Topical Review Digest:

Human Rights in the Middle East & North Africa
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Introduction: Human Rights in the Middle East and North Africa (MENA)
By Raslan Ibrahim

The wave of revolutions and popular uprisings across the Middle East and North Africa (MENA) at the dawn of 2011 highlights the inescapable relevance and impact of human rights on the region’s politics and security. The Arab regimes’ violations of human rights and lack of respect to the human dignity of their citizens are in fact the seeds of the Jasmine revolution in Tunisia, the rebellion of the Egyptian people against Mubarak regime, as well as the ongoing uprisings across the rest of MENA. The women and men who are protesting in the streets of Egypt, Bahrain, Libya, Syria, Yemen, Jordan and Algeria are not driven by international concerns such as the Arab-Israeli conflict, the relations between Islam and the West, or the United States policy in the region; instead, they are driven by domestic concerns, particularly unemployment, poverty, inequality, political oppression and corruption. They are protesting against the violations of their human rights by the domestic regimes, demanding a new social contract based on human rights rather than oppression; human security rather than fear; and human dignity rather than humiliation.

Despite the relevance of human rights to the politics and security of the MENA region, the topic has received scant attention among academic and policymaking circles since the UN adoption of the Universal Declaration of Human Rights in 1948. The current uprisings pose a serious challenge to the dominant assumption held by policy-makers and academics that human rights have little relevance to the study of the Middle East and North Africa. Academically, human rights in the Arab world received scant attention comparing to other regions in the developing world such as Africa and Latin America. Most of the literature on human rights in MENA has focused almost exclusively on women rights, the theoretical debate on the relations between Islam and human rights, and the Palestinian right for self-determination. Of course these are important concerns but they should not be the only ones. Economic, social, civil and political rights within the MENA states are also important as the current wave of rebellions in the region demonstrates.

Politically, great powers have never seriously pressured the ruling regimes for democratization and human rights protection even after the end of the Cold War and the collapse of the Communist threat. The United States and the European powers have pursued regional stability in MENA through supporting regime security, overlooking democracy and human rights concerns. But the traditional “stability promotion policies” pursued by the authoritarian regimes and great powers are actually one of main roots of the current instability in the region. The failure of the Egyptian and Tunisian regimes and the current instability in the region are striking examples of the fragility of an exclusively realist approach to regional security. Not addressing the problems of inequality, poverty, unemployment, political oppression and corruption is what ended Mubarak and Ben Ali regimes. Order, domestic and international, cannot be sustained without justice.

Looking forward, the collapse of the Tunisian and Egyptian regimes provides a structural opportunity to human rights promotion in the region. The failure of these two regimes provides a political space for human rights and democracy to emerge as an alternative foundation of regime legitimacy. At the same time, the fear of other dictators from meeting the same fate of Mubarak and Ben Ali, make them more vulnerable and hence more willing to implement political and economic reforms. Therefore, there is a historical opportunity for human rights promoters,
states and non-states actors alike, to improve human rights standards in the whole region. But nothing in the above should imply that it is going to be a rosy road; rather, regime building and transformation are actually much more difficult than regime failure and there is high uncertainty about the end of this process. But these difficulties and uncertainties should not deter the democratization process. Despite the peculiarity of the MENA region, there is no doubt that the literature on human rights and democratization in general as well as the literature on the experience of other regions transitioning from authoritarianism to democracy (especially the literature on Latin America and Post Soviet Union countries) would be of a vital resource for the transition period in the MENA, at least in Egypt and Tunisia.

For the purpose of this digest, the Middle East and North Africa includes Israel, Turkey, Iran and all the members of the Arab League: Algeria, Bahrain, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, United Arab Emirates, and Yemen. It is important to keep in mind the political, economic and cultural diversity within the MENA region. It contains: Arab and non-Arab states (Israel, Iran and Turkey); different regime types such as monarchical and republican regimes; different colonial legacies; oil and non-oil states; rich and poor states, small and large states, and Western and non-Western allies etc. It is also important to remember that there is no one single factor that accounts for human rights violations or promotion in the MENA region but rather a combination of domestic, regional and international factors.

To understand the complex reality of human rights in the MENA region, we should address it from different levels of analysis: domestic, state, sub-regional (such as Gulf, North Africa, Mashreq), regional (MENA), international (United Nations, EU, US, and China) and transnational (global civil society). The violation or protection of human rights in the region is influenced by the complex interaction of forces that operate at these different levels. Any strategy to promote human rights in any state or region should take this complex reality into account.

This topical research digest provides annotated bibliographies on different human rights topics in the MENA region. They were submitted as part of the requirement for the INTS 4945: Human Rights Research Design and Writing class at Josef Korbel School of International Studies, University of Denver (Spring 2010). Each student selected her/his own topic individually. As a result, the reader would find annotated bibliographies on a broad spectrum of topics including: human rights violations in Iran; child labor in Morocco and Egypt; Palestinian refugees; religious/ethnic minorities rights (the Coptic in Egypt, Bedouin women in Israel, and the Amazigh in Morocco). The reader will also find annotated bibliographies on: migrant workers in Saudi Arabia; human trafficking in the region; gays and lesbian rights; US renditions of terrorist suspects to Jordan as part of the war against terror; Somalia’s health crisis, and human rights in Iraq. This digest is by no means comprehensive and it is not up to date in covering the recent events in the region. We hope the reader find this digest as a useful source for future human rights research and practice in the Middle East and North Africa.
Beyond the Brink: Somalia’s Health Crisis
By Bryson Brown

Introduction

Somalia is approaching a daunting anniversary: in 2011, the country will begin its twentieth consecutive year without an effective centralized government. The fall of the Soviet supported Siad Barre government in 1991 created a power vacuum that was filled by warlords, clans and, most recently, Islamists. Fourteen interim governments have failed to supplant those forces. Health infrastructure and the general health of the population have been devastated as a result. Precious few organizations are still providing health-related services. Unfortunately, recent events suggest that this crisis is going to get worse before it gets better. Al-Shabab, the dominant Islamic extremist group in southern Somalia and self-professed allies of al-Qaeda, has supplanted the current interim government as the ruling force in the southern and central regions. The invasion of the Ethiopian Army along the southern border in 2006, which was designed to displace and disrupt Al-Shabab, was ineffectual and unsustainable. The invasion, the continuation of extreme Islamic rule and the lack of a centralized government continue to degrade health capacity and damage individual and community health outcomes, particularly for women and vulnerable populations.

Detailed below is the current state of Somalia’s health status. It is intended to provide information that will tell the story of where Somalia has been, where it is now and where it is headed in terms of national health outcomes and infrastructure directly related to health. Despite the troubling past and chaotic present, there are reasons to be cautiously optimistic.

Past and Current Capacity

Although Somalia’s poor national health was exacerbated by state collapse, health security has long eluded the vast majority of Somalis. Many parts of Somalia’s health system collapsed or never existed prior to state dissolution in 1991. The Barre government and the preceding parliamentary and colonial governments all presided over inadequately funded and poorly planned health objectives that were formed by political interests, usually at the cost of community need. The most vulnerable populations, namely those in the politically disenfranchised rural regions, had no local access to clinical or preventative services.

There have been a few notable achievements in the Barre-run health care system. Between 1966 and 1973, several capacity building institutions were established, including a nursing school in Hargeisa and Mogadishu and a faculty of medicine and surgery in Mogadishu. In the mid-1970s, a relatively successful smallpox eradication campaign was established by the government and was buttressed by tuberculosis and primary health care programs developed and financed by the Finnish International Development Agency.

The decline of the Barre government, and with it the Somali state and its bare bones health care system, is attributed mainly to Barre’s decision to invade Ethiopia. The war with Ethiopia, in which Barre planned to seize control over the neighboring Ogaden region of Ethiopia, lasted from 1977 to
1978. The losing military campaign came at a great price. The campaign received massive social and economic capital that could have sustained and improved social services nationwide. The Soviet Union, which had financially supported both Barre’s Somalia and Ethiopia, broke off ties with the Barre regime in response to the invasion. The combination of the costly war and the global economic downturn of the late 1970’s plunged Somalia into a deep recession that has lasted over thirty years. The tumultuous time between the beginning of the invasion and Barre’s fall from power in 1991 marked a period where virtually all health gains made over the previous three decades were lost. The almost twenty years of anarchy since state collapse in 1991 has destroyed what little health infrastructure remained.

Three Primary Health Threats – AWD, Cholera and FGC

Ongoing instability has led to the deterioration of the little sanitation and safe-water infrastructure that existed prior to Siad Barre’s ousting. According to some sources, only 10 per cent of the rural population and 63 per cent of the urban population has access to improved drinking water. Sources also indicate that even fewer people have access to improved sanitation, with rural access rates hovering around 7 per cent and urban access rates of 51 per cent. The problem is even more grave when one considers that 63 per cent of the population is rural. It is no surprise then that acute watery diarrhea (AWD) and cholera are widespread and frequently at the center of disease outbreaks.

The World Health Organization (WHO) has attempted to reduce the impact of AWD by developing local capacity, and this course seems to be working. Reported cases of AWD fell from 118,187 in 2007 to 78,378 in 2009 and the cause specific mortality rate associated with AWD fell 80 per cent, from 1,076 deaths in 2007 to 324 in 2009. The WHO is focusing their efforts on strengthening coordination between local health actors, early disease detection and training health care workers. This is allowing for a timely response to outbreaks. Nonetheless, the lack of sanitation and safe-water infrastructure will continue to compromise the health of Somalis and promote conditions where cholera and AWD outbreaks are possible, even likely.

Female Genital Cutting (FGC), a practice that threatens the short and long-term health of women, is performed throughout Somalia and by all regional ethnic groups. Surveys by UNICEF, CARE and the now defunct Somalia National Ministry of Health suggest that between 90-99 per cent of all Somali women have experienced FGC. Type III cutting, where part or all of the genitalia is removed and the vaginal opening is sewn nearly shut, has been performed on approximately 91 per cent of all women surveyed. Type III cutting is considered the most extreme form of FGC, but is practiced regularly due primarily to the belief that it is required by the Koran. It is also thought to preserve a woman’s virginity and thus her family’s honor—the two being significantly linked. The scar tissue left by the cutting is also considered to be aesthetically appealing.

In Somalia, FGC is traditionally done without the use of modern operating equipment or anesthesia and is traditionally performed in unsanitary conditions, increasing the likelihood of infection. FGC can immediately lead to hemorrhaging, vaginal ulceration, urinary incontinence and septicemia, any of which can invite fatal infections. Long-term health implications include the
development of anemia, cysts and abscesses, urinary tract infection, and fistulae. Any of these conditions could ultimately result in death. Potentially fatal or severe injuries related to childbirth, such as obstructed labor, also occur more frequently in women who have Type III FGC. All of these health outcomes place a great health burden on the individual, but also on the severely limited health system in Somalia.

Throughout the 1980s the Somali federal government and European NGOs worked to eliminate FGC. Both the government and the NGOs opposed FGC based on its negative implications on women’s mental and physical health. The government also campaigned to dispel the belief that it is required by Islam. The collapse of the Barre government led to the elimination of programs related to stopping FGC. UNICEF and the U.S. Embassy are the only groups since the early 1990's to contribute to programs related to the termination of FGC.

Conclusion

Currently, the international community is not willing to address what ails Somalia: statelessness. The intervention of U.S. forces in what became known as the ‘Black Hawk Down Catastrophe’ has made the international community reluctant to contribute anything more than rhetoric but attitudes may be changing. International focus may not be on Somalia and the health issues of her people, but it is on fighting terrorism and extremist Islam - both of which now find refuge in Somalia. Piracy along the Coast of Aden is just one more reason the world should dedicate itself to state building in Somalia. While security alone will not address the health needs of Somalia, a secure environment is a necessary condition for building a health system that can begin to address the many needs of the population.

The current Somali interim government is weak and international attention has waned. Most health infrastructure has been destroyed over the last twenty years and large numbers of medical professionals have fled. Yet there are some reasons to be optimistic. As discussed, the WHO has recorded a reduced incidence of AWD and are assisting in the establishment of a well planned, if basic, local health system. UNICEF is funding malaria control activities and USAID is establishing a presence in the southern regions of Somalia. Edna Adan, former Foreign Minister of Somaliland, has started Edna Adan Maternity and Teaching hospital in Hargeisa, Somaliland, which is dedicated to increasing access to medical services and building capacity through its midwife training school. In addition, some of the more autonomous regions of Somalia, such as Somaliland, and to a lesser extent Puntland, have experienced very little of the chaos that has engulfed the rest of the country. As a result, those regions have been able to build state capacity, in turn making it possible to build health infrastructure. These are reasons to be hopeful, as long as the world begins to focus its resources and political will on Somalia’s long awaited recovery.
Annotations


Annotation: Becoming Somaliland details the fall of the central government of Somalia and the rise of the functional and stable breakaway state of Somaliland. Details include information about where the new government is focusing its resources and the development of a civil society and a healthcare system. It also focuses on the issue of statehood in regards to the self-declared Republic of Somaliland, which declared independence from greater Somalia in 1991. The question of statehood is significant because the international community has not recognized Somaliland as separate from Somalia and this impacts the ability of the state to attract health aid that is strictly meant to support the development of health infrastructure in Somaliland. Bradbury also considers the role access to health services has on nation building.


Annotation: This journal focuses on maternal mortality and maternal health data from 49 countries in the developing world. The article uses data from previous research studies to analyze what services actually have the most efficient and effective impact on maternal mortality. The findings conclude that, above all, a range of interventions and services are necessary in order to decrease maternal mortality. In addition, evidence suggests that, contrary to popular belief, urbanization and education do not have an effect on maternal mortality once access and income are controlled. Since Somalia and Somaliland have maternal mortality rates that are among the highest in the world, the development of their health systems should be founded on sound research and data.


Annotation: This paper outlines the strategy the WHO is using to fight malaria in Somalia. It distinguishes itself with its details and specificity. The author uses an outline of the country’s history with malaria as a starting point and reflects on previous strategies that have worked and failed in the region. He also considers all the elements that are encouraging the spread of malaria and how their organization might act to control those elements. The strategy report also provides a list of the materials that need to be procured, such as mosquito nets, in order to successfully meet the goals of WHO.

Annotation: This book focuses on how the international community has financed Somalia’s health sector from 2000-2006. One of the study’s primary purposes is to elucidate the “complex aid architecture” of this system. Capobianco suggests that even though aid to the health sector is steadily growing, in particular the average spent per Somali, and the fact that Somalia has more dedicated aid for their health system than do other fragile states, this international contribution may not be enough to address the many health needs of the population. The study also notes that the funds are not being used wisely, or at least sufficiently, and a more strategic approach needs to be developed.


Annotation: CARE is one of the few organizations, along with USAID, UN agencies and the WHO, who are operating on the ground programs in Somalia. While not all of these programs are related directly health services, they all are connected to community health at least indirectly. The profile provides a summary of each program being run in Somalia. The health programs include FGC prevention programs, which is specifically related to practices in the region. This site helps one to understand the kinds of services that are being provided and the state of the health infrastructure in Somalia.


Annotation: Yael Danieli has compiled stories from humanitarian-aid workers who are in some of the most dangerous places in the world, including Somalia, Sudan and Iraq. Some aid workers discuss their opinion that the only thing that can really change the reality on the ground is the local population. Two stories speak specifically to life in Somalia: “From Wyoming to Somalia” by Dale Skoric and “An Ambush in Somalia” by Shirley Brownell. All of the stories reveal mistakes that are made on the ground by individuals and institutions alike and can help individuals understand how health infrastructure plays a role in development and the growth of stability and peace in a region racked by conflict.


Annotation: This document compiles health data about current trends in vaccine-preventable diseases. No one country is singled out, but rather entire regions, such as East Africa, are analyzed as whole parts. In this way the document helps readers to track and identify areas that are experiencing troubling trends or great successes. It does provide individualized immunization
data country by country, just as the WHO has since 1980. The problem with this document is that it relies on states to self-report, which can lead to participant bias. Countries often either inflate or deflate their data according to what will be most beneficial. In addition, countries that do not have a strong centralized government, like Somalia, and have regions within its borders that are experiencing conflict, tend to not report or do so with estimations based on old data that may itself be incorrect.


Annotation: This report focuses on the causes and consequences of “livelihood vulnerability” in the Somali region of Ethiopia, a region inhabited by a population similar to Somalia’s both demographically and culturally. Livelihood vulnerability is a term used to describe the interruptions in people’s ability to provide for their persons. Such interruptions include natural disasters, which the region has regularly suffered through in the form of droughts, and man-man catastrophes, such as the clan-warfare and political instability being experienced in the region. The significance of this work is that it highlights the primary issues threatening human health and sustainability in the area.


Annotation: As one of the preeminent institutions, whose reporting solely covers human rights abuses and the deteriorating political environments that make human rights abuses likely, Human Rights Watch is perhaps best positioned to speak on the on-the-ground conditions of Somalia. Somalia is currently a unique country in that it is considered a failed state. It has, in fact, broken up into three separate entities: Somalia, Somaliland, Puntland. Al-Shabab, the extreme Muslim organization, rules many parts of Somalia and arbitrarily attacks other parts of the country ruled by opposition organizations. The Human Rights Watch 2010 Report generalizes abuses by both Al-Shabab and the opposition organizations. Human Rights Watch also identifies keys that indicate the direction of Somalia’s future and reports on what should be done by the government of Somaliland in order to create conditions that will stabilize society and make the development of health and human services possible.


Annotation: This work focuses on the role of access to health services during nation building and/or post-conflict reconstruction, and includes a case study specific to Somalia. The authors research the significance of planning, coordination, infrastructure and resources and determine the role these elements play in rebuilding societies. In addition, the study argues that health can have an “independent impact on broader political, economic, and security objectives during
nation-building operations”. The end product of this research into the role of health services in reconstruction is an outline focusing on best practices and a quantitative and qualitative study regarding the reconstruction efforts of nations that have gone or are going through a reconstruction process.


Annotation: Kingston and Spears begin the book by listing all the reasons why there has been a weakening of political authority in many developing countries. Included in the list is the end of the Cold War, the rise of globalization and failed governance. Failed governance not only includes the inability of a state actor to maintain control and provide security for a given area, but also refers to the inability or unwillingness to provide basic social services, such as minimal access to healthcare. Kingston and Spears identify states that have failed because of all the listed reasons, but do not align themselves with the philosophy that failed states will inevitably lead to chaos. Both authors suggest that failed states can lead to the development of new states within those failed states. This examines some successes, such as Somaliland and Kurdistan, within greater failures, Somalia and Iraq, and identifies the keys to their success.


Annotation: Dr. Ioan Lewis presents a fluid and thorough account of the current situation in Somalia and Somaliland. In so doing, he provides insight on how colonial occupation, culture and Islam have shaped modern day Somalia and the breakaway Republic of Somaliland. In addition, he discusses the stabilizing influence that the Islamist government provided during 2006, only to be ousted by Ethiopian and American forces the next year. Lewis also touches on the tradition and widespread prevalence of nomads and how this impacts stability and development. His expertise and the information provided concerning Islamists, nomads and colonial occupation will help shape a better understanding of the complexity of the region and how these complex elements are going to impact the construction of health care infrastructure and efforts to improve access to health care.


Annotation: This publication focuses on the significance of demographics, particularly population growth. It most frequently uses the United States as a baseline to measure population growth worldwide, but includes issues related to population growth that impact all societies and countries. The significance of this publication is its data-based evidence that reveals the impacts population growth has on societies. This is particularly relevant in the case of the Somali health system because Somalia is entering a period of unprecedented population growth at a time when
the available resources, most importantly water, are quickly dwindling and severely hindering health and human services, such as health clinics.


Annotation: UNICEF is one of the world’s leading organizations focused on the well-being of children. This report identifies the places where there is the greatest need for maternal and neo-natal services and the specific actions that will help to reduce maternal and child mortality. The report specifically targets the needs of Africa and Asia. Chapter 4, titled “Strengthening health systems to improve maternal and newborn health,” focuses on the keys to implementing a continuum of health care that will better address the specific issues of maternal and child mortality. It uses Africa and Asia as a context and thus makes basic suggestions that are feasible based on economic and logistic considerations.


Annotation: This book focuses on the struggles and parallel movements of women throughout North Africa, Central Asia and the Middle East, with the final chapter discussing the role women in a rebuilding society need to play in order for the state to be successful. It also focuses on the significance of the progress of the women’s empowerment movement during the last several decades. Such movements include the rise of women to powerful and influential political positions that could ultimately alter the role of women throughout similar conservative societies. Many of the issues that are addressed are similar to the issues facing women in Somalia and Somaliland, including access to health services such as pregnancy prevention.


Annotation: The U.S. Department of State has compiled a brief but comprehensive historical perspective on the practice of Female Genital Cutting in Somalia. In so doing it identifies the incidence rates of FGC and how the practice cuts across socio-economic, language and ethnic barriers. The report also details the negative health outcomes FGC has on women’s mental and physical health. In addition, the State Department also sheds light on why the practice continues despite efforts to curtail it throughout the last several decades.

Annotation: This is an excellent paper to use as a general resource for issues regarding the health infrastructure and other health data of Somalia. Qayad provides a great amount of information regarding how Somalia’s history is impacting Somalia’s current state. More importantly, the author identifies significant moments in Somali history that still impact health services in the country today. The paper also identifies troubling indicators that suggest the futures of Somalia and Somaliland are not going to become any brighter barring major changes. In addition, Qayad writes about the past successes of the Somali health care system and suggests that progress is possible if reform and stability are present.


Annotation: Ken Rutherford starts with the basics about Somali history and culture. He is in a good position to do so considering his experience in Somalia during the early 1990’s and his extensive work both within Somalia and with Somali refugees since that time. Multiple chapters focus on the United States’ attempts to “Save Somalia” in one way or another. Rutherford goes into detail about why these efforts did nothing to save Somalia from anarchy, and why “Armed Nation Building” and “Armed Humanitarian Intervention”, the titles of chapters 4 and 5, had little impact on the confluence of events that had set Somalia down this path many years before the United States started its humanitarian mission. This information is significant because it reveals the development and intervention strategies that have been tried and why they have failed.


Annotation: Shaul Shay sheds light on the role of extreme Islam in Somali society and how it impacts the development of infrastructure. In particular, it focuses on the rise and fall of the Islamic Courts Union (ICU) and what that means for the future of Somalia, the region and the United States. The book also analyzes the background of the ICU and how an extreme Islamist regime could take power so quickly and thoroughly. Ultimately Shay shares his recommendations on how to prevent the foundation of a state that could well become the epicenter of international terrorism training. These recommendations include the need to build a state that provides rudimentary social services such as access to basic health services.


Annotation: This report is primarily concerned with the state of maternal and neonatal health, particularly in Africa and Asia, since these continents represent 95 per cent of maternal deaths and 90 per cent of neonatal deaths. The purpose of the work is to identify what actions must be
taken in order to improve the state of both concerns in 2011 and beyond. While the report is grounded in how to provide improved access to health services, there is also a great deal of time dedicated to identifying the social and cultural practices that degrade health outcomes, particularly for women and children. Ultimately the document serves as a guide to the future for UNICEF in concerns their health outreach to women and children in developing countries.


Annotation: One of the only organizations outside of the WHO that collects credible health data on countries like Somalia is UNICEF. While their focus is almost strictly on the health of children, the information itself provides a very good picture of the general health of the population. In this respect, children can be seen as indicators of overall community health. This particular set of data provides information regarding the nutrition level, education level, the rates of infectious and non-communicable diseases, and economic and demographic indicators among children in Somalia. It is a great compilation of information that illuminates the dire straits the children of Somalia face.


Annotation: This UNICEF report highlights the 28 most pressing crises around the world, Somalia not being the least amongst them. The reason for this report is to solicit the international community for $1.2 billion in funds to address the highlighted issues. Although UNICEF is dedicated to the welfare of children, this report, like many of UNICEF’s reports, recognize the interconnectedness of systems and events and their impact on children. In the report, UNICEF plans for action and aid distribution, in Somalia during the upcoming year are specifically addressed, as is Somali health data. Over $12 million is earmarked specifically for health related programs and the report details just how that money will be spent and why it needs to be spent.


Annotation: The WHO has the largest library of information regarding the health status of countries and communities that often go ignored because of security threats and hostile governments. Somalia qualifies as one of the most poorly documented populations in the world. Therefore the WHO is often the only provider of information of health in Somalia. While they have several different profiles about Somalia, even within the field of health, this particular profile is strictly data and charts that provide information regarding baseline health indicators.
The most prevalent diseases, causes of death in children under-5 and rates of immunization are included in these graphics. This information is indispensable if one wishes to get a general idea on the health status of Somalia.


Annotation: The Eastern Mediterranean Regional Office of the WHO is responsible for compiling health data on Somalia, among other countries. Like several of the other WHO and UNICEF research products, this country profile includes graphics that chart vital health statistics and information. But that is not the primary use of the piece. This piece is designed to inform the public about the actions the WHO is taking on the ground in order to improve health outcomes in Somalia. More specifically it mentions the locations and activities of programs throughout the country and how those programs are specifically designed to combat the particular issues facing that community.
Palestinian Refugees: Protection in Exile
By Vivienne Chew

Introduction

The Palestinian refugee problem is perhaps the most critical and complex of the outstanding issues in the Israeli-Palestinian conflict. Sixty-two years have now passed since the 1948 Arab-Israeli War, in which hundreds of thousands of Palestinians were displaced en masse and rendered stateless. Since then, successive generations of Palestinian refugees have endured discrimination, insecurity, repeated cycles of displacement, and infringement of their basic rights and freedoms.

In response to the Palestinian refugee crisis, the international community established a separate and special protection regime for Palestinian refugees. However, a clear discrepancy exists between the protection Palestinian refugees are entitled to under international law and the protection they actually receive. This discrepancy is particularly marked in the Arab states where Palestinian refugees have sought refuge.

This paper and the sources that follow provide an overview of the international protection regime for Palestinian refugees, the gaps in this regime, and some of the outstanding issues that are central to the resolution of the Palestinian refugee crisis.

Who are the Palestinian Refugees?

Palestinian refugees compose the largest refugee and stateless community in the world. They are primarily comprised of Palestinians who were displaced and/or expelled: (i) en masse from their homes during the 1948 Arab-Israeli War; (ii) from the West Bank and Gaza Strip (the Occupied Palestinian Territories, or OPTs) during the 1967 War; and (iii) from the OPTs or their countries of first refuge post-1967. Today, the vast majority of Palestinian refugees reside in Jordan, Lebanon, Syria, and the OPTs (Operation Areas). In these areas, 4,766,670 refugees are registered with the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA) (UNRWA 2009). Significant refugee communities can also be found in Saudi Arabia, Egypt, Kuwait, North America, and Chile, while a large number of Palestinians remain internally displaced inside Israel.

The exact number of Palestinians in exile is unknown, with wide-ranging and contentious estimates by Palestinian and Israeli sources. Reasons for the difficulty in obtaining authoritative statistics on the Palestinian refugee population include frequent migration, the absence of a reliable census or a formal registration system, and the lack of an official definition of who constitutes a Palestinian refugee. Although UNRWA has adopted an operational definition of a Palestinian refugee, this simply establishes criteria for assistance and excludes large segments of the Palestinian refugee population. Therefore, even within the Operation Areas, the actual number of Palestinian refugees is unknown and could be much higher than the number of registered refugees. On the other hand, UNRWA’s statistics have been criticized as being grossly exaggerated, due partly to the agency’s failure to consistently update its registration lists.
The International Framework for the Protection of Refugees and the Special Regime for Palestinian Refugees

Palestinian refugees benefit, at least in theory, from an international system of heightened protection that encompasses: (i) a separate and specially-created regime whereby protection and assistance is provided by two United Nations (“UN”) institutions devoted exclusively to the Palestinian refugee problem; and (ii) in the event this separate regime fails or ceases to exist, the guaranteed protections provided to all other refugees in the international refugee regime.

UNRWA and the United Nations Conciliation Commission for Palestine (UNCCP) were established by the UN between 1948 and 1949. UNCCP was given a broad mandate to facilitate a political solution to the Israeli-Palestinian conflict and protect the Palestinian refugee population, whereas UNRWA was tasked with providing essential humanitarian and relief assistance to Palestinian refugees.

Two years later, in 1951, the UN established the international protection regime for refugees. This regime is primarily comprised of: (i) the United Nations High Commissioner for Refugees (“UNHCR”), which provides international protection to refugees and displaced persons and seeks long-term or permanent solutions on their behalf; and (ii) the 1951 Convention Relating to the Status of Refugees (the “Refugee Convention”), which defines who is a refugee and establishes the fundamental rights and freedoms of refugees in international law.

Pursuant to Article 1D of the Refugee Convention (Article 1D), Palestinian refugees who receive “protection or assistance” from UN agencies other than UNHCR are excluded from the provisions of the Refugee Convention, and accordingly, the mandate of UNHCR. However, where such protection or assistance ceases for any reason, this exclusion will not apply and the protective provisions of the Refugee Convention are automatically extended to Palestinian refugees. The international protection system was therefore designed to ensure that Palestinian refugees would benefit from a continuous and enhanced protection regime, while avoiding an overlap between UNHCR’s activities and the work of UNRWA and UNCCP.

Gaps in the Protection Regime for Palestinian Refugees

Despite the separate and enhanced protection regime for Palestinian refugees, there is a marked discrepancy between the protection Palestinian refugees are entitled to under international law, and the protection they actually receive. Reasons for this discrepancy include the following:

The Demise of UNCCP

Commentators argue that a “protection gap” for Palestinian refugees has resulted from the demise of the UNCCP following its inability to mediate a permanent solution to the Israeli-Palestinian dispute. No agency has since formally taken over UNCCP’s responsibilities; although UNRWA’s operations continue and have broadened in scope, commentators argue that the agency is only formally mandated and equipped to provide humanitarian and relief assistance.
**Article 1D**

Many Palestinian refugees who do not receive “protection and assistance” from UNRWA have been excluded from the protective provisions of the Refugee Convention. A key reason for such exclusion lies in the ambiguous wording of Article 1D, which has led to non- or incorrect interpretation of its provisions by states and decision-makers. Although an assessment of Article 1D is beyond the scope of this paper, much of the uncertainty centers on whether Palestinian refugees do in fact enjoy “protection or assistance” from UNRWA and the circumstances in which such “protection or assistance” could be considered to have ceased.

**Policies and Practices of Host States**

The policies and practices of host states have greatly contributed to the gaps in protection faced by Palestinian refugees. Arab states (notably Jordan, Lebanon, Syria, Egypt, Iraq, Kuwait, and Saudi Arabia, which together host a significant proportion of the Palestinian refugee population) have adopted increasingly restrictive policies towards Palestinian refugees. Of the Arab host states, only Egypt is a party to the Refugee Convention and although some states are parties to other international conventions that guarantee basic human rights for all individuals, including Palestinian refugees, these conventions are not always respected.

In the absence of any formalized legal status for Palestinian refugees in Arab host states, protection is usually provided as a matter of privilege, rather than a right. This, together with limitations in UNRWA’s mandate and UNHCR’s traditional reluctance to engage with Palestinian refugees (particularly within the Operation Areas), have resulted in the denial or severe restriction of the basic rights of Palestinian refugees in many Arab host states.

The policies of Arab host states have generally reflected the desire to ensure that responsibility for the protection of Palestinian refugees lies with the international community, and primary responsibility for their continued displacement lies with Israel. Arab host states have also attempted to justify their resistance towards naturalization or resettlement as a means of affirming the Palestinian right of return.

In addition, the fate of Palestinian refugees in Arab host states has been tied to the relationship between the states and the Palestinian Liberation Organization (PLO) or other Palestinian nationalist movements. Arab states have denied entry to Palestinians or conducted mass expulsions at times when relations with the PLO have been poor. For example, most Palestinians were collectively expelled from Kuwait and other Gulf States as a result of the PLO’s support for Saddam Hussein during the Gulf War in 1991.

The efforts of the Arab League to regularize regional policies towards Palestinian refugees, including the 1965 Casablanca Protocol, have been undermined by the individual political and security agendas of its member states. Most Arab host states have not ratified or complied with the Arab League’s resolutions or the Casablanca Protocol, all of which contain important rights for Palestinian refugees in the Arab world.
The Plight of Palestinian Refugees in Host States

Palestinian refugees have experienced varying standards of treatment depending upon the policies of their host state. With the exception of Jordan, Arab host states have not naturalized Palestinian refugees.

In Jordan and Syria, most Palestinian refugees have been integrated into society; however, in Jordan, only Palestinian refugees displaced by the 1948 War have Jordanian citizenship and enjoy largely favorable treatment on par with Jordanian nationals. Refugees from the Gaza Strip who did not hold Jordanian passports at the time of their flight in 1967 have been denied citizenship and are mostly confined to the “Jerash” camp. In Syria, Palestinian refugees have not been granted citizenship but have been accorded equal treatment with Syrian nationals in almost all respects.

Palestinian refugees in Lebanon have fared considerably worse; sectarian tensions and the activities of the PLO have prevented their integration into Lebanese society. The majority of Palestinian refugees in Lebanon live in UNRWA refugee camps or other unofficial camps and shelters, often in conditions of abject poverty. They face restrictions on their right to work, access to education and healthcare, and ownership of property. Only those displaced in 1948 have residency rights in Lebanon whereas all other Palestinian refugees are deemed illegal immigrants.

Outside of the Operation Areas, Palestinian refugees face even more of a precarious existence. In Egypt, Palestinian refugees are treated as foreigners and face significant restrictions on their ability to access education, government services, and employment. Renewal of residency permits is difficult and there are reports of frequent detention of Palestinian refugees by the authorities in Egypt. Iraq, once a refuge for Palestinian refugees, has now become a country of persecution; many Palestinians were targeted in, and fled from, Iraq following the fall of the Saddam Hussein regime. In the Gulf States, particularly Kuwait, Palestinians are treated as foreign migrant workers with no permanent residency rights.

In the OPTs, almost all Palestinian refugees are stateless. Life under Israeli military occupation has been characterized by severe restrictions on freedom of movement, dependence on humanitarian aid, forcible eviction, destruction of property, and violence.

Conclusion – The Future of Palestinian Refugees

Protracted exile has had a profound impact on the Palestinian refugee community. At the same time, increasing radicalization among refugees and the rise of militarized opposition groups have severely affected peace and stability in the Middle East. Given the political impasse of the Israeli-Palestinian conflict, a solution to their displacement appears unlikely in the near future.

One of the fundamental obstacles in the peace process is the issue of the Palestinian right of return. For many Palestinians, this right is central to ending their displacement and statelessness; the right of return, whether exercised or not, together with appropriate compensation, lies at the heart of the Palestinian struggle. For Israelis, however, the return of a large Palestinian population could pose serious threats to Israel’s geopolitical and socioeconomic security and stability, and undermine the Jewish character and viability of the Israeli state. The call for a right of return is also seen by Israelis to stand in direct contradiction to the principle of a two-state solution.
Much of the debate on the Palestinian right of return has centered on whether there is any legal basis for a right of return under international law and practice. This continues to be contentious, with Israeli and Palestinian commentators offering starkly divergent views. Beyond legal arguments, complex questions remain unsolved including: how would a right of return be implemented in practice? Would any agreement brokered between Israel and the PLO be viewed as legitimate amongst the Palestinian refugee community?

With no resolution of the Israeli-Palestinian conflict in sight, addressing the protection gaps faced by Palestinian refugees in exile is of crucial importance. The international community must ensure that the rights of Palestinian refugees are protected, while at the same time encouraging continuing peace efforts in the Middle East.

Annotations


Annotation: The author contends that Palestinian refugees face a “protection gap” that denies them the international protections available to other refugees. She explores the historical and ongoing reasons for the differential treatment of Palestinian refugees and highlights the practical, legal, and political implications of such treatment. The author also makes several recommendations for greater protection of Palestinian refugees, including extension of the mandate of the United Nations High Commissioner for Refugees (UNHCR) to complement the activities of the United Nations Relief and Works Agency for Palestinian Refugees in the Near East.


Annotation: The authors argue that Palestinian refugees and stateless persons have been deprived of many of the rights granted under international law to other similarly situated persons. They further contend that regional approaches to the protection of Palestinian refugees and stateless persons have proved unworkable; they cite piecemeal and confused applications of human rights, refugee, and statelessness law in Arab states, the Occupied Palestinian Territories, the United States, and Europe. To address these problems, the authors propose a new form of protection for Palestinian refugees based upon a regularized and harmonized program of temporary protection. They offer a comprehensive analysis of the temporary protection regime and advance clear and convincing arguments as to how this could, at least theoretically, be extended to encompass Palestinian refugees.

Annotation: The authors examine the legal status of Palestinian refugees registered with the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA) in Jordan, Lebanon, Syria, the West Bank, and the Gaza Strip (Operation Areas). They explore the political, socioeconomic, and humanitarian factors that have shaped and contributed to disparities in the status and living conditions of refugees in each of the Operation Areas. Drawing upon the results of a 2005 survey commissioned by UNRWA of Palestinian refugees in the Operation Areas, the authors highlight the perceptions held by the refugee community of the role and services provided by UNRWA, their legal status as stateless persons, and return or resettlement as potential permanent solutions to their protracted exile.


Annotation: The author explores the protection gaps faced by Palestinian refugees in Arab states where the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA) does not operate. He examines the position of Palestinian refugees in Arab states such as Iraq, Kuwait, Libya, and Egypt and calls for an intertwined legal and political analysis of the reasons why the Palestinian refugees are mistreated within such states. The author effectively links the treatment of Palestinian refugees with regional political dynamics and domestic insecurities, as well as Palestinian political relations with the states. This paper provides valuable analysis of the reasoning behind mistreatment of Palestinian refugees in Arab states despite the latter's historical and public support for the Palestinian cause.


Annotation: The author presents a well-structured political analysis of the Palestinian refugee issue. He focuses on the following dimensions: the displacement of Palestinian refugees in 1948 and 1967; the Palestinian right of return; how and why the issue of Palestinian refugees has remained a stumbling block during the Israeli-Palestinian peace talks; and unofficial solutions proposed for the refugee problem. The author presents both Palestinian and Israeli perspectives on each of the above issues and in respect of the potential solutions proposed, provides an analysis of the pros and cons and possible implications for each party.

Annotation: The author challenges the view that Palestinian refugees constitute a unique case to which principles and practices of international law and refugee policy cannot be applied. Through comparative analysis, he argues that similarities can be drawn between the Palestinian case and other instances of forced displacement, and that international protocol and practices can and should be utilized to provide valuable guidance in the peace process. In this respect, he examines how operational practices in other situations might inform not only the repatriation of Palestinian refugees, but also peace, reparation, and conciliation initiatives. In his analysis, the author seeks to bridge the gap between "realist" and rights-based approaches to the peace process by advocating for the primacy of international law in resolving the conflict. The book's appendix contains a detailed description of available sources of data for policy formulation, which will be of significant assistance to those interested in the Palestinian refugee issue and Israeli-Arab conflict.


Annotation: In his chapter, the author considers the protracted nature of the Palestinian refugee situation. In line with the main themes of the book, he examines the impact of protracted exile on the rights of Palestinian refugee communities, as well as on stability and relations in the Middle East. In doing so, the author provides a succinct summary of the origins of the Palestinian refugee crisis and key developments in the Arab-Israeli conflict that have contributed to a prolongation of the refugee situation. He concludes by proposing a number of key prerequisites in the search for durable solutions to the Palestinian refugee case, including more high-level international involvement, greater refugee choice and participation in planning repatriation activities, and the promotion of local and regional mechanisms to support the "absorptive capacity" of a new Palestinian state.


Annotation: The author provides a broad analysis of the Palestinian refugee community in Egypt. She offers a historical account of their displacement into Egypt, the evolving policies of the Egyptian government, the protection challenges they face, and the deficiencies in the international and regional framework that have left them “virtually unprotected.” The author draws upon face-to-face interviews with Palestinian families in Egypt to portray the remarkable coping or survival strategies they have employed in light of their precarious legal status and the severe restrictions on their basic rights. This book is one of the few scholarly works focusing on Palestinians in Egypt and therefore fills an important research gap in this area.

Annotation: Frontiers Ruwad (FR) examines the circumstances that are likely to result in a Palestinian refugee being deprived of official recognition and registration. Drawing on interviews of 148 Palestinian refugees in Lebanon who were without Lebanon ID cards and/or were not registered with the United Nations Relief and Works Agency for Palestinian Refugees in the Far East (UNRWA), FW concludes that the non-ID or non-registration status of Palestinians in Lebanon can be attributed to gaps in law and policy, and problems in implementation of the same. This report provides a useful overview of the Palestinian refugee problem, international refugee law, and the difficulties faced by Palestinian refugees in Lebanon.


Annotation: The author lays out the key challenges faced by Israeli decision-makers in approaching the Palestinian refugee issue within the context of a comprehensive peace settlement. She describes the Israeli perspective as seemingly overwhelmed, attributing this to their inability to clearly define Israel's interests in the detailed elements involved in a resolution of the Palestinian refugee issue. The author argues that this inability arises from the complexity of elements comprising the refugee issue, the multiplicity of actors involved, and a deep sense of uncertainty as to the consequences for Israel of any negotiated settlement. The author provides a well-balanced and strategic analysis of the difficulties faced by Israel and makes recommendations for ways in which further research, strategy development work, and international assistance can assist in overcoming some of these challenges.


Annotation: The author is the former focal point at the UN High Commissioner for Refugees (UNHCR) on the applicability of Article 1D of the 1951 Convention Relating to the Status of Refugees (Article 1D). She presents an analysis of the provisions of Article 1D and notes that its ambiguous language has resulted in the non-uniform interpretation of its provisions by different states, and consequently less protection being accorded to Palestinian refugees than other refugees. The author also highlights the key challenges faced by UNHCR in providing protection to Palestinian refugees in Arab states. Acknowledging the calls by commentators for UNHCR to play a greater protection role in the areas in which the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) operates, the author argues that there is currently no legal basis for UNHCR to extend its mandate in these areas.

Annotation: This brief amicus curiae was originally produced by the Boston University Civil Litigation Program as a group effort between Boston University law students and Akram, with advice and review by Goodwin-Gill. The brief, submitted by the authors to the United States Board of Immigration Appeals in several Palestinian asylum cases, was drafted in response to what the authors argue is a gross misinterpretation of the application of international refugee law to Palestinian refugees. The authors note that the provisions of Article 1D of the 1951 Convention Relating to the Status of Refugees (Article 1D) have been restrictively interpreted for Palestinian refugees, rendering them ineligible for rights guaranteed to other refugees under international law. Through analysis of the language, drafting history, and actual historical context of Article 1D, the authors argue that it can only be interpreted in a way that provides Palestinian refugees with greater protection than that accorded to other refugees.


Annotation: The International Crisis Group (ICG) examines the conditions in which thousands of marginalized and heavily armed Palestinian refugees reside in Lebanon's refugee camps. Referring to the camps as a "ticking time bomb" requiring urgent action, the ICG describes the Lebanese government's neglect and mismanagement of the refugee community and the precarious and marginalized status of Palestinian refugees. The report provides important political insight into Lebanon-Palestine relations, the sectarian fears underlying Lebanese refugee policy, and the growing instability and continued mismanagement of the camps that increasingly serve as a recruiting ground for international jihadist movements.


Annotation: The author highlights that thus far, debates over the Palestinian right of return have centered on two issues: whether Palestinian refugees do in fact have a right of return, and Israeli concerns over what such return would mean. The author proposes a new line of constructive discussion; proceeding on the basis that Palestinian refugees do have a right of return, the author focuses on the relative strength of three possible competing Israeli/Jewish rights. These include the right to self-determination, individual Israeli property-related rights, and Israel's prerogative as a state to avoid any insecurity and socio-political disruption that would ensue from implementation of the right to return. Through his analysis, the author concludes that by balancing competing Palestinian and Jewish/Israeli rights, full acceptance of the Palestinian right of return does not necessarily translate into Jewish displacement.
Annotation: The author examines the argument that Palestinian refugees face a “protection gap” related to the mandate of the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA) and the limited involvement of the United Nations High Commissioner for Refugees (UNHCR). The author contends that the “protection gap” debate needs to be more focused and constructive, stressing that the term “protection” can be widely interpreted; in some cases, the protection gap identified is beyond the realistic capacity of any United Nations agency to address. The author identifies the protection gaps that do fall within the respective mandates and capacities of UNRWA and UNHCR, and lays out his suggestions for ways in which the two agencies can legally and practically fill such gaps.

Annotation: In this article, the author observes and encourages increasing challenges to the assumption that the Palestinian refugee case is entirely unique and cannot be understood alongside other cases. While recognizing that there are distinct aspects of the Palestinian refugee situation, the author posits that “Palestinian exceptionalism” has hindered coherent analysis and formulation of refugee policy in the Middle East. The author highlights the various factors that have contributed to a relative decline in Palestinian exceptionalism, including a growing body of scholarly literature disputing the exclusion of Palestinian refugees from the mandate of the United Nations High Commissioner for Refugees, and the recent embrace by Palestinian leadership and civil society of international law as the basis of the Palestinian right of return.

Annotation: The author is an Assistant Professor of Public Law at Birzeit University in the West Bank, Occupied Palestinian Territory. In this report, he acknowledges the atypical nature of the Palestinian refugee issue but challenges the long-accepted notion that Palestinian refugees are different to other refugees and therefore fall outside the domain of international refugee law. Such notions have, the author argues, rendered particularly vulnerable millions of stateless Palestinian refugees in Arab host states. The author advocates for Palestinian refugees to be accorded the same rights as other refugees under the international refugee regime, and calls for an end to what he argues are exclusionary policies justified by host Arab states in the name of Palestinian national interest. His arguments are supported by research on the legal status and rights of Palestinian refugees in Tunisia, Egypt, Jordan, Lebanon, and Syria.

Annotation: The author is widely regarded as a leading Israeli revisionist historian. His book *The Birth of the Palestinian Refugee Problem 1947-1949* was first published in 1988. This revised version stands as one of the most in-depth studies of the origins of the Palestinian refugee problem and is amongst the most influential books ever written on the Israeli-Palestinian conflict. The author incorporates findings from recently declassified Israeli military archives and intelligence documentation to provide a clearer picture of events in Palestine during 1948, particularly in Jaffa, Haifa, and Jerusalem. Such findings, the author asserts, strengthen his earlier conclusions that neither Arab nor Israeli official versions of the events of the 1948 war were correct; instead, the author provides evidence that substantial wrongdoings were perpetrated by both Israeli and Arab forces.


Annotation: The author provides an overview of the components of protection for the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA) and the operational context and constraints that impact the agency's ability to offer effective protection to Palestinian refugees. Focusing on the unparalleled protection challenges faced by Palestinians in the Occupied Palestinian Territories, the author discusses several approaches that could be incorporated into a new protection strategy to be implemented by UNRWA as well as the international community as a whole.


Annotation: At the time of this report, the author served as the Chief Policy Analyst for the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA). He describes the protection regime for Palestinian refugees and the "protection gap," which he contends has resulted from the specific exclusion of Palestinian refugees from the global protection regime administered by the United Nations High Commissioner for Refugees (UNHCR). This report provides a concise overview of the current and historical factors that have contributed to the persistence of the "protection gap," including the limited mandate of UNRWA and the demise of the United Nations Conciliation Commission for Palestine.

Annotation: The authors examine the housing conditions of Palestinian refugees registered with the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA) in its five areas of operation, namely Jordan, Syria, Lebanon, Gaza, and the West Bank (Operation Areas). The authors draw upon available literature and data from a 2005 survey commissioned by UNRWA on the living conditions of Palestinian refugees in the Operation Areas to identify the most critical housing issues faced by refugee communities in both camp and non-camp settings. The authors also address the ways in which the policies of UNRWA and the governments of the Operation Areas have exacerbated the difficult housing conditions experienced by Palestinian refugees.


