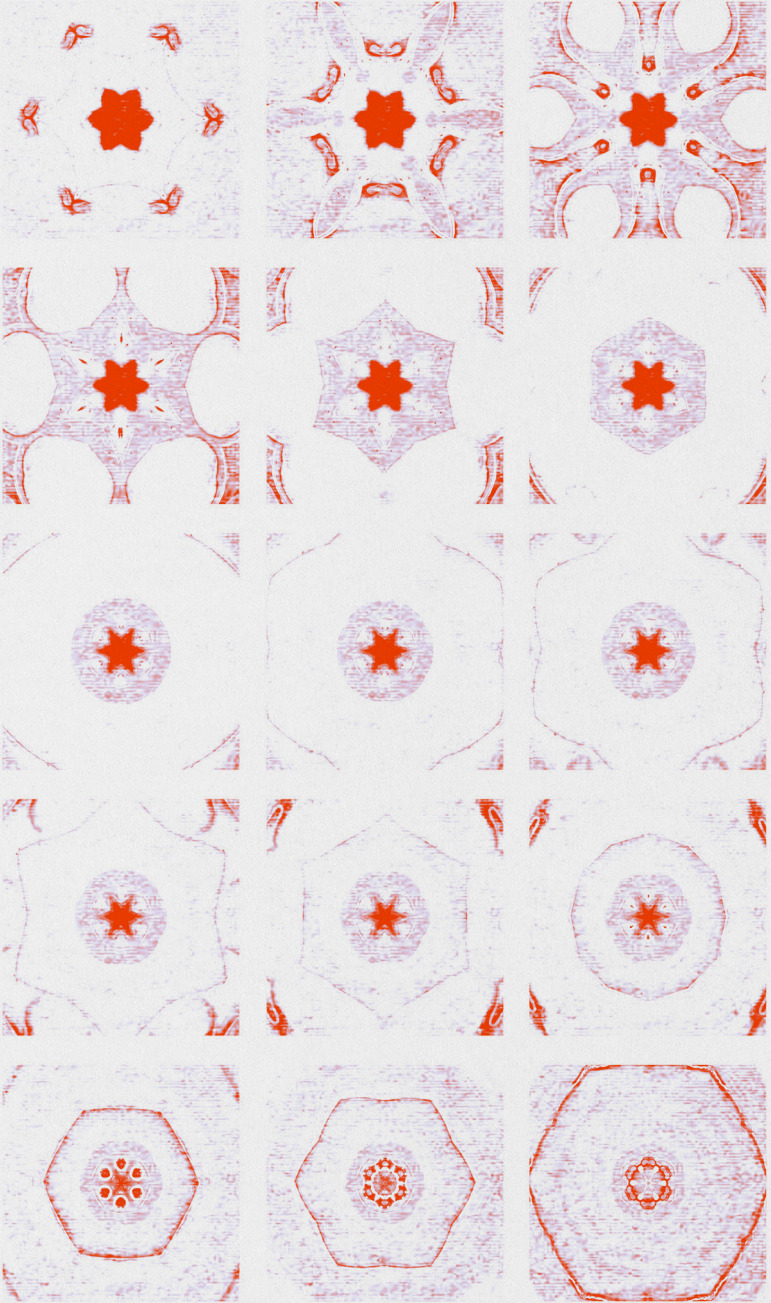
Not Gay Enough:
Taking steps towards easing the uniquely traumatic transition of
LGBT
asylum seekers in the
United Kingdom

Catheryne *Fairbairn*
Final Year, Politics

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Abstract

In recent years, greater academic and media attention has been brought to the unique plight of LGBT asylum seekers in the United Kingdom. Without the freedom under both law and in society to live a fulfilled life, LGBT people in countries wherein homosexuality is criminalised are forced to suppress their identity. However, what happens when they are unable to secure safety as a result of an inability to evidence something as innate, yet as life-threatening, as their sexual orientation? Within this essay, I will use evidence supplied within a 2020 Sexual Orientation and Gender Identity Claims of Asylum report by researchers at the University of Sussex to advocate for significant procedural reform on behalf of this group of asylum seekers. I will provide a contextual overview of the asylum process, followed by highlighting the primary barriers faced by LGBT asylum seekers. These include a lack of knowledge of asylum itself, an inability to prove their sexuality, hostile or deeply inadequate translation services, and the homophobic prejudices of decision makers. I seek to conclude by providing a set of achievable solutions, with which the UK's asylum process has the potential to be radically transformed for LGBT claimants.

Introduction

The persecution of the LGBT community is pervasive, surpassing many of the borders which divide nation states and inflicting harm upon those who cannot lead a fulfilling life within a legal, political, and cultural framework which demands heterosexual conformity. Yet this is no new phenomenon, with seventy-two world nations currently criminalising homosexuality in some form (almost half of these being members of the Commonwealth), from a one year maximum prison sentence in Zimbabwe and Ethiopia; to the most oppressive loss of agency in eleven of these jurisdictions: the death penalty. [1]

For those in a position to migrate and seek assistance, their transition can be one of great suffering and struggle as nations deemed 'safe' engage in attempts to whittle down the volume of asylum claimants, separate their perception of the valid and invalid claims, and ultimately accept as small a number of asylum seekers as their statutes and position in the international community will permit.[2]

Based on the findings of a 2020 report funded by the European Research Council (ERC)[3] and undertaken by five primary researchers at the University of Sussex, I stand to argue the belief that despite a fear of persecution on the basis of sexual orientation directly featuring within the United Kingdom's criteria for seeking asylum, such protection falls painfully short in the actual lived experiences of claimants. This ultimately hinges upon a requirement to evidence their sexual orientation as well as the persecution they face as a result of it, a deeply personal and often virtually impossible task.[4] I then seek to articulate a range of potential measures that the United Kingdom could implement to ease the transition of asylum claimants through each stage of the process.

1   Human Dignity Trust, Map of Countries that Criminalise LGBT People, <https://www.humandignitytrust.org/lgbt-the-law/map-of-criminalisation/> [accessed 2 December 2020].

2   Philomena Murray and Michael Longo, 'Europe's wicked legitimacy crisis: the case of refugees', Journal of European Integration, 40.4 (2018), 411-425 <https://www.tandfonline.com/doi/full/10.1080/07036337.2018.1436543> [accessed 2 December 2020].

3   Vitor Lopes Andrade and others, Queering Asylum in Europe: A Survey Report, Sexual Orientation and Gender Identity Claims of Asylum: A European human rights challenge – SOGICA. (Sussex: University of Sussex, 2020).