Annotation: The author discusses the question of whether Palestinian refugees have a right of return to their place of origin. In doing so, he examines the arguments advanced by Israel against the Palestinian right of return and concludes that such arguments are without legal basis. The author asserts that the first step in implementing the Palestinian right of return should come from Palestinian refugees themselves, within the Palestinian national movement or otherwise; he calls upon Palestinians to define, in a unified voice, the rights and positions they seek and to formulate a plan to implement a right of return that they are willing to accept. The author does not propose any clear means by which this could be achieved and explicitly recognizes the difficulty in gauging the true attitudes of Palestinian refugees in a politically charged environment.


Annotation: The author examines the right of the 1948 Palestinian refugees to return to their homes inside Israel. He argues that international law provides a clear individual right of return for 1948 Palestinian refugees and their descendants, regardless of whether their flight from their habitual residence was voluntary or involuntary. The author asserts that while such right cannot be waived by any bilateral agreement between Israel and the Palestinian Authority, it is subject to two important limitations. Firstly, Israel has a right to refuse Palestinians who pose a threat to its security and secondly, Palestinians who have acquired a new nationality since the 1948 war have waived their right of return. The author points out that such limitations are seldom highlighted in discussions on the Palestinian right of return; he argues that the second limitation in particular could significantly alleviate Israel's demographic concerns and should be factored into any peace negotiations.

Annotation: The author argues that the misinterpretation and misapplication of Article 1D of the 1951 Convention Relating to the Status of Refugees (the Refugee Convention) has not only hindered the protection of Palestinian refugees but also runs contrary to the intention of the drafters of the Refugee Convention. She calls for the incorporation of Palestinian refugees within the mandate of the United Nations High Commissioner for Refugees (UNHCR) and the implementation of an internationally-harmonized temporary protection status to provide interim protection to Palestinian refugees pending a resolution to their plight. This author provides a helpful overview of the international regime for the protection of all refugees and contrasts this with the alternative regime specifically established for Palestinian refugees, including descriptions of the key international and regional instruments, agencies, and bodies within each regime.


Annotation: The author is the founder and first Director of the Palestinian Refugee and Diaspora Centre (SHAML) in Ramallah. He served in the League of Arab States as Director-General in the Department of Palestinian Affairs and is a former member of the Palestinian delegation to the Middle East multilateral peace talks on refugees. In this article, he presents a Palestinian perspective on how the Palestinian refugee issue evolved to become the core issue of the Israeli-Palestinian conflict. He reviews the key issues in the inter-Palestinian debate and how such issues are perceived by Palestinian refugees themselves. The author traces the main developments in the peace process, highlights the obstacles that hinder political settlement, and concludes that more than fifteen years after the beginning of the process, few Palestinians can point to any significant steps achieved by the Oslo Accords.


Annotation: The author examines the plight of Palestinian refugees in host Arab states, with particular focus on their residency status and civil rights. He traces the significant decline in the receptivity of host Arab states towards Palestinian refugees, linking this with the rise of the Palestinian national movement. The author highlights the insecure residency status of Palestinian refugees in Arab host countries and the severe restrictions that have gradually been imposed on their freedom of movement, access to employment, availability of government services, and ability to own property. He contends that in light of the desperate conditions faced by Palestinian refugees in host Arab states, the demand by Palestinians for a separate state can easily be understood.

Annotation: The author is a former legal adviser to the Israeli Foreign Ministry and served as an Israeli peace negotiator under Prime Minister Yitzhak Rabin. In this short article, the author offers his perspective on the right of Palestinian refugees to return to Israel. He contends that international law does not support a right of return for Palestinians into Israel and that even if return were permitted, this would result in the transformation and disappearance of the state of Israel. The author argues instead that the only viable solution to the Palestinian refugee problem is the return of Palestinians to a separate Palestinian state as envisaged by the Oslo Agreements.


Annotation: The author is the former Director of UNRWA Affairs in Syria and is UNRWA's current Senior Ethics Officer. He draws upon his experience of working with Palestinian refugees in the West Bank and Gaza Strip to provide the first comprehensive analysis of the principles of international refugee, human rights, statelessness, and humanitarian law that are of relevance to Palestinian refugees. The author also focuses upon the challenges faced by Palestinian refugees in Arab as well as Western countries, and clarifies the complex relationship between Palestinian self-determination and their right to return. This book, viewed as one of the leading sources on international law pertaining to Palestinian refugees, reflects the author’s realist approach to the Israeli-Palestinian issue and extensive field experience in working with Palestinian refugees.


Annotation: The author examines the political history of the Palestinian refugee population and the forces that have shaped their lives over the past decades. She critically evaluates the role of the Arab League of States, the United States, Israel, and the Palestinian Liberation Organization in contributing to the setbacks faced by the Palestinian refugee population over the years and contrasts this with the strengths and successes of the refugee movement itself. This book provides a valuable and in-depth historical account of the challenges faced by Palestinian refugees, the failure by international organizations and governments to respond to their plight, and the rise of the Palestinian refugee movement.


Annotation: This article is regarded as one of the most thorough arguments advanced by an Israeli scholar against the Palestinian right of return. The author, the Dean of the Faculty of Law Department and Associate Professor of Law at Bar-Ilan University in Israel, argues that international law does not provide Palestinian refugees with a legal right to repatriate to the state.
of Israel. In support of his view, the author draws upon and analyses resolutions of the UN General Assembly and Security Council, the principles of customary international law with respect to the right to return, human rights and citizenship law, refugee law, and international humanitarian and criminal law. He concludes that negotiations between Israelis and Palestinians should be conducted on the basis that the latter cannot impose on the former a right of return to the state of Israel under international law.
Amazigh Legitimacy through Language in Morocco
By Sarah R. Fischer

Contemporary Morocco rests at a geographic and developmental crossroads. Uniquely positioned on the Northwestern tip of Africa, Morocco is a short distance away from continental Europe, cradled between North African tradition and identity, and Western embrace. The landscape is varied: craggy mountains trail into desert oases; cobbled streets of the medina anchor the urban centers; mud homes dot the rural countryside. Obscured from the outside observer, behind the walls of the Imperial cities and between the footpaths of village olive groves, Morocco’s rich and diverse Arab and Amazigh cultures and languages circle one another in a contested dance. Morocco’s identity is complex, an amalgam of geographic, cultural, and linguistic variation. A stratified nation, Morocco is defined by contrasting binaries: urban vs. rural, dominant group vs. ethnic minority, Arab vs. Amazigh. These social divisions breed and perpetuate inequality and marginalization; they limit and hinder individual and group success. Together these elements play a significant role in the creation of Moroccan identity and the sublimation of indigenous rights.

The dominant narrative identifies Morocco as an Arab-Islamic state. However, this cultural, ethnic and linguistic label fails to recognize the significant indigenous Amazigh population. The Imazighen (plural of Amazigh), also referred to as Berbers in Western discourse, historically inhabited the expanse of North Africa west of the Egyptian Nile. Today, Amazigh communities are clustered in dense, mostly rural pockets, primarily in Morocco and Algeria. However, there are smaller communities in other North African countries, as well as a considerable diaspora abroad. The ruling, urban elite of Morocco is composed of the Arab-identified populace, whereas the Imazighen are classified as the rural ‘others.’

Today, the Imazighen remain marginalized and relegated to the social periphery. Amazigh contributions to Moroccan national identity, heritage, and history have been censored from the national narrative. Additionally, the Amazigh community has been neither formally nor legally recognized as an existing indigenous or ethnic minority community, thus rendering them invisible and limiting their rights. Finally, the Amazigh language lacks official status. It is therefore threatened and Amazigh cultural identity is endangered as well.

The Amazigh identity label acts as a unifying term for this ethnic minority population. It is important to note that the Moroccan Imazighen are geographically scattered in three distinct areas, each region has its own linguistic dialect. However, all three dialects fall under the collective language of Tamazight. Tamazight is an oral language; the Amazigh activist community has designated Tamazight as the dialect strain for language standardization. Exact official statistics of Amazigh speakers are difficult to acquire, as the Moroccan census does not quantify based on linguistic distinction. However, linguistic scholars have noted nearly half of the population speaks Tamazight.

Language is a foundational and defining sociocultural characteristic of collective identity. The Tamazight language is a vital and valid ingredient of cultural identity and expression, as well as the locus of Amazigh existence. Despite the prevalence of Amazigh speakers, Tamazight has been denied official national language status and relegated to the private sphere of Amazigh community
life. Arabic, the language of Islam and the Qur’an, is the official national language of Morocco; due to its religious significance, it is highly valued in Moroccan society. Ironically, the spoken mother tongue, known as Darija, is itself a dialect of Arabic. The Tamazight language has been banned from the institutional framework of Morocco including the legal, political, and educational systems — although some positive developments have occurred recently.

A large proportion of the Imazighen live outside the urban centers, inhabiting the rural landscape. They rely heavily on subsistence farming. Often, male community members migrate to larger towns for employment opportunities, leaving women and families behind. These provincial factors fuel the prevailing negative stereotypes of the Imazighen held by the Arab community. This urban-rural schism is further reinforced by the unequal distribution of government provided social services. The Amazigh rural communities lack similar access to adequate health services and educational opportunities as their urban counterparts. These communities are rife with abject poverty and high illiteracy rates; they stagnate and their development is stunted.

A long history of Arabization has enveloped the institutional, political, and social spheres of Moroccan society, silencing the Imazighen constituency. This prescriptive Arab-Islamic identity has been historically enforced by the ruling powers and perpetuates exclusion and oppression. Initially, the Arab conquest instituted Arabization by introducing Islam and the Arabic language to the Imazighen. Although the Amazigh people embraced the religion of Islam, they remained culturally and linguistically distinct from the Arab identity, relegating the use of Arabic to faith practice only. This persists in some areas today. Further, following independence from France, the royal monarchy intentionally promulgated Arabization. This cultural doctrine was used to eliminate the lingering effects of colonial rule, especially within the education system, and promote a strict Arab-Islamic national identity. Repeated and historical bouts of Arabization have denied the presence of the Amazigh ethnic minority identity and its contributions to Moroccan heritage. Arabization continues today, promoted by the Islamist political party. However, the monarchy has taken measures to be more inclusive in their definition of Moroccan national identity.

The Amazigh Cultural Movement (MCA), a transnational cultural identity campaign, is pursuing political, social, and cultural agendas on behalf of the Amazigh community. This lobbying force is a vocal advocate demanding official recognition and institutional access of the Tamazight language within Moroccan society. Despite past political repression and obstacles, the MCA’s foundation, presence, and objectives are well established and guided by constitution-like documents such as La Charta d’Agadir and the Berber Manifesto. This ethno-linguistic and political movement is an interconnected composition of militant activists and intellectuals, local cultural associations and international federations, higher education institutions committed to Amazigh linguistic and cultural study and research, and a thick network of diasporic communities. Associated with the international indigenous and cultural rights movements, the MCA reclaimed its voice concurrently with the government’s ease of political and civil society participation restrictions. This diverse community manages contemporary Amazigh discourse and cultural representation. The MCA has developed a unified and thunderous voice in opposition to Amazigh oppression and calls for Amazigh identity recognition and linguistic rights in order to develop culturally, socially, and politically.

Increased domestic pressures and international influences have driven the powerful monarchy to make transformative political and social changes. Morocco has adopted a more democratic and
viable global position. In 1994, the late King Hassan II verbally recognized the legitimacy of the Amazigh cultural and linguistic identity within Morocco. It was a monumental proclamation. He then promised reform. However, further development languished for years, incensing the MCA. When King Mohammed VI inherited the throne, he addressed the MCA demands and created the state sanctioned research institute - Institut Royal de la Culture Amazighe (IRCAM). IRCAM’s role is undeniable; it represents legitimacy, recognition, and inclusion. Additionally, the government has made language policy reforms within the education system, allowing for Tamazight language instruction at the primary school level. IRCAM has had a fundamental role in the implementation of this adapted language policy and associated education reform. Despite these development measures, Tamazight still lacks formalized official national status. Presently, the MCA remains vigilant in their quest to secure Amazigh cultural and linguistic rights.

Amazigh language and culture are powerful and integral components of Moroccan national identity. The Moroccan government has endorsed progressive resolutions. However, implemented reforms are viewed critically by MCA advocates as empty, symbolic gestures that continue to negate Imazighen presence and contributions. The adopted measures only underscore the severity of the injustices and the fragmentation of Moroccan society. Additional institutional and representational actions to protect this community and foster its survival are crucial. Morocco remains enveloped in the richness of its Arab and Amazigh cultural and linguistic identities. As entangled identities, they are performing a difficult dance.

Annotations


Annotation: The author presents an interesting view into Morocco’s powerful monarchy and the steps it has taken to reconcile its past human rights abuses. Morocco has adopted a more democratic and transparent agenda. The late King Hassan II started this development campaign; his successor, King Muhammad VI, continues his father’s work in the hopes of securing development aid. The author is complimentary of King Hassan II’s reign and achievement, despite the repression felt by the political opposition, local human rights NGOs, and the women’s movement. Campbell notes Morocco’s desperate economic situation, social challenges, and political obstacles. This article does not mention the Amazigh community; indigenous, minority, or ethnic rights, or cultural and/or linguistic expression. However, it lays a solid groundwork of the human rights movement in Morocco and its challenges within the context of the monarchy.

Annotation: Salem Chaker, a Kabylie Algerian, is an Amazigh linguistic specialist; he teaches at INALCO (Institut National des Langues et Civilisations Orientales) in Paris. This piece details the expansive geographic reach and presence of the Berber (Amazigh) language, as well as its historic and linguistic roots, and status within countries dominated by Arab-Islamic ideology. Further, Chaker reveals the effects of Amazigh migration into France on both French civil society and the academic environment. An active Amazigh cultural association network has been cultivated and Amazigh focused research and academic programs have been developed. The presence of the Berber language (Tamazight) in France is evident. However, Chaker confirms that similar to the North African countries of Amazigh origin, Tamazight remains unofficially recognized in France and thus maintains its threatened language status.


Annotation: This concise book describes the transformative effects of globalization on Morocco. Specifically detailed is the role of development and its influences on political and social life, including political and market liberalization and restructuring, and social policy and progress. Despite the state’s continued concentration of power and control, the monarchy has adopted a more democratic platform. The authors laud improvements such as a more open and transparent political system, greater political and civil society participation, and an improved human rights record. However, challenges still plague Moroccan society: unemployed youth remain disillusioned; social stratification and inequality persist; basic infrastructure is insufficient. Although the literature addresses Morocco in general, the Amazigh cultural movement is specifically featured. In particular, the movement’s cultural-political nature and improved relationship with the state are revealed; these elements support and exemplify the monarchy’s evolved position on political party pluralism.


Annotation: In this brief editorial, Colchester presents the development of and the challenges facing the indigenous rights movement. Additionally, he introduces the roles of regulatory measures, as well as the anthropological researcher within the indigenous rights sphere. As subjects of international law, indigenous peoples have collective rights to land and territory, customary laws, and political representation. Concurrently, indigenous communities face obstacles and limitations in synchronizing their collective politics and rights. The author reveals that increased commercial relations between the private sector and indigenous communities has led to the establishment of regulatory bodies that manage and protect the rights of the indigenous peoples. Further, Colchester suggests that anthropologists could aid indigenous groups in confronting their social and political challenges. However, he also notes that the researchers are invariably linked to the negative imagery of colonization.

Annotation: Crawford’s personal narrative of rural Berber (Amazigh) village life depicts the effects of migration, education, and development on linguistic, social, political, and economic change. He uses a newly constructed road that leads to and from the village as a symbol of access and transformation for the village inhabitants. He also notes that village men now migrate back and forth for work to large towns and cities. This migratory movement affects the village language as the migrant community confronts language variation in the urban centers and transports this back to the village. Further, Crawford details the village’s excitement anticipating the first day of classes in the government built primary school. Despite the rural setting, the villagers understand the importance of formal education for social mobility. However, this energy is fleeting, as no one understands the Arabic speaking teacher. The author offers the local mosque based school, a multilingual environment that lacks a formal curriculum, as a contrast. Finally, a visit by French and Arabic speaking authorities and development funders reinforces the language barrier between the communities. Crawford’s symbolic road ushers in opportunity to the Berber village; however, a linguistic barrier remains.


Annotation: David Crawford suggests that the Amazigh community has been repeatedly neglected from scholarly work conducted in Morocco. Crawford critiques current scholars’ lack of inclusion of the Amazigh community from holistic Moroccan identity discourse, as well as from the contemporary Moroccan setting. He notes that the Imazighen are invariably portrayed in historical terms. Further, Crawford addresses the management of the Amazigh movement by urban activists. He demonstrates the significance of the Amazigh urban/rural binary, contrasting the differences of Amazigh community experience and context. The Amazigh movement, “a cultural project,” has attached itself to the international cultural rights movement and focuses on the institutionalization of the Tamazight language within Morocco. Additionally, Crawford proposes a link between Imazighen invisibility in academia to the rampant rural poverty that affects large swaths of Amazigh-speaking communities. Crawford suggests a forward thinking scholarly agenda.


Annotation: David Crawford’s ethnographic research focuses on the Amazigh communities of the High Atlas in Morocco; he is particularly interested in dynamics of social inequality. Crawford addresses the monarchy’s declaration that acknowledged Amazigh culture as part of Moroccan national identity. This declaration reversed years of legal discrimination and aided in creating the Royal Institute of the Amazigh Culture (IRCAM). IRCAM affects Amazigh
communities; it is charged with Tamazight language standardizing and oversees the implementation of Tamazight instruction in the classroom. Additionally, Crawford defines and distinguishes the three separate and distinct Amazigh regions and associated communities, showcasing the differences of region and history, social and political organization, resource inequality and economic reality, and tradition. Further, he notes the power of the state, the important role of Islam, and the struggling socioeconomic environment. He confirms that these complex and diverse factors contribute to Amazigh identity and the Amazigh movement.


Annotation: David Crawford and Katherine Hoffman are experienced researchers in the field of Moroccan Amazigh linguistic, social, economic, and political identities. This article demonstrates the effects of modern technology (i.e. the Internet) and the formation of cultural associations on Amazigh identity. Amazigh-net, an online forum, connects a like-minded “imagined community” around contemporary Amazigh issues. Cultural associations also focus on local, regional, and national Amazigh issues. The authors also address the centrality of language to Amazigh identity, noting the dialectal variations and the challenges of language standardization. They explore the linguistic, cultural, and political agendas that Amazigh activists pursue, demanding institutional access and recognition. These activists, a minority of urban, educated Amazigh speakers, manage contemporary discourse and Amazigh cultural representation. However, the majority of Imazighen are rurally located and not involved in the Amazigh movement. In this article, Crawford and Hoffman address socially constructed elements (i.e. discourse, internet, associations) that affect and generate Amazigh identity performance.


Annotation: Daniel and Ball investigate Morocco’s educational system, its limitations, new measures of educational reform, and the state’s overall complex identity, including the component of linguistic diversity. They note that limited educational access, as in Morocco, severely restricts individual social mobility and overwhelmingly affects the marginalized demographics of women, ethnic minorities, and poor and rural communities. They highlight that Morocco’s national education system has been used traditionally as a mechanism to foster Arab-Islamic Moroccan identity. Restricted access to multiple languages, other than standardized Arabic, as well as a poor curriculum design has produced students with underdeveloped linguistic aptitude. However, according to the authors, recent educational reforms, such as the National Charter of Education and Training, hold promise and incorporate a more inclusive linguistic curriculum. Additionally, they suggest that Morocco’s unique linguistic environment could be used as an educational model for other countries with similar linguistic characteristics.

Annotation: The author, a Professor of Arabic and Amazigh linguistics and languages in the Netherlands, explores the Amazigh ethnic and linguistic identities of Morocco and Algeria, as well as the cultural movement that seeks official recognition of the Amazigh community. El Aissati specifically addresses the role of language on ethnic identity within the Amazigh context and includes the relationship between Amazigh, Arabic, and Islam, the threat of language shift on linguistic identity, and the revival of the Amazigh cultural movement and its challenges. This article is one of few that details language shift among Amazigh speakers; there has been little research conducted. El Aissati specifically maps out the implications of a language shift from Amazigh to Arabic. He also establishes the connection between the Amazigh cultural movement and the process of reversing language shift, thus reinforcing Amazigh cultural identity.


Annotation: The author’s research addresses the status of the Amazigh language and culture in both Algeria and Morocco, the most Imazighen-populated countries. He specifically focuses on new language policy developments within the education systems. The language policy reforms have introduced the teaching of the Amazigh language into primary schools. Although these developments are progressive, El Aissati confirms that there is opposition - the pan-Arab nationalist movement. Woven into the article are elements of North African regional history, the multilingual language policies of other African nations (i.e. Malawi) and Islamic countries (i.e. Iran), and developments in the Amazigh cultural movement. The author reveals the differences between the Algerian and Moroccan language policies and educational reform, as well as the continued denial of linguistic rights within other institutional settings.


Annotation: Mohamed Errihanni highlights the difficulties and challenges facing an effective and efficient language policy implementation in Morocco. He links King Hassan II’s public recognition of the Amazigh culture and language to implemented education reform in which Tamazight language instruction was introduced. Further, he notes the effects of language policies including the change in perception and status of a language, the unifying of different identities, and the promotion of economic mobility. However, according to Errihanni, Morocco’s language policy and implementation have fallen short and face the following challenges: a lack of institutional support, ineffective teaching methods and insufficient commitments from teachers and parents, and unaltered social perceptions and societal division. Additionally, the author addresses the negative stereotypes associated with the Tamazight language. He reveals that Tamazight, like Moroccan Arabic, is considered a private sphere
language and thus its use is restricted to the home. Therefore, Tamazight language use lacks the social and economic capacity and global mobility that Moroccans desire and that which language policies foster.


Annotation: Faiq illustrates the complex relationship between language and nationalism in Morocco, including the factors of ethnicity and identity. He posits that below a harmonious façade, Morocco struggles with reconciling its multicultural and multilingual communities. He describes Morocco as a “linguistic mosaic,” though the Arabic and French languages are used exclusively. The Amazigh language and discourse have been censored from the Arab-Islamic dominated history; Amazigh language lacks official recognition. The author also notes the importance and centrality of language to Amazigh cultural identity. The power of language is detailed through language policies, Arabization and national ideology, the Amazigh cultural movement and its language platform, and language and political shifts. Faiq concludes by retying language and cultural identity together.


Annotation: This comprehensive collection of articles details historical and ethnographic accounts of the three geographically distinct, Berber (Amazigh) dense regions. Hart’s fieldwork was conducted primarily in the northern Rif region; however, he also analyzes the High Atlas and southern Saharan communities. Through a comparative lens, he addresses elements of authentic Berber identity including tribal relocation and migration, genealogy and historical lineages, and laws and traditions. An analysis of the individual Berber communities exposes the variations within these communities that otherwise share “compatible” cultural values and structural systems. Hart also addresses region specific Arab-Berber differences and the Spanish influence in the North. He notes that “most of what has been written about Berbers has been written by non-Berbers;” he, too, falls into this category. However, his detailed and specific knowledge, especially of the Rif region, is valuable.


Annotation: The author, a guest editor, compares the indigenous rights movements in Africa and the Americas, including achievements, challenges, and indigenous identity performance. Additionally detailed are ethnographic case studies that examine various geographical, theoretical, and political perspectives of indigenous rights. Hodgson briefly notes the history and working language of the indigenous rights movement. The author fully delves into key themes of the movement, specifically representation, recognition, resources, and rights. She demonstrates
how indigenous peoples view themselves within the forum of the rights movement and contrasts the well-established movements in the Americas with the newly established ones in Africa. Hodgson notes the importance of understanding individual country context in order to grasp the movement’s development and challenges. Hodgson concludes that country specific ethnographical analysis can give insight on indigenous rights activism, as well as an understanding of the context of the movement on a global scale.


Annotation: Katherine Hoffman has extensively researched the linguistic, ethnic, and economic roles of the minority Amazigh community in Morocco; her research is conducted in Tashlehit Berber, the Southern dialect. In this article, she presents the role of the historically and socially marginalized rural Amazigh (Berber) women - in the practice, preservation, maintenance, and contraction of the Tamazight language. Recently, the Moroccan government has made strides to be more inclusive in their national identity discourse, enveloping the Amazigh minority community into the national fold. However, despite these positive strides, Amazigh women, vital transmitters of cultural and linguistic tradition, remain restricted by Morocco’s patriarchal system, remote geographic locations, social norms and expectations, and the confines of monolingualism. Hoffman’s study presents the gender and geographic binaries (i.e. plains vs. mountains) that contemporary Amazigh populations face. This article is laden with technical linguistic terms including speech patterns, forms, and markers. Clearly illustrated is the powerful role and hindrances that Amazigh women face in maintaining linguistic tradition and presence.


Annotation: Khrouz explores the powerful and multifunctional role of Morocco’s civil society in molding the country’s more democratic future. The author reveals that mounting domestic pressures, as well as globalization, spurred the Moroccan monarchy to adopt political reforms. These political reforms created a dynamic and participatory civil society. The author notes civil society’s broad reaching efforts to address sensitive human rights issues affecting Moroccan society, including women’s rights, Amazigh cultural and linguistic rights, poverty, grassroots development, and socioeconomic challenges. Although progress and change have been made, many issues, specifically women’s rights, remain embedded in a traditional Moroccan society. Khrouz highlights civil society’s significant role and influence on the political and social setting in Morocco; he stresses that further political change is necessary.


Annotation: Laskier offers a convincing portrayal of the state challenges that face King Muhammad VI after acquiring the throne from his late father, King Hassan II. The author
weaves the political weight and power that the monarchy wields throughout the article; Morocco’s social, political and legal environments are set as backdrop. Laskier specifically highlights the state challenges of democratization, human rights and corruption, the Islamist agenda, the status of women, and the Berber (Amazigh) movement. Human rights advancements are noted and include the release of prisoners, the return of those exiled, and greater freedom of the press. Laskier richly details the strict traditional Islamist opposition. He also contrasts the challenges of the women’s rights movement - law vs. cultural norms and expectations. The author dedicates the least amount of detail and text to the Berber cultural and linguistic movement, briefly explaining the movement’s development and demands.


Annotation: In this concise article, the author highlights the effects of French colonization on North African identity, specifically the French-imposed differentiation of the Arab and Amazigh populations and their distinct identities. This identity dichotomization remains today. Madani gently narrates North African history through an Amazigh lens, from Ottoman rule to the present day Amazigh language and identity movement. She paints the Amazigh into a distinct, yet subordinate, position under the ruling regimes of the Ottomans, the French and the current Arab-Islamic reign. Following independence a strict, institutionalized Arabization was imposed; the author characterizes this as “racist.” As a result of Arabization, the Amazigh culture has disappeared from most of North Africa. However, she concludes that a significant and vocal community remains in both Morocco and Algeria. This article is broad reaching but lacks focus.


Annotation: Maddy-Weitzman highlights the resurgence of the Amazigh cultural movement in Morocco, Algeria and the diasporic communities. He notes that the Amazigh identity manifests through a variety of channels including language, structure, and practice. Despite the overarching movement’s label, the Berber community is not homogenous and therefore, a “grand narrative” is difficult to create. Although Morocco and Algeria’s Amazigh movements and experiences run parallel, Algeria’s dissidence and volatile history is evident. Morocco’s movement, on the other hand, has been easier to mute and temporarily satiate through regime action. The author chronicles the developments of the Moroccan Amazigh movement and its presence in the 1990s. Additionally, he states that both the current King Muhammad VI, as well as his late father, King Hassan II, have altered the political landscape in part by reconciling Arab-Berber narrative and relations, especially with the Amazigh Rif community. However, according to Amazigh activists, there remains work to be done. Maddy-Weitzman surmises that redefining the Amazigh identity will be a tense and difficult process.
Annotation: Bruce Maddy-Weitzman has written extensively on modern history and politics in the Middle East and the Maghrib. In this article, he presents the global “Berber/Amazigh cultural movement (MCB/MCA)” and specifically focuses on the Moroccan movement. However, he does include, as a comparison, the Algerian Kabyle movement. He notes the Moroccan movement’s dual orientation, resting between Western and Arab-Islamic cultures. A strong introduction to the “Berber Manifesto,” a well-signed document, outlines MCB/MCA cultural and linguistic demands and intentions. Further, the author demonstrates the effects of globalization on the MCB/MCA movement. For example, the Berber diaspora, partnered with local Moroccan Berber intellectuals, are the driving forces of the MCB/MCA movement. They have adopted into the MCB/MCA agenda Western concepts of democracy and human/minority rights, as well as a subtle, secular tone. Despite the drive of the diasporic activist community, the author confirms the challenges that the MCB/MCA movement faces on Moroccan soil.

Annotation: The author frames the Amazigh identity movement through a historical lens. He argues that contemporary Amazigh community rewrites history in an effort to create a shared memory and collective identity, as well as to respond to the dominant Arab culture’s negative perceptions of the Amazigh community. He richly weaves Amazigh actors and their contributions through significant periods of Moroccan history, including the Islamic conquest and French colonization. Today, Amazigh advocates challenge the dominant Arab-Islamic identity label that denies the societal role of the Amazigh community. Maddy-Weitzman contrasts the Amazigh movements of both Morocco and Algeria (Kabyle); he notes that the Algerian movement has been both more active and more violent than Morocco’s movement. However, both movements’ successes are dependent upon government policy. In this article, the author demonstrates how the Amazigh movements are reshaping Algerian and Moroccan national identities and histories.


Annotation: Dawn Marley’s research interests focus on linguistic identities in Francophone countries. This in-depth article addresses the diverse sociolinguistic landscape of Morocco. Marley notes the asymmetrical coexistence of the Amazigh (Berber), Arabic and French languages; this inequality is reinforced by the institutionalized Arabization of the national language policy. Marley describes the linguistic capacities and capabilities of these three
languages including linguistic identity, value and variation, and historical language usage. Despite sweeping Arabization, a state-sponsored method to disassociate Moroccan society from French colonial presence, the persistent role of the French language in modern day Morocco is impressive. Further, the author closes with an entire section dedicated to the Amazigh cultural movement, its development, mission, and the involvement of the international community.


Annotation: Dawn Marley topically addresses Morocco’s 2000 Charter for Educational Reform, a dramatic and diversified national language policy change. In this article, she details Morocco’s multilingual landscape, associated linguistic identities, and linguistic policies and provisions. Additionally, she notes that following independence from France, state sponsored Arabization took place in order to eradicate France’s linguistic and colonial presence. This process reinforced Morocco’s “Arab-Islamic” identity, denied the presence of minority languages (i.e. Amazigh), and limited access to the outside world. Marley’s quantitative study reveals the negative effects of Arabization on Moroccan youth education, as well as the opportunities that Morocco’s current multilingual educational system presents. The study also notes that bilingualism in a “prestigious language” (i.e. Arabic-French, not Arabic-Berber) is considered advantageous for social and economic mobilization. Marley states that Morocco’s multilingual future is evident.


Annotation: Daniela Merolla showcases how the use of digital media, including mass media and ‘small media’ (i.e. video, mailing lists, etc.), is reshaping Berber (Amazigh) identity and cultural expression, both locally and internationally. Merolla interweaves the ‘shift to literacy’ theme throughout; this theme notes the shift of Berber language cultural expression from oral to written format. Merolla focuses on the written forms, such as theatre, video, and Internet. Overarching social issues and specific regional variations are exposed. The author surmises that despite a lack of financial and institutional support - a common obstacle for minority communities - contemporary cultural production, greatly aided by technology, connects the transnational Amazigh community, promotes the Amazigh activist agenda, and constructs and disseminates Amazigh identity to a broad audience. Merolla briefly notes significant Tamazight language developments within Morocco; however, these developments are devoid of political and social implication.

Annotation: Sarfaty addresses the World Bank’s (Bank) role in shaping domestic law and implementing indigenous rights policy and associated norms within developing host countries. A case study of a Moroccan loan showcases the political and legal constraints, as well as the power of civil society. According to Sarfaty, Bank policy and standards can be incorporated into a host state’s institutional framework, reforming the domestic system. However, nationalist community polity and norms remain steadfast and the Bank must decide how to proceed within this environment. This case study demonstrates the complex relationship between the indigenous Berber (Amazigh) community affected by the Bank’s development plan, the Moroccan government’s dismissal of the Berber population as an ethnic minority, and the Bank’s indigenous rights policy. Further, Sarfaty notes the influences and pressures of norm compliance within this process. Overall, this article is laden with legal terminology and theory; it is heavy for those not accustomed to the language.


Annotation: Silverstein and Crawford introduce the oppositional and fragmented politics of the Amazigh activist community; they focus specifically on the militant faction. Government sponsored human rights developments, such as the inception of the Royal Institute of the Amazigh Culture (IRCAM), as well as the Tamazight language policy have satiated the international community yet divided the Amazigh Cultural Movement (MCA) into two camps. According to the authors, the militant arm of the MCA opposes the IRCAM and language policy developments. They believe that the Moroccan government, under the guise of human rights, has domestic and international ulterior motives. The motives, as the authors state, contradict the MCA’s ideology, reinforce Arab-Islamic nationalism, further entrench the urban-rural divide, and fragment the global Amazigh movement. It is noted that the institution of IRCAM is both a symbol of Amazigh culture and linguistic rights, as well as a divisive mechanism within the MCA.


Annotation: This article spans the breadth of Berber (Amazigh) history and geographic dispersion, the current political context in Morocco, and the Berber diaspora, specifically in the Netherlands. The author, a researcher at the University of Amsterdam, questions whether the transnational and multigenerational Berber movement can be defined as diasporic. She focuses heavily on the evolution of Amazigh associations in the Netherlands and the issues the Amazigh communities face in their host country, including immigration and second-generation Dutch Amazigh identities. Additionally, she includes the international span of Amazigh associations and communities throughout Europe and North America. Van Heelsum notes that the Internet provides a common and connective space for the transnational Amazigh movement; however,
and perhaps ironically, the international Amazigh community and associations do not share a common language.


Annotation: Michael Willis introduces the politicized Berber (Amazigh) identity within both Algerian and Moroccan political settings. He notes that previous scholars concluded that an Arab-Berber political divide did not exist. However, this is not the case today. Further, he explains how post-colonial Algeria and Morocco have witnessed parallel Berber movements. Despite this similarity, these movements have progressed uniquely and independent of one another due to differing locations of Berber communities, advocates and urban movements, and enduring colonial effects and country specific political alliances and climates. Both government regimes balance the Arab-Berber divide and have introduced the institutionalization and recognition of the Berber language and culture into the public sphere. Additionally, it is noted that Islamist movements, in both countries, challenge the Berber movements. Coincidentally, the Berber movement has gained international presence, connecting a wide spread activist community.
Migrant Workers in Saudi Arabia
By Sarah Jessup

Introduction

One of the wealthiest countries in the Middle East, the Kingdom of Saudi Arabia is also one of the largest exporters of oil, and as such, one of the most influential in the region. Despite this, more than 50 per cent of the work force (nearly 6 million people) in the Saudi Arabia are migrant workers (FIDH, 2003, 3). They contribute billions of dollars each year to their home countries through remittances. With such a large population hailing from outside the Kingdom, it would seem that transnational migrants would have a larger voice in the rights and freedoms they are granted within the country. This is, however, not the case in Saudi Arabia, where non-Saudis are treated as second-class citizens and often face abuse and empty promises from their employers. The situation proves too dire for many migrant workers who enter the country. Women are particularly vulnerable to sexual harassment and at risk for human trafficking. It is important to examine the causes of such a large transnational migration to Saudi Arabia, the risk that migrant workers face, and what policies have helped, or in many situations hindered, the rights of migrant workers in this Middle Eastern country.

Why Migrate?

Migrant workers often come from countries rife with poverty, where remittances offer hope not only to worker’s families, but also to the economy of their native country. It was estimated by the World Bank that in 2003, more than $116 billion, not including transfers sent through informal channels, was sent home by way of remittances from migrant workers to labor-sending countries (Haas, 2005, 1276). The sense of relative deprivation in the form of global inequality of development and job opportunity is frequently the leading cause of such migration (Haas, 2005, 1271). For people from Indonesia, the Philippines, and Sri Lanka, who send the largest number of migrants each year to Saudi Arabia, the chance to seek opportunity elsewhere proves to be a major lure to migrate. This is particularly true for women, who represent a disproportionate number of migrant workers in the Saudi Arabia and provide a large source of income for their families in their home countries.

The desire to work in Saudi Arabia lies in its large, established migrant communities, as well as the sponsorship system, which makes gaining employment in the country fairly easy. Like many Gulf States, the sponsorship system operates through workers coming to the Kingdom by the invitation of a prospective employer. Residency becomes subject through a contract with one’s employer, who can be an “enterprise, an individual or even the State, when it concerns a post in the public sector (e.g. a doctor or nurse)” (FIDH, 3). The ease of the sponsorship process makes Saudi Arabia an ideal location for migrant work. However, few realize that while it facilitates ease in coming to Saudi Arabia, it offers little protection to workers once they arrive, and worse, makes it increasingly difficult to leave.
Dangers of the System

Known as the *kafala* (Burke and Echagüe, 2009, 20), the Saudi sponsorship system often results in gross human rights abuses. The system is highly criticized by organizations like Human Rights Watch (HRW) and Amnesty International, and offers little legal protection for migrant workers. Furthermore, it becomes difficult to leave once a worker arrives. The contract becomes a legally binding obligation that Saudi law frequently protects, regardless of the abuses committed by an employer against an individual. Complaints of abuse to authorities are rarely investigated and workers risk arbitrary arrest and incarceration if they attempt to leave their employers. As a result of this system, workers’ rights are at the discretion of their employer, who holds their passport, and therefore, their freedom of movement.

Risks and Types of Abuse

Although it is undeniable that many migrant workers within Saudi Arabia return to their home countries with little to no complaints, there are several who tell a drastically different story. Though slavery was abolished in 1962 by King Faisal (Brown, et al., 2004, 1), exploitative labor practices persist; many migrant workers live in slave-like conditions with no food or wages. Passport confiscation is the most common way in which employers restrict a worker’s freedom of movement. Without a passport to leave, workers become completely at the mercy of their employer. Once their freedom of movement is restricted, migrant workers face from forced labor and enslavement, to sexual and physical abuse. Such practices have become commonplace within the system and are tolerated by the Saudi government. For those workers who do not enter the country legally, the abuses can be much worse as an employer has even more power over the employee.

For women, this reality is worse than for their male counterparts; many are raped and sexually assaulted by their Saudi male employers. This abuse has detrimental psychological effects on them. There are at least 1 million women from the Philippines, Indonesia, and Bangladesh currently working the lowest paying jobs in the country (Brown, et al., 2004, 47). They work long hours and are kept as “virtual prisoners in workshops, private homes, and the dormitory-style housing that labor subcontracting companies provided to them,” (Brown, et al., 2004, 2).

Conclusion: Hope for Rights of Migrant Workers

As a result of the Saudi government’s negligence in caring for foreign nationals, many labor sending countries, including Indonesia and the Philippines, have implemented new measures to try and combat the abuses that their citizens face. HRW noted in a 2008 report that while Filipino domestic migrant workers account for only 10-20 per cent of Philippine nationals in the country, they account for 90 per cent of the complaints brought to the embassy (HRW, 2008, 113). Embassies frequently rent out safe houses and remain open late hours and on weekends, knowing that this is the time when most migrant workers will attempt escape. Although embassies remain compliant in repatriating their nationals once they have confirmed their citizenship, they are helpless
in prosecuting abuses. They face mounting pressure from the Saudi government and risk losing remittances to aid migrant workers who run away.

Positive changes have been made within Saudi Arabia to help migrant workers. In 2009, the Ministry of Labor announced that after a 5-year study, it recommends that the government adopt a new system of sponsorship, whereby private recruitment companies will sponsor workers. For Indonesian workers, this is promising. Private recruitment companies in the country have undergone a series of reforms through the government that ensure more stability and protection for nationals living abroad. However, while the move has been a positive one, Saudi Arabia still refuses to acknowledge equal rights for migrant workers. Until judicial reforms take place, little will change in a country that relies on their foreign workforce.

Annotations


Annotation: Published in 2009, this report focuses on the global economic crisis’s impact on the outpouring of migrant workers to the Middle East from Southeast Asia. It shows a correlation between the loss of opportunity in Southeast Asia and the rapid increase of migration from such countries since 2003. Although the Middle East has experienced a drop in oil prices, it continues to see strong investment in other areas and thus benefits from having migrant workers performing demanding labor. This report is beneficial for anyone who has some understanding on the migratory patterns from Southeast Asia to the Middle East and wishes to explore this topic further.


Annotation: This book, edited by Adler and Gielen, addresses the root causes of global migration, the patterns of migration, and the risks in migrating to another country in order to provide for oneself and one’s family. The book offers a substantial overview of migration as a whole before exploring regional migration patterns. When addressing regional issues, it offers assessments of the large wave of Filipino migrants to the Middle East and the socio-economic implications of this type of migration. This book is comprehensive in its coverage of global migration and would serve as a valuable resource for either a beginner in the subject or a person with substantial knowledge on the topic.

**Annotation:** This report, produced by Human Rights Watch, focuses on migrant workers from around the world living in Saudi Arabia. It highlights the multiple migrant communities that exist, the guest worker program/foreign sponsor program in Saudi Arabia, and the vulnerabilities and risks that the foreign population faces in Saudi Arabia. It discusses the lack of care and available resources for migrant workers within the country and what can be done to remedy these issues. It cites firsthand accounts, reports, and legal statutes to illustrate the claims that the authors are trying to make. This report offers a detailed look for any reader into the lives of migrant workers in Saudi Arabia.


**Annotation:** This report details the current human rights situation and legal framework for reform within the Saudi kingdom. While the report looks at the overarching themes within human rights (or lack thereof) in Saudi Arabia, it also briefly summarizes the second-class citizen status of legal migrant workers and the abuses they face. It reviews the legal statutes that allow for such abuses to occur and what reforms are necessary to offer protections to migrant workers in the country. With the majority of the labor force in Saudi Arabia comprised of migrant workers, they are after ones who face the most abuses. A comprehensive overview of human rights in Saudi Arabia, this report is valuable in understanding the legal framework for human rights in the country.


**Annotation:** This article focuses on the remittances that come from being a labor exporter to the Middle East. The author argues that the inflow of capital to labor-exporters from remittances constitutes the most dramatic transnational capital movement in modern times. This article, though slightly outdated, holds relevance to today's migrant workers as little has changed in terms of the human rights situation and the "push" factors that drive them to the oil-rich Gulf States. The remittances that they send to their home countries continue to have a large impact on the economies of labor exporters and remains an important issue in the migrant worker world. However, the article points out that no matter how important the remittances, they come at great personal cost to the laborers.

Annotation: Ryszard Cholewinski’s book offers an insightful glimpse into the world of migrant workers and their legal protections under international laws. While slightly outdated, the legal framework that gives migrant workers rights in their country of employment, as well as their general plight, has changed very little in the last decade or so. Although this book does not specifically examine migrant workers in Saudi Arabia, it has a practical application to this paper as it focuses on the migrant system as a whole and provides the reader with insight into the legality of such work and the issues that affect the lives of the thousands of people that migrate for employment opportunities in other countries.


Annotation: This report, produced by the FIDH in conjunction with the Egyptian Organisation on Human Rights, highlights the abuses that the more than 6 million migrant workers face while working in Saudi Arabia. It discusses specific violations according to the Universal Declaration on Human Rights and its subsequent covenants. It illustrates how the legal framework supports said abuses while ignoring the rights of the individual. It offers up condemnation of the Saudi Foreign Sponsor program and the way it enables such issues to arise. It mostly cites legal documents and requires a reader who has advanced knowledge of the migrant worker situation in the region.


Annotation: This brief article by John Gee provides an overview of the changes in the legal framework for migrant workers in the Middle East. It highlights the changes that largely focus on increased rights for migrant workers within the region, and places specific emphasis on the various types of work that migrant workers do in the Middle East. It also emphasizes why those entering the region need to read and understand their rights within their situation as migrant workers. The article takes personal stories from migrant workers to highlight why the changes were necessary to protect their rights in the Middle East. Some background knowledge is required in order to understand the issues raised in this article.


Annotation: In this book, Gills and Piper explore the changing face of the work force and family providers in Asia. Particular emphasis is placed on women who become migrant workers from places such as Indonesia and the Philippines, where they go, the type of work they engage in, and the unique risks they face as women migrants in the Middle East. Particularly useful in this book is its understanding of gender issues in Asia and how that has affected migrant patterns.
and issues such as human trafficking and bonded labor. This is a useful resource for anyone wanting to better understand the socio-economic status of women in Asia and the Middle East, and the issues and conditions women migrant workers face.


Annotation: This article focuses on the impact of international migration and remittances on labor exporting countries. The author argues that while remittances greatly influence socio-economic development, there are various policies and restrictions that prevent such practices from realizing their full potential. The author proposes that enhancing "circular migration" policies can allow remittances to realize their full potential. Although not explicitly about Saudi Arabia and migrant workers, the article is relevant because of the overarching theme of migrant work and remittance impact on labor-exporting countries.


Annotation: In this book, Irene Hardill focuses on global gender issues and their influence on migration and family life. While this book does not specifically explore the issue of migrant workers once employed in a foreign country, it does address the reasons why so many women are leaving their home countries for places of employment elsewhere in order to survive. It briefly addresses the issues of human rights for women in the Middle East and particularly women migrant workers in places such as the United Arab Emirates and Saudi Arabia. This book would be useful for anyone seeking to delve deeper into the gender issues that surround the migration debate.


Annotation: The purpose of this report is to examine the tensions between domestic and migrant workers in Gulf Cooperation Council (GCC) countries. Due to the socio-economic situation within the region, GCC countries offer multiple opportunities for migration. However, this is increasingly coming at a cost for the indigenous populations to these countries. This paper focuses on the population dilemmas faced by GCC countries. It pays particular attention to the heterogeneity of the local populations, the demographics of the foreign workforce, and how to localize the workforce. This paper is particularly useful for someone with a degree of understanding behind the causes and impacts of labor migration.

Annotation: This journal article, authored by Mark Lagon, offers a concise picture of human trafficking, the forms it comes in, and the impact on its victim. It briefly touches on migrant workers and the trafficking risk that they face, particularly those in Saudi Arabia and the Persian Gulf states. It discusses the efforts of governments to prevent the trafficking of migrant workers but also the lack of rights they are given once they arrive at their destination. With more than 7 million migrant workers, the article states that Saudi Arabia offers little protection to those who are migrant workers within the country and are often subject to “3d” work (dirty, dangerous, and difficult). This article is useful for anyone who better wishes to understand the global labor trade and human trafficking.


Annotation: Published by the World Bank, this book shows the impact that migrant workers have on their home countries via the remittances they send back. This includes the socio-economic impact they have on poverty reduction, as well as the development impact that remittances have. While the book focuses on the real risks that can await migrant workers, it also describes the good things that can come from being a migrant worker. This book also discusses the impact that their region of origin has on the experiences of migrant workers. This book is fairly advanced in its content and would be useful for someone with an understanding of migrant workers and the international political economy.


Annotation: Douglas Massey and Edward Taylor utilize socio-economic factors to explore how the international political economy has influenced the increased migration of global citizens. They pay particular attention to issues of population growth and poverty, as well as trends in migration to the various parts of the world. They have an acute sense of awareness of the issues that South and Southeast Asian migrant workers face upon entering the Middle East. They also look at the outflow of migrant workers from Asia to the Middle East and Saudi Arabia, and mention the disproportionate number of Indonesian and Filipino migrant workers to this region of the world. This book is incredibly valuable for anyone seeking a better understanding of migratory patterns and the push-pull factors that cause migration.


Annotation: Focusing on GCC countries, including Saudi Arabia, this article explores the challenges that the large population of migrant workers face in the region. It examines the attempts by GCC countries to nationalize their workforce as the region continues to be filled by
migrant workers. In the article, gender differences within labor division and pay are explored, as well as the weak labor laws and economic problems that migrant workers face upon entering GCC countries. It is a brief overview of the situation in the region, but provides a clear picture of the issues within the region both for GCC countries and for migrant workers themselves.


Annotation: Published in conjunction with the World Bank, this paper explores the increasing South-South migration patterns. More than half of all migration now occurs between developing countries, particularly from places like Southeast Asia to the Middle East. Examining socio-economic factors, risks migrant workers faces, remittances and their impact, and the ever growing push-pull factors of migrant work, this paper offers up an extensive overview of why migration between developing nations is increasing through a political-economy lens. It also addresses a human rights component in it, as migration from one developing nation to another often comes with increased risks as human rights are not a priority.


Annotation: Offering a comprehensive overview of the political economy of the Middle East, the authors of this book attempt to illustrate to the reader the multiple aspects of what makes the economy of the Middle East function. It examines issues such as changing demographics, increased democratization, and natural resource management, as well as the large impact that migrant workers have on the economy. It not only highlights the Middle East as a labor-sending region, but also places a large emphasis on the region as a labor-receiving region. Extremely technical, this book also looks at socio-economic and cultural aspects of the region that can have a negative impact on the lives of those attempting to migrate to the region in search of employment opportunities.


Annotation: This section of this American studies book focuses on immigration, migrant work, and gender. Although the book revolves around issues surrounding the United States, this particular chapter sheds light on migration from the developing world and the disproportionate number of women who migrate for work opportunities. Most specifically, it pays attention to push-pull factors that increase the chances of migration and it further examines the types of risk associated with migration, including sexual and physical abuse, forced labor, and human
trafficking. While it does not mention much about migrant workers in the Middle East, it is useful as a general overview of global migration patterns and issues.


Annotation: With women making up the majority of migrant workers, particularly to countries in the Middle East, this article explores how international migrant worker laws and human rights law has impacted their lives. Satterthwaite attempts to show the reader how the current Migrant Workers Convention does not adequately cover women, who require a more intersectional approach, whereby international human rights laws in general can work with the Migrant Workers Convention to provide further protections for women. The article is heavy in its content and requires a degree of background knowledge on gender and migratory work.


Annotation: This report by Nasra M. Shah, in conjunction with the ILO, looks at the changes in labor immigration policy in oil-exporting Gulf states. It examines the causes behind the rapid growth in the 1970's and 80's to those states and how changes in policy have attempted to curtail immigration to such countries. Rising unemployment among the indigenous populations of the Gulf States has affected the number of migrant workers allowed into those countries as they attempt to increase the employment rate for their citizens. It provides a different perspective on the debate surrounding labor migration that examines how the populations of labor-receiving states can be negatively impacted by migrant workers.


Annotation: Examining changes in immigration policy in four of the six oil-rich Gulf Cooperation Countries (Saudi Arabia, Oman, Kuwait, and the United Arab Emirates), this paper explores how the changes have impacted both labor-sending and labor-receiving countries. Rising unemployment, cost-of-living, and increasing populations have all been important factors that have led to more restrictive immigration policies. It also attempts to illustrate the impact of these factors on the socio-economic situations of labor-sending countries.

Annotation: Rachel Silvey explains how and why Indonesian women become migrant workers in Saudi Arabia in this piece. In the article from Political Geography, Silvey initially covers feminist theories of the state and how they relate to international migration, while further linking them with women migrant workers from Indonesia. She then explores the role of the Saudi state and how migrant women encounter the gender roles that they face once they arrive in Saudi Arabia. Silvey also further highlights the risks migrant women face being a woman in the Saudi Kingdom. She highlights that between 300 and 500 women a day seek assistance and escape from abusive employers at the Indonesian embassy. Silvey highlights several sources to back up the claims she makes in her article. This report offers a snapshot of the various issues that not only Indonesian migrant workers, but all migrant workers, face in coming to Saudi Arabia and would be a good introduction to the lives of Indonesian migrant workers.


Annotation: This report, produced by the ILO, focuses on source countries of migrant workers and the government regulations that control migration from these countries. It also gives a glimpse at the NGOs that offer protections to migrant workers within their home countries and how they operate in destination countries. Additionally, the report focuses on the socio-economic impact remittances have on source countries and why migrant workers are willing to face serious risk in order to provide these remittances to their families. This report is useful for anyone seeking to learn more about source countries of migrant workers in Asia and the Pacific, as well as their destination countries and the governmental rules and regulations that make migrant work possible.


Annotation: This report, produced by Judith Sunderland and Human Rights Watch, covers the lives of domestic workers within their own countries and the lives of migrant domestic workers. It places particular emphasis on the abuses they face by their employers, from long hours to withheld wages and enslavement. It also offers an analysis of the current legal framework, which has allowed these conditions to exist both internally and internationally. The report uses specific examples from countries such as the Philippines and Indonesia. It also follows the lives of child domestic workers and the lack of education they receive as a result of becoming domestic workers (and migrant domestic workers). This report provides useful information noting the internal and international nature of domestic work.

Annotation: In this article from the English edition of *Population*, the changing face of the Middle East in an increasingly globalized world is examined. The article examines not only the demography of the Middle East, but also North Africa and some places in Eurasia. This article is important because, by using statistics, the influx of migrants to the Middle East in search of more economic security is clearly illustrated. However, while available statistics have been used, the authors readily admit that these statistics cannot account for the number of illegal migrant workers who now live in the region. However, the article is able to highlight the various migrant communities within the Gulf, and pays particular attention to those from South/Southeast Asia and Sub-Saharan Africa. This article is strong in its methodology as well as its explanation of such statistics. It is valuable in understanding the growing numbers of migrants to the Middle East and provides some solid statistical evidence where applicable.


Annotation: This article focuses on the challenges faced by migrant workers due to increased globalization. The author notes that as globalization has increased, so has the pressure to migrate. The surge in both legal and illegal migration over the past few years is likely to continue. Focusing on ten general trends in migration and employment, the author is able to show the reader the most important issues that plague the migrant community. Taran notes that as a result of all these factors, there has been an increased risk of trafficking of those seeking to migrate, and especially for those that enter a country of employment illegally. Furthermore, the article examines issues such as xenophobia that have contributed to the view in many places, like Saudi Arabia, that migrant workers are second-class citizens. The author provides a very comprehensive overview of migrant workers, human rights, and globalization and where these issues conflate.


Annotation: This book deals with a specific set of countries and their migratory habits. While it does not specifically deal with any countries in the Middle East, it does address migratory patterns from the Philippines, one of the largest suppliers of migrant workers to the Middle East and Saudi Arabia. It specifically speaks to the root causes of why so many leave the Philippines in search of work elsewhere, the abuse that many, particularly women, endure, and the risk of human trafficking for slave labor many face. This book serves as a brief overview of world
migratory patterns and utilizes labor, poverty, and migrant statistics to illustrate how and why people enter into such work. It is a basic introduction to human labor and migrant patterns.


Annotation: Filipino migrant workers make up a very large portion of those in Saudi Arabia and there is a disproportionate number of women employed over men. This book addresses the exodus of women from the Philippines for the Middle East as they seek employment to send remittances back to their families. It further addresses how women become victims of forced migration to the Middle East and what factors influence the decision to engage in the risk of becoming a migrant worker. This book examines the influence of the nation state on such choices, and the lack of resources available for those who choose to become migrant workers. This book would be a valuable resource for those seeking to understand the influences on the lives of Filipino women who choose (or in some cases are forced) to leave in order to provide for themselves and their families.


Annotation: Nisha Varia explores the lives of South and Southeast Asian migrant workers in Saudi Arabia and the abuses they face once they arrive in the country. The report is comprehensive in covering the legal framework for recruitment practices and offers up recommendations to the governments of Nepal, Sri Lanka, the Philippines, and Indonesia to protect their citizens abroad. It further explores the risk of trafficking and enslavement of these migrant workers once they arrive in the Persian Gulf. It particularly focuses on the risks that women face once they enter the country. The author takes both personal and legal accounts of migrant worker conditions, as well as utilizing resources from previous works.
Arbitrary Arrest and Detention of Human Rights Defenders in Iran: Subduing the Voices Demanding Rights
by Sachchi Karki

Introduction

Arbitrary arrest and detention, oftentimes used to curtail the freedom of opinion and expression, as well as the right to association and peaceful assembly, has continued to characterize Iranian regimes since the 1979 Islamic Revolution. Such arrest and detention of human rights defenders (HRD)—who individually or with others act to protect and promote human rights—has demonstrated the repressive nature of the Iranian regime. Human rights lawyers, civil society representatives, journalists, and women’s rights movements and trade union activists are among the most commonly targeted HRD.

Under customary international law, an arrest and detention is arbitrary if not in accordance with legal procedures. The Iranian authorities, by arbitrarily arresting and detaining HRD, violate three major internationally guaranteed rights of detainees: freedom from arbitrary arrest and detention, liberty and security of the person and humane and dignified treatment by the detaining authorities. The involvement of volunteer paramilitary groups like ‘Basij Militia’ in the arrest of HRD adds to the arbitrary nature of the Iranian regime since legally, only the police are authorized to arrest people.

The right against arbitrary arrest and detention is guaranteed by Article 9 of both the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR), to which Iran is a party. Article 32 of the Constitution of Iran defends this right. The rising numbers of arbitrary arrests and detentions of HRD are alarming in that they signal attempts to intimidate and subdue the voices that uphold human rights, so that multiple forms of repression can continue unabated.

Arbitrary Arrests and Detention of Human Rights Defenders in Iran

The Iranian government frequently uses fear tactics to discourage public debate on human rights violations and to discourage secular political opinion. Reports from human rights organizations reveal the theocratic nature of arbitrarily arrests, detains and ill-treats HRD and political dissenters.

Reported cases reveal that the majority of HRD are charged with security offenses, as articulated in the ‘Offenses Against National and International Security of the Country’ from the Islamic Penal Code, which is based on Sha’ria law. Human Rights Watch has recorded vaguely worded charges like planning ‘psychological warfare,’ ‘cyber warfare,’ ‘velvet revolution,’ ‘soft coup,’ and ‘attempts against national security,’ against the arrested HRD. When Nobel laureate and human rights lawyer Shirin Ibadi was arrested for videotaping a witness’ testimony in the year 2000, she was charged with ‘propaganda against the regime.’ The witness was a member of the government sponsored ‘Basij Militia’ who broke into the student dormitories in 1999, killing a number of students.
Ample international attention has been directed towards the arbitrary arrest and detention of HRD in Iran. In the seventh session of the Universal Periodic Review (UPR) of the United Nations Human Rights Council and in the United Nations General Assembly resolution 64/176 on Iran, arbitrary arrest and detention of HRD was highlighted. In March 2010, UN Human Rights Chief Navanethum Pillay expressed concern over the repression faced by political dissenters and human rights activists in Iran. Yet when confronted with questions on their poor human rights conduct, the Iranian regime responds by citing human rights provisions in the Iranian Constitution. Taking a cultural relativist stance, they accuse the West of politicizing human rights and claim that Western standards are inappropriate to judge the human rights situation of non-Western countries.

Contradictions within the Iranian Legal System

The Iranian legal system is based on Sha’ria law, which preceded the concept of due process. HRD who voice opposition against its provisions are targeted as opposing the religion and security of the nation. A cursory look at the articles of the Iranian Constitution shows the possibility of multiple interpretations of the provisions, some of which befit repressive intent. The constitution of Iran, enforced in 1979, lists many internationally recognized human rights as ‘rights of the people,’ particularly in part three (articles 19 to 42). The paradox is that most of the provisions also have ‘religious’ provisos that provide a wide space for maneuvering and repressing these fundamental rights.

Contradictions between Constitutional provisions and other laws obfuscate their implementation. Article 32 of the Iranian Constitution, which guarantees the right against arbitrary arrest and detention, requires that the charges must be communicated to the accused within 24 hours of arrest. In sharp contradiction, Article 32 of the Code of the Criminal Procedure states that a judge may issue temporary detention orders in security cases. This provision has often been used to detain HRD under security offenses for over 24 hours, without charges. The Constitution has strong provisions regarding the right to legal recourse (Art. 34) and the right to legal counsel (Art.35), but the Code of Criminal Procedure (Art. 128) states that in sensitive cases, the judge has the discretionary authority to exclude counsel from the hearing of sentencing.

There are also instances when law is disregarded in practice. The Iranian constitution states that any testimony, confession or oath obtained under duress is devoid of value and credence (Art. 38). However, cases involving arbitrary arrest, detention and torture of HRD exhibit that torturing people into self-incrimination, in a clear violation of their basic due process rights, is common.

Contradictory provisions within Iranian laws, as well as contradiction in existing laws and their implementation, explain Iran’s failure to uphold human rights. Many Iranian laws contradict with customary international law. Ratification of international conventions entails that they supersede the contradicting national laws to the extent of the contradiction. Ruling out such contradictions may mitigate ambiguity in their interpretation and implementation.
Iranian Sociopolitical Situation: Naturalization of Suppression

The Islamic Republic of Iran, constituted after the 1979 Islamic Revolution, is a theocracy, with Shi’ism as its national religion. The development of its political regime has been characterized by the conflict between the competing tendencies within Shi’ism. The secular line attempts to reconcile Islam with modern rationalism, democracy and rule of law but the radical line disparages democracy and rationalism as Western diseases. Inspired by the figure of Ayatollah Khomeni, the unelected divine right patron who presides over the democratically elected government, radicals have used the state religion to dominate the state apparatus, silence the voices of dissent and repress human rights.

The penalization of HRD, and repressing them into silence, is the manifestation of the theocracy’s intolerance of ‘criticism’—considered the work of people who are either ‘anti-Islam’ or ‘counter revolutionaries.’ The state is the principal protector and the major violator of human rights. As such, the task of HRDs is to expose and criticize state violations of individual rights. This makes them targets for suppression.

However, rising levels of education and the continuous proliferation of information characterizing globalization have led to the growth of a secular and reformist attitude among the urban middle class. The theocracy faces increasing criticism at home and abroad for its failure to uphold international human rights standards. The spontaneous protests following the presidential elections in June 2009, also known as the ‘Twitter Revolution’ are therefore heralded as the beginning of a strong civil society and the social impetus that Iran was awaiting in order to transform its society in favor of democracy, human rights and secularism.

Conclusions

The main methods applied by the international community to hold repressive governments accountable for their human rights violations are exerting pressure by placing economic sanctions and/or shaming states that violate the rights of its citizens. In Iran, both methods have backfired and led to further alienation of the Iranian government and worsening domestic public opinion from the West. The government continues to repress human rights by arbitrarily arresting, detaining, ill-treating and maintaining the terror of arrest among the HRD community.

Religious demagogy and historical evidence, like American involvement in the Iranian coup in 1953, have been instrumental in the demonization of the United States and the West and in swaying the common citizen’s opinion against human rights as a Western value, ill-suited for the Islamic republic. HRD are arbitrarily arrested and detained under charges of threats to national security and many human rights organizations are shut down for being the ‘agents of the West.’

The Iran conundrum is a complex one. The violation of the fundamental right to liberty of HRD under allegations of national security ties the hands of the international community. The Iranian government remains utterly uncooperative with international human rights mechanisms. Furthermore, the issue of nuclearization overshadows human rights concerns in Iran’s relationship with the West. However, Iran’s recent filing of candidacy for membership on the UN human rights council and its ultimate withdrawal, in the face of mounting criticism and exposure of its violations,
can be interpreted as a tacit recognition of its poor human rights record. This may be the right time to mount pressure for accountability on Iran.

Arbitrary arrest and detention of HRD is symptomatic of more systematic violations. It has to be understood as a deliberate political attempt at silencing the voices, which demand civil and political rights so that totalitarian control can be maintained. The Islamic Republic of Iran has to be made accountable for its repression of HRD to prevent a full-blown human rights crisis.

Annotations


Annotation: In this very well argued essay, Abou El Fadl provides an Islamic interpretation of democracy, individual rights and justice. The author argues that democracy and human rights are not necessarily incompatible with the Islamic concept of the sovereignty of God as opposed to the sovereignty of the individual or the public. He gives an interesting analysis of the consequences of supremacy of the Sha'riah and its impact on human rights. Drawing his examples from the Quran, he sets out to examine how religious fundamentalists, in permitting judges to interpret the divine version of law, have been practicing exactly what they preach against. His argument asks how a human interpreter can claim with certainty that the determination he reached is identical to God's. He concludes that 'if the majority insists on turning away from God but still respects the fundamental rights of the individuals, those individuals who constituted the majority will still have to answer, in the hereafter, to God.' Fadl is trying to deconstruct the fundamentalist stance to shine the light on the compatibility of Islam, democracy and human rights.


Annotation: The article furnishes an in-depth analysis of the reasons why the political uprising in theocratic, repressive Iran following the presidential elections in June 2009 was possible. It explains how repressive regimes have continued in Iran, where the democratically elected government has to report to the religious supreme leader and his 'Guardian Council,' who exploit the masses by religious fundamentalism and 'unbridled bellicose rhetoric.' The article then explores the development of the urban middle class, who imbibe a secular perspective and believe in democracy independent of the handpicked demagogues who preside over the democratically elected government. The protests following the presidential elections in 2009 have been portrayed as a historic moment because they were spontaneous and not organized by any political parties. Also known as the 'Twitter Revolution,' the protests have been seen as a harbinger for the development of a politically active Iranian civil society, developing separately from the theocratic political parties of the past.

Annotation: The secularist author provides a critical evaluation of how cultural relativism has had an impact on the human rights discourse in Iran. Using UN reports and prison memoirs of many influential prisoners of conscience, he analyzes the religiopolitical causes behind the human rights record of Iran. He explores the role of the Shi’ite theocracy in bringing about the violation of human rights in the country. The chapters are divided into different rights and their violations, and cover the period of the 1980s and 1990s. His explanation of the repression of the UN Special Representative in Iran to report on the violations is complemented by the prison memoirs. The book can be an excellent analytical tool to understand the socio-political situation in a country that permits human rights violations.


Annotation: This extensively researched and detailed report, prepared by one of the leading international human rights organizations, elaborates on the repression faced by the human rights defenders in the Middle East and North Africa. A number of emblematic cases are spread throughout the report as examples of the forms of repression. The report also furnishes a multidimensional analysis of the problems faced by the human rights defenders in their work under repressive regimes. It provides an overview of the political context of the regions and lists the oppressive laws in practice, patterns of repression and the categories of human rights defenders at particular risk, which include journalists, women's rights defenders and lawyers. It ends with a list of recommendations for governments, the Arab League, the European Union, human rights defenders and the NGOs.


Annotation: The UPR shadow report prepared by Amnesty International does not tackle the issue of arbitrary arrest and detention directly, but covers them through other issues that these practices raise. It highlights the opposition to the vaguely worded reservation the Iranianan government has made against the rights of the child and child execution. It also touches upon the issue of arbitrary arrest and incommunicado detention while talking about the restriction upon the freedom of expression, association and assembly, unfair trials, torture and among other ill treatment.

Annotation: Azimi provides a democratic history of Iran in the 20th century. Critically examining the history of the country, the author sheds light on how the identity of the national community was constituted in the first half of the 20th century and continues through to the rise of the authoritarian supremacy, its consolidation and ultimate collapse in 1979. He then goes on to cover the rise of clerical rule leading to the eclipse of popular sovereignty since 1979. He concludes with an analysis of the predicaments and prospects of such a situation on the perpetuation of nepotism, exhibited in appointing bureaucrats on the basis of religious credentials, the repression of reformers' objectives and above all, the degeneration of human rights under regressive judicial activism. However, the author ends with a positive note as he heralds the embracing of modernism by educated, middle class Iranians, whose numbers are on the rise. He also points to the successful work of Iranian civil society, which has continued to function despite numerous attempts to silence them. The book is a very useful source for understanding the Iranian movement for democracy in the last century.


Annotation: This article provides an excellent analysis of the political reality of Iran, where an electoral victory for the reformists is often translated into political defeat. Set in the immediate aftermath of the Iranian parliamentary elections on February 18, 2000, the article gives an overview of the unique political system in Iran, 'a theocracy founded on the political privileges of a clerical oligarchy.' It details how the supreme religious leader is above the constitution, enjoys privileges like appointing the members of the 'Guardian Council,' comprised of six theologians and six jurists nominated by the parliament under the recommendation of the Head of the Judiciary, who himself is nominated by the supreme leader. It also explains that the Guardian Council oversees matters of the state and can veto all laws, election to the presidency, the Assembly of Experts who choose the Supreme leader and approves the candidates who can run in the election. The article very interestingly lays down how a prospective candidate has to go through different screening processes to be considered eligible to run. It is a very useful tool to understanding the unique totalitarian political system in Iran and how it has a crucial impact upon the human rights situation in the country.


Annotation: This critical piece questions the idea of terrorism as an ideological and moral challenge to liberal democracy and sets out to analyze its implications. Trying to balance their personal Islamic sensibilities with the misinterpretation of Islam by terrorists, the authors claim
that terrorists are Islamists rather than Islamic. With examples from history and trials of terrorists, the authors elaborate on how Islam is not the sole motivator of terrorists. They trace the roots of terrorism to the 444 days long siege of the American Embassy by Iranian religious militants in 1979, the perpetrators of which were applauded as heroes rather than being apprehended and incarcerated. This planted the seeds of radical Islamist terrorism according to the Boroumand sisters. The article also presents some excerpts of speeches of Iranian leaders that clearly encourage terrorist activities. They conclude that rather than living in a state of paranoia and a perceived fear of the West, an effort on the part of the Muslim world to study the Occidentals the way they have studied the “Orientals,” could pave the way towards a solution.


Annotation: This book has scholarly articles on various issues relating to human rights ranging from child rights, detention, the death penalty, racism and the impact of globalization and terrorism on human rights. The article on detention gives a comprehensive picture of how the rights of detainees have been at the center of human rights work. It delves into a critical overview of the international mechanisms and provisions on the protection of detainees from unlawful arrest and arbitrary detention, torture and other ill-treatment, inhumane prison conditions and death in custody. It points to the 'endless war on terror' and its implication on the possibility of 'endless incarceration.' Also included is an analysis by Loie Wacquant of the growing numbers of convicted prisoners and how it can be seen as the ‘penalization of poverty’ and the role of prisons ‘in the production and reproduction of racial hierarchies.’ The article concludes that strengthening and extending social and economic rights in addition to the strengthening of the Civil and political rights of the detainees may be instrumental in 'reversing the upsizing of the penal state.'


Annotation: Prepared by an organization that focuses on the rights of the Jews, this report outlines the ongoing human rights violations in Iran. It touches upon different human rights issues ranging from torture, capital punishment, due process, the rights of women and children, political dissent, freedom of press, religious and ethnic minorities to homosexuality. While it contains valuable references, the report just scratches the surface of these issues and is not an in-depth report.


Annotation: This book is comprised of four essays delivered in a series of lectures by the man dubbed’ the most high profile political detainee’ in Iran by the BBC. The essays provide a
testimony of a former supporter of Islamic revolution in 1979, who later turned into a reformist and investigative journalist. Ganji was imprisoned for six years for his investigative report exposing the involvement of high profile Iranian bureaucrats and leaders in a series of murders of dissidents in 1998. In the essays, Ganji explains the importance of universal human rights and secular democratic evolution of Iran, the reasons to fight for human rights, 'gender apartheid' and the Islamic misinterpretations of women's rights. He points to the need for the reconciliation between Islam and the West by means of religious tolerance. The personal and informal voice of Ganji rings loud throughout the book, sometimes to the extent that the arguments sound extremely subjective. The importance of the book lies in its provision of an insider's view about the issues of concern and the difficulties in working as a human rights defender in Iran.


Annotation: This policy paper provides a thorough analysis of the possibility of positive engagement between the United States and Iran as Obama and Ahmadinejad have exchanged pleasantries. It examines the historical dynamics of this bilateral relationship and accounts for the causes of bitterness so far. This paper, which provides an excellent analysis of the relationship between the United States and Iran, highlights the need for Washington to 'recalibrate the balance of power' to ensure that Iran doesn't get further alienated. It concludes that the United States' attempts to negotiate with Europe and Arab nations to employ 'crippling' sanctions against Iran, in case talks fail, along with the insistence for alliance between moderate Arab Nations and Israel to diminish Iran's regional power, cast dark shadows on Washington's intentions. It warns that the leverage that Washington is trying to acquire to make the talks successful may lead to their ultimate doom.


Annotation: Documenting the most recent series of arbitrary arrests, detention and ill-treatment while in detention following the presidential elections in 2009, this report calls the situation in Iran a human rights crisis. It recommends the Iranian government establish an independent fact finding commission to determine who ordered the crackdown against protestors and serious human rights violations, investigate the allegations of ill-treatment in detention, prosecute the government officials accused of involvement in such activities, compensate the victims of torture and release all those who are detained for exercising their right to freedom of opinion, expression, assembly and association.

Annotation: In this report, Human Rights Watch lists the most recent crackdowns against human rights activists and groups in Iran, which were coordinated by Iran's state owned media, judiciary and security forces. The crackdowns have led to the arbitrary arrest of 30 human rights activists, closure of human rights organizations and the shutting down of websites run by human rights groups under the allegation that they were members of the covert group 'Iran Proxy' and plotting to launch cyber warfare for 'regime change' in collaboration with the CIA. The arrested defenders remain under detention without any formal charges brought against them though the prosecutor's office has accused them of being involved in 'psychological warfare' and 'espionage.' The 'passwords' for the websites of the organizations received by torturing the arrestees, and the information accessed as a result, is being used as evidence to solidify the allegations.


Annotation: This is a shadow report sent by Human Rights Watch (HRW) to the Universal Periodic Review (UPR) at the 7th Session of the Working Group of Human Rights Council. It sheds light on the ongoing violation of human rights in Iran. It raises the issues of restrictions on freedom of assembly and association, freedom of expression and access to information, freedom of religion, arbitrary detention and ill-treatment in custody, interference in private life, especially in the case of homosexuals, executions and the juvenile death penalty. Its recommendations include prosecution of government officials responsible for violations, amendment of laws that permit violations, including 'Offenses against the National and International Security of the Country,' which is the most commonly cited law to bring charges against political dissenters and human rights activists.


Annotation: This press release, accompanying Human Rights Watch World Report 2010, posits that abusive governments around the world are targeting human rights defenders in many different countries, including Iran. On the basis of the findings of their investigations, they claim that government tactics range from murder, threats, intimidation, arbitrary arrest and detention and closing down of human rights organizations. The report urges rights-protecting governments to prioritize human rights in bilateral relations and demand real change by abusive governments through diplomacy.

Annotation: This report focuses on arbitrary arrest and detention of people charged with vaguely worded security offences—a common phenomenon in Iran. It provides a thorough analysis of the legal loopholes in the Iranian penal code, because of which, commitments expressed in the ratification of international human rights treaties can be flouted. It points to the women rights campaigners, trade union activists, students, independent journalists, scholars and activists as the categories of people who are the targets of such treatment. The report also highlights the kind of ill-treatment meted out to the people arrested and makes recommendations to the Iranian government to change such practices. The recommendation to the United States government is that it engages with Iranian civil society to implement projects that are less prone to government repression.


Annotation: This autobiography of Nobel laureate human rights lawyer Shirin Ibadi is an odyssey through the human rights history of Iran. The book is an impassioned narrative by one of the most prominent Iranian human rights defenders about the challenges involved in living and working as a human rights defender in Iran through the different phases of Iranian history. Ibadi has defended the majority of high profile cases of human rights violations in the country and suffered attacks against herself and the human rights organizations she founded. She was imprisoned in solitary confinement at the Evin prison for her human rights work in June 2000. Being an autobiography, it is highly subjective and some of the names of the victims she worked with have been changed for security reasons. The value of the book lies in orienting us to the human rights situation as experienced firsthand by one of the most prominent human right defenders in the country.


Annotation: This chapter elaborates on how the socioeconomic and political development of a country correlates with its human rights records. After establishing that the human rights records of Islamic nations vary, it explores the causes behind the human rights divide. Better understanding and implementation of human rights are attributed to countries gradually moving towards democratic governments, like Jordan, Morocco and Qatar. The modern contextual interpretation of the Qur'an, as opposed to the traditional textual interpretation, and the victory of leaders with Islamist agendas, like in Turkey in 2003, have been identified as contributing to better human rights implementation as people have begun to see that Islam, democracy and human rights are not mutually exclusive. However, the Western hegemonization and the after effects of the 9/11 terrorists attacks have been seen as hurdles in the development of human rights and democracy.

Annotation: Chapter 3, Articles 19 to 42 of the Constitution list the 'rights of the people' of Iran. Internationally recognized fundamental human rights like the rights against discrimination, rights of women, right to freedom of association and assembly, right to privacy, right to work of one's will, right to freedom of expression, etc., have been guaranteed in those articles. However, every right has a proviso that requires these rights to conform to Islam or the provision of the law. The provisos often cut through the heart of the rights.


Annotation: A compilation of a series of academic essays on politics, economics and conflict in Iran, the book provides a very good knowledge base for people who are interested in the country. Since it covers many different topics, it furnishes a holistic understanding of the situation in the country on issues of conflicts over national identity, ethnic minorities, democracy and human rights, political and personal freedoms, women's rights, youth culture, the economy and the widening gaps between the rich and the poor. It also delves into the issues of Iran's relations and problems within the region and the antagonism it faces from the West owing to its nuclear ambitions. The book is a very good source with a lot of analytical insights into all these issues of pivotal importance.


Annotation: Kar, with the help of 'Scholars at Risk,' provides a detailed analysis of the constitutional provisions of Iran that are instrumental for the stymied growth of democracy and human rights. In a thorough analysis, the author details how absolutism and traditionalism has affected the reform movement. He also advocates that the clerics should be more involved in the development of moral values rather than vying for political power. He explores the absence of freedom, owing to which the practice self-censorship is common. He further navigates through the provisions of the constitution to examine how they pose obstacles for the development of human rights and democracy. He concludes in favor of constitutional reform pursuant to article 177 of the constitution, so as to remove the conflict and contradictions within and advocates in favor of structural and functional changes in the rights of the 'Guardian's Council.


Annotation: This article focuses on how general principles of law recognized by all nations are sources of international law. The study is based on the delineation of principles that are common in different municipal laws, which can be seen as the source of general law. The emblematic law at hand is the law against arbitrary arrest and detention. The author analyses the comments made by different nations present at the UN Human Rights Committee discussing the law against arbitrary arrest and detention and contends that if the general principles of human rights law recognized by all nations can be defined, they can be enforced and can be the starting point for a more realistic development of human rights.


Annotation: This article aims to clarify the concept of 'arbitrary arrest and detention.' The thesis is that the UDHR and the ICCPR have established a standard of freedom from arbitrary arrest and detention and that national laws should comply with these standards. The writer proposes a methodology to determine whether or not a person is arbitrarily arrested and detained. There are also some proposed guidelines for drafting legislation and regulations to ensure maximum individual personal liberty.


Annotation: This chapter offers a critical analysis of the political, economic and social circumstances in Iran, Pakistan and Turkey owing to which human rights face challenges. The chapter elaborates on how the practice of violent coercion by leaders, the absence of institutionalized means and processes of democratization, lack of accountable political order, unbalanced state society relations, poor liberalization strategies, the absence of an independent judiciary and the continuing military intervention in politics all combine to lead to human rights violations.


Annotation: Prepared by the American Bar Association, this article takes a critical view on the prevailing human rights situation in Iran in the late 1980's. It makes recommendations to the American Bar Association to adopt a proposed resolution against Iran. Listed violations include
torture and ill-treatment of political prisoners, mass executions, extreme persecution of minority religious communities, especially the Ba’hais, and complete denial of internationally recognized due processes for political prisoners. It refers to shocking comments made by the then-Chief Justice of Iran, who publicly flouted the right to a fair trial. The article shows that the kind of violations that exist in Iran today have been occurring for the last two decades.


Annotation: This is the first UN document declaring the rights of human rights defenders. It is not legally binding and lists the rights and protections afforded to the human rights defenders, the role of the state and role of everyone in the protection and promotion of human rights, as well as the role of national law. It is a useful tool that sheds light on the rights of those who defend the right of others.


Annotation: Under the agenda item of protection and promotion on human rights situations and reports of special rapporteurs and representatives, this document welcomes the few improvements in the human rights stance expressed by the different government bodies of Iran. On the other hand, it highlights all the alleged human rights violations ongoing in the country. The issue of threats, intimidation, arbitrary arrest and detention of the human rights defenders is raised with prominence.


Annotation: The Fact Sheet compiled and published by the UNOHCHR enlists the different categories of people who are considered to be human rights defenders. It elaborates on how the work of people in defense of human rights gives them this status. Based on empirical facts, it generalizes the different kinds of threats and challenges that the defenders face and the UN, international and national mechanisms for their protection. It also makes recommendation as to the ways they can be protected and defended in their work.

Annotation: This report provides an extensive summary of individual cases raised by the Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya, with different countries. It also includes the responses by governments to these cases. The report on the Islamic Republic of Iran lists high profile cases involving well-known human rights defenders like Shirin Ibadi and numerous people arbitrarily arrested and detained from July 2009 onwards. It is an extensive list of incidents and provides an in depth understanding into the magnitude of the issues concerning human rights defenders in Iran.
Political Repression and Islam in Iran
By Amy Kirk

Introduction

Signs with the slogan, ‘I am Neda’, flooded the streets of Tehran in the violent aftermath of the 2009 presidential elections and assassination of Neda Agha-Soltan. The internationally publicized video of Neda’s death became an iconic rallying point for the reformist opposition in Iran. Stringent clampdowns since the 1979 revolution have signified a sociopolitical change that has endured for three decades. President Khatami’s reform efforts of the late 1990s were stifled by Ahmadinejad’s election of 2005. Since Ahmadinejad’s appointment there has been little official tolerance for political and fundamental Islamic dissent, leading to serious human rights violations against the reformist opposition. Despite claims of implementing four of the six principal human rights treaties, the Iranian government has continually operated outside the bounds of these treaties as well as its own laws. Some of the most flagrant abuses have included discrimination of women and minorities, repression of the freedom of assembly and expression, and the torture of political prisoners and prisoners of conscience. Though not exhaustive, these categories are representative of the violent and fervent abuse of human rights by the Iranian government.

Women and Minority Discrimination

Gender, religion, and ethnicity have become points of conflict within the state. The Islamic Republic sanctions discriminatory social practices and laws against various groups based on violations of religious customs and values. These individuals and groups are denied full participation in civil, political, and social activities as Iranian citizens.

Women are repressed both privately and publically. In the home women are considered subjects of their husbands and their autonomy, citizenship status, and rights have been restricted. One of the first political actions taken by Ayatollah Ruhollah Khomeni following his return to power in 1979 was the demand of the ‘reveiling’ of women. Despite the initial success of women protesters against Khomeini’s order, their victory was short-lived and Iranian feminists became increasingly isolated. Since the election of Ahmadinejad the situation has worsened. In 2005, in the first public demonstration of dissent since the revolution, more than 250 demonstrators took to the streets to advocate women’s rights. The government and the Basij paramilitary responded by beating and arbitrarily arresting those in the crowd. The success of neutralizing women’s right advocates gave the regime confidence to suppress other groups that challenged their Islamic beliefs and political domination.

Religious and ethnic minorities are also denied full participation in civil society and are frequently abused and arrested for their beliefs and ethnicity. Despite the inclusion of the rights of non-Muslims in the Iranian constitution, persecutions of minority religious groups not only persist but have drastically increased. The fundamental Islamic regime continues to act against religious groups including the Baha’is, Ahl-e Haq, Mandaens, Christians, Jews, and Shi’a and Suni Muslims. Moreover, Azeris, Kurds, Arabs, Azerbaijans, Turkmen and Baluchis are also discriminated against.
for the cultural expression of their ethnicity. These groups have faced repressions such as property confiscation, denial of employment, restrictions on social, cultural, linguistic and religious freedoms, arbitrary arrests, unfair trials, corporal punishment and sometimes death penalty sentencing. The government of the Islamic Republic has tightened its grip on the enforcement of fundamental Islam and continues to persecute religious and ethnic groups that the government does not recognize as fitting their ideological construct.

**Freedom of Assembly**

To repress/silence women, minority groups and others opposed to their political principles, the regime has cracked down on the assemblage of activists and protest groups/the regime has practiced more stringent policies in restraining groups of activists and protesters. Included in the Iranian constitution is a set of vague articles that allocate a wide scope of government authority to suppress anyone found to be threatening national security. The rhetoric used to explain these threats includes the prohibition of joining any group that opposes Islamic principles and the ruling regime.

Government reaction to protests of the 2005 and 2009 presidential elections shed light on major human rights violations against the freedom of assembly. When hundreds of demonstrators flooded the streets of Tehran to protest alleged voter fraud during the June 2009 presidential elections, they were confronted by Basij paramilitaries who beat, arrested and killed those in the crowd. Various human rights activists faced similar fates from the Iranian regime.

In recent decades, student activists have entered the political scene in full force and have consequently become victims of human rights violations. In 2005, students held demonstrations in the city of Mahabad to commemorate the anniversary of the 1999 student protests, which the government violently suppressed. The brutality of the government reaction to the demonstration was marked by the atrocious murder of prominent activist, Shawaneh Ghaderi who was shot, tied to a car, and dragged through the streets of Tehran.

**Freedom of Expression**

Despite membership to the UN International Covenant on Civil and Political Rights guarantying freedom of expression and the press, Iran has greatly infringed of these rights. The post-revolution constitution contains articles of vague rhetoric that allow for government discretion in the suppression and punishment of those they deem to be acting unfavorably against the fundamental principles of Islam and the regime. Such nebulous acts include insulting religion, spreading propaganda against the state, and creating public anxiety. Courts have stifled the reform movement by shutting down dozens of pro-reform journals, magazines, and websites. Various forms of communication – television, radio stations, cell phones, and websites—have also been shut down or censored by the government. In the most recent elections, internet censorship became a core part of the state’s apparatus of repression.

In addition to the pervasive closure and censorship of journals, broadcast stations, and other forms of communication, the government has instigated violent attacks, arbitrary arrests, and
The government justifies these actions with unclear laws that permit the punishment of anyone violating Islamic principles and codes. A widely publicized case of random censorship and police brutality was the imprisonment and murder of Iranian-Canadian photojournalist Zahra Kazemi. She was arrested in 2003 for taking pictures of protests outside a prison in Tehran and reportedly died from a stroke while in custody. It was later confirmed that she had been brutally raped, beaten and tortured before her death.

**Political Prisoners and Prisoners of Conscience**

Prisoners who are confined for their involvement in political activities or for their race, gender, ethnicity or expression of beliefs are increasingly at risk for ill-treatment and torture during their detention. Those targeted include political opponents and reformists, parliamentarians, clerics, human rights defenders, NGO affiliates, religious dissenters, journalists, students and academicians. Following the 2009 elections, authorities detained some 4,000 people in the month of August for involvement in post-election protests. A majority of prisoners were convicted in flawed legal proceedings. The Iranian Judiciary does not act as an independent body as the Revolutionary Courts and Special Courts also operate as legal bodies that try cases against Iranian citizens. Also, judges appointed by Ahmadinejad have long records/have made careers of violating due process and human rights. Iranian jurist and former Prosecutor General of Tehran Saeed Mortazavi is notorious for the jailing of hundreds of journalists and has been linked to the torture and death of Zahra Kazemi.

Despite the official ban on torture in 2005, the Iranian government continues to persecute its own citizens. During detention, political prisoners and prisoners of conscience are violated in numerous ways. The Evin Prison is infamous for acts of torture including solitary confinement, sensory deprivation, denial of medical treatment, deprivation of light, food and water, flogging, stoning, amputation and sexual assault. Those arrested in post-election protests reported various forms of interrogation and abuse. Many were questioned on personal and political beliefs, held captive in small confined spaces with other detainees and severely beaten. Furthermore, the Iranian regime has used executions as a form of repressing political dissent. Between 1979 and 1994, the government has been charged with the execution of nearly 5,000 political prisoners and prisoners of conscience.

**Conclusion**

Although international attention has focused on human rights abuses in Iran since the 1979 revolution, concern significantly increased following the 2005 presidential elections. Ahmadinejad’s halt of political reform sparked widespread fervor among demonstrators and activists. The past five years have been among the most tumultuous in the history of the Islamic Republic. Repeated abuses of human rights convey the stranglehold of power that Tehran’s ruling radical clerics and their allies have maintained through various branches of the government. Internal conflicts in present day Iran are set in a complex framework where fundamental ideals of Islam are in constant tension with modernizing interpretations of Islam within society. Through the continued repression and abuse of
its own citizens, the regime has stifled all social and political reform efforts to maintain its dominant political position and fundamental Islamic rule.

Annotations


Annotation: Ervand Abrahamian, Middle Eastern Historian, presents a unique prospective on the relationship of torture and the creation of propaganda. He examines how recantations of political prisoners were used by the government to reinforce authority and weaken their enemies. These recantations included videotaped ‘interviews’ of prisoners affirming the supremacy and righteousness of the authorities and the criminalist qualities of themselves. Abrahamian begins by explaining the various arguments for the recent return of torture in Iran. He then argues the limitations of these simplistic theories through several accounts of political prisoners, tortures, confessions and recantations. This book is a valuable contribution to understanding the history of political torture and its reemergence in modern Iran.


Annotation: Reza Afshari’s publication in Human Rights Quarterly is an extremely well written piece that divulges the Iranian class-cultural divide, which has become even more apparent following the June 2009 elections. He assesses the split between the religious hard-line fundamentalism of the Ahmadinejad regime and the secular modern uprising of the “other” Iran. Afshari argues that the post-election protests show that this secular class is no longer a minority and that there is tremendous potential for the sociopolitical environment of Iran to greatly alter in coming decades. The publication is a fascinating piece that will challenge anyone interested in the social and cultural context of modern day Iran.


Annotation: In this book, Reza Afshari, professor of History at Pace University, lays out a thorough record of human rights in post-revolutionary Iran. He emphasizes the need to understand the historical evolution of rights in Iran before being able to analyze the current abuse of human rights. Using government documents, UN reports, journals, and memoirs of political prisoners, Afshari presents a wealth of information on Iranian rights violations from the 1980s through 2001, when his book was published. Afshari structures the book by critically analyzing five major categories presented by the UN and then highlights the absence of other significant categories. This piece is a powerful and unique fusion of government reports, personal accounts and theories that makes for an excellent read for anyone trying to understand the complicated realism of Islam and human rights in Iran.

Annotation: This report, prepared by Amnesty International, gives a ten page overview of the current human rights violations in Iran. It explains the issues of: (1) restrictions on the freedom of expression, association and assembly; (2) legislation, unfair trials, violence in prisons and the death penalty; and (3) the discrimination of and restrictions against women, and ethnic, linguistic and religious minorities. In each case (chapter? section?) Amnesty International gives a quick overview of the issue and often cites various violations against certain people or a group of people. This report is brief but is a good source of information for the breadth of human rights violations in Iran.


Annotation: This report published by Amnesty International documents the immense problem of the thousands of political prisoners who were imprisoned because of their protests of the Islamic Revolution of 1979. Specifically, the authors describe the imprisonment of eight women who were detained for their association with left wing political parties. Despite the peacefulness of their political activities, they were arrested and subject to lengthy pre-trial detention and faced torture and other forms of coercion. Although this report was published 20 years ago, it provides valuable information about the dominant position of religious leadership in Iranian politics. It also expresses the concerns of Amnesty International regarding the imprisonment of people for their non-violent political belief.


Annotation: This Amnesty International report focuses on the increasing tensions in Iran before the June 2009 presidential elections. The report specifically lists names of various people from different ethnicities, religions and activist groups who have been arbitrarily arrested and harassed in the months before the election. The goal is to show the major repressions of a variety of different groups as a possible attempt to stifle debate and silence critics as the elections approached. Finally, it calls for the government of Iran to take series steps towards halting the abundance of human rights violations that are taking place.

Annotation: Cyrus Bina, distinguished Research Professor of Economics at the University of Minnesota, explains what causes led to Iran's 2009 post-election uprising and the consequences of the conflicting and cluttered mess of political standings on the issue. He begins by looking at the historical, political and social background, specifically the period leading up to the 1979 “Iranian Revolution,” and follows with Iran’s paramilitary transmutation. He concludes with a rather harsh critique of the liberal/radical left in the West who he accuses of having not understood the complexity of the current sociopolitical setting in Iran and as having wrongly labeled Ahmadinejad as an “anti-imperialist.” The piece is well-written but also a complex read.


Annotation: This compilation of the works of eight scholarly authors inspects various aspects of Islamist violence. The goal is not to explain why Muslim terrorists exist but the reasons that lead them to extreme brutality. As such, the editors propose to pursue this thesis by focusing attention on local settings rather than viewing Islamist violence as “transnational and deterritorialized.” The seven chapters focus on different countries to track the historical development of violence, the phenomenon of ‘martyrdom,’ the political signification of self violence, and finally the relationship between Islam and the state. The structure and vocabulary of each chapter, for the most part, is consistent and the build up from chapter to chapter is very easy to follow. There is no conclusion to tie everything together, however, leaving the reader with a lot of information that could use to be condensed.


Annotation: This publication, written by Daniel Byman when he was Senior Fellow of Foreign Policy at the Saban Center for Middle East Policy, assesses the possibilities of revolution in modern day Iran. The basis of the article is that many Iranians seem on the verge of revolution but the question is if anything will really manifest. Byman depicts a scene of corruption and cynicism towards the government since the accusations of fraud in the 2009 presidential elections. He then goes on to explain the factors that may suppress an overthrow or revolution. The article is brief but covers the realities of sociopolitical life in Iran immediately following the elections. Byman’s article is easy to read and would be of interest to those less informed on the subject.


Annotation: This article, written by Daniel Byman, director of Georgetown University’s Center for Peace and Security Studies and Jerrold Green, professor at RAND in Santa Monica, presents the threats of political violence in the Northern Persian Gulf on the United States (I'm not sure
what the author is trying to say here. Do the threats come from the US? Are they directed at the US?). Their main argument is that political violence can be reduced but not eliminated and that in-depth assessment is crucial to understating the complexities of political violence. The article touches on the atmosphere of discontent in the region and the shift from opposition to radicalism, but the overarching theme is how United States policies can protect US troops through stabilization. One of the main problems of this article is the title. It would be more appropriate to identify the region as the Southwestern Persian Gulf because it examines Bahrain, Kuwait, UAE, and Saudi Arabia, leaving out the actual northern countries of Iraq and Iran. However, it is useful background information on other regions that witness Islamic violence. The article flows smoothly and is easy to read.


Annotation: This Los Angeles Times article reviews the events that occurred following the June 2009 elections in Iran. Middle East correspondents Daragahi and Mostaghim use the article to explain the overwhelming flood of protestors to the streets of Tehran and the backlash from the government that ensued. The article briefly depicts a scene of the hundreds of thousands of protestors and supplements this with several quotes from various sources. It also touches on the role of Supreme Leader Ali Khamenei and his controversial announcement of an investigation into voter fraud. The article is somewhat unstructured but it is an easy read and is helpful for someone that is not very informed about the scene in Tehran following the presidential elections. However, more information would need to be added to fully understand even the basic events of the election.


Annotation: The author of this book, Shirin Ebadi, is a world renowned human rights advocate who has actively spoken out about human rights violations throughout Iranian history. In this memoir, she describes life in Iran from her childhood through to her professional career. Despite having been imprisoned, abused and humiliated, Ebadi presents a hopeful outlook for a better Iran. Although not a scholarly journal, this book gives a refreshing look into what women in Iran have gone through and the possibilities of Iranian society in the future.


Annotation: In this book, Professor Dale Eickelman and University Lecturer James Piscatori present the complex and diverse issues surrounding Muslim politics. Each chapter illuminates a different situation inherent in both general and Muslim politics. Within each section, Eickelman
and Piscatori describe several aspects of the main argument. They explore subjects like sacred authority, the politics of family, women and ethnicity, the politics of protest and how the political geography is changing. Despite the abundance and complexity of information presented in this book, the authors have been able to illuminate the topic in a very comprehensive way. The sections flow easily and the structure of the book is very strong. On the subject of Islam politics and violence in Iran, this book can shed light on the significance of women, as well as protest and bargaining in Islamic politics.


Annotation: This article sheds light on current human rights violations in Iran. Following the most recent presidential elections, several demonstrators have been detained. In the cases presented in this article, five protestors were arrested and face charges of warring against God, which carries an automatic death sentence. Nazila Fathi suggests that the severity of the charges is a direct expression of the Islamic theocracy's increased efforts to intimidate protesters. The author also explains other charges and detainment of activists and political leaders who are against the current presidency.