4   Alex Powell, Interviews with asylum seekers reveal why the Home Office rejects so many LGBT claims, The Conversation < https://theconversation.com/interviews-with-asylum-seekers-reveal-why-the-home-office-rejects-so-many-lgbt-claims-122905> [accessed 4 December 2020].

I will utilise the acronym for 'Lesbian, Gay, Bisexual and Transgender' (LGBT) rather than simply LGB when referring to individuals seeking asylum on the basis of their sexual orientation. Whilst I will not be exploring the unique experiences of transgender asylum seekers, they may also identify, or be identified, as non-heterosexual.

Context and Background

Whilst this essay is aiming to encapsulate common pitfalls in the experiences of claimants rather than delving into the intricacies of legally-binding treaties and statutes, it is crucial to note that LGBT refugees are legally entitled to refugee status either directly or by association of their meeting the criteria within a number of international and nation-specific statutes. Article 1.2 of the 1951 Convention Relating to the Status of Refugees includes, within their definition of a refugee, a person who has a 'fear of being persecuted for... membership of a particular social group or political opinion',[5] and the UK government website - an obvious first point of contact for many with intent to seek asylum - echoes this message, making specific reference to eligibility on the grounds of sexual orientation and gender identity.[6] However, it was not until 1999 that claims made on the basis of sexual orientation were provided specific refugee protections in the UK.[7] As evidence in the form of findings presented within the 2020 Sexual Orientation and Gender Identity Claims of Asylum report will demonstrate, such protections often fall short of this, the de facto reality of LGBT claimants presenting worrying findings regarding the wrongly-perceived severity of their individual plights by the UK Home Office; as just one of many social democratic nations failing to meet the needs of their refugee population.[8]

5   United Nations High Commissioner for Refugees, Convention and Protocol Relating to the Status of Refugees, < https://www.unhcr.org/uk/3b66c2aa10> [accessed 4 December 2020].

6   UK Government, Claim Asylum in the UK, GOV.UK < https://www.gov.uk/claim-asylum/eligibility> [accessed 7 December 2020].

7   Right to Remain, A history of providing sanctuary? LGBT+ asylum claims in the UK, <https://righttoremain.org.uk/a-history-of-providing-sanctuary-lgbt-asylum-claims-in-the-uk/> [accessed 8 December 2020].

8   Vítor Lopes Andrade and others, Queering Asylum in Europe: A Survey Report, Sexual Orientation and Gender Identity Claims of Asylum: A European human rights challenge – SOGICA. (Sussex: University of Sussex, 2020).

The Sexual Orientation and Gender Identity Claims of Asylum's 'Queering Asylum in Europe' report (SOGICA) is a four-year research project, which 'explores the social and legal experiences of people across Europe claiming international protection on the basis of their sexual orientation or gender identity'.[9] Data has been collated through a series of surveys, and 17% of their respondents are claiming asylum specifically within the UK,[10] providing validity to this essay in its attempts to understand the specific experiences of LGBT asylum seekers in the UK. The report investigates how respondents were treated throughout their claim both internally and externally of the legal system, and a selection of anonymised and directly quoted personal experiences of participants are shared to bolster the argument that refugee frameworks are failing to protect LGBT claimants.[11] The report reveals consistent patterns within the knowledge of asylum, and case outcomes of those fleeing their country of origin due to an inability to exist as an LGBT individual under an anti-LGBT government.

Before embarking upon an investigation into the experiences of LGBT asylum seekers in the UK and the ways in which they often differ from that of the wider demographic of asylum seekers, it is important to have an accurate and chronological idea of what the asylum process legally entails. To do this I will follow the steps outlined on what is for many, their first point of contact for asylum information, the UK Government website. When arriving in the UK and wishing to remain as a refugee, the UK Home Office advises individuals to 'apply when you arrive in the UK or as soon as you think it would be unsafe for you to return to your own country'.[12] The website emphasises that 'your application is more likely to be denied if you wait'.[13] This is followed by a screening with an immigration officer, and upon passing this initial stage of the claimant process, a main asylum interview will be granted with a caseworker.[14] It is specified, albeit vaguely so, that claimants usually receive a decision within six months. Within this time an asylum seeker may be entitled to forms of aid, but they are unable to work, and may be placed on some form of probation or granted a caseworker.[15] Such a process places an asylum seeker in

9   Ibid., p.1.
10   Ibid., p.8.
11   Ibid., pp.11-46.
12   UK Government, Claim Asylum in the UK, GOV.UK < https://www.gov.uk/claim-asylum/eligibility> [accessed 7 December 2020].
13   Ibid.
14   Ibid.
15   Ibid.

an exceptionally precarious position both economically and socially, with minimal protection rendering them vulnerable and often inflicting lasting trauma through the poor conditions suffered throughout the asylum process.

Moreover, is here that I reach the critical dilemma of some considering seeking asylum within the United Kingdom on the grounds of sexual orientation or transgender identity. This dilemma is found in a choice between risking their safety and possibly their lives by beginning the arduous asylum process, or whether it may be in their best interests to suppress this crucial area of their identity and remain within a familiar culture, but unable to openly live a fulfilled life in their country of origin. Of course, many do not have the benefit of secrecy on their side, fleeing with greater urgency to escape imminent torture or other forms of persecution. This dilemma of fearing mistreatment both within their country of origin and within the asylum process of the host country is clearly demonstrated within the experiences of participants in the SOGICA report. Being misunderstood is key to this mistreatment, the report detailing that 'approximately one third of [the respondents] saw their claims refused because the decision-maker did not believe their sexual orientation or gender identity was as stated'. This implies a misunderstanding on the part of decision makers of the nature of human sexual orientation, yet is a harsh reality of LGBT claimants' experiences under Western European authorities, and suggests why some may not perceive claiming asylum as a preferable choice to suppressing their sexuality. each the critical dilemma of some considering seeking asylum within the United Kingdom on the grounds of sexual orientation or transgender identity. This dilemma is found in a choice between risking their safety and possibly their lives by beginning the arduous asylum process, or whether it may be in their best interests to suppress this crucial area of their identity and remain within a familiar culture, but unable to openly live a fulfilled life in their country of origin. Of course many do not have the benefit of secrecy on their side, fleeing with greater urgency to escape imminent torture or other forms of persecution. This dilemma of fearing mistreatment both within their country of origin and within the asylum process of the host country is clearly demonstrated within the experiences of participants in the SOGICA report. Being misunderstood is key to this mistreatment, the report detailing that 'approximately one third of [the respondents] saw their claims refused because the decision-maker did not believe their

sexual orientation or gender identity was as stated'. This implies a misunderstanding on the part of decision makers of the nature of human sexual orientation, yet is a harsh reality of LGBT claimants' experiences under Western European authorities, and suggests why some may not perceive claiming asylum as a preferable choice to suppressing their sexuality.

The Process in Action – Responses to the SOGICA Report

The process of transitioning from the political, cultural and ontological familiarity of one space and attempting to integrate permanently into another is certainly no simple, ephemeral shift. Yet I argue that we should still reasonably expect nations such as the United Kingdom, upholding values of mutual respect and individual liberty,[16] to smoothen such a tumultuous journey and perceive asylum claimants as a form of citizen (even if with limited freedoms) throughout the course of their claim. So what, therefore, should we make of a process of asylum designed to reduce human beings to our nation's perception of them and their validity? Institutional homophobia is so deeply entrenched within the United Kingdom's asylum processes that one might, as I do, uphold the belief that orchestrators of asylum law do not themselves perceive the barriers imposed upon LGBT claimants as unusually cruel. Rather than that, they see a requirement to thoroughly evidence one's sexual orientation as a reasonable price to pay for refuge in the world's fourteenth most democratic nation, no matter how demoralising or even impossible of a requirement it is.[17]

To truly appreciate the predicament posed to LGBT people by the United Kingdom's asylum procedures, it is imperative that no detail, however egregious, is spared in providing an account of the asylum experience, including the Home Office's hostile record of enforcing a severe, sometimes derogatory and often unrealistic evidence process for those seeking asylum on the grounds of sexual orientation.[18] Andrade et al. employ the method of directly quoting participants within the aforementioned SOGICA report, to ensure the voices of

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16   UK Government, Guidance on promoting British values in schools published, GOV.UK   <https://www.gov.uk/government/news/guidance-on-promoting-british-values-in-schools-published> [accessed 30 December 2020].

17   The Economist Intelligence Unit, Democracy Index 2019: A year of democratic setbacks and popular
Protest (London: The Economist, 2019).

18   Powell.

asylum seekers are both prioritised in the report's delivery, and prevented from becoming diluted within the academic literature.[19] It is here that I will evidence my claims that the United Kingdom - as one of a number of Western European nations - either wilfully through social stigma, or ignorantly through a lack of comprehensive social education, fails to meet the specific needs of claimants for whom their basis for seeking asylum is found in their sexual orientation. This begins with the fact that one third of those surveyed within the SOGICA report are so accustomed to living without protection that the very existence of a process of asylum is unknown to them.[20] They do not know that they have this basic human right. One respondent within the SOGICA report, identified as a 'gay Ugandan refugee in the UK', describes how it took him a month of living illegally and struggling to find work in the UK before he was arrested and informed of his right to asylum. He states that:

 'I went to [the] Home Office and I was arrested and from there I was asked why I left my country. I didn't [sic] have any idea about the asylum process'.[21]

A prominent question posed to participants within the SOGICA report was 'If your application has been refused at any time, what was the reason?'[22] Despite providing four slightly differentiated answers for respondents to select from, they all demonstrate the exceptional struggle posed to LGBT people in attempting to find safety. Almost 40% of respondents (the largest collective answer for this question) stated that 'the decision maker did not believe I was persecuted or at risk of persecution in my country of origin', followed by over 30% claiming that 'the decision maker did not believe my sexual orientation or gender identity'.[23] The latter figure is worryingly suggestive of a tendency among decision makers to defer to stereotypes and prejudices, even if unconsciously so, when deciding if an LGBT claimant is legitimate in their claim.

For just under 10% of respondents who were refused asylum, such a rejection was justified to them in a way that explicitly denies a human being any chance of leading a fulfilling life equal to that of their peers and fellow citizens. The rationalisation provided to this section

19   Andrade and others, pp.11-46.
20   Ibid., p.5.
21   Ibid., p.11.
22   Ibid., p.16.
23   Ibid.

of the participant pool is that 'the decision maker stated that I could or would live 'discreetly' if I were returned'.[24] This suggests that such a justification is regularly used in denying even those who have succeeded in the gruelling task of 'proving' their sexual orientation. The action of rejecting an asylum claim on the basis that a claimant can suppress their sexual orientation (echoing sentiments often heard among anti-LGBT organisations) can be interpreted as existing in direct violation of multiple articles of the Universal Declaration of Human Rights. This includes Article 29.1, which states:

 'Everyone has duties to the community in which alone the free and full development of his personality is possible.'[25]

Once society as a collective has reached this stage of full acknowledgement that an individual is at risk of persecution, yet approves returning them to that situation nonetheless, there becomes a point at which change must be instigated to prevent further unnecessary suffering of LGBT asylum seekers. society as a collective has reached this stage of full acknowledgement that an individual is at full risk of persecution, yet approves returning them to that situation nonetheless, there becomes a point at which change must be instigated to prevent further unnecessary suffering of LGBT asylum seekers.

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Reforming the Process

A decision to admit or refuse an asylum seeker is, or at least ought to rest upon whether their case is perceived as meeting the legal refugee framework set out in both national and international refugee law. However, a statute in itself is redundant without the affirmation of sovereign states and the interpretation of decision-makers within those states. Furthermore, the law is not static. It is debated and moulded to meet the needs of a society constantly changing and increasing in knowledge. As the SOGICA report has demonstrated, there is an urgent need for such reforms to take place.

It is the professional opinion of some individuals working within the high ranks of the UK's judicial system that whilst it is difficult for deci-

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24   Ibid.

25   United Nations, Universal Declaration of Human Rights, <https://www.un.org/en/universal-declaration-human-rights/> [accessed 2 January 2021].

sion-makers to authenticate an LGBT asylum claim, the current process involves a significant level of implicit stereotyping and is thus not fit for purpose.[26] One UK barrister participating in the SOGICA report stated:

'Many decision-makers (and government functionaries cross-examining) have not had the opportunity or cause to question heteronormative assumptions and are unaware of their own assumptions and stereotypes. There is a real need for training.'[27]

It is right here that a simple, easily achievable action has already been outlined. Reform in the practice of reshaping the outlook of key decision makers is a pivotal step in ensuring asylum seekers do not feel their losses are exacerbated by a severe disconnect between themselves and those who ultimately wield power over their future. Simple steps such as education on appropriate LGBT terms, addressing misconceptions of LGBT people, and reminding decision makers of the need to remove personal bias from their work are all small changes that have the potential to considerably improve the experience of an LGBT asylum seeker in the UK.