Annotation: This report gives a quick but concise overview regarding human rights violations in modern day Iran. The authors outline such violations as torture, freedom of press and the violations of women, children, homosexuals and religious and ethnic minorities. Although not an in-depth report, it sheds light on the various human rights violations in the Islamic Republic since 1979.


Annotation: This book, edited by Ali Gheissari, has 12 essays from various scholars covering the economy, society and politics of Iran. The authors present empirical and analytical research on topics such as economic growth, women's employment, religion, health, infrastructure and current regional policies. Of particular interest are the chapters reviewing conservative politics, electoral behavior and the politics of ethnicity and religious minorities. The research papers are highly detailed and provide a wealth of information for those looking to further their understanding of Iranian Studies.

Annotation: The “Ministers of Murder” publication evaluates two important cabinet members of Iran’s government and their involvement with inhumane actions. The basis of the article is allegations that both Mustafa Pour-Mohammadi and Gholamhussein Mohseni Ezhei were involved in extremely serious and systematic human rights violations. This is a succinct publication that looks specifically at the two members in question of rights violation. Expansion could be made on the national effect of the two primary decision makers of the two Ministers of Interior.


Annotation: This Human Rights Watch publication critiques the Iranian government’s treatment of various freedoms, specifically in Kurdish regions. The report gives a concise overview of the various limits of freedoms of Iranian citizens, including freedoms of expression and association. In closing, the report presents the differences between the stringent legal standards of International Human Rights Law and the more ague (does she really mean the chilly standards?), and often bypassed, standards of Iranian law. This is a succinct and easy to read presentation of information concerning the government’s suppression of freedom rights to Iranian activists. However, the article fails to explain the relationship between Kurdish populations and the government and the role of this relationship in the suppression of rights.


Annotation: This publication urges Iran's judiciary to immediately investigate cases of sexual assault of political prisoners in Tehran. The authors of the article examine cases of sexual assault and abuse of three specific political activists. The report accuses the government of ignoring and denying such allegations. The absolute prohibition against torture in international law requires authorities to investigate allegations of torture and prosecute those responsible. According to Human Rights Watch, Iran has done neither of these things.

Annotation: This report reviews the violation of the rights of freedom of assembly and expression, the use of torture and the arbitrary detention of Iranian protestors. The goal of this article is to provide a summary of the current conditions in Iran and provide recommendations for the government of Iran. There are several quoted accounts of detainees' experiences in the infamous Evin prison. These lay out a background of the violence against Iranian citizens and then provides a brief outline of recommendations for the government of Iran as well as the UN and Human Rights Council.


Annotation: This report, released by the Iran Human Rights Voice, describes various human rights violations in Evin Jail. There are several accounts from prisoners illustrating the worsening situation in the facilities. Such violations include the shortage of medicine and medical staff, poor sanitation, degradation of food quality and quantity, and overcrowded cells. Moreover, prisoners suffer from a lack of rules regarding separation of prisoners and thus prisoners convicted of narcotics-related crimes are mixed with political prisoners.


Annotation: In this article, Afshin Matin-Asgari, associate professor of History and Religious Studies at California State, theoretically frames the evolution of political prisoners in Iran throughout the twentieth century. He begins by critiquing other scholarly articles and argues for an expanded viewpoint. The article follows a timeframe and begins with the Reza Shah regime that took power in 1925. This is followed by the regimes leading up to the 1979 revolution and finally with the Islamic Republic of today. During the last 85 years the amount of people imprisoned on political grounds and or religious ideologies has fluctuated as regimes have changed. However, Matin-Asgari’s main argument is that political imprisonment is a project (I don't understand the author's use of this word) with the same modern and rational purpose – to isolate, contain, and destroy citizens who seriously challenge the state’s claims to political and ideological legitimacy. The publication is a dry read but is very informative for anyone looking to further their knowledge of the role of the government and arbitrary detainments in Iran.


Annotation: In her book, Ann E. Mayer explores the varying human rights philosophies that attempt to explain how Muslims look at rights in a certain way. Her main argument is that Islam is not a monolith or sole predictor of how a person will take a position on human rights. To supplement this argument, Mayer structures the book to compare the 1948 Universal Declaration of Human Rights with other Islamic equivalents, including the 1979 Iranian
Constitution. The chapters compare the two by looking at the relationship of Islam with such things as legal systems, tradition, restrictions on human rights, and discrimination. This is a well written book that sheds light on the comparative legal analysis of civil and political rights in the Islamic tradition.


Annotation: Beverly Milton-Edwards, a Professor of Politics at Queens University, examines how Islam and violence are viewed in both pre- and post-9/11 attacks contexts. The book is divided into two main categories. The first half sets the stage by looking at the history of religion and violence (between the US and Islam?) and how the West developed a sense of terror towards Islam. The second half illustrates themes of violence mainly in Iran but also in various other countries. The main objective of this book is to argue against the ‘universalization’ of Islam and de-couple violence from the core spiritual values of Islam. Milton-Edwards presents an intriguing viewpoint based on both historical and contemporary dimensions. The work presents useful information that accounts for a myriad of aspects involved in Islam and violence.


Annotation: This is an interesting book that analyzes women’s rights in post-revolutionary Iran. Ziba Mir-Hosseini, an Iranian historian, examines the relationship between gender and Islam using various interviews and narratives. The structure of the book follows three central themes categorized by the viewpoint of (1) traditionalists, (2) neo-traditionalist, and (3) modernists. Despite the fact that all the narratives and interviews are from Muslim men, Mir-Hosseini is able to firmly convey the interpretation of women’s rights through sacred texts, political ideologies and social experiences. This is an excellent book for any graduate-level student looking to further his or her understanding of gender studies in contemporary Islamic discourse.


Annotation: In her publication, Valentine Moghadam, a feminist scholar and Director of Women’s Studies Program at Purdue University, examines the scholarly debate on Islamic Feminism, specifically in Iran. She begins by explaining the main arguments for and against the very term and subject its. The major time period the piece focusses on is that from right after the Iranian Revolution to the present. Traditionally, the view of Islamic Feminism focuses solely on the possibilities that exist within Islam and the IRI (I believe this is the first time this abbreviation is used, so I would suggest Islamic Republic of Iran here) concerning women's interests or on the idea that Islamic Feminism should be rejected completely as women's status cannot be improved while the IRI is in place. The main argument of this article is that an
alternative standpoint can be taken. The author proposes that perhaps a more global view of feminism should be considered and appropriately placed in specific social, political and cultural contexts. This is an interesting piece that not only lays the background for the debate over Islamic Feminism but also challenges scholars and readers to expand their thoughts on the subject.


Annotation: Assistant Professor of International Relations at the University of Florida Sadri Houman explains the unpopular results of the June 2009 presidential election. The article looks to answer why the significant socio-political uprising of the 2009 demonstrations failed to bring clear change to the regime. Emphasis is placed on highlighting the role of two regime opposition leaders, the role and function of the major IRI institutions, the impact of the Revolutionary Guard Corps (IRGC or Sepah) in Regime politics, the trends influenced by the 2009 election results and the IRI records that affect the future of the ruling regime in Iran. The article could expand its depth by analyzing the overarching dissent of the government by the significant population of those under twenty-nine years of age, which is only briefly mentioned in the conclusion.


Annotation: This book is a compilation of various authors' works on explaining and linking social movement theory and Islamic activism. The work is divided into three sections: Violence and Contention, Networks and Alliances, and Culture and Framing. The authors purposely define Islamic activism (‘the mobilization of contention to support Muslim causes’) in a very broad way to cover various types of activist behavior. These range from peaceful protest to the use of violence to attain movement goals. Although lengthy, it is a very interesting and thorough read on Islamic and social movement studies.


Annotation: In this book, Behzad Yaghmaian portrays a narrative of everyday life in modern Iran. He uses his own personal experiences and first hand accounts of Iranian citizens to convey the political scene and the constant sense of fear and tension within civil society. The analysis is focused on the emerging social movement -- mainly of what he calls the 'New Student Movement' --, the movement for a free press and the deteriorating economic scene in the Iranian Republic. The book, although eloquently written, is sometimes a bit too sentimental and repetitive. It is a great read for those looking to understand the political and social setting of Iran and the emerging movement for reform.
The Materialization of Human Trafficking in the Middle East and Impediments to its Eradication
By Mindy Mann

As a continental hub that connects Asia, Africa, and Europe, the Middle East offers a strategic location for the trafficking of persons from poor to richer states. Extreme poverty, coupled with the corporate and royal wealth of the Gulf States, creates a regional dichotomy in which Middle Eastern states serve as ‘source,’ ‘transit,’ and ‘destination’ countries for human trafficking. Discrepancies in defining human trafficking within the region, as well as the controversial and illicit nature of the practice, cause research to be sparse and with very few first-hand sources. Nevertheless, this paper examines available literature on the subject and addresses the materialization of human trafficking in the Middle East, offering an analysis about legislative and socio-cultural impediments to its eradication.

The Materialization of Human Trafficking in the Middle East

The most common forms of human trafficking in the Middle East include: sex trafficking of women and children; child trafficking for the purpose of begging or camel racing; and the forced labor of migrant workers in low-skill economic sectors, most notably forced domestic labor. Although not all cases of forced labor are instances of human trafficking, the vulnerability of individuals subjected to forced labor conditions—in which involuntary work or service is extracted from a person under the menace of penalty—frequently renders them susceptible to human trafficking.

Migrant workers from Asia and Africa immigrate to the oil-wealthy Gulf States, Israel, and countries of the Mashreq region in search of employment in agriculture, construction, or domestic service. Accounts from migrant workers in Yemen, Israel, Syria, Jordan, and Lebanon reveal exploitative labor practices that denote qualifiers of human trafficking: the appropriation of legal documents; restrictions on movement; withheld wages; excessive work hours with little or no food and water; physical abuse; and the use of coercion to maintain employment (de Regt, 2006). Many migrant workers enter these countries willingly but subsequently find themselves ensnared in situations of forced labor. Some ways in which this occurs is through recruitment agencies charging excessive and typically illegitimate fees, which subjugate migrants to forms of debt-bondage, or employment contracts, signed by workers while in their country of origin, are annulled upon arrival in the Middle East and are substituted with new contracts that require longer hours and less pay.

Accounts of forced labor practices are particularly prevalent in cases of domestic workers—the privatized nature of domestic work and government reluctance to regulate household matters provide a conducive environment for exploitation. As a result, migrant domestic workers are frequently subjected to excessive work hours and sexual abuse by male household members. Reports of sexual and physical abuse, including torture and forced abortions, led the governments of Sri Lanka, Indonesia, and East Timor to ban their citizens from accepting work as domestic servants in Syria. Bans have also been established by the Ethiopian and Philippine governments to prevent their
nationals from working as maids in Lebanon. Additional reports indicate cases of migrant domestic workers who fled abusive employers only to be kidnapped and sold into the burgeoning Middle Eastern sex industry.

Sex trafficking within and to the Middle East is escalating. Displaced populations, increased sex tourism, and the reconstructed tradition of early marriage have directly fueled the problem. Conflicts in Iraq and Afghanistan have also produced large populations of forced migrants vulnerable to trafficking. Instability and violence have displaced nearly four million Iraqis, forcing them to live in poverty as refugees in neighboring countries. There are accounts of desperate Iraqi families abandoning their children at the Syrian border, where traffickers are known to provide forged documents for women and girls in exchange for their sex work in nightclubs or brothels. Additionally, a high international presence of troops and contractors stimulates demand for the trafficking of women within and into Iraq for the purpose of sexual exploitation.

Over one million displaced Afghans live in Iran. Due to vulnerability and impoverishment, many end up trafficked to Europe or other Middle Eastern countries. Trafficking networks through Iran, however, most commonly lead to Dubai. Along with Afghan refugees, poor Iranian women with no alternative methods for income, readily find themselves trafficked into Dubai’s underground sex market. The prominence of sex tourism in Dubai originates from the multiple conflicts in the Gulf region and the ensuing demand for sex generated by a continuous international military presence. Sex tourism in the Middle East, however, has been rapidly expanding outside of just Dubai. Eastern European, African, and Central and Southeast Asian women and children are trafficked into other ‘destination countries’ of the commercial sex trade, such as Israel and the United Arab Emirates (U.A.E.) more broadly. Upon arrival, these women and children are repeatedly raped, bought and sold as if they were commodities, and kept under lock and key in slavery-like conditions. Although women of poor countries supply this international political economy of sex, it is the demand generated by men from industrialized states that sustains the trade.

In a region where shari‘ah, or Islamic law holds ubiquitous jurisdiction and prostitution is considered a form of adultery and a criminal offense, it has been imperative for sex tourists and human traffickers to legitimize the practice in some way. Hence, sex tourists and human traffickers have reconstructed traditional notions of temporary marriage. In exchange for a sum of money, temporary marriages can be entered into without witnesses or registration, and men have the right to terminate these marriages at any time—even within a few hours. The conditions of temporary marriage leave women vulnerable to sexual exploitation and provide a religious and legal means to legitimize prostitution and sex tourism. There are reports of girls as young as seven, who were bought by Saudi nationals under the pretenses of temporary marriage, only to become their “husband’s” sexual slaves.

Legal and Socio-Cultural Impediments to Anti-Human Trafficking Measures

Combating the aforementioned manifestations of human trafficking in the Middle East faces significant legal obstacles. Many countries have not yet criminalized all forms of trafficking and fail to provide any protection or assistance to victims. Middle Eastern countries that have not yet
enacted comprehensive anti-trafficking legislation include Syria, Saudi Arabia, Libya, Morocco, and Kuwait. The Kuwaiti government refrains from defining human trafficking, while Saudi Arabia has denied that human trafficking even takes place within the kingdom. Additionally, Libya, Lebanon, and Egypt need to criminalize *all* forms of human trafficking. Additionally, most legal systems in the region omit migrant and domestic workers from national labor laws despite their particular susceptibility to exploitation. Furthermore, Middle Eastern criminal codes directly reflect the cultural values and attitudes about gender and sexuality that legitimize male dominance. These norms and values, and their legal manifestations, create gender double standards that serve as impediments to anti-trafficking measures.

Gender biases in the Middle East establish women as inferior to men. Historically, Middle Eastern laws have identified women as merely reproductive, sexual beings that should be subservient to men and the state. Modern legal codes continue this trend by omitting criminal penalties for gender-related violence such as crimes of honor. The notion that men hold power over women compounded with a sense that the state will overlook gender-related violence, accommodate the rationalization of trafficking women for the purpose of fulfilling male needs. In governments run primarily by men, these legal traditions and socio-cultural gender constructs hinder implementation of anti-trafficking legislation.

Unfortunately, countries that have enacted anti-trafficking legislation for sex trafficking often neglect to apply that same legislation to perpetrators and victims of forced labor. Israel provides modest protection and services to victims of sex trafficking, yet denies similar care to the majority of forced labor victims. Moreover, the exclusion of domestic and migrant workers from national labor laws allows employers to become the sole enforcers of labor standards, creating fertile grounds for exploitation and abuse. The U.A.E. does not even recognize people forced into labor as trafficking victims, because they often enter the country voluntarily. This, however, becomes a moot point according to the UN’s Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, part of what is commonly referred to as the Palermo Protocols—which established the internationally recognized definition for human trafficking—because the consent of a victim of trafficking becomes irrelevant when a means of coercion or trickery is used to obtain that consent (United Nations, 2004).

**Anti-Trafficking Improvements and Conclusions**

Despite the aforementioned impediments to eradicating human trafficking in the Middle East, progressive reforms have been implemented. The government of Oman conducted seminars on workers’ rights and launched a public outreach campaign on labor issues. In addition, Jordan has amended its labor laws to cover agriculture and domestic workers. In regards to socio-cultural endeavors, there are increasing discussions amongst academics and international actors about combating human trafficking in accordance with the principles of Islamic law. In 2002 the Saudi Arabian Grand Mufti issued a Fatwa against abuse of foreign labor by Saudi employers and in 2009 Qatar commenced a public outreach campaign that involved local imams in advocating anti-trafficking norms. *Qur’anic* law states: “And force not your maids to prostitution, if they desire chastity, in order that you may make a gain in the goods of this worldly life.” Utilizing traditional
texts and respected cultural figures is essential for reversing local traditions of gender biases and historical ties to labor exploitation.

Despite this progress, regional anti-trafficking measures remain insufficient. Middle Eastern governments need to continue anti-trafficking legislative reform, public outreach, and increase prosecution efforts against all forms of human trafficking. Governments need to recognize and assist victims of human trafficking as victims, rather than perpetrators of crimes committed directly as a result of being trafficked. Finally, in order to implement effective anti-trafficking measures, Middle Eastern governments and international actors need to consider the influences of poverty and socio-cultural gender biases as contributory factors to human trafficking in the region.

Annotations


Annotation: This report offers several testimonies from victims of human trafficking, which highlight the methods and manifestations of trafficking for the purpose of sexual exploitation in Israel. Amnesty International reveals that every year thousands of women and girls are trafficked from countries within the former Soviet Union to work in Israel's sex industry. Their findings are based on research conducted in Israel in 1999, when the organization interviewed several incarcerated sex workers from the former Soviet Union who claimed to be victims of human trafficking. The report suggests that Israeli authorities often compound the problem by treating victims as criminals or illegal aliens. The effectiveness of governmental institutions and trafficking-relevant legislation are also examined, ultimately concluding that in regards to human trafficking, Israel has failed to uphold its commitment under international law.


Annotation: Anti-Slavery International was founded in 1839 and has since worked to eradicate all forms of slavery by investigating and reporting on instances of slavery and human trafficking around the world. This working paper discusses the migration of women to the Middle East and Gulf states for the purpose of employment as domestic workers and how this migration influences human trafficking. It provides evidence that many of these women are trafficked into forced labor. After being trapped in exploitative situations, they face legal, social, financial and cultural obstacles to securing their freedom. Anti-Slavery International provides a thorough analysis of these obstacles and the underlying experiences of migrant domestic workers in the
Middle East. Additionally, the organization examines whether gender plays a role in exploitation and trafficking in this region.


Annotation: This article provides a gender perspective on human trafficking. It claims that the demand for sex trafficking is fueled by a patriarchal world system, in which international subcultures of submissive women from poor states are desired. The author discusses the trafficking of women and girls for sexual exploitation in the context of globalization, arguing that the origins of sex trafficking rest in the international capitalist market system. She analyzes both the supply and demand side of the international political economy of sex, concluding that while this economy is supplied by women of the third world, it is demand generated by men from industrialized and developing countries that sustain the trade. In addition, the author offers an interesting review of international anti-human trafficking legislation that preceded the Palermo Protocol--the authoritative legal piece on human trafficking adopted by the United Nations in 2000.


Annotation: This report draws attention to shifting migration patterns within North African countries--specifically Tunisia. Previously areas of only out-migration, these countries are now becoming transit zones for the movement of people from Sub-Saharan Africa into Europe. Although this report does not specifically address human trafficking, it provides data about transit migration to and from North African countries. Because of the region's proximity to Europe and loose immigration enforcement, high migration flows contribute to the establishment of smuggling networks that partake in human trafficking. The author concludes that knowledge of migration in this region remains extremely limited; however, analyses of transit migration patterns are essential in understanding trends of irregular migration--like human trafficking.


Annotation: The World Health Organization (WHO) estimates that organ trafficking accounts for 5-10% of worldwide kidney transplants each year. Hence, the authors seek to illustrate the characteristics and scope of global organ trafficking. This report describes how organ 'tourists'
travel to underdeveloped countries to purchase organs from the poor and vulnerable who have no other means for subsistence. It is based on the authors' personal visits to numerous countries as well as field research conducted by the Coalition for Organ-Failure Solutions. The authors propose an approach to eliminating organ trafficking by allowing organ donations from deceased donors—a practice forbidden in some Middle Eastern countries such as Egypt—thus alleviating shortages of organs for transplant. This report also considers the WHO Regional Consultation on Developing Organ Donation from deceased donors, which was held in Kuwait City and attended by multiple Middle Eastern countries, as a regional effort to eliminate organ trafficking.


Annotation: This article addresses both legal and illegal migration in the Middle East, focusing on countries in the Mashreq and on the Arabian Peninsula. In his analysis, the author chooses to exclude North African countries due to their historic, linguistic, and cultural ties with Europe. Calandruccio asserts that international migration between Mashreq countries follows an intra-regional pattern in which migrants are drawn to the labor markets of the Gulf countries. Although this article is geared towards addressing migration within these regions in general, Calandruccio’s discussion of human trafficking as a form of irregular migration illuminates the types and practices of human trafficking that are unique to the Gulf and Mashreq countries.


Annotation: This working paper discusses forced migration due to conflicts in Iraq and the many Iraqi migrants that have immigrated to neighboring states due to displacement. Of these neighboring states, Chatelard focuses on Jordan—specifically the type of treatment migrants receive there and the effects of Jordanian smuggling networks on Iraqi migrants. Sophisticated smuggling networks connect Jordan to several European countries and other regional trafficking-destination countries, such as Iran or Turkey. Therefore, Chatelard asserts that Iraqi migrants in Jordan face the highest risk of being trafficked to Western Europe or other Middle Eastern states. This paper only briefly addresses the trafficking of Iraqis from Jordan, but nevertheless touches on the relationship between conflict, forced migration, and human trafficking.

Annotation: In light of an escalation of human trafficking and smuggling casualties discovered on Italian coasts, Coluccello and Massey offer an in depth investigation of the illicit transport of humans from North Africa to Europe, analyzing specifically the nature of smuggling networks within this region. With particular attention given to Libya, the authors conclude that these trafficking networks are small, complex criminal associations that do not resemble hierarchical, mafia-like organizations. Additionally, this article examines the mechanisms and processes utilized by criminal networks in facilitating the illicit transport of humans.


Annotation: "Women as Commodities" discusses the trafficking of women into the Israeli sex industry, effectively conveying the experiences of these victims as sex slaves and documenting violations of their human rights. The article reviews supply and demand aspects of global and local trends that have generated an increase of women trafficked into Israel since the 1990s. The authors argue that indifference to this phenomenon by the public and government agencies indicate that the sex trade is not considered illegitimate in Israeli society and this contributes to the high demand. This article offers a thorough review of the plight of human trafficking victims, exposing myths and realities of their experiences in Israel. It also examines the legislative, enforcement, and judicial approaches of Israeli authorities in regards to trafficked women and how authorities employ methods of protection and rehabilitation for these victims.


Annotation: This article explores international security concerns in Dubai, one of which is human trafficking. The author addresses Dubai's history of slave trading and how similar trends have manifested recently in cases of human trafficking. The article discusses different types of human trafficking in Dubai--from child camel jockeys to sexual slaves--identifying practices employed by traffickers and the impact of recently implemented anti-human trafficking policies. The author dubs Dubai as "the region's primary center for modern-day slavery," arguing that many young women have been trafficked to Dubai to supply an explosion in sex tourism and the prostitution industry. However, the article mainly focuses on international security concerns in Dubai, and human trafficking to the region is but briefly discussed as one of these concerns.

Annotation: This article is a condensed account of Ethiopian women who are trafficked to Yemen as domestic workers. It notes letters sent by domestic workers that describe deception, physical abuse, unpaid salaries, confiscated passports, and situations of debt-bondage. The author analyzes increased demand in Yemen for domestic workers--despite it being a relatively poor country--and socio-cultural elements that designate Ethiopian women appropriate as domestic servants for middle-class Yemeni families. The majority of recruitment agencies that arrange employment for Ethiopian domestic workers in the Middle East are non-registered, illegal organizations that may thus be considered traffickers. However, the author mentions efforts made by the Yemeni government to counter these illegal trafficking organizations and encourage legal avenues for Ethiopians to work as domestics.


Annotation: This article addresses three forms of slavery--the exploitation of children as camel jockeys, the sexual enslavement of women, and migrant workers who become enslaved--practiced in the United Arab Emirates. Degorge argues that the rapid modernization of the Gulf States has concealed practices of slavery from public attention and that a deeper awareness of the nature and scope of modern-day slavery is necessary for its abolishment. She regards human trafficking as the modern-day slave trade and evaluates current definitions of slavery, how they apply to practices in the Middle East, and slavery as a constant feature in Middle Eastern history. This article provides an excellent and fluent discussion of the manifestations of modern-day slavery in the United Arab Emirates as a case study and highlights factors that contribute to the pervasiveness of slavery in the Middle East as a whole.


Annotation: End Child Prostitution Child Pornography and Trafficking of Children for Sexual Purposes, also known as ECPAT International, is a global network of organizations and individuals who work toward eliminating the trafficking of children for sexual purposes. This report is used as a resource for the STOP campaign, which was designed to raise public awareness about child sex trafficking, prostitution, and pornography. The report draws on statistics and analyses conducted by UNICEF, the U.S. State Department, the UNODC, and Middle Eastern newspapers to present a general, yet well researched, synopsis on sex trafficking of children in the Middle East. As part of this synopsis, the report reviews questions such as who gets trafficked, who creates demand, who are the traffickers, and what measures Middle Eastern governments are taking to assist victims and prevent child trafficking.

Annotation: This report is the result of a joint investigation conducted by the International Federation for Human Rights (FIDH) and the Euro-Mediterranean Human Rights Network (EMHRN) on the situation of migrant workers in Israel. It notes that 60% of foreign workers in 2003 were illegal and examines how an illegal status leaves workers vulnerable to abuse, exploitation, and the violation of their rights under Israeli and international law. This vulnerability of illegal migrant workers often renders them victims to human trafficking. The authors explain that even legal foreign workers are completely controlled by their Israeli employers, most of whom keep workers' passports illegally. This report concludes that under the current system the rights of both legal and illegal migrant workers--who comprise 13% of the Israeli workforce--are continuously abused.

Frykberg, Mel. 2007. "Israel's Miserable Record in Human Trafficking: Israel's Ambitious Building Programme Continues but at Considerable Cost in Terms of Human Misery." Middle East:24-25.

Annotation: This article relays an interview with an impoverished Turkish laborer in Israel. He describes the inhumane living and working conditions that migrant construction workers in Israel are forced to tolerate and the exploitation inflicted by their employers. Israeli employers regularly seize and withhold passports, refuse to grant pay for months, and threaten deportation when migrant workers contest abuse. The article offers a glimpse of the exploitative labor practices in Israel that often result in cases of human trafficking and is valuable in that it includes interviews with migrant construction workers. However, the Middle East is a monthly magazine that provides news but also opinions and commentaries on issues in the region.


Annotation: This article provides a succinct discussion of human trafficking in Iran, identifying Iran's location--as a bridge between Asia, Europe, and the Middle East--and borders with the conflict ridden countries of Iraq and Afghanistan, as contributing factors. Furthermore, available data indicate Iran's weak border management as enabling trafficking networks for narcotics and people. There are currently over one million Afghan refugees living illegally within Iran. The author discusses the vulnerability of this population to trafficking, noting recent reports of Afghan and Iranian children, who have been trafficked to Gulf States for both camel racing and sexual exploitation. The author concludes by mentioning improvements made by Iran with the adoption of anti-human trafficking legislation in 2004, but recommends that Iran increase border control, promote public information campaigns, and train law enforcement officials about human trafficking.

Annotation: This article offers a succinct overview of human trafficking as a significant problem in Lebanon. It cites foreign women--recruited as domestic workers or for the sex industry--as the primary victims of human trafficking in Lebanon. Despite the large number of migrant domestic workers in Lebanon, domestic workers are excluded from the Lebanese labor code. Additionally, Lebanese authorities often hand over migrant documents to employers, condone restrictions of movement placed on domestic workers, and ignore cases of abuse and withheld wages. To curtail human trafficking in Lebanon, the author recommends strengthening labor laws, adopting legal reforms to criminalize all forms of trafficking, and offering protection to victims.


Annotation: This report offers an in depth analysis of exploited domestic workers in the Middle East and explores the role of governments in perpetuating abuse and neglecting human rights. "Exported and Exposed" focuses on the maltreatment of domestic workers from Sri Lanka and the failure of Middle Eastern governments to provide legislative deterrents against coercive labor practices. Human Rights Watch also exposes failure by the Sri Lankan government to care for and protect Sri Lankan victims. The findings of this report are based on 170 interviews conducted by Human Rights Watch with domestic workers, government officials, NGOs, and labor recruiters in Sri Lanka and the Middle East. Each of these groups offers a different perspective on aspects that make domestic workers more susceptible to abuse, exploitation, and human trafficking in the region.


Annotation: This article summarizes trends, perpetrators, and activities of human trafficking in the Middle East. Its premise is that the majority of human trafficking networks are not mafia groups but rather independent, locally operating crime groups. The authors explain that despite the small scale structure of these crime groups, their illicit businesses are run effectively with the use of modern communications technology. Additionally, human trafficking networks are facilitated through national, ethnic, or family connections that span multiple countries. İçduygu and Toktas' data are based on interviews conducted with traffickers and smugglers during five years of fieldwork in Turkey. This article offers excellent analysis of human trafficking that
echoes several reports and journal articles written on the nature of smuggling networks in the Middle East.


Annotation: This book is a collection of papers presented at the 2003 "Regional Conference on Arab Migration in a Globalized World" held in Cairo. The conference did not directly address human trafficking but provided a forum for dialogue among Arab decision-makers and institutions at the regional and international level to discuss issues in the Middle East that are connected to human trafficking. These issues include: international migration and challenges posed by globalization; characteristics and the magnitude of migration patterns in Maghreb, Mashreq, and Gulf countries; and human rights and foreign contract labor. The papers contained in this book further the discussion of these issues, which are often connected to human trafficking in the region, and provide academic analysis on how migration affects the countries and peoples of the Middle East.


Annotation: The International Organization for Migration (IOM) is an inter-governmental organization with 127 member states that works to ensure humane management of migration, international cooperation with migration issues, and practical solutions to migration problems. The IOM works in four broad areas of migration management, one of which is forced migration and directly pertains to human trafficking. This website offers an outline of non-region specific consequences of human trafficking on both victims and nation states and also discusses policies that address human trafficking. The IOM website provides a reliable source for obtaining a general perspective on the nature of human trafficking as a global issue for the international community and for specific governments of origin, transit, and destination.


Annotation: Jureidini presents an excellent discussion on domestic migrant workers in Lebanon, providing several case studies and an analysis of key factors leading to the vulnerability of these women. The article focuses on the recruitment processes of foreign domestic workers and their living and working conditions in Lebanon. These processes and conditions—such as restricting a workers' freedom of movement and seizing their identification papers—often transform migrant domestic workers into victims of human trafficking and occur readily as part of normalized and accepted labor practices. Jureidini also reviews government reforms and measures related to migrant workers, noting Lebanon's failure to ratify the International Convention of the
Protection of the Rights of all Migrant Workers and Members of their Families as an impediment to progress in anti-human trafficking measures.


Annotation: This article evaluates the effects of Syrian law on foreign domestic workers, which denies them protections available to other laborers. Although their employment is typically legal, it is not regulated. Lack of government regulation allows employers to become the sole enforcers of labor standards. However, contracts signed by migrant domestic workers while in their country of origin are usually annulled upon arrival in Syria. Employers then compel the newly-arrived workers to sign different contracts with longer hours and less pay. The author discusses how foreign domestic workers often live in slavery-like conditions, are forbidden to leave the house, and are typically denied adequate food and access to their legal documents. This report establishes a good profile of foreign domestic workers in Syria and how Syrian laws render them vulnerable to trafficking situations.


Annotation: With respect to human trafficking, this report evaluates current research, methodological deficiencies, and new approaches to the study of traffickers, advocating a future research agenda that moves beyond highlighting only sex trafficking and includes studies on domestic service and labor exploitation. Although focusing primarily on Europe, the author also addresses trafficking for sexual exploitation, domestic service, and labor exploitation within countries throughout the Middle East. Specifically, the author discusses domestic workers in the Gulf States and how the privatized nature of their employment renders them susceptible to exploitation. Additionally, this report includes an analysis of the Shi'a Muslim practice of temporary marriage--based heavily on research conducted by Mohamed Mattar--as a legitimizing framework for prostitution. Overall, Kelly offers an excellent evaluation of the current knowledge base and framework of human trafficking research.


Annotation: Mohamed Mattar is a Research Professor of Law at Johns Hopkins University and is considered an expert in issues pertaining to corruption and transnational crime, human rights,
and human trafficking, specifically in the geographic areas of the Middle East, Persian Gulf, and Iraq. This article should be regarded as a very broad academic overview of the problem of human trafficking in the Middle East as approached from a legislative angle. Mattar argues that anti-trafficking measures in the Middle East are inhibited due to the fact that not every government has criminalized all forms of trafficking in persons; instead, legislation tends only to focus on human trafficking for the purpose of sexual exploitation. The article also discusses the lack of protection provided to trafficked victims by Middle Eastern governments. Overall, Mattar provides an essential discussion of legislative challenges to combating human trafficking within the Middle East.


Annotation: Sholeh Shahrokhi offers a rich examination of socio-cultural factors that have contributed to human trafficking for the purpose of sexual exploitation of Iranian women and girls. She also reviews economic factors, such as Iran's poor economy and impoverished living situations, that contribute to human trafficking. However, Shahrokhi asserts that while poverty can be a determinant factor, the trafficking of Iranian girls into Dubai's underground prostitution circles is a cultural construct. To explain this cultural context, the author analyzes gender double standards and how Iranian oral and textual history is used to legitimize male dominance. In order to curtail sex trafficking in Iran, Shahrokhi identifies the need to generate alternative methods of income for women, and for a public education program, focused on forming new gender attitudes and refuting sexually violent local traditions.


Annotation: Originally ratified in 2000, the UN Convention Against Transnational Organized Crime gives the most internationally recognized definition of human trafficking in its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.


Annotation: As a study of the world's response to human trafficking, this report provides information on 155 countries and territories. Each country's national legislation and enforcement activities are reviewed and based on near-comprehensive data provided by the United Nations Office on Drugs and Crime (UNODC). This report offers an informative analysis of the worldwide status of anti-human trafficking legislation and trafficking in persons.
patterns and flows. However, the individual country profiles lack analysis about the types of human trafficking in each country, possible push and pull factors, and whether the country is a source, transit, or destination country in regards to trafficking victims. Furthermore, the UNODC report is based on voluntary participation and thus provides no data on countries such as Iran, China, and Saudi Arabia.


Annotation: Professor Mohamed Y. Mattar, an expert in Middle Eastern issues of transnational crime and human trafficking, drafted this paper under a United Nations Office on Drugs and Crime (UNODC) initiative. This paper addresses human trafficking as a global problem that transcends economic, cultural, and religious divisions—a problem that manifests uniquely in each region but requires international solutions. The authors seek to establish a common interest between Western and Islamic states in combating human trafficking. According to research provided by this paper, International and Islamic Law both contain stipulations that condemn exploitation and slavery. In addition, this paper calls attention to principles under both sets of law that mandate protection to victims of such abuses. Hence, this paper is targeted at Islamic countries, in order to reveal the strength that Islamic law offers in the fight against human trafficking, but also targeted at non-Islamic countries, in order to promote anti-human trafficking alliances with Islamic countries.


Annotation: Since 2000, the U.S. State Department has annually issued Trafficking in Persons (TIP) reports that identify efforts by foreign governments to eliminate severe forms of human trafficking. TIP Reports critique the anti-trafficking efforts of foreign governments according to standards established by the U.S. Trafficking Victims Protection Act (TVPA). They also review the attempts of foreign governments to punish trafficking offenders, protect victims, and implement preventative measures. Furthermore, TIP Reports briefly offer recommendations to successfully comply with TVPA standards. Although TIP Reports provide comprehensive and updated information about human trafficking in almost every country of the world, each analysis is very brief and of course U.S.-centric. Moreover, these reports directly affect diplomatic relationships the U.S. has with individual countries, thus creating an opportunity for biases.

Annotation: This article argues that overcoming human rights violations against women in the Middle East and North Africa will require the reform of laws and criminal codes that legitimize discrimination against women. As such, the author provides a thorough comparative study about the construction and regulation of gender and sexuality in criminal laws. She presents a historical perspective for this study, claiming that Middle Eastern tribal, religious, and colonial laws identified women as reproductive and sexual beings that should rightly be constrained by men, the family, and the state. This article also contains an elaborate section on how issues of sexuality and gender influence Middle Eastern penal codes in regards to sex work and the trafficking of women. It discusses who trafficking affects in this region and contributory factors such as tourism, poverty, and legal 'loopholes' like temporary marriage.
The Abuse of Child Domestic Workers: *Petites Bonnes* in Morocco
By Joanna Miller

“Latifa started working at the age of 8. Her father became ill, and could no longer work, and had no pension or other source of income. Latifa agreed to work as a means to help her father and family . . . Soon, she was washing clothes, doing the dishes, running errands, and several other duties. The wife soon started to beat her.” (Sommerfelt, 2001)

The International Labor Organization (ILO) classifies child domestic labor as a “worst form of child labor” for a very good reason. Driven by dire poverty and lack of access to education, children are sent away from their homes, often moving to large and unfamiliar cities to work for wealthier families. Morocco has one of the worst child domestic labor problems in Northern Africa with an ILO estimated 66,000-88,000 children between the ages of 7 and 15, 70% of whom are under age 12, working in Morocco today (Rinehart 2007). Many of these child laborers are young girls working as maids, or petites bonnes as they are known in Morocco. These girls are extremely vulnerable to physical, emotional and sexual abuse. Petites bonnes work over 12 hours per day, are forbidden from attending school and perform dangerous work. They have little recourse to legal and social programs to assist them.

**Harmful Work or “Helping Hand”?**

In Morocco, children are important contributors to the household and community. Children work for family farms and businesses and complete household chores. This work can become abusive, however, when it prevents children from enjoying the rights entitled to them in the UN Convention on the Rights of the Child, which includes the right to an education. Often, child domestic workers in Morocco are not providing a “helping hand” with chores or at family businesses. They are sent to the home of a third party, are dependent on that employer, hidden from public view, and denied their basic rights as children. Many, like 8-year-old Latifa from the story above, are beaten. Domestic labor should not be considered acceptable work for children. Recognition is needed of the vulnerabilities domestic workers—children and adults—face in their daily activities.

**Why Children Work**

The main factors that contribute to the child domestic labor problem are poverty, education and gender inequality.

Young girls are forced to work so they can contribute to the family income. Parental income and level of education are important factors in explaining why children seek out work. Increasing poverty—particularly in rural areas—has exacerbated the child labor problem. Many states, including Morocco, centralize government services and development programs in urban areas, creating a major divide between rural and urban standards of living. Girls are moved to cities to become *petite bonnes* because their communities are impoverished and it is felt that the city provides greater
opportunities for employment and education. Yet upon arriving to their place of employment, the girls are often forbidden from attending school or even leaving the household.

Lack of access to rural education is another reason children become domestic workers. Factors such as the distance between home and school and the costs associated with school (supplies, uniforms, etc) make education a luxury in rural Morocco. If a family is able to send any of their children to school, boys are given priority over girls, so girls are sent to work as petites bonnes. Even if young girls do have access to education, they may choose work instead. Education is not necessarily viewed as a worthwhile investment in a child’s future, and families are unwilling to lose a child’s potential income if they do not see the benefits of education.

The education of girls is not highly valued in Morocco. A widespread social perception is that women who are too educated will not make suitable wives and mothers. These ideas of gender norms play important roles in the child domestic labor problem. Domestic labor is seen as a safe form of work for young girls, where they will be under the watchful eye of their employer. A primary concern of parents is that their child not engage in premarital sex and they trust the employer to guarantee this. In reality domestic work places girls at a higher risk: several studies have found that most unwed young mothers in shelters in Morocco were petites bonnes when they became pregnant. Additionally, there is a view that domestic work is useful preparation for young girls, and they will gain useful domestic skills that will make them better future wives.

Fighting Child Domestic Labor

Child labor in general is a very difficult problem to address. Advocates for eradicating child labor are accused of ignoring the harsh reality that in some areas of the world, children must work in order to survive. Removing children from work may have negative consequences, both for families and for the children. There have been numerous cases, including the Pyjama Trail Affair, in which the children who were “rescued” from their exploitative conditions become worse off than before, even resorting to prostitution (Badry 2009). The families lose an important income contribution and become even more impoverished, making children vulnerable to more dangerous forms of employment and trafficking.

Child domestic labor is a more complex issue than child labor. First, differentiating acceptable child domestic work from harmful child domestic labor may be difficult. In most developing states, children are expected to work in agriculture and provide a “helping hand” with chores at home and in their communities. This makes arguments for the eradication of child labor seem unrealistic and out-of-touch with the economic reality of many developing nations. Second, child domestic labor does not occur in a factory or on a farm, but in the privacy of the home. Law enforcement officials are unwilling to venture into the private realm to ensure child workers are treated appropriately, particularly in traditional societies such as Morocco.

Another reason that child domestic labor is more difficult to address is that there is no product that concerned citizens can boycott and no corporation to pressure into reforming its labor practices. Governments and private citizens can regulate the treatment of children in domestic work, but laws regulating domestic work are rare and very difficult to enforce. In addition, there is little
recognition that the practice is inherently abusive. Domestic work is widely accepted and social perceptions of women make domestic work preferable to education. To address this problem, the supply of available child laborers must be decreased. This can only be done with the expansion of rural education and increased employment opportunities for adults in rural communities, so that a child’s income is not essential to household income.

Children as Social Agents

Children’s rights in international law are a contentious issue. Rights are linked closely to autonomy and agency and a legitimate rights-holder cannot be under the tutelage of another individual. Under international law children are treated as “incomplete adults,” and do not have the ability to make claims to their rights (Brysk 2005). They are treated as passive victims who must be spoken for and protected. Although children are not entirely capable of protecting their own rights or being responsible for improving their circumstances, this view of children’s rights ignores the reasons children work, the social factors that account for this, and how they negotiate their circumstances once they are engaged in work. Children should have a voice in campaigns and strategies that address domestic child labor if such attempts are to have any results. Movements, such as the African Movement of Working Children and Youth, which encourage children to be active social participants and utilize their voices in social reforms have proven to be very effective in alleviating child abuse and poverty (Terenzio, 2007). When children actively choose to work because their social circumstances require it, they are best able to explain their needs and what is necessary to protect them.

Conclusion

Child domestic labor places children at an extreme risk of physical, sexual and emotional abuse that impedes their development into adulthood. However, it is a necessary evil that will be resorted to as long as children have no other viable alternatives, such as access to quality education. Simply removing children from the abusive work is not enough and leaves them more vulnerable to other dangerous forms of work and human trafficking. The human rights of children, their needs and their voices should be an important aspect of development policies that seek to decrease the supply of available working children.

Annotations


Annotation: This book explains that domestic labor is the most undervalued labor practice. The author approaches issues such as the social organization of labor, the conditions of migrant domestic workers in Europe, and both paid and unpaid domestic workers from a feminist
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perspective. She gathered research from domestic workers in five European cities. The book includes chapters on the legacy of slavery and how racism, sexism, power and class are all factors in the employment of domestic workers. Anderson briefly touches on the issue of child domestic work and explains the extreme dangers that young girls face, including physical, emotional and sexual abuse. The organization of these children into domestic work is, Anderson argues, based on race, sex, power and class arrangements.


Annotation: This case study describes the effects of a 1995 factory closure in Menkes, Morocco, after a British television program discovered that the workers were under age. The study found that the 100 girls employed were often exploited yet happy to have jobs at all. Gender norms help to explain this phenomenon; women have lower levels of education and lower literacy rates than men. Traditional alternatives, such as formal education and marriage, were not mentioned by any of the girls in this study. The girls saw the work as a form of liberation in which they could become independent, receive a useful skill and socialize with other girls. All of them were negatively affected by the closure and were forced to find employment elsewhere- including domestic service- and one entered into prostitution. This incident conveys the complexity of this issue and the harm that can come to children who are “rescued.”


Annotation: This article addresses the difficulties and controversies associated with defining child labor. Bhukuth studies the evolution of child labor laws and ILO Conventions to analyze how the fight against child labor is approached by various NGOs. The author finds that defining child labor is difficult because working children are placed into different categories, which are defined by economics. Therefore, children performing unpaid domestic work are counted as "nowhere children" (children who neither work nor attend school) and not included in the official ILO statistics of child labor. The strictly economic definition of child labor makes it difficult to encompass all forms of child labor, including domestic work, into actual child labor estimates. The article points out the difficulties in abolishing child labor, which is unfeasible in most developing countries, but argues that hazardous work must be eliminated. However, no actual suggestions are provided by the author.


Annotation: In this article the author blatantly refers to child domestic labor as slavery, and analyzes the consequences of domestic work on this particularly vulnerable group of children. Blagbrough uses accounts from 400 child domestic workers in eight countries to analyze the
reasons children become domestic workers, paying close attention to the social, cultural and gender norms of each country. The author seeks to dispel the myth that domestic work is a safe and viable economic alternative for children, particularly girls. He considers child domestic labor to be the most exploitative form of child labor and the most difficult to address. The author argues that in order to improve the lives of child domestic workers, children must be considered agents for social change. Advocates should learn from the techniques that children themselves have employed in overcoming abusive situations.


Annotation: Blagbrough is the Forced Labor Program Coordinator at Anti-Slavery International, the oldest nongovernmental organization dealing with modern slavery and child labor. In this chapter, he dispels some of the myths surrounding child domestic work, including the ideas that it is a safe form of employment and young girls will be protected in their employer's home. He refers to a study of 450 children in domestic service and explained the reasons children were pushed or pulled into domestic work and the psychosocial effects the work had on them, even into adulthood. The majority of these children had been emotionally and physically abused, and girls had been subjected to sexual harassment and even rape. He also explains that employers often dismiss children when they reach a certain age and replace them with younger children, since they are believed to be easier to control and less likely to complain about their treatment.


Annotation: Blagbrough argues that advocates have failed to adequately address child domestic work because they have ignored societal perceptions of such work. Domestic work is most common in societies where it is expected that one social group (ethnic, religious, cultural or class group) should serve another. In addition, domestic labor is seen as a safe form of work, an alternative to "real" child labor, or factory work. Advocates need to address these issues and start a "transformation of the relevant social perspectives" in order to make any headway. He also argues that international laws have failed because they set too high standards. Instead of banning all forms of domestic work, laws should set achievable standards. The practice should be regulated, setting strict laws on education, working hours and holidays for children. However, Blagbrough ignores the fact that many countries lack the infrastructure to enforce such regulation and in most nations, laws regulating child labor have been ignored.


Annotation: In this article, Bourdillon explores the possible benefits and harms that could come to children if child labor is banned. He explains that removing children from domestic service is
not necessarily the best way to protect them, and enforcing a ban on child labor places children and their families at a greater risk for exploitation as families depend on the child's income to survive. Through interviews with children in domestic service, he outlines the many negative impacts domestic work has on children, including lack of education and health problems. However, through his interviews he found that many children choose—even actively arrange—their domestic employment, and therefore the potential benefits of child labor must be taken into consideration. His article displays the complexity of child domestic labor. Although children may be vulnerable and exploited, domestic service may also be their only means of survival.


Annotation: Brysk's book examines the effect of globalization on human rights violations. She focuses on three particular issues: children's rights, global financial flows and genetic research. Her central thesis is that globalization has created an entirely new form of actors as capable of violating human rights as governments: private actors. Businesses, corporations, journalists, doctors and other private citizens are increasingly guilty of human rights violations due to the spread of globalization and the rise of transnational corporations. Her chapter on children's rights is especially important to this research topic since the international migration of children spurred by globalization has brought into question the legal status of children under international law. Brysk argues that in order for the rights of children to be assured when they migrate across borders, children must be thought of as legitimate rights-holders.


Annotation: The main questions in this article are should we apply pressure to poor countries to respect worker rights and would premature adherence to worker rights impede development? Dorman approaches the issue of child labor and worker rights from an economic perspective. He argues that unsafe working conditions and child labor practices impede long term economic development. However, he acknowledges that prohibiting child labor leaves families worse off than before and, by banning child labor, children may be diverted to even more dangerous and exploitative work. Therefore, Dorman argues, the most effective way to end child labor is through poverty alleviation. He does not excuse governments in developing nations from their responsibilities however. He weighs the costs and benefits of prohibiting child labor and finds that ending child labor is easily within the fiscal resources of nearly every country and could be financed by a moderate degree of debt relief. Dorman adamantly believes that worker rights—including child worker rights—are inherently developmental.