A substantial section of the SOGICA report explores the unique plight of LGBT claimants within detention centres. Whilst these are segregated by sex (which leads to a much wider discussion about transgender claimants), many non-LGBT asylum seekers within the centres may hold the same homophobic views that LGBT asylum seekers are fleeing from. One respondent described his experience with UK detention centres in the following way:

'This was my worst nightmare. At first I was in [an] open dormitory with about 50 people. Just like beds in [a] hall. Then taken to another detention. To be honest I really don't [sic] want to talk about it. I was told to take off my clothes to be checked. I remained totally naked.'[28] The existence of detention centres are thus another area either in desperate need of abolition or at the very least, severe reform. Minimally decent reform could include separate facilities for those seeking asylum on the grounds of LGBT identity, although some respondents within the SOGICA report fear this may enforce 'ghettoizing'.[29] Another failing area is that of advisors, including interpretation and asylum seeker advocacy services. Some participants report feelings

26   Andrade and others, p.32.

27   Ibid., p.32.

28   Ibid., p.22.

29   Ibid., p.40.

of unease and even direct discrimination from those assigned to assist them in their claim, from tribal differences within the country of origin leading to mutual dislike, to purposefully being referred to as the wrong gender.[30] Such instances only further the isolation felt by asylum seekers, and reforms should include certain required checks and balances to ensure people working within those roles show empathy and true advocacy towards those they are appointed to support.

Conclusion

Whilst it is true, and whilst we are aware that a spectrum of sexuality exists externally of the normative heterosexual model, individual nation states and the international community as a whole are still ignorant to realise, and commit to supporting the unique position of this section of asylum seekers. Within the United Kingdom, this has been shown to take place initially in the form of a lack of accessible transparency of the asylum process, with one claimant stating that:

'After what happened to me in Uganda, couldn't think that anyone or any government supports LGBTQI people.'[31]

Other ways the UK has failed to protect LGBT asylum seekers include hostile translation services (not only involving the general barriers facing all claimants but an additional layer of homophobic prejudice), operating detention facilities in which LGBT claimants receive homophobic abuse, and inadequate cultural awareness surrounding the trauma that asylum seekers have surrounding their LGBT identity.

The SOGICA report has established a concrete basis upon which we can appreciate the authentic plight of LGBT asylum seekers, highlighting all of the aforementioned challenges they face in securing relative safety within Western Europe, including in the UK. The report emphasises that many claims are rejected on the basis that the Home Office (among other national government offices) do not believe an individual truly is LGBT, or that they can suppress this upon repatriation. Clearly there is significant room for doubt as to how such rejections can be justified, and this is in urgent need of addressing at an institutional level.

30   Ibid., pp.19-21.
31   Ibid., p.13.

I believe, as the SOGICA report has shown, that every violation or demoralising practice mentioned within this essay are preventable through a combination of abolition (primarily relating to detention centres) and reform (such as the process for evidencing sexual orientation). In line with principles of mutual respect and dignity, such reforms should seek to provide a more affirming and sensitive approach to dealing specifically with LGBT asylum claimants. At a minimum this should involve taking a claimant's self-identified sexual orientation as truth and not attempting to disprove their identity. It could also include an additional step in the form of specialised counselling, allowing a professional to weigh in on the legitimacy of individual claims and the risk of rejecting them. Whilst an asylum seeker's transition may be harsh by its very nature, and can more often than not constitute an exchange of one form of hostility for another, many experiencing severe racism once resettled,[32] there are ways and means of humanising such a process, which should be utilised to the fullest extent. As the closing remarks of the SOGICA report state: 'It is time to create a fairer asylum system in Europe!'[33]

32   Ibid., p.26.
33   Ibid., p.47.

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Jerome *Boyd*
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The Development of China's Curriculum: human rights, nationalism, and religion

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Abstract

This paper discusses human rights, nationalism, and religion in elation to the post-Mao Chinese curriculum (1976-present). The methodological claim is that through critical discourse analysis of pedagogical resources and policy documents, the Chinese education system can be investigated as a reflection of core Chinese Communist Party (CCP) principles. The fact that education is a partisan political act is especially true in this case study. Utilising both primary and secondary literature, this paper concludes that China's authoritarian regime has stringently promoted socio-ethical norms that counteract the development of human rights, the anomaly being the Reform Era (1976-1989).

Introduction

The relationship between human rights, religion, and nationalism forms a complex history in China: this essay explores the transition of education policy and curriculum studies in the post-Mao era (1976 onwards). I seek to demonstrate that the exposition of religious and nationalist discourses in the Chinese education system provides effective insight into the core principles and values of the Chinese Communist Party (CCP), crucially including how China's approach to human rights has developed over time. Indeed, both China's national policies and their international cooperation are everchanging: this discussion must be understood as a dynamic and ongoing transition shaped by historical and contemporary developments.

This method is grounded on the understanding that education has significant potential to impose social control, embody cultural dangers, and instil socioeconomic power relations.[1] Hence, education, as a partisan political act, reveals political objectives. [2] China represents a paradigm example. Indeed, curriculum reform has been imperative to China's human capital development strategy, particularly since Tiananmen.[3]

This essay claims that education policy, developed under China's authoritarian regime, has sought the stringent perpetuation of socio-ethical norms which are predominantly incongruous with the ethos of human rights (the notable exception being the reform era 1976-1989). Combining primary sources and pre-existing critical discourse analysis, discussion will concern themes such as socialist tension with Western individualism; patriotism and authoritarianism; globalism with Chinese characteristics; religion as unsophisticated; and the subordinacy of religion to the State.

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1   Michael Apple, 'The Text and Cultural Politics', Educational Researcher, 21.7 (1992), 4-19 (p. 4) <https://doi.org/10.3102/0013189X021007004>

2   Michael Apple, Ideology and curriculum, 3rd edn (New York: Routledge Falmer, 2004), p. 1.

3   Wing-Wah Law, 'Understanding China's curriculum reform for the 21st century', Journal of Curriculum Studies, 46.3 (2014), 332-360 (p. 20) <https://doi.org/10.1080/00220272.2014.883431>

Various methods are used throughout this essay. Much of this essay is comparative, evaluating the extent of congruence between human rights frameworks and empirical observations of China's education policy.

Critical discourse analysis resources effectively facilitate this form of comparison, enabling the "opaque and transparent analysis of structural relationships of dominance, discrimination, power and control as manifested in language".[4] By incorporating "social-theoretical insights" into the assessment of language,[5] primary resources released by the Chinese government – such as textbooks and policy reports – can be used to gain direct understanding. An interdisciplinary collection of secondary literature will bolster these insights. The work of sociologists, pedagogical specialists, and political scientists will all aid my evaluation.

I also preface my discussion with a key concept for my understanding of human rights: the positive-negative distinction.[6] Positive rights affirm an 'entitlement to', while negative rights affirm 'entitlement from' interference. Both forms will be relevant to this study. Finally, I note that my human rights framework is centralised around United Nations (UN) conceptions of rights; this approach is not only intuitive, but appropriate. As a founding member bound by The Charter of the UN, having signed the Universal Declaration of Human Rights (UDHR), and having recently promised cooperation with the UN on human rights, this is a suitable evaluative framework.[7]

4   Ruth Wodak, 'Critical Linguistics and Critical Discourse Analysis', in Handbook of Pragmatics, ed. By Jef Verschueren, Jan-Ola Östman and Jan Blommaert (Amsterdam: Benjamins, 1995) pp. 204-210 (p. 204).

5   Jan Blommaert and Chris Bulcaen, 'Critical Discourse Analysis', Annual Review of Anthropology, 29.1, (2000), 447–466 (p. 447) <https://doi.org/10.1146/annurev.anthro.29.1.447>

6   Leif Wenar, 'Rights', The Stanford Encyclopedia of Philosophy (Spring Edition), ed. by Edward N. Zalta [online] <https://plato.stanford.edu/archives/spr2020/entries/rights/> [accessed 14 March 2020].

7   Reuters, 'China promises cooperation with United Nations on human rights (2016)' <https://www.reuters.com/article/us-china-rights-idUSKCN11Z0DG> [accessed 4 February 2021].

I begin by clarifying how nationalism is in tension with the human rights ethos. Such clarifications will ground the claims of section 1b, identifying the pervasiveness of such tensions within the Chinese education system.

Firstly, while nationalism (particularly socialist nationalism) prioritises the collective ahead of the single person, rights language is essentially individualistic.[8] Nationalism's theoretical foundations prioritise state interests (particularly cohesion) over the universalist protection of diverse individuals; hence, "serious tensions exist between the conceptions of international human rights and national sovereignty".[9] Some writers even go as far to argue that nationalism is inherently contradictory to human rights.[10] Patriotism, closely related to nationalism, is likewise non-conducive to a stable rights culture: a population educated towards state devotion is more likely to tacitly condone institutionalised human rights abuses. Nationalism and patriotism are often utilised by authoritarian governments,[11] entailing the rejection of negative human rights.[12]

Secondly, focusing our attention to pedagogical contexts, institutionalised school curricula have high potential to normatively instil patriotic values and national characteristics: a prime example is what Banks defines as 'mainstream citizenship education'.[13],[14] What Banks describes does not involve the recognition and understanding of diverse social identities – rather, it develops students' patriotic identity and their national position in a globalised world. Crucially, mainstream citizenship education does not generate

8   Michael Ignatieff, 'Human Rights, Sovereignty, and Intervention', in Human Rights and Human Wrongs: The Oxford Amnesty Lectures 2001, ed. by Nicholas Owen (Oxford: Oxford University Press, 2003) pp. 49-88 (p. 67).

9   James Banks, 'Diversity, Group Identity, and Citizenship Education in a Global Age', Educational Researcher, 37.3 (2008), 129–139 (p. 132) <https://doi.org/10.3102/0013189X08317501>

10   Emir Yazici, 'Nationalism and Human Rights', Political Research Quarterly, 72.1 (2019), 147–161 (p. 147) <https://doi.org/10.1177/1065912918781187>

11   Stephano Livi, Luigi Leone, Giorgio Falgares, and Francesco Lombardo, 'Values, ideological attitudes and patriotism', Personality and Individual Differences, 64 (2014), 141–146 (p. 142) <https://doi.org/10.1016/j.paid.2014.02.040>

12   Mark Tushnet, 'Authoritarian Constitutionalism', Cornell Law Review, 100.2 (2015), 390-462 (p.394) <https://scholarship.law.cornell.edu/cgi/viewcontent.cgi?article=4654&context=clr> [accessed 27 February 2020].

13   Apple, Ideology, p. 47.

14   Banks, Diversity, p. 135.

young citizens capable of highly independent critical thought and civic action: students' ability to challenge inequality within their communities and nations is stunted.[15] This further facilitates limited scrutiny of human rights abuses.

Thirdly, nationalism (in a globalised era) has concerning implications for human rights when the principal motivation behind amicable international relations is national interest and the deflection of scrutiny. Ostensible cooperation combines with the unequivocal condemnation of international interferences upon the internal affairs of sovereign states.[16]

Therefore, there is good reason to believe that both pro-nationalist and anti-human rights discourses derive from the prioritisation of collective state power over individual freedom; and therefore, nationalist discourse – perpetuated through education – threatens human rights.

Section 1b: Nationalism in Chinese Education

The Reform Era, defined as the transition from Mao's death (1976) until Tiananmen Square Protests (1989), represents the most significant exception to China's predominantly adverse relationship with human rights. This exception can be explored through the relative decline of nationalist education in this period.

I begin in 1982. The Constitution of the People's Republic of China, as is typical of this Reform Era "society in transition", was multifaceted.[17] I believe that notions such as education being "widely accessible" reflect the progressive postMao zeitgeist, more accepting of social differentiation.[18],[19] "Culture fevers" such as women's liberation and the promotion of ethnic plurality were the result of

15   Ibid.

16   Edward Vickers, 'Selling "Socialism with Chinese Characteristics": Thought and Politics and the Legitimisation of China's Developmental Strategy', International Journal of Educational Development, 29.5 (2009), 523–531 (p. 523 & p. 529) <https://doi.org/10.1016/j.ijedudev.2009.04.012>

17   Stanley Rosen, 'Value Change in Post-Mao China', in Unofficial China: popular culture and thought in the People's Republic, ed. By Eugene Link, Richard Madsen, and Paul Pickowicz (Boulder: Westview Press, 1989) pp. 193-216 (pp. 193-194).

18   The Constitution of the People's Republic of China (adopted on December 4, 1982, by the Fifth National People's Congress of the People's Republic of China at Its Fifth Session). 1st edn (Beijing: Foreign Languages Press, 1982) Print (§ 1.24).