Annotation: This study draws on previous child labor research to understand the factors that influence independent child migration. The authors explain that independent child migrants are very vulnerable to abuse and many have been trafficked. They also address child domestic labor, the vulnerabilities of domestic workers and the social factors that push children to seek domestic work. Many domestic workers are migrants since they are sent away from their home communities into urban areas, sometimes to different countries. An important contribution of this report is its argument that children should be considered social agents who have some degree of social autonomy. Although most work is arranged by parents, employers and recruiters, some child domestic workers seek out domestic work themselves in order to escape poverty, problems in their homes or in the hopes of receiving an education. The question as to whether or not children are social agents is important—especially in Morocco—where domestic workers may seek other employers or choose work over education.


Annotation: Edmonds and Pavcnik discuss how popular opinion in developed nations is that child labor in developing nations is always a form of child abuse. However, the issue is far more complicated since the phrase "child labor" is very broad and it is used to describe many different activities in which children participate. The research, taken from ILO survey data, finds that most working children are at home, assisting in the family business or farm. The authors consider how poverty, economic and political policies, and globalization affect the demand for child labor. They find that economic development and school infrastructure improvement are the most effective ways to eliminate child labor, and laws to ban child labor and implement compulsory education are difficult to enforce and unlikely to have an impact.


Annotation: This book covers nearly every aspect of child labor, including the history of child labor; its relationship to economics and global trade, education, development and the role of nongovernmental organizations in addressing child labor. It includes chapters on nearly every nation that has or has had a child labor problem, with over 190 contributors and 220 chapters, including four chapters on Morocco. For each nation, chapters address the historical foundations of child labor, the government's economic and social policy and case studies. Its chapters on Morocco are especially helpful and examine domestic service, textile and factory work, and agricultural work. For each nation the editor provides an extensive list of sources. While the source is very lengthy (nearly 1000 pages), it is essential reading for anyone interested in child labor in any region of the world.

Annotation: This report focuses on child domestic workers under the age of fifteen. The report considers the role of "brokers" in arranging child domestic labor, a topic that is often ignored. It also examines the barriers to education that push children into work, and explains that most working children are never sent to school. It makes recommendations to the Moroccan government to address the problem, which include enforcing the minimum age requirement, regulating the conditions of domestic work and creating a complaint mechanism for child workers to utilize. It mentions that although the Moroccan government has devoted significant resources to combating child labor since 2000, domestic workers are excluded from these reforms. Courts rarely prosecute individuals for abusing domestic workers due to unwillingness to venture into the private realm, gender norms and the widespread social acceptance of domestic work for girls. Though they interview a small sample, the researchers provide a thorough assessment of child domestic labor and its consequences on the workers.


Annotation: This report addresses domestic workers worldwide—including adult domestic workers—and its consequences on their health and well-being. Children are more vulnerable to abuse than adult domestic workers. The demand for children is high because they can be paid less (if at all), are less easier to control, and are less likely to report abuses or escape. HRW considers domestic labor a "worst form of child labor," given that children engage in heavy lifting, are exposed to harsh household chemicals and are at risk of severe injuries from activities such as food preparation. Education is a main motivation for child domestic service. Children are sent to work because school fees are too expensive, or actively seek work so that they may attend an urban school. Often, the fortunate few that attend school are too exhausted to complete homework or study and frequently miss classes.


Annotation: This is the second global report on child labor from the ILO, and traces changes in child labor trends since 2004. Overall, the report finds that progress has been made: the number of children employed decreased by 11 percent and the number of children employed in hazardous work decreased by 26 percent. The report outlines the historical experiences of the first nations to industrialize and how child labor was abolished. It then analyzes the work of the International Program on the Elimination of Child Labor (IPEC), and lastly, how to eliminate
child labor using development and human rights frameworks. Although some progress has been made in the fight against child labor, child domestic labor has been the most difficult to tackle and little progress has been made in addressing this problem. While this report provides helpful information, it is meant to promote the work of the ILO and one of its offices, the IPEC.


Annotation: This report provides excellent data and research on the nature of domestic work and the conditions of child workers around the world. It differentiates between children's work that can be considered providing a “helping hand” to family income and actual child labor. It then defines the "worst form of child domestic labor" as hazardous work under physically, emotionally and sexually abusive conditions, in which a child may have been trafficked into the domestic labor situation. This report then analyzes the "push-pull" factors of child labor and seeks to explain why some girls actively search for domestic work. The report analyzes programs in some nations, such as Tanzania and the Philippines, to address the problem and assesses the effectiveness of those programs. Finally, it provides guidelines for eliminating the problem and suggests strategies that activists and NGOs may implement.


Annotation: This book is a useful overview of child labor practices in Africa, the main causes of child labor and the nature of children's work. The book also examines the consequences of child labor on the health and well-being of children, as well as on society in general. It is especially valuable in explaining the complexities of estimating the actual extent of child labor. For example, many surveys on child labor only count children out of school as working children, thereby ignoring children who combine work and school. The book also takes into account domestic labor, children working as apprentices, the worst forms of child labor and child labor in the commercial labor market. Both authors have researched child labor and included accounts from their interaction with working children in Africa. This book is very accessible for a wide audience and helpful for both scholars in the field and those with little exposure to child labor issues.


Annotation: Krug's article explores the history of child labor, the reasons that employers use child labor and the conditions of such labor. Her central thesis is that if one alleviates poverty in a developing nation, one removes the need for child labor. Children suffer when they are
employed in harsh conditions, but can suffer even more severely when they are removed from labor and their families become even more desperate as a result. She also argues for corporate responsibility and feels that if corporations profit from this particular human rights violation, they should become responsible for alleviating poverty in the nation where their goods are manufactured. Some models are provided for how corporations can review the labor conditions in the nations where their goods are produced, such as Levi Strauss. While she makes a convincing argument, her models are somewhat unfeasible, and she does not explain the possible role of the government when corporations become responsible for economic development.


Annotation: This report seeks to increase the understanding and extent of child domestic labor in Morocco. Lahlou tries to provide a reliable count of petites bonnes using census data. This report also outlines the reasons that so many rural parents choose to send their children into domestic service. The findings include that parental poverty, the number of children in the household, the lack of legal protections for the young girls, and the culture and social environment are the most influential factors in the petites bonnes practice. The author also links child labor to education, explaining that insufficient rural education is a main cause of the practice and calling for a nationalized education system that requires compulsory education to age 16. The expansion of rural education would make a significant impact of the child domestic labor problem.


Annotation: This chapter provides a very succinct history of the origins of child labor in Morocco. Children have been working in numerous labor sectors since the 1920s, but work was subject to labor inspections. After independence the number of inspectors decreased with the departure of the French and government restructuring. The author argues that child labor has increased due to a struggling economy and governments that have not shown a respect for human rights. The debate about child labor became more socially acceptable after 1991, when a new king came to power; the minimum working age was raised from twelve to fifteen, and children under age sixteen were prohibited from working more than ten hours per day. However, low primary school attendance rates and rural poverty force children to work in domestic service (which is more difficult to regulate), agriculture, or textiles. This chapter, though not extremely detailed, provides a useful and brief explanation of the historical foundations of the child labor problem in Morocco.

Annotation: The purpose of this study is to understand the barriers to education faced by children in domestic labor by focusing specifically on child workers in Kenya. The authors examine the factors leading to child domestic labor and labor conditions. Domestic labor is the largest impediment to education and is one of the fastest growing forms of child labor worldwide. The authors completed interviews with children working in domestic service while they were working, attending school (for those who were allowed to attend school), or walking to or from their workplaces. Even if a nation does provide free universal education, poverty forces families to send children into domestic service, which explains why parents and children actively seek domestic employment. Child domestic workers are the least likely of all child laborers to attend school. This implied that governments need to do more than provide universal free primary education, since impoverished families rely on the child’s income.


Annotation: The relationship between globalization, child labor and poverty are explored in this article. Polakoff argues that neoliberal policies of free trade and globalization have increased the number of families living in abject poverty, causing families to become more reliant on the income of their children. Due to the increase in the supply of working children, employment conditions have worsened and children are more vulnerable. She also addresses international and national laws and conventions prohibiting child labor and how global trade policies force nations to ignore these protective laws in favor of free trade and economic globalization. Polakoff provides an excellent explanation of how free trade and structural adjustment policies influence child labor practices and increase global poverty. Her article is accessible for individuals who may not have experience in economics or child labor issues.


Annotation: The negative physical and psychological effects of domestic labor on children are the focus of this report. It differentiates between acceptable child domestic work, which is performed in the child's own home and can also be classified as chores as long as it does not expose the child to harm. Child domestic labor, as defined in the report, is occurring when a child below the minimum working age, or above the minimum age but under age 18, is exposed to hazardous work and exploitative conditions. A thorough list of possible tasks child domestic workers are expected to carry out and the harm each of these tasks carries is helpful in understanding why child domestic labor is considered a “worst form of child labor” in many cases. This report is geared towards policymakers, trade unions and other activists on strategies...

Annotation: This paper analyzes how political and socioeconomic conditions in Africa have worsened the plight of children and how this forces them to engage in economic activities that leave them vulnerable to physical and sexual exploitation. Increasing poverty and a lack of adult employment opportunities have forced children to find work outside of the home in order to survive. The authors predict that the incidence of child labor is likely to increase in the next decade because children are important financial contributors to the household. This paper also touches on child soldiers, child trafficking, HIV/AIDS orphans and street children in a general discussion of how poverty affects children in Africa and how they become especially vulnerable to exploitation and violence. The paper briefly analyzes how national laws and actions have affected the situation of children in Africa and the costs and benefits of abolishing child labor in Africa.


Annotation: Schlemmer traces child labor to three key issues in Morocco: gender, the rural-urban divide, and education. It explains how unreliable current statistics on child labor are and that these numbers underestimate the true count of working children. Schlemmer mainly examines the educational system and how it influences child labor because even those children with access to school sometimes choose to work instead. The fact is that education does not necessarily guarantee a better life. Rural parents are not willing to risk losing out on their child's potential income in the vague hopes the child may receive higher pay in the long-term. He advocates for an increase in non-formal education, which requires the state at least acknowledges that child labor is a problem and that, in reality, traditional education does not guarantee work. Yet he does not dismiss formal education and calls on the state to improve conditions in schools and the quality of education.


Annotation: This brief article describes a garment factory in Dhaka, Bangladesh, where the author witnessed children as young as ten years old working twelve hour days. Seabrook explains that most Bangladeshis have little or no land at all and move to over-crowded slums in search of low-paid work, a condition that parallels child factory workers in Morocco. He also discusses how abolitionists working to alleviate the plight of these children ignore their economic reality and the fact that if children are taken out of factories, their lives will only become more difficult.
He provides evidence of how government subsidies, on items such as rice, often remove the incentive for employers to raise wages to subsistence levels. Most importantly, Seabrook, like many authors, finds that these children do not consider themselves exploited given the lack of alternatives available to them.


Annotation: This report attempts to estimate the number of petites bonnes and analyze the roles of the different actors involved in sending them into domestic service. The report includes data from census and government surveys, as well as interviews with petites bonnes, their parents, and employers. The interviews and activities with petites bonnes were conducted while the girls were attending night school or visiting their parents in the countryside. A problem with this methodology is that only girls in the best situations are allowed to attend school or visit parents, meaning the study was biased. However, the article did analyze the complex nature of the practice. They found many girls were actively seeking employment, would negotiate the conditions of their employment, and would find employment elsewhere if their conditions were not met. This report also analyzes the effectiveness of laws that address domestic workers in eliminating the abusive elements of the practice.


Annotation: Sommerfelt is a Research Fellow at the University of Oslo and has written extensively on this subject. This brief chapter provides readers with a quick explanation of the work that child domestic workers perform and the arrangements between workers and employers. Parents expect the employer to refrain from beating the child and to prevent her from "running around," or engaging in premarital sex. Sommerfelt argues that gender is an important issue as the home is viewed as a woman's domain and boys are given priority in education. She also considers the role of recruiters and how they play a large role in how the girls are treated. If they receive a portion of the girl's income, it is in the recruiter's best interest that the girl remains at work. This recruiter will do whatever necessary to prevent the parents from learning of potential abuse by preventing parents and children from meeting. This is a very helpful introductory piece on petites bonnes.


Annotation: Given the difficult context of children's lives in parts of Africa, they have become influential social, economic and political actors. This article analyzes the African Movement of
Working Children and Youth (AMWCY), which bridges the gap between laws meant to protect children and practice. Since its inception the AMWCY has pushed for children’s rights to be seen as developmental. Children choose to work, the author explains, because they are contributing to their families and their communities, and they feel they are helping to alleviate poverty. The author argues that development policies ignore children’s creativity and energy, and with programs designed to increase access to quality of education, the contributions of children cannot be ignored in international development programs. This article forces the reader to think of children as active participants in society and the economy and not just passive victims of abusive labor practices.


Annotation: This report comes from the Understanding Children's Work Project funded by the ILO, UNICEF and the World Bank. It provides an overview of the work done by children in Morocco; the nature of the work, its extent, determinants, and consequences on health and education are all explored. The study found that nearly all children in domestic service are girls and that these children are working in the most hazardous conditions and are the most vulnerable to sexual and physical abuse. It also found that these girls rarely attend school. Although rape is underreported due to the sensitivity of the subject and cultural norms, several departments in the Moroccan government confirm that there is a high incidence of rape of girl domestic workers. The findings are similar to those of other NGO studies, and the authors conclude that poverty alleviation and increased access to education would have the greatest impact on the problem of child labor.


Annotation: The purpose of this book is to advocate for the elimination of child labor through the use of human rights language and laws. The editor's central claim is that child labor is rarely addressed as a human rights problem, which has hindered advocates' ability to adequately address it. The authors in this work argue that child labor is a human rights problem and the fight to abolish it should include reference to human rights "doctrines, principles, and rules." The topics covered in this edition include: tracing the evolution of child labor and international legal standards, how these standards influence practice (enforcement in individual nations), the relationship between poverty and underdevelopment to child labor, and strategies for using human rights language and mechanisms to address child labor.
Establishing Governmental Legitimacy in Iraq: The Path to Protecting Human Rights
By Matt Mines

Creating Legitimacy in a Post-Conflict Society

Rule of law is essential for ensuring the protection of human rights in post-conflict societies. Contention and disagreements, however, often arise regarding the best ways to establish rule of law in a reconstructive state. It is a vital prerequisite to rule of law that a government be viewed as legitimate. Following an armed conflict, the restoration of basic services and infrastructure is essential for instilling confidence that the government is legitimate and is capable of providing for the needs of the local populace. The essential services include water, electricity, and security on a consistent basis. In order to ensure ongoing respect for the rule of law, the state must possess a monopoly on the use of force. Once a government has established itself as legitimate and capable of enforcing the law, human rights violations can be prevented. It remains unclear, however, as to what processes should be pursued in establishing legitimacy. Does one hold elections as soon as possible, or is it more sensible to build and reestablish local infrastructure? One component remains certain: in order for rule of law to exist in a post-conflict state, there must be a legitimate functioning government that is capable of enforcing the law. Furthermore, under the Universal Declaration of Human Rights, basic services and freely held elections are constituted rights in and of themselves and therefore deserve attention. In this paper, I aim to address issues concerning establishing legitimate governments that respect the rule of law and human rights in the context of post-conflict societies like Iraq.

The Iraqi state has lacked such a legitimate government, which has led to perpetual turmoil. It is widely acknowledged that a government must meet three prerequisites for creating legitimacy. First, a government must achieve a monopoly on the use of force. Second, the government must have the resources needed to keep the state’s social and economic infrastructure functioning. And third, the state must sustain an administrative apparatus capable of overseeing and administering policy. These three factors will lead to the fourth prerequisite for a lawful government: its citizens will believe in its legitimacy (Schwartz 2008). Thus, the government will be able to demand compliance with its constituted governmental laws. Without these prerequisites, it is unlikely that the rule of law will persist over time or that the human rights of the nation’s citizens will be protected. In Iraq, each of these factors remains absent and therefore, violations of both rule of law and human rights persist.

The Iraq Case

In the case of Iraq, there was considerable debate regarding whether it would be better to hold elections immediately following the invasion and the overthrow of Saddam’s regime, or to wait and work to construct quality, reliable essential services and develop functioning institutions prior to holding elections. Analysis has shown that the Iraqi and US governments should focus on improving basic services to develop legitimacy as much as on voting, policy, and institutional restructuring. Following the invasion and in the years leading up to the first elections in 2005, neither basic
services nor rapid elections were implemented. This resulted in discontent amongst the populace. These issues were compounded by the lack of a military force capable of securing the state.

Following the defeat of Saddam’s regime in 2003, the Iraqi people were initially optimistic about their future. One public opinion survey conducted by Oxford Research International following the invasion in 2003 found that, when asked “What is your expectation for how things overall in your life will be a year from now,” eighty-one percent of Iraqis responded “much better or somewhat better.” However, this optimism for the future was squandered as the seeds of discontent were planted following the harsh, unreliable conditions in which people were forced to live. In fact, the horrendous level of service provision under Saddam Hussein’s regime was considered far better than that under the Coalition Provisional Authority (CPA). Following several years of US occupation, Iraqi public opinion had largely shifted towards animosity and disparagement. A 2007 BBC poll found that eighty-two percent of Iraqis had little to no confidence in the US-led occupation—a complete shift from the feelings of 2003 following the invasion. The discontent has given rise to feelings of occupation rather than liberation, which has led to insurgency and the violation of human rights.

Drafting laws is not enough to suffice as creating rule of law. The bleak conditions in Iraq cultivated hostility due to the multitude of broken promises by the government. This was largely due to the essential services being provided primarily to government buildings and other privileged actors, while the general population suffered without sanitation, water, or consistent electric supply. With this inadequacy came skepticism of the government, which made it difficult for the government to be viewed as a legitimate body and for rule of law to be established.

Democracy and Rule of Law

Another way to increase legitimacy would have been to hold elections immediately following the invasion. The primary means through which citizens can express their needs is democratic governance and the creation of a rule of law that reflects their beliefs. Research has found that in divided societies such as Iraq, democracy is difficult and unlikely to take hold. In the case of Iraq, elections were hindered and delayed as a direct result of the country's sectarian composition, with the Sunni, Shia, and Kurdish populations all vying for power. In particular, in 2005, the Sunnis boycotted the national elections, further preventing a transition of power. Additionally, the CPA was concerned that rushed elections would render undesirable political outcomes—specifically a Baathist party victory. This led to delayed national elections and suspicions among Iraqis regarding the CPA’s presence and authority in the state. The delayed elections led to discontent and feelings of occupation, furthered by the lack of resources provided to the populace. Following the elections, the insurgency experienced an upswing that undercut the legitimacy of the newly elected government.

The timing and implementation of national democratic elections are extremely difficult. If elections are ill-timed, they can lead to power struggles and civil conflict. In the most recent Iraqi elections in March 2010, there was insurgent violence against voters. This is the clear result of a failure to establish rule of law in Iraq at an earlier date. Unfortunately, there does not appear to be an end in sight to the insurgency in Iraq. Democratic voting, however, is a key consideration in
establishing legitimacy in a government, and these elections were a solid first step for instilling confidence in the government among Iraqi citizens. It is important to maintain awareness of the need to establish legitimacy in post-conflict governments at the soonest possible time. On-the-ground reports in Iraq indicated that if elections had been held soon after the invasion, desirable political outcomes could have been achieved.

Conclusion

Determining which strategy to implement—basic services and infrastructure or democratic elections—and when, is a difficult and perilous process. In the years since the invasion of Iraq, there has been a serious lack of essential basic services and a difficult process towards democratization. For these reasons, the Iraqi government has been incapable of gaining legitimacy among citizens, leading to further violations of human rights and a persistent lack of rule of law compounded by an ongoing insurgency. Holding elections and improving basic services should be a central strategic tenet of establishing legitimacy en route to rule of law in any post-conflict state. These components should not be overlooked as preconditions to rule of law, because rule of law relies so heavily upon the legitimacy of a nation’s government.

Annotations


Annotation: Al Hassani, a contributing professor from the University of Baghdad, provides an interesting perspective regarding international humanitarian law. He provides an extensive overview of how international humanitarian law functioned within the war zone of Iraq post-invasion. For instance, he discusses the roles and responsibilities of occupying forces and the issue of national sovereignty while being occupied.


Annotation: Allawi provides an insider's account of the Iraqi government following the American invasion. He presents a useful exposition of the condition of Iraqi society and the sectarian alliances that ultimately led the nation into chaos. Allawi is an authoritative voice on the condition of the Iraqi government, as he was a senior minister in the government until recently. The book provides a useful and extensive description of the events leading up to the national Iraqi elections as well as the lack of legitimacy held by the government due to its lack of capability in providing basic services.

Annotation: This briefing is an up-to-date account of where human rights stand in Iraq. It provides useful information for the human rights scholar on the present situation. It includes a discussion on the election violence that occurred during the March 2010 parliamentary elections. It also discusses the purging of candidates from the election roll. These issues are relevant to discussions of developing democracy and the protection of human rights.


Annotation: Arato provides an interesting examination of the post-conflict constitution making process, a component he deems to be largely neglected from analyses of the Iraq war. He contends that the failure to develop a legitimate constitution is in large part to blame for the current conditions in Iraq. Arato states that, even if the constitution making process had been successful, the Iraq war was likely to fail because of other deep-seated flaws in the transition process. However, he outlines a transitional process for constitution making and delineates its critical pathology. For instance, Arato believes in a two-stage model for provisional constitution making. This includes an interim government that recognizes the constitutional limitations, allows for constitutional learning, and has a constitution that is insulated against easy alteration. Furthermore, he discusses options for constitution making outside of democratic processes. This is a helpful article in understanding the constitution-making process in post-conflict countries.


Annotation: Bali presents a useful framework describing the transformation of Iraqi thought from viewing America as a liberator to an occupier. It is helpful in understanding the methods used for instituting justice in other post-conflict states such as Kosovo. Bali explains how America went wrong and recommends measures to be taken by America to improve its legitimacy in Iraq. These measures include improving Iraqi infrastructure, delivering basic services, and internationalizing support for Iraqi state-building while concurrently transitioning away from occupation.


Annotation: This article is helpful in developing an understanding of how to foster and implement an election in a newly democratized country. The authors discuss the interactive effects between an electoral system and the spatial distribution of voting. This is a critical factor in the shaping of electoral outcomes and emerging democracies. This is especially helpful in understanding the electoral system and design of the Iraqi elections. Also, the article explains why the first Iraqi elections created many challenges for the democratic process, as the elections
relied on one national district rather than dividing the country into provinces or districts that had already existed.


Annotation: This is a very helpful article on creating legitimacy in post-conflict states and how the wars in Iraq and Afghanistan have consisted of largely political operations rather than simply operations of "might." In counterinsurgency (COIN) operations, "might" must be viewed as legitimate in order to develop rule of law. It is not enough to simply possess overwhelming force. In COIN, promoting legitimacy must be the primary objective of operations. Barnes, a military strategist, identifies civil affairs and the creation of legitimacy in the post-conflict context of Iraq and Afghanistan as the primary means to achieving a strategic end. The article provides useful information regarding the role of civil affairs in counterinsurgency operations.


Annotation: Campanelli describes the difference between the law of war and law of peace and the different values that are at stake. Further, he states that the law of armed conflict and human rights law both sprang forth from the need to protect people from the power of the state, whether it is in war or in peace. He goes on to assert that human rights are applicable during armed conflicts and to describe the relevant legal norms. And finally, Campanelli provides a useful and extensive description of human rights law during military occupation. This is an interesting piece describing the intersection between two very different applications of law.


Annotation: This article attempts to explicate the necessary conditions for creating democratic governance in a post-conflict, reconstructive state. The necessary conditions include: free and fair elections, freedom of association, and freedom of expression. The authors apply these constitutive elements to contemporary post-conflict states such as Kosovo, East Timor, Afghanistan, and Iraq in an analysis of the resulting success of these nations' reconstruction. In reference to the Iraqi reconstructive state, the article explicates issues and problems created by the Coalition Provisional Authority in its attempt to institute elections in Iraq. According to the authors, the major problem hindering democratization in Iraq is its tenuous security situation.

Annotation: This book provides an interesting counterpoint to the majority of press and media regarding the Iraq war. The aim of this book is to provide ideological justifications, on moral grounds, for the Iraq war. It challenges the positions of both the left and right, and claims that the war in Iraq has been morally justifiable on the grounds that Saddam Hussein was a brutal dictator who perpetrated crimes against humanity and violated the human rights of the citizenry of Iraq. However, Cushman does not excuse the justification provided by the Bush administration for entering the war. This book is useful in developing a holistic view regarding justifications of the war.


Annotation: "Building Democracy After Conflict" explores the unique state building circumstances found in Iraq in the post-war period. It is useful in its recommendations and advice regarding building legitimacy in a reconstruction context. It discusses building legitimacy through democratic elections and questions whether or not this is enough. Finally, it makes several recommendations based on the lessons learned from Iraq and explains how these lessons can further and improve democracy in other contexts. Some of the lessons include holding the elections first within a reasonable period of time and dispersing reconstruction funds effectively.


Annotation: This is a short, concise article on the situation in Iraq, the manner in which democracy was deployed, and lessons on how to deploy democracy better in the future. Diamond discusses issues related to the single national district in the first Iraqi elections and the problems that this created. Furthermore, Diamond discusses the issues of developing legitimacy in a nation-building context. Diamond is a useful source on the situation in Iraq as he was Senior Adviser to Coalition Provisional Authority in Baghdad.


Annotation: Larry Diamond outlines the pitfalls that occurred Iraq. He describes elements necessary for rebuilding a state, past experiences in post-war transitions, and the reasoning behind the elections. There is an extensive overview of the Iraqi circumstances post-invasion and what went wrong there. This is a useful document for understanding post-war transitions and state-building.

Annotation: This article explains the challenges presented to the United Nations following the invasion of Iraq. Political and human rights challenges beset the UN in its attempt to reconstruct Iraq. Pace describes the provisional government and transitional process for democratizing Iraq. In this process, there was a certain need for inclusiveness of the various Iraqi sects. The challenges have persisted; however, measures have been taken towards developing an inclusive human rights policy in Iraq. A Ministry of Human Rights was formed to protect the citizens of the nation, a Council of the Judiciary was formed to separate powers of the justice system, and mandates were instituted to ensure human rights. This article should be read with awareness of Pace's considerable bias against the invasion of Iraq.


Annotation: Katia Papagianni argues for a different sort of post-conflict transition—one organized and led from the bottom-up. She advocates for a transition led by indigenous local communities rather than by policy-makers in large bureaucratic institutions. She holds the belief that top-down transitions cannot lead to democratic institutions. Also, she argues that democratic institutions need to emerge from existing social factors. By transitioning through such methods, post-conflict states like Iraq can build legitimacy and credibility in their local institutions.


Annotation: This is another useful article by Papagianni regarding transitional politics in conflict states. Once again, she argues for the inclusion of the public in the planning process and in state-building, claiming that this creates feelings of legitimacy amongst the public. She analyzes Afghanistan and Iraq based on the differences of their transitional processes. The comparison develops into three themes: transitional frameworks and the need to separate them from constitutional discussions; the representation of the public in institutions and politics; and the participation of civil society in the transitional process.


Annotation: Peerenboom investigates the relationship between human rights and rule of law and examines the human rights community's recent interest in their association. Rule of law is seen as being central to the protection of human rights and to maintaining social order. He contends that wealth is a better predictor of respect for human rights than rule of law. He also argues that the relationship between democracy and rule of law is weak, stating that authoritarian regimes are capable of maintaining rule of law. Although this article is not specifically about the rule of law in Iraq, it is a good overview of the issues concerning rule of law and human rights.

Annotation: This chapter is very helpful in explaining the political, economic, and social factors that lead states to fail. Although Rotberg does not specifically reference the Iraqi case, it is easy to apply his ideas and understand why the chaos in Iraq has persisted for an extended period of time. He explains the need for a state government to be able to provide positive political goods in order to ensure its continuing legitimacy in the eyes of its constituents. In the case of Iraq, basic services were lacking, the state lacked a monopoly on the use of violence, and thus the state failed.


Annotation: This article examines the process of creating political legitimacy. Rothstein argues that the Iraqi people have cast their vote in an electoral democracy but have failed to create a legitimate government through this process. He claims that legitimacy is created on the output side rather than the input side. This means that legitimacy is created through the services provided like infrastructure, water, electricity, etc. rather than through merely casting a vote. Rothstein states that the electoral process does not impart legitimacy on governments, even in the case of countries like Sweden. This indicates that for countries such as Iraq, nation-builders must focus on the output side.


Annotation: Rubini discusses military civil affairs operations in developing rule of law in Iraq. He stresses that it is crucial in post-war peace operations to establish government services and stabilize functions. Rubini also points to the leaders of Iraq's justice system as being crucial for creating a legitimate, independent judiciary. Furthermore, Rubini discusses the need for legitimacy and public support in establishing rule of law and as a central tenet of counter-insurgency operations. This is a helpful article from a practitioner's point of view regarding legitimacy, rule of law, and human rights within numerous contexts.


Annotation: This paper provides a useful overview of what constitutes "rule of law" based on the World Bank's extensive experience in post-conflict reconstructive states. Samuels describes the five basic premises for rule of law: a government bound by law, equality before the law, law
and order, predictable and efficient rulings, and human rights. The difficulty of implementing rule of law in a post-conflict state is heightened by the lack of capacity in the state as it begins anew. The article then goes on to explain four constitutive elements of the rule of law, which include: economic development, democratization, poverty reduction, and peacebuilding. The article concludes that there is little consensus on the process of reconstructing the rule of law in post-conflict states despite two decades worth of experience.


Annotation: Schwartz centers this analysis of the Iraq war on how he sees a US occupation fueling civil war in Iraq. He discusses the dismantling of the Iraqi state following the invasion, which leads into a useful analysis of the need for infrastructure as a prerequisite for rule of law. Rule of law is central throughout as he describes the chaos that ensued following the invasion and the occupation. However, there is a clear bias to this book, as Schwartz views the Iraq war as an invasion vested in oil. Regardless of the political leanings, it is an interesting and helpful analysis for understanding how basic services, infrastructure, and elections can lead to rule of law.


Annotation: This article explains the social reconstruction circumstances that existed in post-conflict Iraq following the invasion. Ultimately the "security quagmire" created a very unstable situation that led to failing rule of law and hindered reconstruction in Iraq. The article provides a useful definition of transitional justice in reconstruction. Additionally, the authors incorporate the notion of building legitimacy within the government that follows the conflict in order to ensure that rule of law persists. Iraq is a very complex reconstructive case, as it has a difficult and complicated history dating back to the violence and human rights violations wrought by Saddam Hussein's regime.


Annotation: This government report provides an extensive overview of how the United States and Iraqi governments have failed at securing Iraq from insurgents and providing a stable country in which to rebuild. The aspects most useful regarding human rights, electoral law, and the rule of law are the issues found in implementing an election in Iraq. The GAO found that only one of eight legislative benchmarks was met and that the rest were failing. However, the Iraqi government has been successful in protecting minority party rights in Iraq's legislature.

Annotation: This is a useful assessment of the current human rights conditions in Iraq. The report operates as a tool for the government to improve upon the human rights of the nation. The report specifically points to shortcomings in the Iraqi rule of law as a threat to security and to upholding human rights. It also notes instances of torture and ill-treatment in pretrial detention facilities. In Section II of the report, recommendations are provided to improve human rights in Iraq. The report discusses indiscriminate killings, targeted attacks, extrajudicial killings, mass graves, and civilian casualties among other human rights issues in. Finally, it discusses issues around the rule of law in Iraq—specifically the death penalty, detention, and internment under various governmental bodies.


Annotation: This book takes a comprehensive look at the processes of state-building and peacebuilding in post-war nations. It focuses on progressing from violent conflict to countries with legitimate justice systems that are governed by the rule of law. Voorhoeve argues that nations need to be stabilized before holding elections. He states that the main elements of a complete rule of law system are free and fair elections. Through the development of a system of rule of law, human rights can be protected. The Iraqi case involves warring parties involved in an insurgency, which has consistently undermined the creation of a rule of law system. Thus far, the system is failing in Iraq.


Annotation: This article argues that democratic stability is reliant upon a self-enforcing equilibrium defined by having government officials who respect democracy's limits on their power. This notion is applied to a variety of issues including democratic stability, plural societies, and elite pacts. The article is applicable to the Iraqi case because it aids in understanding the foundations of democracy in plural and sectarian societies. For instance, Weingast provides research regarding why divided societies have so many difficulties in implementing rule of law and why democracy has such a small chance at succeeding in these societies. He does, however, provide evidence to the contrary through examples of states like Belgium and Switzerland.

Annotation: This book is a gripping account of the war in Iraq from combat journalist Bing West. It provides an overview of five years of war in Iraq with first-hand accounts from the people who fought there. It is useful for establishing a context regarding the circumstances in Iraq around the time of the first elections and for understanding why and how the elections failed to create legitimacy for the Iraqi government. West also discusses the US government's decision not to hand over control to the Iraqis early on.


Annotation: Williamson describes his role in reinstituting rule of law in post-war Iraq. He has a background in developing justice systems in a post-conflict context, having helped in Kosovo as well. Williamson describes how the US, as an occupying power, had a legal obligation to reestablish the justice system in Iraq. According to Williamson, one of the most daunting tasks to be dealt with was the destroyed infrastructure. Up to seventy-five percent of the courts had been destroyed, computers were gone, files and court records had disappeared, and so on. Thus, the justice system had a very difficult transition. Williamson concludes that a simultaneous response to the shortcomings in the justice system is necessary in order to create rule of law.
The Object of Torture is Torture: Extraordinary Renditions to Jordan and Human Rights in the War on Terror
By Kat Mitchell

The object of persecution is persecution. The object of torture is torture. The object of power is power.
- George Orwell, 1984

Hassan Saleh bin Attash, a Yemeni national, was just seventeen at the time of his September 2002 arrest in Pakistan. The young man spent four days in a Karachi prison before being taken to a United States-run prison in Kabul, where he was held and allegedly tortured through the middle of September. He was then rendered to Jordan.

Hassan was detained in Jordan for at least twelve months, during which time he says he was repeatedly tortured, most frequently in an area known as “the courtyard,” believed to be within the General Intelligence Department (GID) detention center in Wadi Sir, Amman, Jordan. The prisoner told his lawyers he suffered from being threatened with electric shocks, being beaten on the soles of his feet, and being hung upside down. Additional reports exist that Hassan was hidden from the International Committee of the Red Cross (ICRC) during their visits to the prison.

From 2001 until 2004, the GID of Jordan functioned as a surrogate jailer for the Central Intelligence Agency (CIA) of the United States, accommodating detainees the CIA seemingly wanted kept undisclosed, and afterward passing a number of prisoners back to the CIA. The GID questioned these detainees with tactics more atrocious than those with which the CIA has been charged; it was doing more than just storing prisoners. The men were normally detained for a number of months by the GID. Superior officials in the GID have firmly denied that the institution held individuals rendered by the United States. They have also rejected the assertion that torture was carried out in GID imprisonment. Given the credence of facts confirming just the opposite, their refutations are unimpressive.

Despite the fact that the precise number of renditions has not been determined to date, it has been confirmed that over ten non-Jordanian detainees were transferred from American to Jordanian charge from 2001 to 2004, and the actual number could be a great deal higher. Although a small number of other countries have accepted men transferred by the United States in the past decade, no state is recognized to have held as many as Jordan.

The majority of the prisoners whom the United States rendered to Jordan were first arrested either in Pakistan or in Georgia, mainly from the Pakistani city of Karachi and the Pankisi Gorge valley region of Georgia. Flight records back these claims. Civilian planes, including Boeing 737s, and Gulfstream jets, linked to the CIA and known to have been employed for person transfer, made dozens of excursions to Jordan in the early 2000s.

U.S. rendition of terrorist suspects abroad—in other words, moving detainees to foreign charge outside the bounds of standard legal proceedings, predates the 9/11 attacks on the United States. After September 11, 2001, however, the rendition system of the CIA was altered. Instead of restoring individuals to their place of origin to be tried, the CIA started passing men over to third states, ostensibly to make extrajudicial interrogation easier.
The United States might have had numerous grounds for rendering suspected terrorists to Jordan for imprisonment and interrogation. The GID and CIA previously had a record of familiar dealings; CIA bureaucrats may have thought that the GID was exceptionally knowledgeable in counter-terrorism, or would be able to keep the details of incarceration confidential, and it seems that there was a lack of Arabic-speaking CIA employees at the time. Nevertheless, something that would have been recognized by U.S. administrators at the time of the relocations was that Jordanian intelligence was infamous for cruel and inhuman treatment of security prisoners. Some U.S. officials, including ex-CIA officer Michael Scheuer, have made statements suggesting that prisoners were intentionally transferred to a location where they would be mistreated. The facts imply that torture in such cases was not an unfortunate result of rendition; it may have been the objective.

Right after the 9/11 attacks, US President George W. Bush put his signature on a secret presidential instruction giving the CIA extended power to arrest, detain, interrogate, and render suspected terrorists captured abroad. Since then, the United States is alleged to have transferred terror suspects to the charge of Egypt, Libya, Morocco and Syria, as well as Jordan. But the obtainable evidence intimates that Jordan was the earliest state to receive rendered prisoners after 9/11, and that it held the highest number of individuals.

An explanation of the rendition process given by former Attorney General Alberto Gonzales in mid-2006 was quite enlightening. In a statement before the Senate Armed Services Committee, the Attorney General made clear that whenever an individual is transferred, the United States asks for promises that they will not be tortured. However, Gonzales confessed that government agents are not necessarily present in overseas prison cells where suspects are rendered. Michael Scheuer, who professes to have started the rendition program in the course of the Clinton administration, rejects these pledges as legal subtleties, intended to look fine on paper, but providing no genuine defenses of prisoner rights.

The violent interrogation practices of the GID are well known. Many former GID prisoners have claimed that they were subjected to cruel, inhuman, or degrading treatment or torture while detained by the GID. Specifically, numerous individuals have said that guards took them to the basement of the GID incarceration building in Wadi Sir and hit them on the soles of their feet. Others have stated that they were beaten, denied sleep, or forced to endure injections and take pills that brought on sensations of severe nervousness. These assertions are held up by the findings of UN representatives and international organizations. After a 2006 visit to Jordan, the UN Special Rapporteur on Torture released a report deducing that the practice of torture is prevalent, even standard procedure in Jordan, including in the GID.

Following 9/11, the CIA promptly began transferring terror suspects to Jordan for interrogation. The fact that a number of prisoners were shortly restored to CIA custody after spending time in Jordan further implies that the GID’s objective in rendition was supporting the CIA rather than advancing Jordan’s security goals. Detainees were not, in fact, given to the GID; instead, such people were merely loaned to the Jordanians for questioning.

The city of Karachi, Pakistan, was the source of no fewer than six detainees understood to have been transferred to Jordanian custody. Pakistani authorities have not been covert about the fact that since September 2001, they have given charge of a few hundred suspected terrorists to the United
States, bragging of the relocations as evidence of Pakistan’s support of US counter-terrorism efforts. Several of these individuals ended up at Guantanamo; others were rendered to countries like Jordan.

The state of Georgia’s Pankisi Gorge was another source of detainees. Bordering Russia’s Chechnya region and home to thousands of Chechen refugees, the gorge has long served as an access point for mujahidin, or Muslim freedom fighters, looking to wage war in Chechnya. Under pressure from the United States a few months after 9/11, Georgia started arresting Arabs found in the area. A few of these individuals were transferred to stand-in CIA prisons in Afghanistan, and then moved to Guantanamo, but some were taken to other places. At least four of the detainees who were allegedly transferred to Jordan in 2002 were apparently picked up in Georgia: Abu Bakr Saddiqi, Khayr al-Din al-Jaza’eri, Abu Hassan al-Suri, and Abu Yousef al-Jaza’eri. The present location of all four individuals is unspecified, though it is probable that they were moved to their home countries for prolonged imprisonment.

The regular rendition of detainees to Jordan by the United States in the years following the 9/11 attacks desecrated numerous fundamental human rights guarantees. These include the bans on enforced disappearance, cruel, inhuman, or degrading treatment and torture, and arbitrary detention. The government of Jordan violated both national law and international human rights law by torturing and abusing transferred prisoners, holding them without charge or trial, and detaining them without contact or visits by family or legal counsel.

By transferring detainees to Jordan, the United States purposely violated its obligations under Article 3 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention Against Torture), which it ratified in 1994. Rendition torture is a clear violation of the prohibition against torture. The UN Committee against Torture, the international authoritative body responsible for monitoring state compliance with the Convention against Torture,—articulated concern over the US assertion that its obligation under the convention did not apply to individuals held outside of the United States. The committee held its position that rendition carried out by the US government was a violation of the Convention against Torture.

In order to correct the wrong of rendition, the government of Jordan should open a direct independent judicial inquiry into the GID’s use of arbitrary detention, ill treatment, and torture. The Jordanian government should renounce its function as a proxy jailer in the CIA’s rendition program and make known the current location, fate, and identities of all prisoners transferred to Jordan by the CIA since at least 2001. The government of the United States should release the current whereabouts, fate, and identities of all individuals seized or rendered to foreign custody by the CIA since 9/11, including prisoners who were transferred to Jordan; suitable compensation should be offered to all prisoners arbitrarily detained by the CIA or rendered to foreign charge. Finally, the US government should turn its back on the use of rendition to torture as an approach to counter-terrorism and permanently halt the CIA’s rendition program.

Annotations

Amnesty International. 2005. "USA: Torture and Secret Detention: Testimony of the 'Disappeared' in the 'War on Terror.'" Available online:
Annotation: This Amnesty International report is about Yemeni detainees who claim to have been victims of the US policy of secret detentions around the globe. Although they are no longer in solitary confinement, both Salah Nasser Salim ‘Ali and Muhammad Faraj Ahmed Bashmilah remain imprisoned in Yemen. Also being held in Yemen without charge or trial is Walid Muhammad Shahir Muhammad al-Qadasi. This document tells of the arrests of these men in Indonesia and Jordan and of their torture in Jordan. Amnesty International calls upon the American, Jordanian, and Yemeni authorities to make sure that all the men are released unless they are immediately charged with recognizably criminal offenses.

———. 2006. "Jordan: Amnesty International's Campaign to Stop Torture and Ill-Treatment in the 'War on Terror.'" Available online: 

Annotation: This report by Amnesty International explains how the absolute ban on torture and other cruel, inhuman, or degrading treatment—which protects one of the most universally accepted human rights—is being undermined in Jordan. The authors use generalizations of current events as well as ten specific cases of rendition cooperation with the United States to illustrate their points. Amnesty International provides the reader with strong facts as well as references to other works on the topic and ways to get involved with the organization’s campaign to stop torture. The document is a solid, concise overview of the torture situation in Jordan.

———. 2006. "Jordan: 'Your Confessions Are Ready for You to Sign': Detention and Torture of Political Suspects." Available online: 

Annotation: This Amnesty International report focuses on the torture and other ill-treatment of political detainees in pre-trial detention by Jordan’s General Intelligence Directorate (GID), a military security agency that detains and interrogates individuals suspected of political and security offenses. A lengthy document, it uses many examples of illegal detention and torture carried out by the GID. The examples are clearly selected for maximum emotional appeal and shock value. Amnesty International includes a long list of recommendations to the Jordanian authorities regarding issues such as: torture and ill-treatment; unfair trials; independence; impartiality of courts; prisons; renditions; and the Memorandum of Understanding (MOU) with the United Kingdom, which amounts to a public acknowledgment of torture in Jordan. Other works on the topic, including United Nations documents, commissions, and comments are
referenced extensively. Amnesty International’s well-researched, well-written piece would make the document a trustworthy source for any researcher.


Annotation: This 2009 report by Amnesty International discusses how, in the Middle East and North Africa region, human rights advocates are all too often disparaged, victimized, and even criminalized for their nonviolent behavior. The document details numerous accounts of personal experiences of the activists, citing their victories as well as their impediments. Amnesty International demonstrates that the efforts of human rights defenders in the region are helping to bring much-needed transformation, but also that their great effort for rights is a long way from triumphing (?). Although the report is not Jordan-specific, it provides a valuable overview of the political climate human rights champions face in the Middle East and North Africa region.


Annotation: This article inspects the application of the political question doctrine to Mohamed v. Jeppesen Dataplan, Inc. The authors explain the extraordinary rendition program in a few words. The article examines the political question doctrine and its application to the grievance. The authors conclude that extraordinary rendition imparts a nonjusticiable political question and that the claimants’ complaint is subject to dismissal. Consequently, according to the article, the plaintiffs are obliged to take their claims to other forums for resolution and definitive satisfaction. Although the article is primarily written for those familiar with national and international legal systems, it proves useful in understanding the breadth and depth of the process of extraordinary rendition.


Annotation: Stephen Grey shows in his commanding and pejorative book how horrific extraordinary renditions could become. The secret police of Middle Eastern countries unreservedly torture and their tools of the trade include razor blades applied to genitals, where small nicks leave no scars. Certainly, on the record, America “does not torture,” as President Bush said, and publicly the United States asks other countries not to torture prisoners rendered into their custody by the United States. But renditions have been carried out with flashes and signals and legalistic sidesteps. According to the author, the curtain has been quite thin: the Bush administration indicated its real purpose from the beginning. Not a week after September 11,
2001, Vice President Cheney told Tim Russert of “Meet the Press” that America would be “spending time in the shadows” and working “sort of the dark side.” The ruthless details leaked out over time, to a certain extent thanks to innovative journalists such as Grey.


Annotation: This concise description of the current state of human rights in Jordan discusses how the accession of King Abdullah II to the Jordanian throne in February 1999 has not accelerated the political liberalization changes King Hussein had cautiously embarked on before his death. Unfortunately, according to Human Rights First, Jordan’s government has reneged on the preceding decades’ reforms. The write-up discusses how the Israeli-Palestinian conflict has caused unrest inside Jordan to build. According to Human Rights First, ethnic Palestinians comprise sixty percent of the population of Jordan, and other Jordanians have tried to make their political voices heard through unity protests and community debates. Jordan’s partnership with the United States has been condemned. A lot of Jordanians, disapproving of United States regional policies, are critical of this alliance. Unfortunately, the piece declares, the government’s answer to this mounting dispute has been to stifle political action of all kinds.


Annotation: This piece sheds some light on the way the intelligence community operates, describes how legal rules shape some of its most sensitive work, and offers a perspective on the way the Central Intelligence Agency (CIA) fits into the debate about interrogation and torture. The author maintains that the debate is not about, nor can it be about, whether the government should conduct torture. According to Levit, the answer to that question is and will always be, by law and moral standards, no. However, the author admits that there exists a complexity that cannot be avoided. That complexity, he says, lies in the on-the-ground circumstances that develop where interrogations are taking place. What can an interrogator do? When are physical contact, deception, punishment, discomfort, fatigue, fear, and similar tactics permissible? These are the questions the author, Special Counsel to the Director of the CIA from 1998 until 2000, answers in this article.


Annotation: This Human Rights Watch report documents how Jordan’s General Intelligence Directorate (GID) served as a proxy jailer and interrogator for the CIA from 2001 until at least 2004. Although a handful of countries received persons rendered by the United States during this period, no other state is believed to have held as many people as Jordan. Mariner uses
specific cases of rendition as well as international legal language to illustrate the problem of rendered persons to Jordan from the United States and to support her argument of its illegality and immorality. Although Mariner does not refer to many other works on the topic, the report is easy to follow and easy to read. This report is a relevant research piece, as well as a reliable source of information for those interested in the topic of renditions.


Annotation: In this report, the authors select five countries for special focus based on their regional influence and/or friendliness to reform proposals: Yemen, Morocco, Egypt, Jordan and Lebanon. The authors note that other Arab states not treated in depth in the report still generally share similar characteristics and that most of their recommendations could be applied to them as well. The state studies focus on both the police and public prosecution. They present the issues of the development of the police force and current issues involving policing, with a special focus on human rights concerns. For public prosecution, they focus on the structure and function of the system, with attention to issues of appointment and training. Additionally, the study examines recent steps taken in the area of international cooperation, with a special focus on terrorism and money laundering. The report concludes that Arab criminal justice systems bear a strong resemblance to one another. Significant differences do exist, but the basic structure of policing and prosecution is common throughout most of the Arab world.