19   Rosen, Value Change, p. 193.

a "flood of western ideas" encouraged by high-ranking statemen such as Zhao Ziyang (prominent 198089).[20],[21],[22] Western influences in the Reform Era undoubtedly shaped the development of nationalist discourse in Chinese education. Humanities and social science courses were increasingly tolerant of Western concepts[23] – the most significant of these for human rights being democratic individualism, the ideology of a "civil culture of rights and the political culture of equal dignity of persons".[24] This was caused by calls for an increasingly moralised education; for instance, in the State Education Development Commission report 1987.[25] The growing prevalence of an optimistic vision of individual development further evidences the relatively pro-human rights discourse of Reform Era Chinese education.[26] This ultimately peaked with the Tiananmen Square protests (April-June 1989), the starting point of which was Ren Wanding's international plea for human rights and social justice reform in China.[27]

Nonetheless, despite reform-era western trends, some characteristics of 'mainstream citizenship education' persisted through the reforms. The CCP constitution promoted "core socialist values" including "love for the motherland", "educating the people in patriotism/collectivism" and the rejection of "decadent" capitalist thinking.[28] Ding argues that the rise of western influences in the 1980s Chinese curriculum remained firmly in the national interest.[29] Many young people resisted Western conceptions of pro-

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20   Dingxin Zhao, The Power of Tiananmen (Chicago: Chicago University Press, 2001), p. 43.

21   Xiaotong Fei, 'Zhonghua minzu de duoyuan yiti geju' [Plurality within the organic unity of the Chinese nation].Beijing Daxue Xuebao [Journal of Beijing University], 26.4 (1986) 1–19 (pp. 2-19).

22   Ruth Hayhoe, 'Political Texts in Chinese Universities before and after Tiananmen', Pacific Affairs, 66.1 (1993), 21–43 (p. 36) <https://doi.org/10.2307/2760014>

23   Ibid.

24   Nadia Urbinati, The Tyranny of the Moderns trans. by Martin Thom (London: Yale University Press, 2015), p.12.

25   Hayhoe, 'Political Texts', pp. 30-31.

26   That said, value change amongst post-Mao youth was not solely institutionally-driven (top-down). The effectiveness of reforms were poorly rated by Chinese youth; suggesting "a clear decline in the ability of the state to dictate morality" – Rosen, Value Change, p. 201 & p. 207.

27   Robin Munro, 'Rough Justice in Beijing; Punishing the 'Black Hands' of Tiananmen Square', UCLA Pacific Basin Law Journal, 10.1 (1991), 77–135 (p. 93) <https://escholarship.org/uc/item/7zz8w3wg> [accessed 17 April 2020].

28   CCP Constitution, § 1.24 & § 1.19

29   Gang Ding, 'Nationalization and Internationalization: Two Turning Points in China's Education in the Twentieth Century', in Education, Culture and Identity in Twentieth-century China, ed. By Glen Peternson, Ruth Hayhoe and Yongling Lu (Hong Kong: Hong Kong University Press, 2001), pp. 161-186 (p. 182).

gressiveness, such as those who perceived the drive for women's liberation as "unhealthy".[30] This prevailing orthodoxy was reflected most explicitly in the continued pervasiveness of youth patriotism, even if this patriotism was not manifested through Chairman Ding's CCP leadership:[31],[32] "Maoist nostalgia" can be traced back to the late 1980s – a time of increasing dissatisfaction with the government prior to Tiananmen Square.[33]

Thus ensued the post-Tiananmen transition. New textbooks (1990) returned to an orthodox curriculum which emphasised gucoi ('national essence') and obstructed self-reflection.[34] This pro-nationalist transformation caused explicit tension with human rights; the reassertion of collective over individual values was manifested through the glorification of patriotic socialism as the ideal nation.[35] "Human rights rhetoric as an excuse for intervention in the internal affairs of socialist nations" is listed as problematic Western strategy.[36]

The post-Tiananmen transition towards a nationalist curriculum has endured to present. Liu's 2005 study critically analyses nationalist discourse within CCP textbooks, used in 90% of schools.[37] The three main discourses identified are 1) patriotism, 2) cultural values and beliefs, and 3) pro-science.[38] Crucially, Liu claims that these discourses are constructed in the interest of social control rather than children's personal interest.[39] Patriotic discourse emphasises 'the great people and culture of China',[40] while cultural discourses emphasise collective spirit, respect for authority, and modesty. Emphasis on 'modesty' is particularly concerning for human rights: critical thinking, as the antithesis of modesty, is repressed. In claiming that modesty is required to avoid arrogance and conceitedness,[41] it seems that the CCP is looking to impede

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30   Rosen, Value Change, p. 207.

31   Zhao, Power of Tiananmen, p. 43.

32   Rosen, Value Change, p. 201.

33   Ross Terrill, Mao: A Biography (Stanford: Stanford University Press), p. 461.

34   Hayhoe, 'Political Texts', p. 38.

35   Ibid., p. 39.

36   Ibid., p. 40.

37   Yongbing Liu, 'Discourse, cultural knowledge and ideology: a critical analysis of Chinese language textbooks', Pedagogy, Culture & Society, 13.2 (2005), 233–264 (p. 237) <https://doi.org/10.1080/14681360500200225>

38   Ibid., p. 258.

39   Ibid., p. 233.

40   Ibid., pp. 239-243.

41   Ibid., p. 248.

critical scrutiny of government action; this tactic features in authoritarian regimes that may violate human rights with impunity. Chu recently claimed that minzu (a common term in the Chinese curriculum; loosely translated as 'ethnicity') represents a patriotic "shared homeland, history, custom, and culture, which would almost qualify it for Stalin's definition of nationality".[42] Discourse such as this provides disturbing clarity into how CCP ideology undermines human rights.

Furthermore, Law's 2014 research indicates China's curriculum emphasises the importance of nationalism in the struggle against globalisation: "state-prescribed socialist and Chinese values are infused into curricula to foster a socialist citizenry".[43] The CCP's vision of "globalisation with state characteristics" has contributed to China's concerning approach to human rights on the international stage.[44] For instance, a 2007 textbook claimed that "hegemonism (baquan zhuyi) and power politics (qiangquan zhengzhi) have new manifestations, and under the cover of slogans such as ''freedom,'' ''democracy'' and ''human rights,'' some powerful countries often violate the sovereignty of other countries, and interfere with their internal affairs".[45] This narrative is consistent with Kothari's insight that China's recent human rights 'resolutions' are a 'Trojan horse' preserving the dangerous 'state-centric' approach to human rights:[46] for China, cooperation is "an escape-route for governments who prefer an absence of scrutiny for their questionable practices… entrenching impunity for human rights violations".[47] The CCP's foreign policy is nuanced: human rights are used to shield

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42   Yiting Chu, 'Constructing minzu: the representation of minzu and Zhonghua Minzu in Chinese elementary textbooks', Discourse: Studies in the Cultural Politics of Education, 39.6 (2018) 941-953 (p. 46) <https://doi.org/10.1080/01596306.2017.1310715>

43   Wing-Wah Law, 'Understanding China's curriculum reform for the 21st century', Journal of Curriculum Studies, 46.3 (2014), 332-360 (p. 2) <https://doi.org/10.1080/00220272.2014.883431>

44   Yongbing Liu and Yanping Fang, 'Basic Education Reform in China: Globalization with Chinese Characteristics', Asia Pacific Journal of Education, 29.4 (2009), 407-412 (p. 411) <https://doi.org/10.1080/02188790903312714>

45   People's Education Press [Renmin Jiaoyu Chubanshe], Thought and Politics 2: Political Life [sixiang zhengzhi 2: zhengzhi shenghuo] (Education Ministry Standard High School Thought and Politics Subject Curriculum Experimental Teaching Materials Editorial Group [jiaoyu bu putong gaozhong sixiang zhengzhi ke kecheng biaojun shiying jiaocai bianxie zu] 2007), p. 100.

46   UN HRC, 37th Session of the Human Rights Council (26 February to 23 March 2018) <https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session37/Pages/ResDecStat.aspx> [accessed 2 March 2020], § 37/23.

47   Miloon Kothari, 'China's Trojan Horse Human Rights Resolution', The Diplomat, <https://thediplomat.com/2018/03/chinas-trojan-horse-human-rights-resolution/> [accessed 27 March 2020]

Chinese sovereignty, while also being characterised as a spear pointing against it.[48] Jiang, consistent with this analysis, notes that theoretical progress in China's human rights regime must be executed in practice, "because without proper implementation, it will always remain in lifeless paper promises rather than the reality".[49] In sum, evidence shows that nationalist discourses within Chinese education correlate to the CCP's damaging approach to human rights: the post-Tiananmen transition has had an enduring and counterproductive impact.

Section 2: Religion, Education, and Human Rights in China

Section 2 of this essay examines religious discourses in the Chinese education system; naturally, this largely produces a more direct discussion relating to religious rights. Parallel to nationalist discourses, I claim that despite a promising transition toward individual religious tolerance in contemporary China, institutionalised religious discourses in the Chinese curriculum are predominantly counter-productive to the protection of religious rights. Key themes include the construction of religion as unsophisticated and the subordinacy of religious groups to the state.

To begin with, suppression of religion in the Chinese curriculum generates fears that religious belief represents a threat to public order; consequently, stringent state restrictions on religious activity threaten human rights. The fact that students reaching higher education are more wary of institutionalised religion evidences the anti-religious culture that has permeated the Chinese curriculum.[50],[51] This contemporary insight into the deep-rooted nature of pedagogical atheism is consistent with the fact that such dis-

48   Andrew Nathan, 'Human Rights in Chinese Foreign Policy', The China Quarterly, 139 (1994), 622-43 (p. 622) <http://www.jstor.org/stable/655133> [accessed 3 April 2021].

49   Na Jiang, 'China as an "International Citizen": Dialogue and Development of Human Rights in China', China (National University of Singapore. East Asian Institute), 14.2 (2016), 157–177 (p. 159) <https://muse.jhu.edu/article/618405> [accessed 10 April 2020].

50   Xiuhua Wang and Paul Froese, 'Attitudes Toward Religion and Believers in China: How Education Increases Tolerance of Individual Religious Differences and Intolerance of Religious Influence in Politics', Religion & Education, 47.1 (2020), 98–117 (pp. 108-109) <https://doi.org/10.1080/15507394.2019.1626211>

51   Xiuhua Wang and Jeremy Uecker, 'Education, Religious Commitment, and Religious Tolerance in Contemporary China', Review of Religious Research, 59.2 (2017), 157–182 (p. 157) <https://doi.org/10.1007/s13644-017-0286-5>

courses have been ubiquitous throughout the late 20th century. CCP constitution Article 36 strictly prohibits religious activities that interfere with the state education system;[52] the PRC Education Law reaffirms that religious education must be in the interest of the state – further, teachers have the duty and right to promote atheism.[53],[54] Concurrently, the CCP regulates religious teaching: the religious registration process and the training of religious professionals were legitimised in Document 19, facilitating "aggressive monitoring and control", striving for national and ethnic unity.[55],[56] Notable examples include the outlawing of Falun Gong (1999) and the "continuous, lowlevel conflict" in Tibet.[57],[58] This involved the replacement of monastic education with 'patriotic education'. Textbooks imply that Uighur Muslims and Tibetan separatists are domestic imperial threats.[59],[60]

Tibet is also central to another tension between the Chinese curriculum and human rights: the pretence of support towards religious communities. A quasi-colonialist narrative is enforced through Chinese textbooks: the charitable state is depicted to provide civilization to backwards religious regions such as Tibet – smiling 'minorities' in traditional dress are ostensibly grateful re-

52   CCP Consititution, § 1.36.

53   People's Republic of China, 'Education Law of the People's Republic of China [1995a]', <http://en.moe.gov.cn/Resources/Laws_and_Policies/201506/t20150626_191385.html> § 1.8 [accessed 5 April 2020].

54   People's Republic of China. 'Guideline to Education Law of the People's Republic of China [1995b]', <http://en.moe.gov.cn/Resources/Laws_and_Policies/201506/t20150626_191385.html> [accessed 5 April 2020].

55   People's Republic of China, 'Document No.19 [1989]: The Basic Viewpoint on the Religious Question During Our Socialist Period', in Religion in China Today, ed. by Donald MacInnis (New York, Orbis Books, 1991) §19.

56   Torri Kenneth Gunn, 'Defining Religion with Chinese Characters: Interrogating the Criticism of the Freedom of China', (University of Ottowa, 2010) pp. 84-85.