Annotation: “This report contains a study of the legal and factual aspects regarding the situation of torture or ill treatment in Jordan.” On the basis of all the evidence gathered, and taking into account the deliberate attempts by officials to obstruct his work, the Special Rapporteur confirms that the practice of torture is routine in the General Intelligence Directorate (GID) and within the Criminal Investigations Department (CID). The Special Rapporteur concludes that the practice of torture persists in Jordan because of a lack of awareness of the problem, as well as institutionalized impunity. He recommends the government adopt a number of measures in order to comply with its commitment to prevent and suppress acts of torture and other forms of ill treatment. Although those without knowledge of legal vocabulary may have a difficult time understanding the report is an excellent source of information.

Annotation: This book, the first written on this specific topic, details how the extraordinary rendition program is part of what has become the largest single American clandestine operation since the end of the Cold War. Award-winning investigative journalist A.C. Thompson and military geographer Trevor Paglen thoroughly investigated the CIA program for more than two years, learning a great deal about the particulars of its operations. In this book, the authors travel around the world inspecting the agency and interviewing released detainees. Paglen and Thompson show that the CIA’s operations since September 11th, 2001 have been tainted by torture and an extensive sequence of intelligence failures.


Annotation: This article upholds a venerable principle of American democracy: that no one, not even the President, is above the law. The Bush administration’s illegal behavior concerning detainee treatment, secret detention and renditions, and domestic spying is addressed, as well as its improper claims to power unimpeded by federal statutes or international law. Names and paper trails relating to the administration’s ongoing criminality are documented, as well as the types of treaty-based and customary international laws that were violated. Many federal cases are covered that document judicial power to review presidential decisions, the fact that all persons within the executive branch are bound by the laws of war, and the fact that Congress has authority to place some limits on commander-in-chief powers during war.


Annotation: Paust has produced a thorough and definitive account of US crimes against its detainees. The book states that government officials in most European countries, including the United Kingdom, are wrongfully complicit in violations of the rights of prisoners secretly detained in and/or transferred through their territories, despite the fact that these countries are obliged under international law not to overlook such violations. Paust argues that the illegal denial of combatant and prisoner of war status to members of insurgent armed forces provides a pretext for similar denials to United States and other soldiers. The author points to case law showing that the laws of war apply to heads of state and that presidential powers are subject to restraint by Congress. This book shows how President Bush illegally abused his commander-in-chief power and provides a detailed exposition of violations of international law.

Annotation: Christopher Pyle argues that, although the idea of American forces torturing prisoners is disturbing, more shocking still is that the highest officials of the Bush-Cheney administration authorized, concealed, encouraged, and planned these war crimes. The author states that many Americans, including those who endorsed torture in extraordinary/exceptional circumstances, are now embarrassed by credible reports of CIA kidnappings for purposes of torture, secret prisons into which detainees have vanished without a trace, and prearranged tribunals to find al Qaeda insurgents guilty based on evidence obtained through torture. Pyle claims that the extensive acceptance of this unaccountable, clandestine government behavior now threatens to obliterate the very foundations of legitimate government. He argues that the ethical standing of the United States will not be renewed until a determined attempt is made to bring America’s surreptitious government officials under the rule of law.


Annotation: This article examines the US practice of extraordinary rendition. The author concludes that rendition is not compliant with either the laws of war or international human rights norms. Sadat argues against the propositions of government lawyers and academics that Geneva law has become old-fashioned or out of date; instead, she argues, the US government has made what is, at best, a weak case that international human rights norms and Geneva law are obsolete. Sadat suggests that if America is sincere in its assertion that new international legal paradigms must be adopted in order to fruitfully combat the bane of international terror, the proper medium to do so would be new multilateral regimes that draw extensive international support, not inventive readings of the law that deliberately contradict prior US and international agreements.


Annotation: This article examines the defense of rendition by US government officials and some scholars. The author suggests that it is not only wrong, but it also conceals a treacherous shift in policy: a practice supposedly developed to uphold the rule of law against terrorism—rendition to justice—has become an unregulated practice aimed at distorting the rule of law in relation to lawless terrorists—extraordinary rendition. Satterthwaite talks about the information that is publicly available concerning extraordinary rendition and gives a snapshot of the process and its fundamentals as reported by the media, human rights organizations, and European investigations.

Annotation: The National Centre for Human Rights (NCHR), an independent Jordanian national institution that protects and provides consultation and legal assistance to those in need, produces annual status reports on the state of human rights in Jordan. The NCHR outlines torture complaints it received against various government departments and centers in 2008. The report also details how the NCHR randomly monitored some prisons and found evidence of cruel, inhuman, or degrading treatment. However, it is also admitted that from mid-April to August, the NCHR was barred from visiting prisons. As one of the few Jordanian institutions dedicated to human rights, the NCHR reports provide an invaluable resource to the researcher specifically concerned with human rights in Jordan.


Annotation: This report, released annually by the US Department of State, consists of the department's analysis of the human rights practices in Jordan. The government concludes that the Jordanian regime respected human rights in a number of areas, but that its general record continues to reveal problems. For example, Jordan's government limited citizens’ right to modify their government. The report cites domestic and international NGOs' reports of cases of torture, arbitrary arrest, extended detention, and the persistence of inhumane prison conditions. According to the document, impunity, refutation of due process of law, and imperfect judicial independence continue to be issues. This source is a solid introduction to persisting human rights challenges in Jordan.


Annotation: Like the 2008 version, this report details how the Jordanian government restricts human rights in some areas, and that its general record continues to reflect problems. This document also cites international NGO reports of denial of due process, arbitrary deprivation of life, arbitrary arrest, torture, impunity, and poor prison conditions to support the bureau’s assertion. Other sections covered include freedom of speech and press, Internet freedom, academic freedom, freedom of assembly, freedom of association, freedom of religion, and societal abuses and discrimination.


Annotation: This article describes extraordinary rendition, the practice of seizing terror suspects and transporting them to third party countries for detention and interrogation. The article examines the practice in light of several human rights instruments and demonstrates that extraordinary rendition violates international human rights and humanitarian law. The article
notes that extraordinary rendition has evolved from a process by which suspects were brought to the United States to stand trial into a means of detaining suspects while keeping them out of reach of the American legal system. The authors suggest that the government’s arguments for extraordinary rendition—which claim to expose the limits of human rights law—instead highlight the importance of returning to principles when limits are in sight.


Annotation: This article describes the Convention Against Torture and its provisions, and then examines the scope of the prohibition on torture under United States law. The authors demonstrate that extraordinary rendition constitutes a criminal conspiracy to commit torture in violation of federal law and the Convention Against Torture. The article also addresses the policy justifications for extraordinary rendition and the use of diplomatic assurances to dodge criminal liability under the torture statute. Weissbrodt and Bergquist examine the domestic and international mechanisms available to challenge extraordinary rendition, chiefly focusing on the use of habeas corpus under American law. The authors conclude by describing the legal climate that led to justification for extraordinary rendition and the inadvertent consequences of the policy for United States officials and the international community.


Annotation: Human Rights Watch, documents credible allegations of ill-treatment, often amounting to torture, from sixty-six out of 110 prisoners interviewed at random in 2007 and 2008 in seven of Jordan’s ten prisons. Wilcke uses first-person accounts of torture, such as the beating with padlocks and hanging by the wrists of a prisoner named Ghaith for going to the toilet with the wrong clothes, to illustrate these allegations. Human Rights Watch presents a strong, detailed critique of Jordan’s so-called prison reforms and uses details and facts that would be difficult to obtain without first-person interviews.
The Loss of Egypt’s Children
By Cindy Ragab

Introduction

Under the fierce rays of the desert sun, in the heat of the summer, young children are forced to remove pests from cotton crops for eleven hours per day, search for recyclable goods among animals and the pungent stench of city dumps, and are sold to elderly male tourists through temporary marriages by their parents. This is the hideous reality for millions of child laborers in Egypt. Child labor is a manifestation of the pains of extreme poverty on the world’s most vulnerable population. Childhood is lost. Children are forced to take on responsibilities that in normal circumstances push adults to the brink. The accumulation of tasks from school, home, work and the community systematically chip away at these children’s abilities to be productive citizens in the future. The negative repercussions that result from child labor affect both the children, on an individual level, and the global economy, on a macroeconomic scale. The vicious cycle created by child labor is real and must be attacked in a strategic manner that takes into account all of the factors that lead to the practice.

Child Labor Defined

The Worst Form of Child Labour Convention 182 of 1999 and the increase in inter-agency cooperation seen in Understanding Children’s Work of 2000 have led to the creation of a standard definition of child labor. According to these conventions, child labor is a subset of children’s work that is injurious to children. Hazardous work, a category of child labor, includes all labor that exposes children to physical, psychological or sexual abuse. Such abuse may be the result of work with dangerous equipment, hazardous substances and temperatures, or the manual handling or transport of heavy loads. The worst forms of child labor include all forms of forced labor, labor that exposes children to illicit activities, and that which jeopardizes their lives, health, or morals.

Child labor is also defined by age, where all children below the age of 11 involved in economic activity are considered laborers. Children between the ages of 12 and 14 may only be involved in light work and children between the ages of 15 and 17 may not participate in hazardous work or other worst forms of child labor.

The Work

Children work in every sector of the Egyptian economy. And everywhere, they face grave dangers. The most pervasive forms of child labor in Egypt are agricultural, industrial, domestic and street labor.

The most common job for child agricultural laborers in Egypt remains the removal of worms that threaten cotton harvests. Children well below the legal minimum age for child labor work during their summer vacations to remove worm eggs from leaves and pieces of infected vegetation.
Over their eleven hour work day, children regularly get only one hour off and are lucky to get any water breaks or time in the shade, resulting in severe dehydration, malnutrition and exhaustion. Supervisors abuse their powers further by beating children for slow or sloppy work, in addition to sending children back into the fields only hours after toxic pesticides are sprayed.

Children working on the street are oftentimes there to support their parents in the sale of fruits and vegetables in illegal sidewalk markets. Others pedal newspapers, toys, and trinkets in addition to begging. In order to increase sales, the children are made to appear disabled, and are forced to weave through moving traffic, setting them up for abuse and injury in Egypt’s unruly streets where hit and run accidents are very common.

Young girls are often sent into the homes of the country’s elite families as domestic servants. Most commonly originating from rural areas or the daughters of doormen and maids, the girls are sent away in order to alleviate their families of the cost of their education, food and clothing. The girls’ employers send their income to their families, leaving the girls dependent upon their employer and vulnerable to beatings, sexual exploitation, and the loss of education and family protection. The psychological effects of this service cannot be underestimated.

Physically intensive industries such as leather tanning, brick making, metal work, construction, and mining also pose great health risks for children. Exposure to harsh chemicals is common. The use of heavy machinery and tools leads to injuries to children who have limited access to health care. Work related injuries suffocate their economic chances in the future through the costs of treatment and lost income. Finally, their psychological wounds are left untreated, exacerbating the instability in the children’s lives and eroding social cohesion.

Bans on the labor of children below the age of 14 have led to their increased employment in illegal sectors of the economy. Consequently, children work in prostitution rings, drug trafficking, and black market sales, exposing them to exploitation that cannot be overseen by government. Children who work illegally are also divorced from the protections of the minimum wage and unionization.

Children who are forced into labor due to family conditions of scarcity maintain little independence. Although they believe they can support themselves independently of their family, the children must beg for food and seek shelter in unsafe and unsanitary locations in order to escape arrest and assault. Street children are subject to abuse from fellow street children, civilians and police alike, and are regularly sexually, physically, and emotionally abused.

Even with all the hard work they are forced to do, most child laborers in Egypt attend school because Egyptian schools have several shifts, making it possible for children to work during the day. However, they cannot pay attention in class and study at home due to their limited time and exhaustion from long work days, making them more vulnerable to grade repetition than their peers.

**Society & Development**

Child labor drastically reduces the quality of the state’s human capital through its detriment to education and the physical and mental health of children. An impaired work force produces sluggish
economic development. Unemployment is exacerbated both in the present and the future through increased competition for limited employment opportunities in the short-term and declines in skill attainment in future employees. Child labor also plays a significant role in the underestimation of the gross domestic product of developing economies through increased illegal economic activity. This leads to a decreased ability for the government to take out loans and collect taxes, limiting social safety nets and subsidies that protect the poor. Child labor also complicates international trade relationships, as the movement to cut trade with nations where child labor is practiced and to the goods they produce continues to grow in the developed world. The long-term ramifications of the extreme poverty that results include: higher crime rates; drug use; child labor; malnutrition; work related injuries and decreased education and healthcare spending.

Causes

Child labor is the partly result of structural inequalities in the state. In Egypt, increased unemployment rates and a minimum wage, which has not increased since 1981, are to blame for the rapid increase in impoverished families. Parents who can afford to support their children rarely send them to work, particularly in dangerous vocations.

Egypt’s failed educational system also contributes to child labor, as school not perceived as a worthy alternative to labor. The expenses of education, which include uniforms, books, fees, food, and tutoring, oftentimes make schooling prohibitive. Attempting to juggling school and work leads to poor education and shorter work hours, which in turn lead to decreased learning on the job in apprenticeship positions. This combination leaves children with neither a promising future through academia nor strong technical skills.

Overpopulation, a consequence of poor social safety nets and inadequate wage rates, is also a leading cause of child labor. Families have more children to help them financially through child labor and to support elderly parents in the future. High child mortality rates encourage families to have more children while inadequate healthcare spending limits access to birth control.

Finally, societal acceptance has also led to an increase of child labor. Children today work in the most elite institutions due to the novel acceptance of child labor. High society has institutionalized child labor for its convenience. Children are considered superior employees, as they are cheap and easy to control. Employers rationalize their activities by claiming that these children would work anyway and they are simply providing a clean, safe and supportive environment. Changes in the norms accepted by parents have led to the employment of children whose parents are unemployed and those who take their children’s earnings for their own consumption of drugs, alcohol, and extramarital affairs.

Governmental Response

Attempts to rid Egypt of child labor and to conform to the Convention on the Rights of the Child—ratified by Egypt in 1990—led to the passing of the Child Law in 1996. The law dictates that all employment of children below the age of 14 is illegal with the exception of occupational training,
which can start at the age of 12. All children below the age of 17 are prohibited from employment in hazardous occupations.

The regulation of child labor starting from the age of 14 includes many rules that are intended to deliver services to impoverished children. Employers are required to pay for a yearly physical examination and to provide their child workers with 200 grams of milk per day of work. Children are only allowed to work between the hours of 8 am and 7 pm, cannot work for more than four consecutive hours, and must receive at least one hour long break. A total of six hours of work per day cannot be exceeded and children cannot work overtime or on official holidays or weekends.

However, three exceptions in the Child Law, coupled with a lack of government enforcement, have made the law’s positive effects minimal: domestic work (one of the worst forms of labor); work in family businesses; and summer jobs remain legal.

A commitment to enforce these laws and the revocation of laws that can have children arrested for being “vulnerable to delinquency” is necessary if the government is to be sincere in its efforts to protect children.

Recommendations

Child labor will be difficult to end in Egypt. But there are some steps that the government can take in an attempt to do so. Poverty, the main cause of child labor, should be fought by increasing of the minimum wage for adults, and by requiring that employers hire children only when no adult applicants are available. Education must also be addressed in the fight against child labor. The removal of gaps between educational outcomes and market demands, especially through expansion in areas where unemployment is relatively low, is necessary so that education is directly correlated with employment. The costs of dropping out of school must be increased, while the expense of education for families must be simultaneously decreased. Also, different tracks for children who intend to stop school at the minimum requirement, intend to finish high school, and those seeking university educations should be created so that all students can get returns for their education. Apprenticeship programs must be expanded so that students gain necessary skills, have a certificate that ensures their mastery of a trade, and are protected from exploitation. This, in conjunction with campaigns to increase societal respect for these educational options and all types of labor, will give child laborers struggling in school a proper alternative.

Conclusion

Child labor is clearly a violation of the rights of children. The economic causes of child labor have placed children in the center of a vicious cycle where poverty has forced them into economic activity that is harmful to their development, and where the negative externalities of their labor increases their poverty in the future.

The passage of laws intended to fight child labor and other rights violations must be backed by adequate governmental funding for law enforcement, education, and societal transformation. An
understanding of the economic repercussions of child labor, which affect all segments of society, must be highlighted to stimulate a proper rally against child labor.

**Annotations**


Annotation: The authors provide readers with a strong argument that seeks to explain the persistence of child labor in the developing world despite bans on the practice in 113 nations. Their argument that well educated elites seek to retard the poor’s attainment of education so that their own children do not face increased competition in the labor market is applicable to some extent in Egypt. It also pushes researchers to think critically about the root causes of the persistence of child labor despite the clear efforts of government and civil society in Egypt to end the practice. Lenient enforcement of child labor legislation must be explained and understood if child labor and the adverse effects of it on society are to be stopped. The article provides proof of a significant and robust association between repression in a nation’s political system and lenient enforcement of child labor policies. This piece also provides an eye opening literature review on the topic of child labor.


Annotation: An excellent introduction to poverty in the Middle East, this paper provides an excellent comparison of the statistical evidence of poverty in five nations—Egypt, Jordan, Morocco, Tunisian and Yemen. By giving researchers’ contextual understandings of poverty in Egypt, the author provides the reader with a working definition of poverty and analyzes an amalgam of the available data using the Datt-Ravalion method and Engel Curves among others. The paper’s greatest strength is the author’s connection between low income and a loss of capabilities with reference to Amartya Sen’s capabilities approach to human development. He notes that low income leads to low capability whilst greater capabilities lead to higher income. However, the piece is void of a solution to the quagmire this information unveils. It is not well organized and can be difficult to follow, however the wealth of information on poverty in Egypt and some of its neighbors is worth the trouble.


Annotation: While this report does not directly discuss children’s human rights abuses, its provides a clear, concise and current overview of the human rights situation in Egypt. This gives
those seeking to understand child labor a contextual understanding of the human rights situation for all. It also provides a cultural understanding of the situation. This allows the researcher to take into account other problems faced by society so that recommendations for and critiques of the work of the government and civil society are realistic and include solutions which address multiple dilemmas. This piece provides insight into the willingness of the Egyptian government to work with the UN Human Rights Council and to advance human rights issues.


Annotation: An excellent overview of available policy solutions to the plague of child labor, this article provides the reader with past policy attempts to curb child labor. More importantly, the piece includes models for analyzing decision making processes by relevant actors. Although these models may not be the work of Basu, they are integrated into one piece, making the reader’s task of collecting them easy. This article is an excellent starting point for the analysis of child labor policy and regulation. Although the article does not focus on Egypt, it does use it as an example of the larger issue. The ideas presented in the article allow the reader to consider more facets of the child labor equation. Easy to read and informative, this is an excellent article.


Annotation: This article is a fascinating critique of child labor research. It points to the failures of academics to produce complete research that is quantitatively accurate and theoretically based. An understanding of the authors’ argument makes researchers on the topic of child labor better able to understand and gauge the validity of the literature on the topic. This peice is an excellent examination of the study of child labor and guide to those aspiring to write on or study the topic.


Annotation: This short paper written by Iman Bibars is an excellent piece both for a thorough introduction to the topic of street children and an insightful discussion of the problems with possible solutions to this issue. The piece begins with a definition of street children and the circumstances which lead to their homelessness. It then explains, through a social and legal prism, the problems facing street children. Further Bibars includes exceptionally well chosen accounts from children which exemplify the most important issues. Finally, the piece ends with a discussion of the solutions attempted to date and a superior list of recommendations. While this piece is outdated (completed in 1998), it offers an irreplaceable literature review and overview of the problem.

Annotation: Dancer and Rammohan offer a wonderful examination of schooling differences in Egypt. Although this piece does not discuss the reasons for these differences, it provides a significant study of the most disadvantaged children. It is clear that children in rural areas, girls and particularly children in Upper Egypt are in need of greater attention than the rest of the school age population. The increase in child enrollment rates when the mother is educated (particularly in the cases of girls and children in Upper Egypt) suggests that investment in the education of girls will reap greater rewards than in boys. Thus, the article suggests the government of Egypt should increase its investment in girl’s education in order to increase education rates in the future. While this theory is prevalent in education literature, proof of its validity in the case of Egypt was necessary.


Annotation: An intriguing paper, this piece introduces the reader to the effects of family composition on children’s education. Based on substantial research, this piece uses nationally representative data to study the effects of a number of variables on the attainment of schooling by children, concluding that there are large gender and rural-urban divides in Egypt. In rural households with many children, boys are often taken out of school to help the family financially. In terms of not completing school, first born males in rural settings are at very high risk while girls of all birth orders in rural areas are at the greatest risk. Household income, parental education, and urban residence all significantly increase the likelihood that children will complete their education and refrain from labor in their youth.


Annotation: Fahmi provides a comprehensive study of street children in Cairo. The book gives historical context, defines the phenomenon of street children and includes the real stories of many street children in their own words. The book can at times be confusing and the discussion of the study carried out by the author may be inaccessible to some as a consequence of advanced scientific and field specific terminology. However, the information provided is worth searching for. This book would be best used as a resource when searching for specific information as opposed to a leisurely read.

Annotation: In this piece, Galal crystallizes the extent to which support for the poor is a priority for the Egyptian government. The author then discusses the reasons for which the expenditure of roughly thirty percent of GDP on public projects is not adequately alleviating the poverty of millions of Egyptians. This article describes the current public expenditure system in Egypt, describing its current approach as an “engineering approach” which focuses on the need for more quality or quantity of services. He also discusses the virtues of what he terms the “industrial organization approach” and finally points to the World Development Report approach as the most adept to solving the poverty crisis in Egypt.


Annotation: Using field research from a variety of orphanages in and around Cairo, this piece examines the situation of girls inside of orphanages in Egypt, taking into account the managerial composition and histories of the orphanages examined. Noting the lack of alternative for unwanted children in Egypt, the article considers the possible futures of unwanted girls. While this piece does not provide an adequate study of the literature or of Egyptian society outside of the orphanages, it introduces readers to the challenges faced by orphans and the various ways children can end up in orphanages. Interviews provide information as to the goals of children and their supervisors, illuminating the Egyptian culture as it relates to childhood and labor.


Annotation: An enjoyable read, this book artfully takes the reader on a ride through the history of child labor in Egypt, with a special focus on the most unique aspect of child labor in Egypt--the production of cotton. The political economy of child labor in Egypt and its relationship with Egypt’s cotton production is explored with great attention given to the importance of cotton to the Egyptian economy. The author discusses the extraordinary nature of the cotton industry in Egypt with regards to the unequaled quality of Egyptian cotton and use of children in the fields. The ramifications of the economic dependence on this form of child labor are outlined in an organized and enjoyable prose.

Annotation: This paper provides a comprehensive representation of unemployment in Egypt. The authors present rigorous data which indicates the sectors of the economy and populations most vulnerable to unemployment. This data educates the reader on the effects of child labor on unemployment nationally and on children's ability to bring in income for themselves in the future. The paper is well organized and provides charts, graphs and tables which present crucial information in a visually appealing manner.


Annotation: This piece is a scathing review of the maltreatment of street children in Egypt, with a clear focus on the abuses for which the government of Egypt is responsible. This report focuses on the juvenile justice system and the abuses of children’s human rights as a result of their participation in child labor and homelessness. While this piece provides an excellent summary of the abuses that working children suffer at the hands of the “actions police,” it does little to explain the circumstances of the problem of child labor and homelessness in Egypt. The discussion of the problem is valuable but without a presentation of the societal pressures faced by these children and their limited options, this discussion of the human rights of Egypt’s most vulnerable children is incomplete. This oversight takes away from the legitimacy of the report’s recommendations.


Annotation: Excellent research, straightforward reporting and unparalleled coverage characterize this report from Human Rights Watch on the abuses of children in Egypt’s cotton industry. The report covers, in detail, the abuses in addition to their legal and social origins. Most beneficial is the piece’s cumulative presentation of Egypt’s human rights obligations regarding child labor. It would have been beneficial for the report to cover the purchase of cotton products from Egypt in other nations, because there are many nations which vow not to allow products produced by children to be purchased by their citizens. The work of Human Rights Watch provides the reader with a comprehensive view of children’s work in cotton co-opts.


Annotation: This is an excellent resource which explains the social situation of street children, from the conditions which led them to the street to the underground culture they have formed there. A surprisingly complex and organized world where they support one another, called the Sewas, is outlined. Hussein describes life on the street effectively, which is necessary to fully understand the complex phenomenon. The author introduces the reader to the rationale which keeps children on the street and provides a critical explanation of the children’s perceived
benefits of street life. The most agreeable aspect of this book is the numerous first-hand accounts from the children, telling their stories and experiences in detail.


Annotation: A report on labor conditions in Egypt, this short piece provides an adequate overview of government policies towards labor in general and child labor more specifically. The piece also discusses related children's issues briefly, including education and female genital mutilation. The report includes data concerning labor, education, literacy and minimum wage statistics comparatively for Egypt, the Middle East as a whole and the world average. This information proves very helpful when trying to place the situation in Egypt internationally and to compare its strides with those of its neighbors, giving the data more context.


Annotation: The outdated nature of the article has done little to invalidate the author’s arguments. This article provides the reader with excellent coverage of the problem of child labor in Egypt. Comparing it to another African country gives the reader perspective, but the organization of the article allows readers to only read about Egypt if they choose. The piece provides a wonderful analysis of the institutional failures that have led to the continued plague of child labor in Egypt. Data in the piece is outdated even for its 1997 printing, but it gives the reader a historical background.


Annotation: These authors present a well researched presentation of child labor in the international community. The paper describes the nature of child labor with reference to the activities of laborers and the magnitude of this work internationally. The piece provides an outline of the determinants of child labor though the inputs and consequences of child labor are not fully presented. A section on the welfare economics of child labor and another on policy intervention are excellent overviews of the problem and possible solutions but are not exhaustive.

Annotation: Providing excellent data and an overview of the child labor situation in Egypt, this report provides a concise update on the most destructive forms of child labor in Egypt as of 2008. This report introduces the reader to many disturbing new developments in the nation. While the data is missing many important indicators, such as child labor by sector, the report provides helpful, quick facts, including the dates of Egypt’s signing of relevant human rights treaties. Overall this piece is a worthwhile read and provides readers with rare insights into the realities of the child labor situation in Egypt currently.


Annotation: This short book section provides an introduction into the failures of the Egyptian healthcare system with a focus on children. Historical background is provided, as is a description of the culture surrounding injured and disabled children in Egypt, specifically among impoverishes segments of the population. The information provides perspective on the future faced by children with work related injuries and who are denied access to adequate healthcare. The section ends with the description of a successful early intervention program which furnishes best practices.


Annotation: Research on the success of cash-transfer programs designed to increase school enrollment rates is presented in this report. The piece argues for the provision of social services in exchange for enrollment, though this is not supported with enough evidence. The presentation of this policy as a solution to the problem is not realistic, but the approach does have benefits that deserve greater study. This paper accurately presents the relationship between child labor and deflated education outcomes, and gives an understanding of the cycle of poverty that is reinforced when children do not receive adequate education.


Annotation: In this book, Todaro and Smith provide a comprehensive view of the necessary policies for economic growth with historical, practical and theoretical perspectives. The most helpful section of this book is the chapter covering human capital. This chapter provides a comprehensive discussion of child labor in the developing world, the consequences of the practice and a critique of the methods that have been used to fight child labor. The explanation of the economic conditions that create the dire need for child labor and the economic
ramifications of prominent solutions presented are invaluable to anyone seeking to understand
the outcomes of child labor.

Speak, Suzanne. 2005. "Relationship between Children's Homelessness in Developing Countries and

Annotation: The topic of this article is novel and proves integral to a full understanding of child
labor and the resulting phenomenon of street children. This piece outlines the effect that weak
women's rights legislation and enforcement has on the protection of children from domestic
abuse. In Egypt, this reality plays a significant role in number of child laborers and their
domestic abuse. The inability of women to protect their children is a critical issue that presents
human rights violations of women and children as interdependent.

the Youth Employment Summit 2002. Available online: www.yesweb.org/alexandria_02/sessions/op.ch_labour.doc.

Annotation: This short paper provides good coverage of the child labor problem in Egypt.
While providing some good statistics, the paper would benefit from more quantitative
information regarding child labor. The paper is replete with the structural reasons for the
subistence of child labor in Egypt, while describing in brief the government of Egypt’s efforts
to end the practice. While this piece offers insight into the practices to end child labor in Egypt
supported by UNICEF, greater detail about the projects and their success would be beneficial.

UNFPA, Population Reference Bureau. 2009. *Healthy Expectations: Celebrating Achievements of
the Cairo Consensus and Highlighting the Urgency for Action*. New York: UNFPA, Population
Reference Bureau.

Annotation: This concise paper provides readers with thorough coverage of the most pressing
issues facing children in the developing world using a human development based approach.
Clear diagrams show the world’s progress towards addressing these issues comparatively.
However, the book fails in two respects. First, it is too brief, even for an introduction to the
topic. Secondly, it does not compare all countries. Instead, the article provides a mix of cases
and regional comparisons, making the data less accessible to those seeking to understand the
situation in a particular area as opposed to successes and failures of the international community
at implementing the solutions in the Cairo Consensus.

Wahba, Jackline. 2006. "The Influence of Market Wages and Parental History on Child Labour and
Annotation: This journal article provides an excellent study on the sources of the most important causes of child labor in Egypt. The paper comparatively studies child labor in Egypt and Mexico. Wahba provides evidence that increases in child labor can be directly correlated with the following: decreases in the market wage for illiterate adults; increases in local, province and regional income inequality; and parents’ history as child laborers. The coverage of the roots of the issue has great policy implications. While the recommendations were inadequate, the data and resulting correlation presented in this article provides a clear vision of the ills which produce child labor. The suggestion to follow in the footsteps of Mexico’s PROGRESA program is a good start.
Persecution of Coptic Christians in Modern Egypt
By Alla Rubinstein

The Christian community of Egypt dates back to the seventeenth century and comprises 12 percent of the population today. As one of the oldest churches of the world, the Coptic Christian Church, first formed in Alexandria, has stood resilient and faithful to its traditions against intolerance, siege and persecutions. Having been present in most institutions of the state among the overwhelmingly Sunni-Muslim population, Copts are not new to the slow process of Islamization that Egypt has been undergoing for the last twenty years. What has been unique to the recent Coptic experience is the forced integration of Shari’a law by organized, violent fundamentalist groups—such as the Muslim Brotherhood. These groups have permeated political and social aspects of life, creating the worst suffering in Coptic modern history according to the Church. Dismissed as episodic, the state is unresponsive to the persistent violence and discrimination against Christians voiced daily.

Fitna ta-ifiyya, or sectarian tensions, have digressed from historical peaceful coexistence to stereotyping and ostracization of Copts by the Muslim community. The US State Department notes in a recent report that religious freedom is deteriorating throughout Egypt and human rights violations, including discrimination, abuse, imprisonment, and violence, have risen significantly. A great grievance of the Coptic minority is that they hold few positions in national government and no high-ranking posts as governors, mayors, or police chiefs to oppose parties who claim that the Quran is their constitution. Political Islam has been an influential factor in the sociopolitical scene, its agenda being pushed into professional circles, including university posts, military activities, and the media. Citizens have taken politics to the streets in an attempt to restrict public influence in the government sphere. In turn, government edicts have permeated daily life by restricting organization of civil society, freedom of press, and political activism such as the kefaya movement. A strict divide between Islamist ideals and secular intellectualism has marginalized Christians from government participation as they display a preference for Western principles. While Copts are generally able to practice their faith and fall under the status of dhimmis (‘protected people’), they do so in constant fear. As religious identity is a social marker, Christians are easily targeted in their communities as “infidels.” Identification cards and birth certificates indicate the religion of the holder to display their status. The burning of churches, such as the 2008 attack in Matariya, Cairo, prohibition of apostasy punishable by death, and indiscriminate murder of Christians has evoked a desperate plea from the Official Coptic Church for liberalization, reform, and the removal of the age-old edict, Hatti Humayun, which has limited equal rights of Christians since the Ottoman Empire.

Although freedom of belief and the practice of religious rite are lawful under Article 46 of the Constitution, discrimination and oppression against Christians have been persistent on several levels of political powers. Bureaucratic delays and restrictions have been set by the government to uphold Islam, the official state religion, in order to stave off threats the republic has been facing from opposition groups who seek an Islamist nation. For example, authorities detained and harassed converts from Islam to Christianity, insisting they convert back, claiming that the constitution did not extend to apostates. Complaints of failure to investigate and prosecute the perpetrators of sectarian violence fall on deaf ears as President Mubarak’s regime denies these breaches, casting
them off as isolated situations. Parallel to government non-compliance, radical opposition groups have violently oppressed non-believers, particularly Christians, who do not agree with fundamentalism and political Islam. The Muslim Brotherhood, officially banned by Egypt in 1954, and other Islamic extremist groups such as Gama Islamiyya, the Islamic Brigades of Pride, Abdulla Azzam Brigades, and Al-Qaeda, have committed bombings and terrorist acts on tourist locations such as the Red Sea Resort. This has been in an attempt to destabilize the Egyptian government, hopefully affording them the opportunity to install a full-impact Islamist regime. In its effort to maintain power, the government under President Mubarak often ignores Islamist groups’ violent activities against non-Muslim individuals in an attempt to placate the violence and to conserve the little balance remaining between secular and Islamist groups. On a local level, police are often complicit in mistreatment of Copts as they are members of the Muslim Brotherhood. Opportunities to seek aid and restitution against perpetrators of crimes against Copts are small and few resources allow for victims to report abuses.

Backed by Article Two of the Egyptian Constitution, most government policies are dictated by Islamic jurisprudence. Outstanding public legal predicaments for Copts have appeared in recent apostasy cases, where local police detain and harass converts from Islam to Christianity. Most recently, the Egyptian Islamic Legislation Authority has been issuing a greater number of *fatwas*, or legal Islamic pronouncements, to restrict the actions of Christians, as they are inconsistent with the faith of Islam. On September 1, 2009, the Egypt Muslim Council issued a *fatwa* against the building of a church calling it a “sin against God.” Similar *fatwas* have been passed by high Sheikhs forbidding anyone from participating in Christmas celebrations, distributing non-Muslim pamphlets, and from converting from Islam to Christianity. Family law affecting child rights, inheritance, marriage rights, and burial is dictated by Shari’a as well, prescribing harsher sentences and fewer privileges to non-Muslims and overriding canon law. In 2003, the Ministry of Justice authorized the confiscation of materials deemed to be inconsistent with Islamic law. Also, although under Presidential Decree 291 churches are able to expand or build under the consent of a governor, the permit process is often delayed by government stalling, or denied and made impossible, leaving many monastic establishments to function illegally.

According to a poll by the New York Times in 2009, more young people are feeling disenfranchised and falling into the arms of religious committees wanting to oversee all matters of state governed by Islamic law. Trends of increased visibility of public incidents of sectarian violence against Copts, such as the murder of six Coptic Christians on Christmas Eve 2009, are getting more people to take note of the gravity of the escalating sectarian tensions in Egypt. The international community is becoming more aware of the Coptic struggles and is calling for accountability by the Egyptian government. Since the return of Coptic Pope Shendouda III from exile, internal church organizations are gaining a platform to seek out global support. Also, the role of monastic and social services are increasing. Coptic intellectuals have sought means of addressing discrimination but have emigrated due to the dismaying negative response. As a result, advocates for Coptic rights are pushing for stronger international involvement to ameliorate their plight and regain their presence in modern Egypt.
Annotations


Annotation: Written for the Muslim Brotherhood’s Official website, this article has a definite bias regarding the events following the first degree murder by a Muslim of three parishioners and several worshippers at a Coptic church in Egypt. Although acknowledging the crime and outrage from both the Muslim and Christian communities, the article depicts Christians as an angry mob slandering Islam. The author shatters the government’s notion of “national unity” by recounting a long year of events in 2005 when Muslim-Coptic relations deteriorated due primarily to controversies over religious conversions. Though important for acknowledging a fundamentalist perspective, this article nonetheless accuses US media, the Egyptian state, and secularism of spreading conspiracies and myths about the current state of affairs for minorities in Egypt.


Annotation: As a renowned human rights activist in the Middle East, Khalil gives a diatribe on the abuses of the Mubarak regime against Coptic Christians. Khalil says that the subjugation of Christians is inevitable in a country where “state crimes” are mandated by Shari'a law. Khalil chastises the Egyptian government for being just behind Iran and Saudi Arabia in human rights violations. Khalil’s speech is monumental in that it bluntly reveals to the Middle East public the ongoing hate crimes occurring in Egypt, such as the abduction of Coptic girls who are raped and forced to convert to Islam. He calls on Copts and the United States to fight these crimes as he sees Christians as the only ones who can uphold secularism in Egypt and halt injustice. Very brief and concise, Kahlil leaves the reader with a strong feeling of desperation for the plight of the Copts.


Annotation: This article violates a social taboo in Egypt by openly discussing conflicts between Muslims and Coptic Christians. The author dissects the different groups and associations that have weakened the bond between the two religions, and have in effect destabilized the unity of the political state. Ansari examines how the appeal to religion by Egyptian authorities weakened the nation’s policies on sensitive topics such as conversion, the rise of Islamic militancy, and sectarian disturbances. Based on the sectarian tensions, Ansari concludes that the return of the Wafd political party will likely lead to greater polarization with decreased liberalization. This
source provides a linear chronology of political tensions in both Egyptian politics and religious movements, drawing a sequential parallel of events.


Annotation: The author presents a broad picture of predominantly religious-based human rights law in Muslim states. Because Shari’a law, derived from the Quran and Hadith, is generally consistent across Muslim nations, the general impression allows readers to grasp the language of national constitutions through an Islamic lens. The author introduces non-binding bodies of law such as the Cairo Declaration on Human Rights in Islam (1990) which exclude non-Muslims from attaining basic liberties and the Universal Islamic Declaration of Human Rights (1981) which breaches the topic of non-Muslim rights. The article emphasizes the “radically different consciousness” of human rights in the Muslim community as opposed to Western societies, but refuses to accept that international human rights norms are not compatible with Muslim beliefs. Rather, through legal clarification, the author exposes the inconsistencies of Muslim legislation that stifles free expression under a religious pretext.


Annotation: This article provides a brief yet complete history of the waves of peace and repression of Coptic Christians throughout the ages. Succinct and direct, this article makes it possible to visualize the highs and lows of Coptic history and the origin of its conservative doctrine. No current details are presented for recent trends of Copts in Egypt, but the historical importance of the Coptic Church of Alexandria and the land presently defining Egypt is underscored. Ascott demonstrates why the land is holy to the religion and how its significance has withstood centuries of instability for the sake of remaining true to the Apostolic doctrine.


Annotation: This op-ed piece reviews the general sentiment of Islamic nations with regard to minority religions in the Middle East. The author reviews actions taken by several country leaders such as Turkey’s Tayyip Erdogan and the Organization of the Islamic Conference to combat religious persecution. The author points to the need for Islamic nations to take urgent measures to promote tolerance and change the global perspective that Islam connotes human rights violations and intolerance. As a comparative analysis of how Muslim nations are responding to dealing with religious minority issues, this article provides a thorough examination of previous dialogues and the future conversations necessary to push for the promotion of human rights in the Middle East.

Annotation: The author interprets Egyptian case law on apostasy in the context of the case of Muslim scholar, Nasr Abu Zayd, whose marriage and inheritance rights were involved in the ruling. Citing specific family laws and court rulings, Berger scrutinizes the consequences of apostasy, making careful distinctions between apostasy and conversion using the jargon of the courts under Islamic law. Because no statutory law exists, each trial is handled by case law, which paints a consistent picture of the act deserving a death sentence. The depiction here is dire for apostates who face harsh consequences for abandoning Islam and persuasive for others to avoid conversion. With a perplexed tone, the author seeks to uncover how the public policy acts consistently with popular belief and if, in fact, the death penalty is the appropriate legal consequence under Egyptian law.


Annotation: The author exposes the current state of Coptic Christians as a minority group in Egypt and the various paths they are forced to take due to the burgeoning religious repression of the state. The reading provides a well-rounded review of the history, statistics, and political limitations and dismal affairs restricting Christian rights in the region. The author calls on the United States to step forward as the leader in ensuring the human rights and freedoms of Christians by putting pressure on Egyptian officials and encouraging UN responsibility. As the chairman of the British Coptic Association, the author speaks to an American audience on behalf of his group to demand assistance in emancipating Coptic Christians from a repressive regime.


Annotation: In light of recent cries from the Coptic Church of Egypt against religious persecution by the government, Brown reviews the government’s rebuttal against this claim by analyzing the historical presence of Copts in civil life. Section III of this article critiques Egypt’s role and responsibilities based on international human rights standards towards religious pluralism. Brown reviews the country’s relationship with religion from a human rights perspective, evaluating the effectiveness of its interactions with the UDHR and CCPR. This is a helpful article for anyone seeking to understand Egypt’s response to international accusations against human rights abuses and for a better understanding of what a country’s responsibilities are within the human rights framework.


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Annotation: Although written over twenty years ago, Cragg’s analysis of Muslim-Christian relations in Egypt is still very relevant for assessing the current Coptic Christians’ rights. The final chapter prescribes a dismal view of Muslim-Christian coexistence that lies beyond anyone’s control, and offers more dilemmas than it attempts to resolve. The book focuses on contemporary Arab and Christian identities and makes broad comparisons of Copts to Christians in other Middle Eastern societies, such as Lebanon. The author allots an entire chapter on ascertaining why Christianity can share no future with Islam due to the political nature of Islam and the powerlessness of Christians in the Muslim world. There is no optimism in the tone of this book nor does it offer any means of reconciliation.


Annotation: Although framed in the context of marriage, Erwin gives the most helpful summary of Muslim-Christian social relationships in Egypt for a full understanding of what it means to be a minority in a Muslim-dominated country. The social stigma of relationships between Muslims and Christians penetrates most deeply in romantic relationships, as religious identification is a big part of Egyptian culture and socialization. There is an official legal ban on interfaith marriages, which results in the prevention of cultural diversity and overt discrimination. Erwin details the pervasive discrimination against non-Muslims from identity cards revealing one’s religion, to conditional rights granted only if non-Muslims submit to Muslim sovereignty.


Annotation: As an academic expert on Muslim-Christian relations, Goddard stands firmly on his belief that the problem lies in that neither religion knows much about the other across the global community. Consequently, his emphasis lies on perceptions and attitudes within various countries and how individual challenges can be viewed within this framework. For example, the Age of Enlightenment allowed for the flow of sources and texts to become available to Westerners, thereby exposing Islamic history and Quranic texts and revising misconceptions of the Arab world. The historic narrative highlights the defining moments in the relationship’s history and looks forward to improving bonds by using the underlying trends as a reference.


Annotation: This article addresses the recent strengthening of the Muslim Brotherhood and Islamist movements in Egypt. It traces the current resulting adverse effects on the Egyptian Copts in all aspects of daily life. The author reinforces his position by referencing specific fatwas that have hindered the progress of modernization and Westernization in social and civil settings. The reading provides an inclusive examination of Egyptian society, laws, and statistics as the
country transitions away from nationalism and how the devolving reforms restrict Copts in particular. This article is compelling in that it gives actual cases affected by the fatwas and personalizes the plight of the persecuted with a plethora of details from a French perspective.


Annotation: This work traces the history and origin of Coptic Christianity in Egypt through the leadership of Pope Shenuda III and assesses the contributions of his moral and political support of the Coptic people. The book progresses from recounting the Copts as an ignored minority to exploring the community of solidarity in light of the predominantly Muslim Egyptian society and amidst the growing rise of Islamic fundamentalism. Because the topic of a Christian minority has been a taboo, Hassan says what many Egyptians are not comfortable discussing. Hassan focuses on the internal dynamic of the evolving middle class Coptic community both historically and socially. A great interpretation of religious relationships in the Middle East, this read is an objective portrayal of the Church in today’s Egypt.


Annotation: Jabbour seeks to answer questions about Egyptian attitudes towards popular religions in the face of increasing Islamic Fundamentalism. Through an anthropological lens, the author explores the degree of fundamentalism reached by groups such as al-Banna, Qutb, Shukri, Jama’at and The Muslim Brotherhood with regards to their treatment of non-Muslims. Jabbour explores important attitudes towards Jihad and what role minority religions play in the pursuit of an Islamic state. He addresses factors contributing to the development of fundamentalism, including economic and social factors, which influence feelings towards non-Muslims. Easy to read and progressive in its nature, this book provides a linear history of fundamentalism in Egypt and its impact on non-Muslim life.


Annotation: Lewis empowers Egypt to take charge of liberating Coptic Christians from their religious plight not only in the name of democracy, but also for self-interest and advancement of Egyptian society. This opinion piece also invites Christians from around the globe to recognize Coptic struggles and the Islamic terrorism that represses them. Lewis makes recommendations to both the American and Egyptian governments to take steps to remedy the quandary of Copts and to promote democracy in a collective revolution against Islamic extremism. He speaks to a broad audience that may be unfamiliar with Coptic history or challenges, but insists on everyone's involvement in remedying human rights violations against the Copts.

Annotation: Pulled from a composite of recent global concerns on human rights issues ranging from Russia, Mozambique, China, and Egypt, this chapter is written by an Egyptian woman who was exiled from Egypt and currently writes under a pseudonym. Beginning with a brief summary of the Coptic past and origins, the author focuses primarily on political and cultural clashes between the Muslim and Christian communities in modern Egypt. She discusses how social reforms led to the rise of the Muslim Brotherhood, which inevitably prompted the holy cleansing of Copts. With a strong voice against the religious nationalism she describes, Masriya assesses the conditions that have subjected Copts to injustices. The criticism concludes with a copy of a telegram from the Christian Churches of Egypt to former President Sadat pleading for equality and recognition.


Annotation: The discussion of the Christian experience in Egypt today is presented as a contrast to past interactions between Christians and Muslims in Egypt in order to determine whether *dhimmi* has maintained historical continuity. Because the term *dhimmi*—generally applied to non-Muslims to mean “protected people”—has evolved with varying connotations, the author seeks to define it clearly and determine if the label can accurately continue to be used at present. His analysis begins with a thorough dissection of the Quran and the Hadith. He then explores contemporary relations during the reign of President Mubarak with respect to eight normative social and political categories including the legal status of citizens, conversion and apostasy, relation to the state, contemporary grievances, and others. Building historical parallels for each element, the author provides “what if” scenarios for positive and negative views of *dhimmi* with no decided conclusions about the fate of Christians in Egypt.


Annotation: Presenting to a wide audience, Meinardus addresses the broad spectrum of Christians in Egypt including Coptic Christians, Greek Orthodox, Roman Catholics and Maronites in this reference style tome. As a leading historian and anthropologist for over forty years, Meinardus amasses a compilation of resources, churches, and networks of all the denominations available in Egypt. His research provides a comprehensive general reference in the context of modern and historic Islam in the region. This research incorporates a meticulous index for scholars and those with a general interest in the current landscape of Christian identity and status.

Annotation: Najjar examines the Egyptian Muslim mentality from a social psychology standpoint, depicting a conflicted people torn between modernity and Islamic tradition. With no constructive dialogue or resolution in sight, Najjar suggests that it is necessary to view each culture’s understanding of secularism separately and what it means for the national unity and coexistence of the two religious. She unravels the misconceptions of justice, extremism, and misused vocabulary that prevent dialogue and co-operation. This article is vital for anyone wanting to understand the cultural-isms and milieu of the traditional Muslim community in Egypt and the non-religious minorities who find themselves lost in translation.