57   Hirotaka Nanbu, 'Religion in Chinese education: from denial to cooperation', British Journal of Religious Education, 30.3 (2008), 223-234 (p. 226) <https://doi.org/10.1080/01416200802170151>

58   David Ownby, 'Religion, State Power, and Human Rights in China' in Religion and the Global Politics of Human Rights (Oxford Scholarship Online, 2011) p. 226 <https://doi.org/10.1093/acprof:oso/9780195343397.003.0009>

59   Vickers, 'Selling Socialism', pp. 528-529.

60   It is also important to note that hostile relations between the CCP and religious communities is bilateral: religious communities often do not identify with the state in response to their marginalised status – Banks, 'Diversity, Group Identity', p. 133.

cipients of modern technology.[61],[62] Despite the "ethnic laws" (minzu fa) which seek to reverse marginalisation and support minority elites, allegiance to the CCP and political stability remain upmost priorities;[63] minority rights are enjoyed only in the context of "a developmentalism that valorises Han culture".[64] Consequently, the long term transition towards true religious-ethnic autonomy is stunted, since minority voices are represented by those already loyal to the CCP.[65] This deprives minority groups of their most crucial means of human rights lobbying and reform. The above observations further justify the claim that the structure and ideology of the Chinese pedagogy is counterproductive to religious rights.[66]

However, a degree of religious tolerance does exist within China. The Chinese public is largely sympathetic towards the post-Mao "religious awakening" and the rights that it implies.[67],[68] Moreover, higher education does not have a secularising effect upon Chinese students, as shown by Wang, who found that college education promotes religious tolerance – this is especially the case for younger adults, who demonstrate a receptiveness to religious belief as a valid counter-stance to scientific and communist maxims.[69] In fact, one study indicates that religious affiliation is higher in universities (21.9%) than the national average (14.7%).[70] But since religious ed-

61   Vickers, 'Selling Socialism', pp. 528.

62   PEP, Thought & Politics 2, p. 79.

63   Eberhard Wolfram, China's Minorities: Yesterday and Today (Belmont: Wadsworth, 1982) pp. 86-94.

64   Barry Sautman, 'Ethnic Law and Minority Rights in China: Progress and Constraints', Law & Policy, 21.3 (1999), 283–314 (p. 284) <https://doi.org/10.1111/1467-9930.00074>

65   Hurst Hannum, 'The Specter of Secession: Responding to Claims for Ethnic Self-Determination', Foreign Affairs, 77.2 (1998), 13-18 (p. 16) <https://www.proquest.com/docview/214290565?OpenUrlRefId=info:xri/sid:primo&accountid=14664> [accessed 14 April 2020].

66   Nanbu, 'Religion Chinese Education', p. 224.

67   Ownby, 'Religion, State Power', p. 213.

68   Wang and Froese, 'Attitudes', p. 108.

69   Wang and Uecker, 'Education, Religious Commitment', p. 175 & p. 157.

70   Yanhong Huang, 'Běijīng dàxuéshēng zōngjiào xìny ng diàochá yánjiū shùpíng' [Review on Beijing college students' religious belief surveys]. Science and Atheist, 6 (2012) 33–41 (pp. 39-41).

ucation does not go beyond surface-level information teaching,[71] Wang and Froese argue this tolerance is merely an unintended by-product of the Chinese curriculum; even in the context of nationalist socialism, formal education develops critical thinking and exposes students to diversity.[72] Having identified that traces of religious tolerance are inadvertent sideaffects of the curriculum, it is clear that religious discourse within Chinese education is adverse to the protection of religious rights.

Conclusion

This essay has sought to illuminate the relationships between human rights, religion, and nationalism in post-Mao China through the framework of education. My analysis of nationalist and religious themes within pedagogical discourses have allowed for an exposition of CCP values and strategies.

Nationalist discourse forms tensions with human rights in various ways: it emphasises the collective ahead of the individual, subdues diverse identities, and uses international cooperation merely as a means to the end of national interests. Such nationalist discourses are prolific within Chinese education, particularly from 1989 to the present. Western ideals, more harmonious with UN rights culture, were relatively prevalent during the Reform Era. However, even during this phase, a residual nationalist orthodoxy endured. Despite an increasingly tolerant public perception of the importance of religious freedom, the Chinese curriculum reflects CCP hostility towards religious groups. It affirms CCP dominance over religious practice while constructing a façade of acceptance. I therefore conclude that the Chinese education system is one manifestation of deep-rooted tensions between the CCP and the ethos of human rights.

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71   Nanbu, 'Religion Chinese Education', p. 233.

72   Wang and Froese, 'Attitudes', p. 109.

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Maariyah

Final Year, Art and Design

'Pula *na Lumad*'

Samantha *Quitua*
Final Year, Chinese and Portuguese

Abstract

Not every transition necessarily leads to greener pastures, some lead to darker places. 'Pula na Lumad' focuses primarily on the latter. It seeks to highlight a political transition that threatens to end in the erasure of indigenous cultural identity in exchange for transition to economic prosperity. Amongst killings, red tagging, and the mass closure of Lumad schools. The creation of 'Pula na Lumad' was prompted by the arrival of the anti-terror law under the present Duterte administration. A law that marks a significant and potentially devastating chapter for both the indigenous peoples and the state of human rights in the Philippines.

The term Lumad refers to the 18 ethnolinguistic indigenous tribes living in Mindanao. This artwork is a portrait of a man from the Ata Manobo tribe, whose reference was taken from footage of mass demonstrations in 2015 during which thousands of indigenous people marched in response to mass Lumad Killings.

Colour symbolism plays a key role in this piece. Red is symbolic of blood, of danger and of 'red tagging' (the practice of branding government dissenters as radical communists, regardless of their political affiliation or political beliefs). It is also used to bring your attention to the items at play in this conflict. Red rocks float around the man's head, this is representative of the estimated $840 billion worth of mineral resources that lie beneath indigenous land in Mindanao. The rings of red hues that circle him aim to liken his image to that of faceless silhouettes seen at shooting ranges. Inspiration was taken from a successful campaign during which demonstrators used target shooting imagery as a means of communicating their fear that they could be 'the next one gunned down' for speaking their truth. Furthermore, the darkness of the background aims to relay ideas of censorship, obscurity, and uncertainty. The black of the background works to make it seem as if the man exists in a vacuum- a place where any violation could pass, but no sound would be heard. It is an effort to relay the state of precarious uncertainty that the Lumad people live in, a place where resistance is inextricably tied to a silent death brought about by nefarious means.

I belief that the story of the Lumad people is far from its final conclusion. Despite the ideas of obscurity evoked by the black background, the Lumad protestor is nevertheless in our view. His face and, by extension, his story is glowing brightly in the foreground, uncovered, as we discuss it. Despite the censorship of dissent, hope remains. This is a living man, with a target on his head, with his eyes in your line of sight. As far gone as the situation appears, this story is far from over. 'Pula na lumad' is a snapshot of a living transition.

@kituwahh

Jorge Hopkins *Wang*

Second Year, Digital Media

Sarah Everard memorial - needs a direction for a change

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