Annotation: Taken from "Nationalism and Minority Identities in Islamic Societies," this chapter provides a comparative analysis of Christian groups as two distinct minorities in Lebanon and Egypt. Depicted as significantly different with regards to military participation and level of nationalism, the evaluation of the aggressive Lebanese versus the meek Egyptian Copts illustrates how a similar group can have very distinct reactions to political repression. The author also reviews Bishop Kenneth Cragg’s The Arab Christian, to give weight to the comparative experiences of Middle Eastern Christians from a theological perspective and to explain how divergent types of political activism are related to different historical and cultural imperatives.


Annotation: Rowe is not shy about pointing out the Egyptian government’s repressive actions and attacks their didactic control over civil society. The author points to the increased conflict on the state-society level between Islamic fundamentalists and secular political activists, which allows little room for dissent and democratic change. The constant omission of the Coptic Christians from the government agenda has left Copts to face severe discrimination. Despite historical attempts to assert their presence through community leaders and the Church, the Mubarak period suppressed any rivalry by dividing the church, imprisoning Pope Shenouda III, and exiling activists. In the last decade, the Church has strengthened its voice by calling on the international community, finding support in the global media, and building cohesion within the Christian community. Rowe is optimistic about Coptic survival in the Middle East in spite of their challenges and is confident that the determined group will obtain a voice of inclusion in the Egyptian government.

Annotation: Strictly from a legal perspective, this article analyzes the protection of the religious freedoms of Egypt’s minorities. Saleh analyzes how the Egyptian government responds to legal contracts and what role it assumes in abiding by these legal codes. The author deduces through legal inference that although the Egyptian constitution protects religious liberties, it leaves a large loop-hole for Shari’a legislation and is inconsistent. Non-Muslims “by way of exception” are granted a certain degree of autonomy on private issues. However, there is a clear imbalance in justice in policymaking and in the Supreme Court, as the rule of law is interpreted differently depending on who is in leadership. Saleh reasons that the lawful protection of religious minorities is difficult to uphold, despite the cloak of deceptive clauses claiming religious freedoms to all.


Annotation: In order to provide a non-Western understanding of Kefaya, known officially as The Egyptian Movement for Change, this detailed article interprets the political movement for an American audience. The author postulates how a new generation, distrustful of politics, can pull together current Egyptian politics and oppositional forces by utilizing Kefaya as a tool to reach common ground. As an expert on American-Arab cross-cultural understanding, Shorbagy does an impeccable job at teasing apart common misunderstandings and analyzing Kefaya from both a Western and Arab perspective. Really digging into the ideologies of modern social and political movements, Shorbagy highlights the vision for change utilizing Kefaya.


Annotation: After the tragic death of six Coptic Christians on Christmas Eve in the neighborhood of Nag Hammadi, Slackman, a journalist, investigates the sectarian violence that has been plaguing Egypt. Slackman is determined to uncover the roots of Christian-Muslim tensions, despite the government’s insistence that this was an isolated event. Unsatisfied with the explanation provided to him by the Interior Ministry, Slackman uses investigative journalism to gather testimonials from Muslims and Christians alike who attest to the government’s constricted view of the underlying tensions in religious-driven crimes. What he discovers are the daily subtleties that separate the two communities due to underling Muslim superstitions about Christians, inter-religious dating, and the stigma of interfaith relations.

Annotation: This collection of presentations was compiled from those given at the First International Coptic Symposium. Compiled by speakers of eclectic backgrounds and religions, the writings cover a broad scope of issues surrounding Coptic Christians in Egypt from the past up to 2004, including, but not limited to, political climate, human rights violations, and violent denunciations of perspectives ranging from academic and scientific to personal. The assorted authors propose varied solutions to the violations against Copts based on their positioning and call for referendum to the present crisis.


Annotation: With the aim of strengthening the human rights efforts of regional embassies, the American report on Egypt seeks to direct human rights missions toward explicit programs and advancements. For Egypt, this report reflects a need for more attention on religious persecution and police injustices against ethnic and religious minorities. The report cites specific instances of violations. Specifically, Section 2 lists violations against civil liberties and Section 2(c) itemizes infringement on religious freedoms against non-Muslims. Because the report is issued yearly, it provides the most current information on human rights and noticeable trends requiring increased attention. This report is used as suggestive guidance by NGO’s around the globe and establishes a universal agenda easy for any reader to follow.


Annotation: Similar to the Human Rights Report issued by the State Department, this report looks deeper into the more specific concerns of Egyptian religious minorities, such as Coptic Christians, and the violations made against them throughout the year. The document's aim is to point out failures within the state to uphold international standards and national laws that protect non-Muslims. The goal of the report is to persuade reform of governmental practices for the protection of minority rights. Most prevalent in the report are instances of sectarian violence, police harassment, and declarations within Shari’a law that constrict the opportunity of Copts to attain religious and civil liberties. Most helpful in this report is the allusion to applicable Constitutional mandates and portions of Shari’a Law that are upheld by the government. The document does not prescribe reformative measures, but does mention how the United States is
engaging with the Egyptian community to ameliorate religious rights violations. This is a great starting point for anyone seeking solutions to government wrongs.


Annotation: In this speech, Bishop Youannes, Director of the Coptic-Orthodox bishopric of Public, Ecumenical and Social Services (BLESS), enumerates the grievances of the Coptic Church against the Egyptian government. He raises concerns in the hope of future cooperation with Muslims and his criticisms ask for integration of the Coptic community. Rather than accuse the Muslim society of wronging Christians, he informs his listeners of the integrated development on the community level that his parish has set as a priority, to break down the barriers between religious faiths and to bring peace to both faiths on a national level. His address is therapeutic in tone as he sets goals for future dialogue.


Annotation: As an expert on Islamic and Middle Eastern affairs, the author ascertains that the conversion of a secular Egyptian nationalism to a fundamentalist agenda marginalized Coptic Christians. As he seeks to explore these causes and trends, Zeidan maintains that the relationship between Muslims and Coptic Christians is heavily compounded with identity, historical and perceptual issues, and the deteriorating relationship between the two, which is propagated by the rise of Islamic fundamentalism. To give weight to his thesis, Zeidan pulls from Muslim and Coptic opinions of the community on relevant issues. For a diverse range of opinions and popular local perspectives, this article is useful to anyone seeking to understand the culture of Muslim-Christian tensions.
Dying for Love: Homosexuality in the Middle East
By Heather Simmons

“In Iran, we don’t have homosexuals, like in your country.”
-Iranian President Mahmoud Ahmadinejad

Introduction

Today in the United States, the most frequent references to the Middle East are concerned with the War on Terrorism. However, there is another, hidden battle being waged: the war for human rights on the basis of sexuality. Homosexuality is a crime in many of the Middle Eastern states and is punishable by death in Sudan, Saudi Arabia, Yemen, Qatar, Kuwait, and Iran (Ungar 2002). Chronic abuses and horrific incidences such as the 2009 systematic murders of hundreds of “gay” men in Iraq are seldom reported in the international media. Speculation as to why this population is hidden includes the controversial nature of homosexuality, religious extremism, regional differences in accepted sexual practices, and even international politics. Whatever the reason, the sexuality war raging in the Middle East needs to become a focus of the international community—lives are at stake.

Differences in Language

Within the Middle East, notions of “gay” or “homosexual” are different from those of the West. Simply being effeminate or resisting cultural norms can cause one to be labeled as “gay.” The categorization of someone as “homosexual” frequently does not refer to a physical act with someone of the same gender. Within Middle Eastern culture, there are different classifications of “gay,” including homoerotics, homosexuals, and other words that do not have English translations. In some cases, there are different words for the “passive” versus the “active” partner; and only the passive partner is considered homosexual.

Inherent within the discourse regarding sexuality in the Middle East is the lack of distinction between “sex” and “gender.” In some instances, homosexuals are referred to as the “third” sex—neither male nor female. They are accused of being subversive and violating societal norms by not fitting prescribed gender roles. Problems accepting same-sex relationships or attraction negate recorded history where homosexuality was an established component of Middle Eastern culture. This revision of history denies reports of cloistered women who maintained their virginity through relationships with women and sexual relationships between older men and teenage boys as part of a “coming of age” process.

Several authors postulate that the terms “gay” and “homosexual” did not enter Middle Eastern thought until after the 2003 invasion of Iraq. This argument has political ramifications, creating speculation that homosexuality is a Western invention and that member states of the West are attempting to destroy Middle Eastern culture through undermining religious beliefs and introducing non-heterosexual behaviors. The following historical overview provides insights into both the backlash against the West and the abuse of homosexuals in the Middle East today.
Islam and Religious Extremism

It is difficult to conduct an analysis of homosexuality in the Middle East without an in-depth investigation of its relationship with Islam. In addition to religious practice, the tenets of Islam are found within everyday culture, codified law, and individual psychosocial realities of residents in the Middle East. It is so pervasive that cultural Islam is frequently distinguished from religious Islam through the designation of the term “Islamicate.” Islam is interpreted differently by different followers, but generally its teachings regarding sexuality (homosexual or heterosexual) can be reduced to the importance of procreation and formalized frameworks for sexual activity.

Increasingly, Islam is used as justification for the arrest, detention, and murder of homosexuals throughout the Middle East. “Homosexual” can be roughly translated in Arabic as “the people of Lot”, which is the basis of many anti-homosexual interpretations of the Qur’an. However, many scholars assert that the Qur’an does not contain passages that explicitly forbid or denounce homosexuality. Instead, they argue, it has become a cultural norm to interpret the Qur’an as being anti-homosexual. The use of Islam as a basis for cultural norms has led to many arrests on charges such as “contempt of religion” for those perceived to be different (Pratt, 2007).

Islam has influenced culture through the application of Islamic Shari’a law, though the law punishes those who outwardly display homosexual affection more than it punishes the practice or existence of homosexuality. Further criticisms of homosexuality are found in Hadith, history or teachings of the Prophet Muhammad that were passed down orally through history until they were recorded in writing. Many Hadith reports contradict each other, but they include severe condemnations of homosexuality. Hadith is cited as the basis for killing those classified as “homosexual.” Those perceived to be “gay” or who do not fit gender norms are frequently charged with “contempt of religion.” Many argue for continued self-assessment and personal interpretation of the Qur’an, Hadith, and Islamicate practices.

Regional Differences

Countries within the Middle East tend to differ in their treatment of homosexuals and homosexuality. Israel is often seen as the anomaly—accepting homosexuality and even allowing “Pride Parades” to occur throughout the country. The removal of legal impediments to equality and human rights has had great implications for the homosexual community within Israel. However, Israel does not accept those petitioning for asylum on the basis of sexuality and little is written about transgendered and intersex persons within Israel.

Other countries such as Egypt do not have laws forbidding homosexuality. However, the 2001 incident where sixty men were arrested and detained on the Queen Boat for “debauchery” is an example of how homosexuals are targeted via legal state means. The men arrested were tortured, stripped, and forced to report whether they were “active” or “passive” partners. Since this incident, many others have been convicted of “habitual debauchery”. Other countries that do not have laws against homosexuality utilize sodomy laws to arrest, imprison, and kill male homosexuals. In many countries, female homosexuality is not as great an issue, due to a “lack of penetration.”
Still other countries within the Middle East expressly criminalize homosexuality and homosexual acts. They hunt suspected “homosexuals” and enforce laws through disappearances, kidnappings, and murders. Numerous reports of neighbors disappearing, friends arrested in the streets, or accusations of homosexuality creating the need for residents to flee abound. In these countries, families excommunicate loved ones who are only accused of homosexuality. Accusations alone are a source of deep shame. Evidence of homosexual acts and clearly stated judicial processes are not required for murder in these countries.

Politics

In countries where being “gay” is punishable by death, notions of homosexuality can be politicized for the advantage of those in power. People can be accused as homosexuals and executed without evidence or trial. Additionally, the controversial nature of homosexuality allows it to be used by politicians as a diversion from subjects of importance, as well as a tool to protect themselves from being accused of political corruption. This controversy can incite religious extremism, political rebellion, war and murder, and subversions of human rights.

Many residents of the Middle East have been reported to claim homosexuality is a Western “problem.” They assert that sexuality has become rhetoric, demonstrating the differences between Eastern and Western cultures. In this regard, several authors postulate that homophobic and violence against homosexual and transgender persons are actually expressions of anti-colonialism and rebellion against the proliferation of Western culture and ideals. Others suggest that the emergence of violence against homosexuals is an expression of religious extremism—humans fighting for their beliefs through the abuse of others.

Conclusion

While homosexuality is contentious in many countries—including the United States—in the Middle East it is the excuse for the arbitrary detention, arrest, torture, and deaths of hundreds of people. Whether because of politics, religion, or common cultural practices, homosexuals within the Middle East continue to fight for their lives and their right to love. Only with the cessation of these practices and the advocacy of human rights for all people will human beings truly achieve peace.

Annotations


Annotation: The author is a professor of History and Women's Studies at Purdue University, and a native of Iran. Her research has focused on gender in the Middle East and in this article she reviews 500 years of social change in Iran, focusing particularly on issues surrounding sexual politics within the last 200 years. The author moves from the historical background of Iranian
society to what she calls the current "unfinished sexual revolution," including a review of current discourses regarding women's rights, sexuality, and modernity. This text received critical acclaim for its insight and comprehensiveness. Previous works by this author have received numerous awards.


Annotation: This project is a compilation of Ali’s participation and experiences in the Feminist Sexual Ethics Project of 2003, the Harvard's Women's Studies in Religion Program in 2003-2004, and at Brandeis University. Ali examines whether or not a practice can be perceived as "Islamic" and the relationship of Islam with customary practices. She advocates for ongoing examination and assessment of customary practices, as well as the need for adaptability within customs and religions. At times Ali accuses some modern Muslims of simply following Islamic orders rather than critically judging practices for themselves. The author explores the relationship between gender, sexuality, Islam, and sex, analyzing current debates and offering opinions on these discussions. Extensive notes, bibliography, and index sections are offered at the conclusion of the text.


Annotation: This article is a study of Arabic lesbian and lesbian-like women as chronicled in historic literary writings. Amer traces the history of lesbianism to an intercultural, interfaith love affair between an Arab woman and a Christian woman in pre-Islamic Iraq. The author reports positive perceptions of lesbianism and homosexuality in medieval Arabic literary writings - asserting that mystics and men in positions of power also had homosexual partners. Additionally, Amer highlights the Qur'an's condemnation of adultery over homosexuality, though notes that today the condemnation has reversed. In researching material for this article, the author documents her struggles to secure such texts- even in their English versions - largely due to the penalties associated with homosexuality in many Middle Eastern states and her status as a woman. While this article contains a good overview of homosexuality as recorded in historical works, Amer does not provide a bridge to current practices and the evolution of violent ramifications for homosexual practices. However, she provides an alternative argument to that of Middle Eastern homosexuality as a result of Western colonialism, providing an opportunity for an increasingly accepting view of sexuality.

Annotation: This collection of essays emerged from a seminar entitled "Crossing Paths of Middle Eastern and Sexuality Studies: Challenges of Theory, History, and Comparative Methods," sponsored by the Radcliffe Institute for Advanced Study in May 2003. This text confronts the differences between Eastern views of sexuality and Euro-American perceptions. Additionally, it investigates issues of sexuality and gender across geography and time, as well as the differences in nomenclature and cultural connotations inherent within vocabulary and word choice between Eastern and Western cultures.


Annotation: This article is a transcript of Iranian President Mahmoud Ahmadinejad's remarks at Columbia University in September 2007. Following his address, President Ahmadinejad answered questions from the crowd. In response to a question regarding the executions of homosexuals in Iran, the President claimed that there are no homosexuals in Iran. Additionally, he began to talk about capital punishment for those that "cause the deterioration of the lives of hundreds of millions of youth around the world," though he blended this with a discussion of illicit drug traffickers. It is unclear whether the President was confused by the question, if he views homosexuals and drug traffickers in the same category of criminal, or if he was simply attempting to dodge the question. However, this speech provides insight into the mindset and motivations of Iranian leadership.


Annotation: In this article, the author reviews Israel's pro-gay laws and policies, asserting that Israel is an anomaly in the Middle East, where many countries still impose the death penalty for LGBT persons. However, the author is overall critical of Israel's acceptance of homosexuals. He describes the reported oppression of homosexuals by the Palestinian Authority and suggests that these reports are rhetoric used to validate Israel's invasion and occupation of Palestine. He supports this suggestion by reporting that Israel is no longer accepting asylum-seekers on the basis of sexuality due to "security reasons." Additionally, religious overtones are inherent within the text, implying that Muslims should be converted to Judaism because of their oppression of women and homosexuals. The article does not have an attached bibliography and the references found within the paper are not fully cited.

Annotation: The author of this article is a Professor of International Law and a peer reviewer for the *Journal of Law, Medicine and Ethics*. This article is divided into two sections. In part I Fellmeth provides an overview of various international laws and reviews the application of human rights norms to issues of sexuality worldwide. In part II he examines the justifications for accepting or denying equal rights for sexual minorities throughout the world. Fellmeth also explores the influence of international human rights law and norms on state practice regarding the application of human rights to sexual minorities. Within this exploration, Fellmeth examines the continuing disparity in human rights law application for sexual minorities and their relationship to religious traditions and ideals. Non-Western cultural and ideological validations for discrimination are not thoroughly explored within this article.


Annotation: This report was published by the American Jewish Committee, a group that, among other things, protects rights of Jews throughout the world, promotes human rights for all, works for the security of Israel, and advocates for increased understanding between the U.S. and Israel. It is important to note the connection of the sponsoring organization to the state of Israel - whose primary enemy is Iran - as this could indicate potential bias within this report on Iran. The report focuses on human rights abuses and issues related to women, religious and ethnic minorities, freedom of the press, children, homosexuality, torture, and due process within the state of Iran. The author provides an overview of human rights abuses within Iran, but does not delve into the abuses with any depth.


Annotation: This text is unique in that it specifically focuses on female homosexuality in the Middle East. The author draws from "neglected primary sources" and utilizes historical research, literary analysis, comparative and cultural study, theological research, and analysis of contemporary medical literature to explore Middle Eastern lesbianism. The author asserts that female homosexuality in the Middle East is not a new phenomenon and that religious orthodoxy should not be opposed to tolerance of sexual conduct. Additionally, she repeatedly criticizes Western writers for their portrayal and assertions regarding homosexuality, offering a comparison for Eastern conceptualizations of lesbianism.


Annotation: In this text, the authors examine the relationship between LGBTIQ persons and Islam. The authors include an investigation of homosexuality in Muslim cultures, the illegality of same-sex intercourse in multiple Middle Eastern countries, the roots of homophobia in Islamic theology and teachings, and the evidence of a burgeoning LGBTIQ movement within the Muslim world. The essays are written by twenty experts within the field and are connected
through an exploration of Islamic theology and homophobia. This volume of *Islam and Homosexuality* - Volume 1 - depicts specific experiences of LGBTIQ Muslims today, while Volume 2 includes examinations of these issues from a global perspective. The editor, Samar Habib, has written numerous other books and articles on the subjects of homosexuality, human rights, and the Middle East.


Annotation: This collection of essays is authored by clinicians, activists, and researchers. The essays are disparate, with the primary theme being simply sexuality and gender rights within the Middle East. The primary essay involving homosexuality is written by the editor, Pinar Ilkkaracan, and focuses on the politicization of sexuality and gender equality. She describes the religious right's polarization between Islamic and Western sexualities as further vilification of non-heterosexual identities. The editor is the Founding President of Women for Women's Human Rights - NEW WAYS, a Turkish women's advocacy NGO, and co-founder of The Coalition for Sexual and Bodily Rights in Muslim Societies, an international network of NGO's working towards promoting sexual and bodily rights in the Middle East/North Africa and South/Southeast Asia. Additionally, she is a researcher, activist, trainer, psychotherapist, Turkish delegate to the UN, and a member of the Global Fund for Women's Advisory Council, the International Advisory Committee of BRIDGE at the Institute of Development Studies (IDS), and the Religious Consultation on Population, Reproductive Health and Ethics.


Annotation: In this article, the authors review the dissonance Muslim homosexual youth feel in the Middle East. They argue that Muslims interpret and experience Islam differently, and therefore have differing opinions regarding Muslim law, Muslim opinions on homosexuality, and more. The authors deconstruct verses of the Qur’an that are frequently used against homosexuality and postulate the idea that a progressive Muslim framework could be used to review these verses and come to a more accepting view of homosexuality. They further argue for increased acknowledgement of prejudice from both Muslims and non-Muslim LGBT youth, to increase acceptance and collaboration between the two groups. While focusing on youth within Muslim communities, the arguments made by the authors can be more broadly applied to non-Muslims and those fighting for LGBT rights in Muslim countries.

Annotation: This text is based on a conference held at the American University of Beirut in 2003. The authors examine processes for enhancing and protecting one's social worth, autonomy, and sense of well-being, especially as sexuality is becoming more central to the definition of self. The authors review multiple intersections between sexuality and society, demonstrating the results of these intersections and the influences they have upon each other. Most of the contributors included within this work focus their research on Beirut. Each author covers a separate dimension of the intersection between sexuality and society, from the sexual relationships of live-in servants to LGBT issues.


Annotation: This article describes the recent phenomenon of sex changes in Iran, where hundreds of people are legally having their sex changed, and where gay male sex carries the death penalty. The authors are in the process of conducting a study of seventy homosexuals requesting sex change operations. They examine the main sources and characteristics of social stigma for this population, the difference in stigmatization between homosexuals and transsexuals, and the associations between stigma, mental health, and HIV behaviors. Preliminary results of this study indicate "a significant level of homophobia and institutionalized discrimination against LGBT populations in Iran." While limited both in applicability and depth, this study provides an overview of the discrimination experienced by Iranian LGBT persons. Further results of the study have yet to be published.


Annotation: Although Kugle previously taught at Duke University, the University of Cape Town, and Swathmore College, he is now an independent researcher focusing on Islamic studies. Many claim that he is the first Muslim to publish widely on the issue of homosexuality and Islam, especially from a theological perspective. The author reports that many Islamic authorities claim that homosexuality is forbidden in Islam, but Kugle challenges this through his claims that the Qur’an does not contain verses that condemn homosexuals. Instead, the author suggests that some verses allude to toleration of homosexuality within Muslim communities. Kugle has received criticism regarding his assertion that reports from the Hadith that condemn homosexual and transgender persons might be fake. The author examines scripture, law, and tradition to examine the foundations for prevailing attitudes towards homosexuality in Islam. Kugle argues for an "Islamic Humanism" that embraces diversity and advocates the importance of consistent evolution of religious and legal practices to best encapsulate the changing complexities of human life. The author concludes by offering an index, footnotes, bibliography, and glossary of Arabic words used in the text.

Annotation: This report is based on research conducted by Long and Rasha Moumneh, a researcher in the Middle East/North Africa division at Human Rights Watch. It includes interviews with 54 Iraqi men who consider themselves to be "gay," as well as interviews with Iraqi human rights activists, journalists, and medical doctors. The report describes a "campaign of systematic killings" that occurred in the early months of 2009 and targeted men perceived to be gay in Iraq. The author explains how "gay" is conceptualized in Iraq much differently than in the West and how the spread of Western ideas through increased globalization is creating dissonance in the Middle East. The author also describes these murders as a result of moral fears and social anxieties about “traditional” values and cultural change. The report contains limited information regarding lesbian, bisexual, or transgendered persons. However, it explicates both international and domestic laws regarding the systematic killing of homosexual men in Iraq, and offers pages of recommendations for ending the violence.


Annotation: The author, Mahdavi, uses this book to examine the sexual and social revolution occurring in post-revolution (1979) Iran. Through this analysis, the author, a sociologist, reviews other sociopolitical issues that Iranian youth are fighting to change within their country. Mahdavi writes from a personal perspective, offering personal experiences, observations, interviews, and interactions as evidence of the changing environment within Iran. Mahdavi asserts that parents are a driving force in the changes being fought for within Iranian society and concludes that this changing perspective in older Iranians can be viewed as evidence of successful reform campaigns promulgated by Iranian youth.


Annotation: The Jordanian and Palestinian Arab author of this book is an Associate Professor of Modern Arab Politics and Intellectual History at Columbia University. In this text, the author reviews Arab sexual attitudes and the changes in these attitudes over time by examining Arabic texts dating from the 19th century to the present. Additionally, the author asserts that the West is imperially imposing a gay rights agenda on the Middle East, therefore creating homosexuality. While useful as a detailed work regarding sexual attitudes in the Middle East, controversial details regarding the author's views towards homosexuality and the Middle East shed light on potential biases, creating questions as to the validity of this text. This text is his third, and it has received critical academic praise for its contributions both to the analysis of Arab culture and to the theory of sexuality. However, it has also garnered criticism for its relativism and unfounded accusations.

Annotation: The primary author is a Professor of Sociology and holds the position of Canada Research Chair in Social Justice and Sexual Health. This examination of sexual rights has influenced national and regional sexual health policies, as well as the implementation of various sexual health-enhancing programs. In this article, the author asserts that sexual rights are a human right and she addresses religious and cultural concerns regarding sexual rights. She stresses that sexual rights are health rights, though in this article her justifications for this classification are not apparent. The author further emphasizes why sexual rights are needed, including connecting sexual rights to the Millennium Development Goals and offering suggestions for achievement of sexual rights. While the author offers only cursory examinations of issues surrounding sexual rights, the overview provides a good basis for further exploration and action.


Annotation: Throughout this text, Najmabadi examines the role of women and sexuality from 19th century Iran to the present; postulating reasons for the changing views of sexuality and gender over time. The author uses gender as a construct for analyzing history and considers the ways in which gender and sexuality have been central in shaping Iranian modernity. Through this perspective, Najmabadi views changing conceptions of beauty, homeland, nation, knowledge, education, love, marriage, and citizenship. Additionally, the author considers the influence of globalization and European disapproval of traditional conceptualizations and how they have shaped current Iranian society. An extensive bibliography and endnotes are available at the end of the text for further research.


Annotation: Within this chapter, Patane explores issues related to Islam, Orientalism, Western views of the East, sex tourism, immigration, and regional-specific issues. He asserts that homosexual practice between adults and teens (primarily males) is a cultural expression of "passing on" traditions, and generally is not seen as homosexuality. Additionally, the author describes how in some Islamic societies, only the "passive partner" is viewed as homosexual, with the "active partner" being tolerated and in some cases accepted - particularly if married. Patane blames the current return to fundamentalism as the reason for censorship and the deaths of homosexuals within countries in the Middle East and North Africa. While offering good breadth, the author does not offer critical evaluative depth in the examination of both current and historical homosexual practices within these countries. Additionally, the text is somewhat graphic in pictures and text, and may not be suitable for younger readers.

Annotation: This author has focused her research and numerous publications upon feminist issues within the Middle East. Published in 2007, earlier forms of this article were presented at the School of Political, Social and International Studies, UEA, in November 2004, and to participants in the "Hegemonic Masculinities in International Politics" conference at the University of Manchester, in May 2005. The author utilizes the Queen Boat incident to illustrate the persecution of homosexuals – in particular, homosexual men – by Egyptian officials in 2001. She employs feminist international relations theory to examine how this focus on sexuality by the Egyptian government is indicative of larger issues within Egypt's international politics and security. While the use of gender and sexual identity as interchangeable terms is both inaccurate and ineffectual, the connections between culture, human behavior, and international politics as depicted within this article are innovative and inspire further investigation.


Annotation: This book is divided into three sections: the first contains essays on homosexuality, its intersection with religion, and their reciprocal relationships with law, social and biological sciences, and spirituality; the second is the encyclopedia, providing information on a variety of topics from HIV/AIDS to various religious traditions; and the third is a bibliography comprised of further readings, websites, and contributors. The editor, Dr. Siker, is the Chair of Theological Studies at Loyola Marymount University and an ordained minister in the Presbyterian Church, U.S.A. The text offers a wide variety of information, completely supported by multiple sources, covered topically in language that is clear and concise.


Annotation: This book is divided into two parts: part one is focused on legal, religious, and historical analyses of homosexuality; part two focuses on select country-specific reports on gays and lesbians. The book concludes with a chapter on Gay and Lesbian adoption and with an appendix analyzing the treatment of homosexuals under the Nazi regime and in the Soviet Union. Each chapter provides a topical overview of the issues related to homosexuality within the context of the country or issue being analyzed within the chapter, followed by a short bibliography. While this book provides an adequate overview for those seeking to gain topical knowledge of gay and lesbian communities throughout the world.

Annotation: The Safra Project is a London-based resource project for LBTQ Muslim women. This report provides information on legal provisions for homosexuality, public attitudes and social issues, prosecutions and punishments, and gender diversity within Iran. It also examines homosexuality and gender diversity within Shari'a Muslim law, which is applicable in Iran. Homosexuality is illegal under Shari'a law—and therefore in Iran—and the report provides an explication of various laws, religious ideals, and public views that support the condemnation of homosexuality.


Annotation: This text is a compilation of essays that provide a broad overview of internal violence within globalized society. In the introduction, the editors specify six themes that are found throughout the essays. While each of these themes pertain to violence, they are unrelated and offer few insights into the various themes of each essay. The particular chapter utilized for this paper focuses on three principle types of state violence and how they relate to members of the LGBTIQ community: "legal" violence, "semilegal" police violence, and extrajudicial violence. The author examines their relationship to the political environments in which they are manifest, including specific country examples. He provides an overview of violence and homosexuality, without delving into deeper, theoretical issues or tangible evidence. Furthermore, the connection between LGBTIQ violence and globalization is difficult to discern within this chapter, as the author primarily focuses on internal violence, making broader generalization and application of the chapter difficult.


Annotation: This essay was inspired by the author's participation in the Fordham Law Review's Symposium, "Forty Years of Loving: Confronting Issues of Race, Sexuality, and the Family in the Twenty-first Century." The author uses this article to reflect on the Supreme Court's decision in the Loving v. Virginia case - where interracial marriage was legalized - and the ongoing battles between race, sexuality, and religion. Wing focuses on Islamic laws regarding issues of sexuality, women's rights, and the legality of marriage, and offers a cursory examination of homosexuality. The author reviews international human rights laws and compares them with Muslim laws regarding marriage rules and women's rights. The article provides a good review of Muslim laws, without focusing specifically on homosexuality. The potential for Western bias should be considered.

Annotation: In this article, the author asserts that issues of sexuality and sex (usually thought of as micro-level concerns) have significant implications for macro-level policy due to their connectiveness to rights as human beings. This paper is the introduction to a journal that presents the views of Muslims regarding sexuality within various societies. One issue Yip highlights is that of the relationship between the individual and the institutional/social practices of Islam. He provides an overview and summary of Islamic thought through sexuality studies conducted within British, Australian, and Scottish societies. Yip offers suggestions for further research regarding non-heterosexual Muslims, including a study that considers transgender and bisexual issues as separate constructs than homosexuality.
**Income Inequality and Poverty in Iran**  
**By Katie Susman**

**Introduction**

Income inequality is a hindrance to the global fulfillment of human rights, as acknowledged in the Universal Declaration of Human Rights. The Middle East North Africa (MENA) region is experiencing a steady increase of economic disparity. The impact of the global economic environment and the 2008 recession has brought to the forefront the region’s economic reliance on the rest of the world. As a result, a triple “food-fuel-financial” crisis has emerged. This will undoubtedly affect the most impoverished part of the population and could potentially exacerbate the gap between the poor and the rich.

**Income Inequality**

Following the Islamic revolution of 1979, income inequality in Iran—which is substantial—has been a controversial topic. It is contentious whether the economic gap between the rich and the poor has widened, though it is clear that redistribution has commanded the attention of the working class. The most alarming issue regarding income inequality is that it continues to grow, a trend which has not changed in nearly thirty years.

Modern Iran has a growing economy with strong state intervention and with both high inflation and unemployment rates. The Iranian government invests in many areas to bolster its economy; this includes foreign investment and the creation of free-trade zones. The large amount of remittances that it receives provides the country with an economic boost. In the era of globalization, income inequality has increased and some believe this increase is at least in part due to this phenomenon. Others contest that the causal link between inequality and globalization is contingent on past history of income distribution within the country. They claim that measurements of this relationship are too time specific to make a conclusive judgment regarding its impact.

**Poverty in Iran**

The increase in income inequality in Iran has severe implications for attempts at poverty reduction. Income inequality proves to be one of the biggest challenges in the nexus of poverty reduction. Although poverty is low in the MENA countries relative to some other regions, the sensitivity of it to exogenous shocks—a global recession—is high. Poverty in this region is concentrated among groups that are the last to benefit from economic growth: the illiterate, rural populations and large families with many dependents.

Despite economic dissatisfaction, rising populism and increasing inequality, poverty has substantially declined since the Islamic Revolution. Social assistance and government public service programs have aided in the reduction of poverty. Social welfare for the poor has increased, indicated by improvements in access to safe water and electricity. Between 1980 and 2007 Iran's Human
Development Index (HDI) rose by 1.23 per cent annually from 0.561 to 0.782 in 2009 (UNDP Human Development Report, 2009). It is suggested that Iran’s distributive economy and oil revenue emphasize the importance of wealth accumulation in order to gain political access rather than individual productivity. Therefore, subjective feelings regarding poverty and inequality may matter more to the greater population than objective measures.

**Oil, Poverty and Income Inequality**

The oil and natural gas industry is considered to be Iran’s most lucrative and a stimulator of economic growth. While it may augment the GDP, constant changes in the resources’ availability prove to be highly volatile for the economy, increasing inflation rates to some of the highest in the world. Furthermore, the benefits of the oil industry do not typically have a “trickle-down effect” for the majority of the population, giving advantage to the rich and politically powerful of the country and adding to income inequality. The country’s distribution of income fluctuates following the inflow of oil money—typically, it gets worse.

**Disparities in Gender, Ethnicity, Religion, and Region**

On a social level, inequality is inherent in religious, racial, ethnic and gender discrimination. This is evident in business, in families, and in the overall structure of society. Iran is obligated by treaty to provide all citizens basic human rights without discrimination of “race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”. The human rights protected include the right to equality before the law, as well as the right of equal access to education, health care, professional opportunities and housing, among many others. Yet, clear discrimination by gender, class, ethnicity and religion exists in the interpretation of Islamic law by the Iranian government. Both economic inequality and poverty are aggravated by these systemic prejudices within Iranian society and government.

**Gender**

Gender inequality in Iran is a persistent concern of human rights advocates. Links between gender and income inequality have been established. According to the Gender Empowerment Measure (GEM), which is an indicator of socio-economic and political opportunities for women, the country ranks 160, illustrating that it has some of the least empowered women in the world (UNDP Human Development Report, 2004). However, since the 1990’s, labor force participation of women has indicated a generally positive trend. This is in part due to the combination of changing economic, structural and ideological factors that affect female employment in Iran.

Both gender and class disparities increase the risk of economic inequality. Women are economically, socially and politically subjugated. In Iran this would attribute affiliation to the Muslim faith, sub-regional disparities, and lack of civil liberties as triggers of gender inequality, which exacerbate economic inequities.
Ethnicity and Religion

Iran’s population consists of more than sixty million people, including a considerable amount of ethnic minorities: Arabs, Azaris, Baluchis, Kurds, Lurs, Turkmen and other groups. Shi’a Islam is the dominant religion practiced by eighty percent of Iranians and it serves as the state religion. Religious minorities include: Sunni Muslims, Jews, Christians, Baha’is and Zoroastrians. Systemized governmental discrimination towards minority groups results in a wide socioeconomic gap and fosters an uneven distribution of power, resources and socio-cultural status. Unemployment and poverty, as well as deep-rooted economic and cultural grievances, among non-Persian ethnic groups are fueling increased unrest and dissatisfaction towards the central government of Tehran. This has resulted in some of the worst ethnic violence in Iran’s history.

Sub-regional Differences

There is an increasing focus on the harsh disparities between urban and rural poverty in Iran. Between 1980 and 1990 there was a rapid growth of the urban population without commensurate expansion of basic services and employment opportunities. The cities are now viewed as agents of economic growth and development, and while technology and trade are expanding, poverty, unemployment, and inequality are burgeoning as well, especially in rural areas. These regions are increasingly marginalized from national development; low rates of agricultural productivity and poor infrastructure place the rural areas at a higher risk for poverty and economic inequity. This has resulted in an increasing trend in migration from rural to urban areas and is creating concentrated populations more susceptible to poverty.

Efforts to Minimize Poverty and Income Inequality in Iran

The Iranian administration’s efforts to minimize poverty and income inequality have been negligible. Despite the wealth of human and natural resources, Iran still experiences relatively high levels of inequality and poverty. In the past ten years, government administration has pushed economic development and growth policies as a means to alleviate poverty and minimize income inequality. They have been successful in improving social policy and advancing health and education systems. This has had a significant effect on the national poverty rate, but has not influenced the extent of income inequality within the country.

Conclusion

To ensure equity and sustainability of poverty alleviation, further changes must occur in Iran. Inclusive economic equity and commitment to basic human rights need to be systematic social and political concerns, both for policy-makers within the government. Ideology and governance stemming from the Islamic Revolution should turn to populism as an appeal for national equality in social, political and economic endeavors. Safety nets and social protection mechanisms need to be
established for the poor to endure outside economic shocks. Finally, the government must be willing to invest in further social and economic policy reforms from a human rights perspective, and to expand industries to decrease economic dependence on oil revenue for future reduction of poverty and income inequality.

Annotations


Annotation: Aminmansour addresses the urbanization of globalization in Iran. He emphasizes that cities drive economic globalization. He discusses two types of urbanization processes in Iran, one with development and the other with limited development. Rapid urbanization in the context of economic stagnation, poor governance and unstable public institutions is also discussed, as are disparities between the urban and rural areas of Iran. This article identifies globalization as a possible instigator of income inequality. Poverty is described as the lack of money, access and power. While this article is informative, it lacks empirical evidence to support its claims.


Annotation: Amnesty International's report for Iran documents a general overview of the most prevalent human rights violations of 2009. It begins with a brief synopsis of the government's failure to provide protection of economic, social and cultural rights to ethnic minorities. It provides specific incidences of the repression of minorities. This advocacy organization focuses on common human rights abuses such as the oppression of freedom of expression, association and assembly, civil society activists, torture and juvenile executions. The report also notably mentions human rights defenders and their work advocating for human rights in Iran. This is an informative summary of the most recent documented attacks on human rights in Iran and provides one with a basic understanding of the subject.


Annotation: Benar explores the relationship between globalization and income inequality in the Middle East North Africa region from 1960-2004. The study is based on ten countries: Algeria, Egypt, Iran, Kuwait, Israel, Jordan, Morocco, Syria, Tunisia and Turkey. The author defines globalization with two indicators--- trade interrelations/GDP and Foreign Direct Investment
Background information regarding politics and economics of the MENA region is discussed. The countries' economies are examined through a general literature review, data and methodology. The increase in income inequality in Iran is addressed with special attention on remittances and oil revenues. Through empirical evidence and statistical measures, the author finds that globalization has heightened income inequality in the aforementioned countries.


Annotation: Bradley concentrates on the discrimination of ethnic minorities by the central Tehran government in Iran. He discusses ethnic violence and the need for the government to address the concerns of minority populations. The article claims that higher levels of unemployment and poverty exist among ethnic minorities. The author explores specific provinces of the country and highlights their extreme economic disparities and ethnically related violence. Finally western policies regarding ethnic politics in Iran are explained. The author recommends that partnerships should be emphasized between Iran's ethnic minorities and the central government to encourage democracy and create awareness regarding their situation.


Annotation: In this report, Campbell investigates the state of Iran's economy and energy sector. This is a summary of a discussion between The Iran Policy Forum and the U.S. Institute of Peace (USIP) regarding the effects of Iran's political climate and its nuclear program on the economy. Actions that the government should take to avoid future economic problems are suggested. Myths concerning Iran's macroeconomic performance are argued. President Mahmoud Ahmadinejad's influence in economic, political, and legal reforms is discussed. The decline of Iran's crude oil production is attributed to poor maintenance, lack of new project development, rising domestic demand and consumption, and Iran's political and investment environment. The author concludes that Iran's energy sector and economic policies need to be reformed to ensure future economic success.


Annotation: This report discusses the status of women in the developing world. Different measures of gender equality are explored. Market failures are described as an obstacle for investment in gender equality in developing countries. Gender inequality in education and health is explained by differences in religions, regions and civil freedoms. The authors assert that gender differentials suggest that lack of capacity building of women is not an effective economic choice. They determine that gender inequality in education is detrimental to economic growth.
Finally, they conclude that societies that are not invested in gender equality will pay in slower growth and reduced income for the overall population. This report is a helpful insight into the intersection of gender equality, income and growth.


Annotation: This book chronicles the “new geography” of income inequality, claiming that it is declining across nations and rising within nations. Firebaugh examines global income inequality and identifies industrialization and globalization as instigators of these trends. He describes the new geography and determines the changes in global inequality. He aims to predict if these patterns will continue and forecasts they will. The author addresses origins and historical trends of inequality, as well as measurement and plausibility of data. He presents evidence across regions and provides explanations and predictions on the future of global inequality. Firebaugh’s assertions are subject to dubiety among some reviewers as they refute traditional explanations of rising global income inequality.


Annotation: Heshmati addresses a number of issues critical to global income inequality by focusing on an empirical analysis of inequality at various levels. He discusses economic concepts, measurements and reviews of decomposition of inequality as pertinent matters. Furthermore, he reviews income inequality at the global, continental, international, intra-national and regional stages. He focuses on the regions of Sub-Saharan Africa, Latin America, East Asia, South Asia, South-East Asia and Pacific. He also concentrates on China, Russia, India, the USA and several smaller countries. He recognizes that the Middle East North Africa region lacks reliable data but suggests that due to the oil-based economies of this region, with low levels of human- and skills-based development, it is highly improbable that inequality has decreased. The analysis culminates in discussion of the data regarding discrepancies and the future of changes in global income inequality.


Annotation: The author, in conjunction with the UNDP, explores the connection of inequality between the Organization for Economic Co-operation and Development countries and the poorest countries. Jolly determines that global inequality is both a cause and an outcome of a country's unstable institutions and human development factors. Global trends in inequality are looked at historically, and problems, implications and recommendations are considered. The author concludes that extreme inequality between the OECD countries and poor countries is
incongruent with the global commitment established by the Universal Declaration to human rights and stresses the need to make growing global inequality a priority on the international economic agenda.


Annotation: Published in association with the United Nations, this book critically analyzes how economic liberalization has affected inequality, poverty and development. Editors Jomo and Baudot suggest that income inequality has increased in most countries in the world during the time of globalization. The authors discuss inequality in households and inequality trends to produce comparative studies of the effects of economic liberalization on income inequality, including income distribution in the Middle East and North Africa. The book is rich with empirical evidence highlighted by equations, tables and figures and provides a comprehensive overview of the effects of globalization and liberalization on countries that have attempted various economic policies.


Annotation: Kerr and Yassin present a compilation of studies on economic, social and political relationships between the rich and poor countries of the Middle East, focusing on the most populated state of the region, Egypt. The authors of this book have many contentions opinions regarding the future of both rich and poor nations in the Middle East, though they all agree that the future must take into account oil wealth, labor migration and economic liberalization as factors of its political development. It discusses social, economic and political order in the Arab world in terms of: oil and migration, social mobility, development strategies, benefits and disadvantages of oil revenue, labor and intra-country relationships. Inequality and its relationship with the size of the country are examined as well. While dated, this is a useful source in providing a general overview of how the oil industry has furthered regional inequality in the Middle East and created a perilous social, economic and political future for its people.


Annotation: This paper aims to analyze the effects of oil resource wealth on economic growth and income disparities in Iran from 1968 to 2005. The author claims that the country's economy has experienced lower per capita GDP and higher income inequality since the oil shock of 1973. Moradi takes a time series approach and focuses on forces of economic growth. He uses an empirical model to measure the determinants of income distribution. This study finds that oil abundance, income, and human capital have a negative effect on income distribution. The author points out that while income inequality is high in Iran, the poverty level is relatively low.
because of an established social welfare system and private social responsibility. Overall, he concludes that the excess of oil is harmful for Iran's overall economy.


Annotation: Noorbakhsh argues that successful measurements of development, like the Human Development Index, depend on how operational they become. Primarily oriented to inform policy makers, he proposes a system and framework for reduction of regional inequalities in Iran. Social welfare indicators such as education, health and economic status from the Human Development Report of Iran are utilized in comparing twenty-six provinces of Iran. The author considers gender disparity in accordance with regional inequality. He proposes a mechanism for data compilation that ranks provinces according to their overall development. The extent of regional disparities is explored with regards to the indicators. Finally, recommendations are made for including the results into a policy model, which focuses on the reduction of regional inequalities in Iran. Plausibility of the integration of this operational method into policy is not addressed.


Annotation: The author empirically analyzes spatial inequality amongst regions of Iran through this policy-oriented piece. He examines theoretical premises for regional disparities in the country and addresses wide inequality in human development at the provincial level. Convergence and divergence of regions are explored. Noorbakhsh states that convergence in developed countries is common, while in developing countries the empirical evidence is dubious. The progression of inequality is measured by income and consumption between the rural and urban sectors. He establishes that polarization in distribution amongst urban areas is extremely high. Finally, the author concludes that a specific group of provinces in Iran fall behind the rest in spatial inequality and policy measures are necessary to combat it.


Annotation: Pogge focuses on the ethical and historical context of global poverty. He presents numerous fields of thought regarding expansive inequality and critiques them. This includes a critical analysis of historical justifications of inequality, and present global institutional arrangements. The issue of "morally acceptable poverty" is addressed as are debates regarding "moral duties" to aid the poor. The author asserts that global institutions have heavily contributed to the persistence of severe poverty. He notes the differences in consumption, resources and property rights in rich versus poor countries, along with the benefits yielded by
them. This piece is helpful in examining the general arguments concerning global poverty and contextualizing them from a human rights perspective.


Annotation: Salehi-Isfahani discusses poverty and inequality rates under President Ahmadinejad's power. He denounces the results of a Central Bank of Iran study of urban poverty that claimed poverty was high and increasing. Instead, the author argues that income inequality is increasing, despite the president's platform of economic justice. He claims that the poverty rates declined from 2005 to 2006. The article asserts that economic distribution is correlated to oil revenue. It utilizes the Generalized Lorenz Curve to determine that all income groups have benefited from economic growth. The author concludes that poverty has not been exacerbated by President Ahmadinejad’s socio-economic policies.


Annotation: Salehi-Isfahani critiques Iran's attempt to encourage social justice through the improvement of income inequality and poverty since the Revolution in Iran. He discusses the nexus between income inequality and poverty in the country. The author highlights the increasing gap between rural and urban inequality and its contribution to the resistance of measured inequality. The fluctuating rates of poverty and their implications are explored. It is determined that the expansion of health, basic services and educational opportunities has been the greatest accomplishment in combating inequality since the Revolution. Salehi-Isfahani concludes that despite the improvement of Iran's social sectors, politics, oil revenue and lack of transparency hinders the potential for an equitable society. He also acknowledges that reliable data on the Iranian administration's endeavors in redistribution and poverty reduction is minimal.


Annotation: In this chapter the author examines the history of economic growth, poverty and inequality in Iran. He discusses the importance of oil and demographic factors in the long-term growth of the economy. The question of the distribution of oil wealth and how it affects individual incomes is addressed. Both the growth of the economy and recent changes in the distribution of income and poverty are explored. He critiques the popular discussion that the gap between the rich and the poor has widened in Iran through Expenditure and Income surveys. Salehi-Isfahani concludes that the poverty rate in Iran has significantly improved and its inequality is about average.
Human Rights & Human Welfare


Annotation: Presented at the Third Annual World Bank Conference on Inequality this paper describes the trends in poverty and inequality in Iran using household survey data to illustrate that popular sentiments regarding economic dissatisfaction are not congruent with the evidence presented. He claims that poverty has increasingly declined and the welfare of the poor has substantially improved. Salehi-Isfahani indicates that the political economy of redistribution in Iran and the perception of wealth depending on access to the political system, rather than household yield, is a likely force in the peoples’ feelings regarding income inequality in Iran. Lack of transparency within the economy and the distribution of oil rents are discussed in explaining the rise of populism in Iran.


Annotation: Shahin and Dibeh give a comprehensive overview of the relationship between income inequality, unemployment and poverty in the Middle East and North Africa. The book consists of a compilation of papers by international scholars and experts featured at the conference on Earnings Inequality, Unemployment, and Poverty in the MENA region. The aim of this book is to provide insight on the significance and depth of these problems and recommends policies to mitigate and diminish them. The nexus of inequality and poverty in the Arab world is presented both generally and regionally, highlighted in Egypt, Morocco, Kuwait and Iran. Economic trends, geographical differences, education, gender and ideology are also discussed.


Annotation: The UNDP provides an overview of human development in Iran in 2009. The human development index (HDI) measures beyond economic indicators and takes into account life expectancy, education and standard of living. It provides a more complete picture of a country's development. It does not measure gender equality, human rights, or political freedoms. The report examines changes and trends in the HDI from 1980 to 2007 in Iran. It illustrates that HDI scores in all regions of the country have progressively improved over time. The report examines human poverty with the Human Poverty Index (HPI). It also measures achievements in human development by inequalities in achievement between men and women with the Gender Development Index (GDI). Furthermore, it utilizes the Gender Empowerment Measure (GEM), which shows the inequality of economic and political opportunities by gender. Finally, migration and remittances in Iran are discussed. This report is extremely valuable in furnishing basic statistical data regarding human development in Iran.

Annotation: This case study of Iran examines changes in the extent of poverty over a period of ten years. It investigates the rural and urban sectors by analyzing contributions of growth and redistribution to the changes in poverty. Issues involved in measuring poverty are discussed. Differences in levels of poverty amongst regions and occupations are explored. Poverty and income inequality are investigated. Politics, war and changes in government administration are reviewed related to their effects on poverty. The authors determine that the extent of poverty in Iran significantly differ depending on the region and occupation within rural and urban areas. They conclude that changes in poverty in the post-Islamic era have been heavily influenced by political instability. To ensure a reduction of poverty in Iran, authors suggest that a stable government coupled with consistent growth development policies is necessary.
Bedouin Women in the Naqab, Israel: Ongoing Transformation
By Marcy M. Wells

Since its inception in 1948, the state of Israel has based development plans on an agenda of nation-building that has systematically excluded Palestinian Arab citizens such as the indigenous Bedouin. Policies of relocation, resettlement, and restructuring have been imposed on the Bedouin, forcing them from their ancestral lands and lifestyle in the Naqab (or Negev, as it is called in Hebrew) desert of southern Israel. The rapid and involuntary transition from self-sufficient, semi-nomadic, pastoral life to sedentarization and modernization has resulted in dependency on a state that treats the Bedouin as minority outsiders through unjust social, political, and economic structures. The exclusionary and discriminatory policies and practices of the state have brought poverty and degradation to the Bedouin, rather than the improved quality of life and higher standards of living normally associated with modernization. The Bedouin population has the lowest socio-economic status within Israel. This has been particularly harmful to Bedouin women, for whom modernization has resulted in greater social restrictions and loss of power. Thus, Bedouin women face overlapping forms of discrimination. For them, the policies of the state have become an instrument of oppression in both the public and private spheres.

About 75,000 Bedouins (half the population) live in one of seven villages that were established by the state with the intention of concentrating the Bedouin into urban centers. These villages were designed without the participation or consultation of the intended inhabitants, and with a complete lack of consideration for cultural norms and historic living patterns. In these villages, women suffer from deprivation of essential services and adequate housing, exclusion from development plans, and cultural norms that do not permit them to work outside of the home. These seven towns rank the poorest in all of Israel.

The other half of the Bedouin population lives in one of approximately forty-five villages that are either long-established Bedouin communities or that were developed by the Bedouin after they were forced off of their ancestral lands. These villages are not recognized by the state and therefore have no access to public services; they do not appear on official maps, are subject to demolitions by the state, and are not allowed representation in government. In these unrecognized villages, women do not have access to basic services and are not allowed by the state to own property, to have permanent homes, or even to list their places of residence on I.D. cards. Additionally, there is no official local government for which to vote or run for office. Because the residential location of Bedouin families is normally chosen by the husband, a woman has little say in whether she lives in an unrecognized village. Nevertheless, women are most affected by the lack of services in these villages.

In the private sphere, the denial of the right to adequate housing has had a devastating effect on women. Though Bedouin society has traditionally been patriarchal, women once enjoyed a level of authority associated with their clearly defined and essential roles. Historically, Bedouin residences were tents that were designed, built, and maintained by women. Female and male living quarters were separated and women had sole responsibility for running the home. Tribes lived separately from one another, preventing interaction between women and men of different tribes. Yet, in the government-developed towns, multiple tribes are consolidated in the same village. To avoid
encountering men of different tribes, women are confined to the home. The new homes are designed without separate quarters for women and have a single entrance. If a male from another tribe enters through the doorway, a woman has no way of exiting the home and no female quarters to which she can retreat. Consequently, women exist in the periphery of their own homes.

In unrecognized villages, tin shacks have now replaced tents as the most common housing structure. In the process, the design and construction has become a responsibility of men. Through this transfer of responsibility, the home has now become dominated by men, leaving no space under the control of women. Thus, what was once a woman’s domain has become a new structure of oppression. A more extreme violation of the right to adequate housing takes place through state directed demolitions of non-permitted homes. These demolitions (which have included entire villages so that Jewish settlements can be erected on the site) frequently occur without notice, provision, or recourse for the dispossessed, leaving women in an even more vulnerable position.

The right to water and the right to grow food are other human rights that Israel does not uphold for its Bedouin citizens. Though Israel has highly technical water management capabilities and a developed water economy, the state primarily reserves its resources for Jewish-Israeli citizens. While 99% of Israel’s total population has access to modern water services, these benefits are not enjoyed by the inhabitants of the unrecognized Bedouin villages (Keinan 2005). Citizens of these villages are not permitted to connect to running water systems or to irrigate their crops – which are often systematically destroyed by the state – while Jewish landowners who farm ancestral Bedouin land have broad access to water. Crop destruction has taken place through such excessive measures as aerial spraying of herbicides without warning – and without regard for the health risks to those caught in the spray, even when the victims are children.

Modernization, in combination with inadequate housing and infrastructure, has exposed women to new health hazards in the form of chemicals, pesticides, and improperly disposed waste. The polluting industries and power lines that have been placed in or near the unrecognized villages further compromise the health of the women residing there. Yet health care is unavailable in the unrecognized villages and most female residents lack transportation to the limited health care offered in the recognized villages. Mental health care is even scarcer, despite high rates of depression and other mental illnesses among Bedouin women. Where care does exist, utilization is low due to the cultural inappropriateness of the care provided and the stigmatization of mental illness that still prevails in Bedouin culture. While a positive that may be linked to modernization is the apparent disappearance of female genital mutilation from the Naqab, domestic abuse poses a genuine threat to the well-being of many young Bedouin women. The minimal availability of support services means that few women receive assistance.

The educational system in Israel further exemplifies the institutionalized discrimination and exclusionary practices against the Bedouin. Though the government is mandated to provide free, compulsory education for all citizens, this responsibility is sorely neglected in the case of the Bedouin, particularly those in unrecognized villages, where there are only sixteen primary schools and two secondary schools serving the forty-five villages. In order to access education for their children, many families must move to one of the recognized villages. In this way, education is used as a tool to relocate the Bedouin to state-sanctioned towns. The Israeli school system is ethnically segregated and the disparate allocation of resources to Bedouin schools combined with the poor
quality of the curriculum serves to subjugate the Bedouin to a privileged Jewish-Israeli class. Thus, education perpetuates the inequalities and discrimination inherent in the Israeli socio-economic structure.

The state’s practice of using education as a means for control and suppression, rather than for the sake of developing the individual as a human being, is especially harmful to Bedouin women. Because the Bedouin schools are designed without regard for cultural norms, such as segregation by gender, the majority of girls drop out of school when they reach puberty, if they enroll at all. The overall dropout rate for Bedouin females is 67%, with some schools having rates as high as 100% (Abu-Rabia-Queder, 2006). Female honor, which Bedouin culture values more highly than formal education, is considered compromised by interaction with male classmates. An education system that fails to take this into account cannot serve the needs of Bedouin women.

The low rate of secondary school completion contributes to the underrepresentation of Bedouin women in higher education. As of 1998, only twelve Bedouin women had completed a bachelor’s degree (Abu-Rabia-Queder, 2007). For those who do attend university, the transition to the modern, liberal, individualist Israeli-Jewish society, followed by post-education re-integration into the collective, traditional Bedouin society can be alienating and traumatizing. The women are often required to put aside the personal preferences and intentions developed at university and must attempt to reconcile their new identities with the restrictions of the traditional Bedouin feminine model, which include few personal freedoms and the prospect of arranged marriages. Women cope with the cognitive dissonance in different ways and a common response is the sacrifice of emotions for independence or for re-integration into the tribe.

Despite the fact that Bedouin women in the Naqab are denied the simple dignities that are the birthright of all people, the agency of Bedouin women, and indeed of the Bedouin population as a whole, to affect change should not be underestimated. The very existence of the unrecognized villages attests to Bedouin self-determination, resistance to the state and collective goals. The recent development of a collective Arab identity is connecting Bedouins to the larger Israeli-Palestinian struggle and the Bedouin are self-advocating, mobilizing and developing new networks. Greater numbers of Bedouin women are training to become teachers and are raising social questions that have not previously been on the agenda and which will undoubtedly enrich the education system and its outcomes. The proliferation of non-governmental and civil society organizations is challenging traditional structures of power, both internal and external to Bedouin society, and is creating new spaces for women’s involvement in the movement towards a more just social, political, and economic future.

Annotations


Annotation: Written by a member of an Israeli advocacy planning organization, Bimkom, this article is an excellent resource for the consideration of planning rights at both the conceptual
and practical levels, with specific application to planning rights in Israel. The article includes a
detailed table showing the normative principle underlying each right (such as human dignity,
social justice, and equality), the interpretation and status of the right in Israel, and the
governmental authority for ensuring fulfillment of each right. The author raises a series of issues,
such as the relationship between planning and property rights, that provide important material
for consideration and discussion. The author notes that Israel makes exceptions in its non-
discrimination policy to specifically discriminate against the Bedouin through the planning
process.

Arab Case.” In The Future of Indigenous People’s: Strategies for Survival and Development.
Edited by Duane Champagne and Ismael Abu-Saad. Los Angeles: UCLA American Indian
Studies Center. 153-174.

Annotation: The accelerated and volatile shift to modernization has resulted in an array of issues
for the Bedouin in Israel. Among these are the problems of well-being, mental and physical
health. The author notes that the Bedouin are caught in the tension between localization and
globalization as they attempt to preserve their culture and yet cannot avoid the influences of
modern, Western values. In this chapter, the author discusses the psychosocial development of
individuals in Bedouin society and the implications for psychotherapy. He concludes with the
recommendation that human service providers to the Bedouin must develop cultural
competency to in order to effectively meet the needs of their clients.

Al-Krenawi, Alean. and Graham, John R. 2006. “A Comparative Study of Family Functioning,
Health, and Mental Health Awareness and Utilization Among Female Bedouin-Arabs from
Recognized and Unrecognized Villages in the Negev.” Health Care for Women International 27: 182-
196.

Annotation: This article analyzes Bedouin women’s sense of well-being and the relationship to
their utilization of health and mental health services in the Negev region of Israel. The
information in this article is based on a study that shows significant differences in the awareness
and use of women residing in villages recognized, and therefore serviced, by the Israeli state and
of women residing in unrecognized villages. The authors offer suggestions for improving the
quality and accessibility of health services. The information would be helpful for anyone
concerned about the condition of Bedouin women in the Negev region. It would be particularly
helpful to those interested in policy regarding the design of mental health services for Bedouin
societies and for practitioners who seek to better understand the significance of service
utilization factors for Bedouin women.

———. 2008. “Localizing Social Work with Bedouin-Arab Communities in Israel: Limitations and
Possibilities.” In Indigenous Social Work Around the World: Towards culturally relevant

Annotation: The authors of this chapter have both been engaged in social work with Bedouin communities and offer a valuable perspective on the nature and value of social work in the Negev. They give careful treatment of the two prevailing narratives of the contested land in the Negev, placing the struggle in the broader context of colonialism. The authors propose that social work in the region should be oriented towards social and political change and suggest that spirituality can be used to localize social work. The issue of how to approach social work for the Bedouin is the focus of the article and the authors raise pertinent questions of how to promote genuine social change, emancipation, and politicized social work without supporting violent responses to oppression.


Annotation: In this essay, Abu-Lughod addresses problems with the language and perspective of the United Nations Development Programme's report The Arab Human Development Report 2005: Towards the Rise of Women in Arab World. She uses this report as a means of reflecting on a broader set of questions regarding the problematic ways in which Arab women’s interests are framed by the transnational conversation on women’s rights and empowerment. In this essay, the author raises pertinent questions on the discourse of women's rights and advancement and, though it does not attempt to resolve those questions, it would be of interest to those concerned with the rise of women in the Arab world.


Annotation: This article provides an overview and brief analysis of gender and modernization discourse in traditional societies and asserts that this discourse falls short when applied to the unusual situation of Bedouin women in the Negev desert in Israel. Problematically, modernization efforts that do not recognize the unique needs of women ultimately fail to improve women's status and emancipation. The author believes that the Israeli educational system has failed Bedouin women in this way. In light of this, she calls for a post-modernist approach that embeds feminine traditional values in development in the Negev. The article reports on and discusses the findings of a study that draws on personal interviews with young women in the Negev who experienced the school system and compares the perspectives, experiences, and influencing factors of women who were able to stay in school and those who dropped out.

Annotation: This article reports on and discusses the findings of a study of the experiences of Bedouin women in the Negev who were the first of their tribes to be educated at institutions of higher learning. Conducted from a feminist perspective, the study explores the difficulties that educated women face as they returned to their tribe after completing their education. Many of them face the prospect of arranged marriages. Based on personal interviews, this article is important because it includes individual narratives and is the first of its kind to investigate the practical and emotional implications of higher education for romantic relationships, marriage, and family life for Bedouin women. This article has special value since the author is, herself, an educated Bedouin woman from the Negev whose experiences are similar to those of the women she interviewed for the study. This connection allows the author to draw out information and personal histories that may have otherwise been inaccessible.


Annotation: Abu-Saad asserts that the state of Israel uses public education as yet another means of controlling and oppressing the Arab Bedouins in the Negev. The Bedouin are treated as minority outsiders by the state and governmental policy serves to subjugate Bedouins to the Jewish majority. Because education is largely unavailable in the unrecognized villages, the Bedouin are coerced into relocating to the state-sanctioned areas in order to access the schools. Yet these schools fail to prepare Bedouin children for success in Israeli society. The author makes a convincing case, drawing on statistical information to compare conditions for Bedouin and Jewish Israelis and on theories of educational equity to highlight the injustices in the treatment of the Bedouin in Israel.


Annotation: Abu-Saad is the founder and director of the Center for Bedouin Studies at Ben Gurion University of the Negev, Israel. In this chapter, he provides an overview of historical methods of education within the Bedouin community as well as the development of the state’s modern education system, which the author claims does not prepare Bedouin students for integration into modern Israeli society. Instead, the system promotes an educational hierarchy that privileges Jewish-Israeli students and does not incorporate multicultural theory. The poverty and degradation experienced by the Bedouin is the adverse outcome of an intentionally exclusive educational system. The author concludes that, as a liberal society that claims to support the education and development of all citizens, Israel must fulfill its responsibility by developing a new approach to education that the Bedouins have an equal role in shaping and that allows them to enjoy the full rights to which they are entitled as citizens.

Annotation: This press release details incidences of destruction of Bedouin crops by the state of Israel. The authors of the press release draw on the expertise of two Israeli scientists to confirm the serious long- and short-term health threats associated with the aerial spraying of the herbicide, Roundup. The residual nature of the product means that it lingers in the contaminated area and victims suffer prolonged exposure. Administers of the spraying ignore the presence of humans in the spray area – including settlements and individuals working in the fields. The devastating effects on livestock demonstrate how dangerous this chemical is; in one instance, 150 goats died and 400 goats miscarried pregnancies after consuming produce polluted by Roundup. The author is an Israeli who contributes his expertise to show how Israel is violating its own environmental laws through the destruction of crops in this manner.


Annotation: In this article, the author uses the disciplines of hydrology, geography, economics and political science to provide boundaries to the discussion of the human right to water in the Middle East and North Africa. He dismisses, as unproductive digressions in the conversation, the two common questions of whether water is a commodity or whether it should be privatized. He posits that it is more useful to approach water as a necessary requirement for the widely recognized rights to grow food and to live in a viable environment and suggests effective ways to make use of these arguments. This piece is designed to stimulate thinking on this topic, rather than to provide definitive answers. Though the author only briefly mentions water resources in the case of Bedouins specifically, this article is helpful for understanding water issues in the region and, therefore, for realizing the human rights implications of water policy and practice for the Bedouin people.


Annotation: Written by a team of five professors with an array of academic backgrounds from both the United States and from Israel, this report draws from an exploratory study of the abuse of female adolescents in a conservative and traditional Palestinian Arab Bedouin community in southern Israel. Though child abuse has become a global concern and a topic of scholarly and public awareness, there has been very little research that takes into account the cultural variables of the Middle East. This study addresses a topic that has never before been fully investigated - the maltreatment of females in a conservative, tribal Arab community. Although this was an
exploratory study that may not reflect the full scope of the problem, the results attest that female
abuse is a serious social problem in this community and that the rate of abuse exceeds that of
other Palestinian groups. These findings demonstrate an immediate need for professional
intervention and prevention, though the authors do not make recommendations for ways to
address this problem.

An English Summary of ACRI's Report on the Right to Housing.” Available online:

Annotation: In this report summary, the author gives definition and meaning to the term ‘right
to adequate housing’, differentiating it from property rights. He makes the compelling case that
housing rights are indeed human rights. This perspective of housing rights is essential to those
seeking to understand the situation of the Bedouin in Israel. The author gives detailed reports of
the housing issues facing various demographics in Israel. He also reviews the state’s policies and
provisions and asserts that there are myriad violations of the right to housing, in both the public
and private sectors, and in the rental and property markets.


Annotation: The author argues that Israel has an ethical and legal imperative to uphold the rights
of all Israeli citizens, and to rectify the historic maltreatment of indigenous Arab Bedouins. The
article examines the implications of international law, Israeli domestic law, and Jewish religious
law and calls on Israeli citizens, as members of a democratic state, to hold their government
accountable for its systematic mistreatment of the Bedouin people. He asserts that equitable
treatment of Bedouins as an ethnic minority is not only necessary to Israel’s legitimacy as a
democratic state, but is also an essential component to lasting peace between Israel and the Arab
world. The majority of the article is dedicated to examining the legal basis for the protection of
human rights and concludes with advocating full realization of rights for Bedouin citizens.

Halila, Suhil, RH Belmaker, Yunis Abu Rabia, Miron Froimovici, and Julia Applebaum. 2009.
“Disappearance of female genital mutilation from the Bedouin population of Southern Israel.”

Annotation: The authors of this article conducted a survey of the Bedouin population in the
Negev desert of Israel to determine the prevalence of female genital mutilation. The study
focused on tribes that had been found to practice female genital mutilation in a similar study
conducted by these same authors in 1995. The authors conclude that the practice of female
genital mutilation has disappeared in the Bedouin population in the Negev. They suggest that
this might be a result of the Westernization and modernization of the Bedouin, and the
associated improvements in health care and education. They do not, however, offer conclusive evidence that these are factors.


Annotation: With this publication, Human Rights Watch offers an extensive 130 page report of the disastrous effects of Israel’s discriminatory policies towards the Bedouin. The report includes well-documented evidence of violations of the right to adequate housing, including sample administrative and judicial demolition orders, and a table of home demolition statistics that tallies the number of homes by year and by village. Reviews of recent practices of other governments in other countries to address indigenous land claims provide informative comparisons. The final portion of the report offers detailed recommendations to institutional bodies of the United Nations, to the United States and other donors, and to administrations of the Israeli government. This often cited report is a reliable, indispensable source of information.

Immigration and Refugee Board of Canada. 2008. "Israel: Situation of Bedouin women, including whether they can live and be accepted in Jewish communities outside of Bedouin villages; protection available to Bedouin women victims of domestic violence or of honour crimes including whether there are any shelters to help them." Available online: http://www.unhcr.org/refworld/docid/49b92b405.html.

Annotation: This report draws on an array of studies, articles, interviews, reports and organizations to provide an overview of key issues faced by Arab Bedouin women in the Negev region of Israel. This resource is helpful for obtaining information regarding poverty rates, domestic violence, access to and participation in social services, participation in the labor force, health care and maternal health, and housing and accommodation rights. The authors do not attempt to interpret the information nor do they make recommendations on how the issues should be addressed. Rather, the findings are presented in an objective manner with the disclaimer that it is not intended to serve as conclusive evidence. The report concludes with a helpful list of resources for further information on the topic.


Annotation: Published by the Heinrich Boll Foundation, a non-profit that is affiliated with the German Green Party and that has an office in Tel Aviv, and Friends of the Earth Middle East, a grassroots environmental organization, this paper presents information provided by Israeli non-governmental organizations regarding water usage and management in Israel. Providing extensive analysis of water sources, regulations, and access, the authors show that there is great disparity between the water rights enjoyed by Jewish-Israeli citizens and Bedouin-Israeli citizens.
The authors use the criteria establish by the United Nations to determine that the Israeli state is in violation of the Bedouin population’s human right to water.


Annotation: This chapter provides an in-depth look at the Israeli state’s policies toward the Bedouin, exploring the range of issues that prompted the flawed and failed sedentarization and urbanization attempts. The author makes an interesting note regarding nomenclature: since all the Bedouin in Israel have been sedentarized, the term “Bedouin” is no longer a technically correct name and its use has sometimes been considered patronizing or a challenge to the Bedouin’s Arab-Palestinian identity. The author felt it necessary to continue using the term in order to preserve the historical context of Bedouin identity and the social transformation that they have undergone.


Annotation: With the intention of informing policy decision-making, the author of this chapter provides detailed documentation of the negative outcomes of Israel’s policy of modernization and sedentarization of the Negev Bedouin and outlines several reasons why Israel’s approach to the Bedouin was doomed to failure. He also reminds the reader that it is important not to condemn all Israeli administrators because of the flaws in the system, which is the fault of the powerful centralized government. There are administrators who are genuinely concerned with improving conditions for the Bedouin and are working to affect positive change. He challenges the notion, on lack of evidence, that one of the reasons the state set out to urbanize the Bedouin was to create a concentrated proletariat labor force.


Annotation: The authors of this article describe the development and implications of a major waste management problem in the Negev. This problem is largely attributed to the modernization and marginalization of the Bedouin in combination with oppressive conditions for women. In the traditional Bedouin lifestyle, virtually no waste was produced. As the Bedouin have become sedentarized and engaged in consumer behavior, there has been a sharp increase in the amount of solid, toxic waste produced. In both the recognized and unrecognized villages,
waste disposal services do not exist or are inadequate. Because of the gendered division of labor in Bedouin society, women are primarily responsible for waste removal and, lacking the means to dispose of it properly, they often resort to burning the waste, exposing themselves to toxins, chemicals and degraded environments. Using waste hazards as a metaphor for the social conditions experience by Bedouin women, the authors advocate for equity and recognition as a solution to the issues.


Annotation: The author of this article examines the Bedouin planning process of the unrecognized villages in the Negev and suggests that the process is a localized response to the forces of globalization. Through unauthorized ‘insurgent’ planning, the Bedouin challenge the planning practices of the state. The author discusses a development plan for the Negev devised by the Bedouin and identifies three elements that amount to insurgent planning: resistance, resilience and reconstruction. The author shows how the Bedouin call on their local culture to inform both their engagement with the unavoidable impacts of globalization and their approach to planning in the modernized, westernized Israeli society.


Annotation: Using the personal stories of Bedouin women in training to be teachers, the author explores the emerging position of women in Bedouin society. After outlining the Bedouin transition to modernity and the ensuing loss if power for Bedouin women, the author suggests factors that may have contributed to the prevailing silence surrounding the experiences of Bedouin women. She contends that the academic discourse has emphasized the foreignness of Western education for the Bedouin and should move beyond the discussion of limited ‘traditional and modern’ or ‘Jewish and Bedouin’ binaries to a fuller discussion that considers the personal histories of educated Bedouin women. Accordingly, the author relays and discusses the findings of a study aimed at discovering the individual perspectives and experiences of Bedouin women as they prepare to enter the teaching field. Importantly, the study finds that the women teachers are raising new questions which challenge the traditional teaching practices and structures of power within the educational system.

Annotation: Maha Qupty is a representative of the Regional Council of the Palestinian Bedouin Unrecognized Villages (RCUV) and in this report he makes recommendations to the Israeli Minority Affairs Working Group for specific actions that the RCUV would like to see taken by the government to redress the devastating effects of the state’s development policy in the Naqab. The author draws attention to Israel’s practices towards the Bedouin and emphasizes areas where the state is violating its own declaration on minority rights. It concludes with a set of recommendations designed by the RCUV. This report offers an example of the self-advocacy and community organizing work that is being done by the Bedouin.


Annotation: The development of new organizations, advocacy and activist groups has increased the prominence of the Bedouin in Israel. According to the author, this has also contributed to a more democratic Bedouin society as new spaces open up for leadership. Participation in movements around issues of the Israeli-Palestinian conflict has contributed to the development of a stronger Palestinian identity for the Bedouin, prompting them to assert themselves as a national minority group. In this chapter, the author highlights the increased inclusion and participation of the Bedouin in local governments and asserts that these are the signs of new approaches to the continued struggle for civil equity.


Annotation: The report opens with a brief, but useful, history of the Negev and explains the influence of the former British and Ottoman rulers in the granting of land rights that has resulted in the Bedouin claim on the Negev. The author offers a well-informed perspective on factors affecting the Bedouin and includes elements of history not found in the other sources. Also included is a discussion of the Israeli government’s attempt to “Judiaze” the Negev and marginalize the Bedouin citizens there. Most importantly, the report highlights the actions and achievements of Bedouin activists and organizations responding to the discrimination of the state.


Annotation: The mission of the Adva Center is to promote equality, including gender equality, for Israeli citizens of all ethnic and socio-economic minority backgrounds. This report outlines and analyses A National Strategic Plan for the Development of the Negev (Negev 2015) that was adopted
by the Israeli government in 2005. According to the author, the plan is based in flawed neoliberaleconomic theories and does not deal with the two most pressing issues affecting the condition of the Bedouin: violation of land rights and exclusion of the unrecognized villages. The report also reviews The National Outline Plan (NOP 35) and the Beersheba Metropolis Plan (DOP 4/14/23), both of which are development plans implemented by the Israeli government. Finally, the report considers two alternate development proposals submitted by the Regional Council of Unrecognized Villages and the Center for Bedouin Studies and Development at Ben Gurion University of the Negev, two non-governmental organizations that serve the interests of the Bedouin population. This report is valuable for grasping the development plans of the Israeli government in contrast to the recommendations of those most affected by development in the Negev.


Annotation: The author of this article outlines the history of systematic oppression of Bedouin citizens by the state of Israel and claims that the expropriation of Bedouin lands, exclusion of the Bedouin from planning processes, and misallocation of resources have resulted in a system of apartheid. An agenda to ‘Judaize’ the Naqab has informed the development goals in the region, and the state has expropriated Bedouin lands for settlements and agricultural use. Relocation of the Bedouin has also served to disconnect them from their ancestral home and increase control of the state. According to the author, in the state’s most recently developed plan for the Naqab, 40% of the budget is allocated to the demolition of unauthorized Bedouin homes and relocation activities. These issues call into question the very definition of citizenship in Israel and the author advocates for democratic reform.


Annotation: The author of this chapter discusses the inevitable failure of the Israeli state’s efforts to ‘de-Arabize’ the Bedouin in order to control them and make them invisible, thereby invalidating their claims for recognition as an ethnic monitory group within the state. The state is now attempting to ‘re-Arabize’ the Bedouin so that their demands for recognition and inclusion can be characterized as radical threats by an ‘outsider’ group to the law and order in Israel. The author contends that the political rise of the Bedouin and the formation of civil society organizations have contributed to both external recognition and internal democratization. Importantly, the movements have opened up new spaces for women and are challenging traditional structures of power within Bedouin society. This is an important work that contributes well to the body of knowledge of the growing civil society sector in the Negev.

Annotation: Oren Yiftachel is a widely-published professor of Geography and Environmental Development at Ben Gurion University of the Negev, Israel. In this article, Yiftachel analyses the Israeli government’s emerging promotion of the concept of “two states for two people” as a solution to the Israeli-Palestinian conflict. He suggests that this endorsement is really more about developing a system of apartheid rather than recognizing the rights of Israeli-Palestinians. He persuasively likens Israel’s developing racial and ethnic class system to those in South Africa’s system of apartheid and effectively places the Bedouin struggle in the context of the Israeli-Palestinian conflict. According to Yiftachel, Israel seems more liberal than it actually is; the freedoms associated with the Westernized markets, media and culture are enjoyed primarily by Israel’s Jewish citizens, while Arab citizens and Palestinians in the Occupied Territories experience disparate sets of rights.


Annotation: In this paper, Yiftachel draws on critical urban theories to trace how the Israeli government has forced the indigenous Bedouins into impoverished and criminalized ‘gray space’ – which has neither the 'lightness' of legality, safety and full membership, nor the 'darkness' of eviction, destruction and death. Yiftachel asserts that the practice of ‘gray spacing’ by the Israeli government has resulted in a more radicalized Bedouin struggle against urbanization and Israeliization. He emphasizes the need for a revised critical urban theory that would allow for a better understanding of both oppression and resistance in urban colonialism. The article provides enough explanation of critical urban theory for the topic to be accessible to anyone wishing to gain a deeper understanding of the condition of Bedouins within the Israeli state and it would also be useful for scholars of urban societies.


Annotation: This article addresses the violation of the rights of Bedouin women living in the Negev region of Israel to adequate housing and accommodation. The author gives an overview of the history and policy of the Israeli government’s development and planning procedure and condemns the intentional exclusion of the Bedouin people from the process. Believing that the policies are designed to give the state greater control over the Bedouin minority, the author gives particular attention to the enormous and negative impact of the planning process on the rights of Bedouin women. The author briefly links state policy and practice with increased violence against women in the home, though she does not offer a thorough explanation of these correlations.
Finding a Voice: Using the Internet for Free Speech and Expression in Iran
By Chelsea Zimmerman

In July 2009, many Iranians took to the streets to protest the results of the presidential election in which Mahmoud Ahmadinejad won with a reported 62% of the vote. The protests, stemming from allegations of electoral fraud, quickly exposed the government's limited tolerance for dissent. In addition to street demonstrations, protestors utilized social networking websites to express their opposition to the election results. The world, following Internet feeds, witnessed the restrictive mechanisms Iran's government placed on expression and speech. People throughout the world admonished Iran for the government's interference with cell phone and Internet networks. Iran’s free speech and expression restrictions are frequently criticized as some of the most repressive in the world. In the days and months following the election, people in Iran and around the world came to understand how the Internet has become a prominent method of protest, as well as a new area in which individual's freedoms can be repressed.

In the pre-election period, Iran witnessed an increasing number of citizen groups pushing for a regime that would promote greater freedom. The election campaigns served as a platform for individuals and groups to promote the reform of civil society in Iran. When the election results were released, however, citizens desiring greater influence in the government had reason to be disappointed. The premature declaration of victory for incumbent Mahmoud Ahmadinejad incited individuals to openly protest the results of the election on claims of fraud and because of concern for the potential implications of Ahmadinejad’s victory on the movement for social reform. The opposition movement exercised the inherent right of its members to freely speak out against the regime and express their ideas for greater social change in Iran, turning to the Internet as one of their methods.

Previous censorship in Iran focused on the independent press and journalists publishing views contrary to the Islamic ideology of the ruling regime. Article 24 of the Iranian Constitution grants citizens freedom of speech and expression through publications and press, provided the expression is not detrimental to the fundamental principles of Islam. The Islamic clause, included in many articles of the constitution, has become one of the regime's tools to repress citizens opposing the state-sanctioned belief system. As the constraints on journalists increased/grew in Iran, alternative methods of communication and information sharing proliferated. A campaign to eradicate independent newspapers in 2000 led many journalists to retreat from the arena of print media and instead produce their work on websites.

As governmental repression of public expression increased, individual citizens also turned to alternate avenues to promote their ideas. The most prominent public method for expression became the Internet, which provided a bevy of opportunities for Iranian citizens to voice frustrations with the regime’s censorship and reject public restrictions on ideas and speech. Citizens detailed their thoughts on blogs and online diaries, interacted on social networking sites, sent messages to multiple users, and joined online discussion groups to vent frustrations and share ideas. The rapid increase in Persian blogs earned Iran the nickname “Weblogistan,” which connotes the powerful role of blogging in Iranian society that persists today.
The use of social networking websites played a crucial role in the organization of the movement and dissemination of information. Mass Twitter messages were sent communicating locations for protests and developments on the post-election situation in Iran. Facebook provided the international news media with information not easily obtained due to the repression of journalism in Iran. External actors, i.e. other Facebook and Twitter members, used social websites to spread information on the election aftermath throughout the world. People used the blogosphere to speak out about what they witnessed, thought, and felt during the post-election events.

Though the Internet promotes freedom of expression and speech through its multiplicity of uses, it can also be used to restrict ideas, thoughts and news. The Iranian government began to heavily regulate Internet usage during the post-election protests. The government was able to block certain websites and track dissidents using technology to penetrate the opposition movement. Facebook posts and Twitter messages actually assisted the regime’s intelligence-gathering operation by revealing connections between dissidents. Social website tools now had the potential to backfire on individuals and groups that used them to express ideas opposing the current Iranian regime. The regime was not originally prepared for the strong influence of social networking in promoting dissent, but it acted quickly to reduce the expression of its opponents in Iran.

The Iranian regime’s repression of free speech has had effects on Iranian citizens outside the Internet and in the real world. Governmental restraints placed on an individual’s ability to freely express ideas and beliefs have led to the incarceration of citizens, activists, and journalists. Citizen groups, journalists, and human rights organizations both within and outside Iran have demanded the government reduce its mechanisms of repression. Despite the increased pressure for change, the restrictions on expression have escalated.

Many in Iran desire free speech and expression. Student unions protest the restrictions on expression and thought that dominate the academic arena. Organizations such as Reporters Without Borders and Committee to Protect Journalists campaign to rescind the government imposed restrictions on the press. Human rights organizations, both internally and internationally, promote governmental tolerance for all citizens to freely express their beliefs and ideas. However, without increasing governmental respect for speech and expression, individuals will continue to face harsh repression because of their commitment to exercise this inherent human right.

Annotations


Annotation: A frequent lecturer on Iranian and Middle Eastern Affairs and Professor at the University of Wisconsin, the author effectively utilizes his academic knowledge to analyze the situation in Iran. Abootalebi is not concerned with the alleged fraud that occurred, but instead focuses on the implications of the election given the 2009 post-election events. The author argues that the clash between ideologies is not over the existence of the Islamic system of government, but rather on the degree of Islamization in Iran. While the author does not address
the Internet-based methods for mobilization in the election aftermath or the human right violations, this article provides an alternate understanding of the deeper social forces that fueled the post-election protests and the desire of citizens for free expression.


Annotation: The author, a Middle Eastern Affairs analyst for the Congressional Research Service, provides a brief overview of the 2009 Iranian presidential election and its aftermath. The report outlines the details of the candidates, election results, allegations of fraud, and the outcome. The author’s purpose is to suggest implications of the Iranian social movement for US policy, particularly Iran’s nuclear program, support of terrorist organizations, and position toward Israel. The author does not draw attention to the use of social networking and Internet by the opposition, but instead focuses on the restriction of Internet use and other social media tools by the government.


Annotation: Iranian political activist, Ali Afshari, in conjunction with freelance researcher and writer, H. Graham Underwood, produced an article that describes and analyzes the Green Wave from the 2009 post-election opposition movement. The analysis centers on the initial reasons for the rise of opposition forces against the incumbent, Ahmadinejad, and the decentralization of the actual movement. Various features of the movement are discussed, including the role of diverse levels of Iranian society, the range of political activism amongst opposition forces, and the role of civil society organizations. Afshari and Underwood incorporate the role of the Internet in the movement by examining it as a loose civil society organization using Facebook, Twitter, and even email listservs. This piece reflects a concise analysis of the opposition movement, its position in Iranian society, and its potential challenges and successes.


Annotation: Afshari, a professor of history and human rights at Pace University, wrote this article in July 2009 at the conclusion of the protests against Iran’s presidential election. The author’s work utilizes imagery of Neda Agha-Soltan, a young protestor whose execution by militia forces during the opposition movement was recorded and sent around the world, to evoke a sense of repression in the reader. Afshari focuses on the role of the class-culture divide, which he recognizes as an important factor in the opposition movement. Afshari’s specialty in human rights provides a perspective not highlighted in other sources on the post-election crisis in Iran.
Afshari addresses the situation of human rights in Iran with specific chapters focusing on restrictions to freedom of expression and speech. Afshari is critical of the religious rhetoric of the Iranian regime, claiming that Islamic doctrine does not protect the state from internal and external criticism of its human rights violations.

Alavi recognizes the importance of blogs in Iran and the utilization of blogs by Iranian citizens as a creative outlet to express different political and social perspectives that are frequently repressed by the regime. The book incorporates quantitative data on the prevalence of social media tools in Iran with local perspectives on repression, using excerpts from Iranian weblogs that Alavi translated from Persian. Alavi divides the excerpts into categories that represent legal conflicts, repression of women, restrictions on free expression, and the implications of the repressive regime on the faith and religion of Iranians. Alavi’s compilation was written prior to the presidential elections of 2009; nevertheless, it offers insight on the increasing importance of social media in Iranian society and the post-election opposition movement.

of particular interest in this report are chapters on the legal framework in Iran that promotes governmental repression of freedom of expression and banned political expression. These sections highlight the mechanisms utilized by the government to control speech and expression throughout the country, particularly related to political dissent. The report also includes specific examples, testimonies, and interviews with Iranians who experienced restrictions on free speech first hand. Although this report represents Iranian repression of free expression from 1993, it provides important historical context to the continuation of restrictions imposed by successive Iranian regimes.

As research director and co-founder of the Abdorrahman Boroumand Foundation promoting human rights in Iran, Boroumand is familiar with the human rights violations that have occurred under successive Iranian regimes. This article focuses on the role of civil society—women’s rights groups, human rights groups, and student organizations—in the campaigning and electoral process during the 2009 presidential election in Iran. The author concludes by recognizing both the repercussions of the opposition movement in the aftermath
of the election and the positive stance taken by members of civil society against the repressive policies of previous regimes.


Annotation: The authors provide examples of attempts to exercise freedom of expression under a regime that represses free speech by depicting the current role of the Internet and social media tools in Iran. The paper begins by contrasting the advent of blogging in Iran with the regulation of print media by the religious regime. The authors then provide political and social contexts for the repression of bloggers within Iran, followed by specific cases of the repression of three separate bloggers. The authors conclude by mentioning the challenges that Iran's blogging sphere faces from repressive techniques of the regime. While blogs can be used to promote freedom of expression in a repressive regime, the authors also offer examples of the regime’s use of social media to find and arrest dissidents.


Annotation: This annual report issued by the US State Department provides background information on the government of Iran and human rights violations documented from the past year. Since the United States does not have an embassy in Iran, the report is published utilizing non-US governmental sources. The report is divided into different categories, including freedom of speech and expression, and each category is analyzed with regard to government tactics that violate universal human rights. It provides an overview of the accumulation of human rights violations over the previous year and mentions efforts of specific human rights instruments and organizations to improve the human rights situation in Iran.


Annotation: Australian academics Alex Burns and Ben Eltham utilize a comparative framework to analyze the implications of social media on movements for regime change. Presenting research on the role of Twitter in Iran's contentious 2009 presidential election, the authors question its effectiveness as a tool for social mobilization and the consequences of its use. The article includes an analysis of the role of Twitter users in globalizing awareness of the social movement and a compilation of protest events, categorized to correspond to an existing standard of resource mobilization popularized by historical sociologist, Charles Tilly. The authors address advocates of Twitter's success in the social movement in 2009 and note the
subsequent role of Twitter in providing local militia forces with the information to pursue individuals.


Annotation: Carey, Assistant Professor in the Department of Politics at Georgia State University, analyzes and critiques the methods used by the incumbent regime and the opposition forces during the 2009 presidential election in Iran. His purpose is to identify the potential for democratization through the attempts of the opposition party to contest the victory of the incumbent, Mahmoud Ahmadinejad. Carey uses case analyses of similar movements in other regions and political cultures to understand the actions and future of the current regime in Iran. His conclusion is not optimistic about the potential for democratization in Iran; however, he does not apply a successful procedural definition of democracy, which may hinder any predictions about future repression or transition by the regime.


Annotation: Mohamed Abdel Dayem, program coordinator for the Middle East & North Africa Program at the Committee to Protect Journalists, is familiar with the repression of free expression in Iran. He attempts to provide a balanced perspective on the positive developments of social media in Iran and its negative consequences. Acknowledging the increasing capability of the Iranian government to restrict free expression on the Internet, Dayem highlights two cases of bloggers who were persecuted by the government for political and religious comments that appeared in their blogs. Dayem uses these cases to demonstrate the different tactics of bloggers and the types of comments that can incite the regime to enhance its repression and incarceration of dissenters. Dayem’s conclusion is that the increasing number of Iranians who blog, even with greater government attempts to regulate and restrict social media tools, continues to test the limits of free expression.


Annotation: With a focus on the escalating presence of bloggers in the Middle East, the author draws attention to several cases of governmental repression on the Internet throughout the region. Dayem provides statistics of the increasing prevalence of blogs and their ability to provide citizens with an outlet for dissent and a forum to promote respect for human rights. Dayem concludes with recommendations to guarantee the rights of journalists and citizens to freely express their ideas and beliefs on the Internet. The author recommends specific actions to
be taken by regional governments, technology firms, the United States government, and the European Union in order to improve this situation.


Annotation: Shirin Ebadi, a respected lawyer and Nobel Peace Prize laureate, was interviewed to provide insight on the state of free expression in Iran. Ebadi has represented several journalists and dissidents in court for violations of state controls on freedom of expression. Ebadi analyzes the increased repression she has witnessed over the past few years as being motivated by fear on the part of the government. The interview concludes with both a celebratory note for the sixty year anniversary of the Universal Declaration of Human Rights and an appeal for multilateral efforts to address violations of free expression. The interview provides the perspective of a notable Iranian figure and human rights activist on the current repression of free expression.


Annotation: The chapter of particular importance in this book addresses rights of communication, specifically in the media. Fischlin and Nandorfy point out both the benefits and drawbacks of excessive media outlets in the context of global human rights. As a profit-driven force, the authors argue, media has the potential to provide biased access to information on human rights violations occurring internationally. On the other hand, the authors note the ability of the media to empower people and mobilize populations for collective action. The publication is was released before the-2009 presidential election in Iran, but its overview of communication rights in the context of global human rights provides an opportunity to analyze the role of communication rights exercised by both the opposition and incumbent forces in Iran.


Annotation: This piece concentrates on the role of the government in Internet censorship in Iran,—the reasons for pursuing certain actions, and the implications for Iranian citizens and society. The key features highlighted by Rahimi and Gheytanchi are the mechanisms employed for censorship and restriction of the Internet and the political logic behind these repressive tactics. Central to this analysis is the lifting of government restrictions on Facebook, the most popular social networking site in Iran. The authors address the role of the government in limiting free expression in Iran through Internet filtering, but conclude that the ban on Facebook was lifted to decrease protest.

Annotation: This prescriptive report written by Human Rights Watch is compiled from a small sample of telephone interviews with different actors in Iran after the contested 2009 presidential election. The report informs the audience of some of the human rights violations that were perpetrated by the regime against dissenters and provides recommendations for the government of Iran to address these violations. Specifically, Human Rights Watch encourages the government to investigate and hold accountable the perpetrators of the repression. As a mechanism to promote increased accountability for human rights violations in Iran, the report is easy to understand, informative, and accessible to individuals interested in the human rights situation within post-election Iran.


Annotation: This organization, dedicated to promoting respect for human rights in Iran, published this report in September 2009, chronicling violations that occurred in the aftermath of the presidential election. The report focuses on the arrest and treatment of detainees and journalists and concludes with testimony from an Iranian dissident, Ebrahim Sharifi, a campaign worker for one of the reform candidates who was arrested for his participation in protests following the election. The report focuses on documenting the violations to ensure access to information on this abuse of human rights to the global community.


Annotation: This one-page statement by the anti-filtering group, Iran Proxy, provides an optimistic assertion of the necessity of blogs and social media within Iran. While acknowledging the efforts of the regime to repress and restrict the freedom of speech occurring on the Internet, Iran Proxy states unequivocally that the repressive tendencies of the government will not succeed. Iran Proxy expresses concern over the increase of repressive mechanisms and control by the government on the Internet. Yet it also highlights the positive features of Internet usage within Iran as a mechanism for uniting activists in opposition to the controlling methods employed by the Iranian regime.

Annotation: This paper utilizes the quantitative research of Lerman and Ghosh to determine the speed and strength of two social networking tools, Twitter and Digg, in circulating news. The empirical research is focused on general use of social networking to disseminate information, and the authors specifically mention the ability of Twitter to mobilize, organize, and inform during the post-election crisis in Iran. The authors then compare the use of Twitter and Digg to spread three similar news stories throughout the global community. The authors advocate greater understanding of the effects of social networking.


Annotation: This author is critical of Twitter’s role in Iran's post-election crisis of 2009. Morozov, a blogger for Foreign Policy, is familiar with the implications of immediate news coverage from social media. The author advocates awareness of the “dark side” of social networking under politically repressive governments and admonishes the media for its lack of attention to the Iranian government’s use of social media tools to identify and punish dissenters. Morozov encourages the United States to rethink the positive and negative implications of social media tools and advanced technology for US foreign policy, particularly regarding Iran. While Morozov recognizes the potentially positive impact of Twitter and blogging in Iran, this piece focuses on the negative outcomes. By comparing the “Twitter Revolution” to the game of “Telephone,” he diminishes positive implications of the Internet for the post-election protests and instead frames social media tools as potentially distorting the actual climate of political mobilization.


Annotation: Rahimi’s section in this book covers the history of the Internet in Iran—from its advent to the placement of restrictive governmental measures and the arrival of the large blogging community. The author analyzes the increasing role of the Internet as the primary public forum for dissent. Of equal importance is the future of the Internet in Iran, which Rahimi speculates as including increases in both government opposition and restrictive mechanisms and censorship. The author concludes by emphasizing the potential role of the Internet in Iran to pursue democratic governance. The piece is well-researched, concise, and includes endnotes to expand on and explain certain features not covered in the scope of the chapter.


Annotation: This quantitative piece analyzes the use of media by youth (students at universities in Tehran) to obtain political information. Conducted in 2005, this study demonstrates less reliance on Internet sources and more reliance on television. The Internet was defined as a form of alternative media on the survey. The researcher concludes that the Internet will become a
more popular source for political information, particularly for Iranian youth. This piece provides statistical analysis of the utilization of media for political purposes.


Annotation: As executive director of the Committee to Protect Journalists, Joel Simon focuses on the increasing challenges to journalistic freedom through the advent of social media. His concern over increased government repression due to the proliferation of social media tools used by dissidents suggests a need for both professional and amateur journalists to adapt their methods beyond the control of repressive regimes. Simon highlights the need for increased pressure by a coalition of journalists, human rights groups, and technology and media organizations on regimes that attempt to restrict social media. While acknowledging that dissidents appear to benefit from social media more than repressive governments, he expresses concern for the potential of regimes to utilize social media tools against the opposition.


Annotation: This report focuses on the advent of the Internet in the Middle East and its subsequent application by repressed citizens to freely express their ideas and beliefs. The report chronicles the rise of the Internet, the opportunity for freedom of speech and expression it provides citizens, and the ensuing repression techniques adopted by regimes in the region. This report includes specific case studies of Internet censorship and control in particularly repressive regimes. It concludes with a letter, disseminated by Human Rights Watch to Middle Eastern regimes with aggressive Internet policies, requesting information on each country’s laws regarding Internet access and censorship.