

**Bunting, A., Lawrance, B. N., & Roberts, R. L.(eds.) (2016). *Marriage by force?: Contestation over consent and coercion in Africa*. Ohio University Press.**

Abstract: With forced marriage, as with so many human rights issues, the sensationalized hides the mundane, and oversimplified popular discourses miss the range of experiences. In sub-Saharan Africa, the relationship between coercion and consent in marriage is a complex one that has changed over time and place, rendering impossible any single interpretation or explanation. The legal experts, anthropologists, historians, and development workers contributing to *Marriage by Force?* focus on the role that marriage plays in the mobilization of labor, the accumulation of wealth, and domination versus dependency. They also address the crucial slippage between marriages and other forms of gendered violence, bondage, slavery, and servile status.

Only by examining variations in practices from a multitude of perspectives can we properly contextualize the problem and its consequences. And while early and forced marriages have been on the human rights agenda for decades, there is today an unprecedented level of international attention to the issue, thus making the coherent, multifaceted approach of *Marriage by Force?* even more necessary.

**Bunting, A., & Quirk, J. (eds.). (2017). *Contemporary Slavery: Popular Rhetoric and Political Practice*. UBC Press.**

Abstract: Contemporary slavery has emerged as a source of fascination and a spur to political mobilization. This volume brings together experts to carefully explore how the language of slavery has been invoked to support a series of government interventions, activist projects, legal instruments, and rhetorical and visual performances. However well-intentioned these interventions might be, they remain subject to a host of limitations and complications. Recent efforts to combat slavery are too often sensationalist, self-serving, and superficial; and end up failing the test of speaking truth to power. Bringing about lasting change will require direct challenges to dominant political and economic interests.

**Buss, D. (2016). *International Criminal Courts*. In Steans, J., Tepe-Balfrage, D.(eds.) *Handbook on Gender and World Politics* (pp.162-170). Edward Elger Publishing.**

**Czelusniak, T.; Andersen, E. (2017) *Forced Marriage As a Crime Against Humanity*. PluriCourts Research Paper No. 17-02.**

Abstract: Forced Marriage is one of the newest crimes against humanity adjudicated at international criminal tribunals. This thesis shall discuss the evolution of this new crime, asking: Has international jurisprudence come to a point of recognition of forced marriage as a separate crime against humanity and if so, is it viable?

**Deibler, S. (2017). *Rape by Any Other Name: Mapping the Feminist Legal Discourse Regarding Rape in Conflict Onto Transitional Justice in Cambodia*. *American University International Law Review*, 32, (2).**

Abstract: The Extraordinary Chambers in the Court of Cambodia (ECCC), set up to prosecute crimes of the Khmer Rouge, has held that only rape in the context of forced marriage comes

within the court's jurisdiction, leaving the victims of all other instances of rape committed by Khmer Rouge forces without redress. Through the ECCC's jurisprudence, women who suffered sexual violence under the Khmer Rouge have been dichotomized into two groups: women raped inside of forced marriages, and women raped outside of this context. This paper argues that this narrow construction of rape within the Court's jurisdiction results, in part, from the problematic and highly politicized constructions of rape in international law in recent decades.

Framed through the Cambodian case law and drawing on analysis of international jurisprudence, such as that of the ICTY and ICTR, this paper explores how feminist approaches to prosecuting rape in conflict have led to unintended consequences in international law. Despite progress being made so that rape can finally be recognized as a crime against humanity in and of itself, international tribunals often still choose to prosecute rape as another offence: as torture, as genocide, as sexual slavery – not rape qua rape. This necessitates further exploration of the role of gender within rape, and within international law, which this paper undertakes by analyzing existing divergent theories on the harms of rape. This paper argues for a revised conceptualization of rape: reconciliation between rape qua rape and rape as constitutive of crimes such as torture and genocide.

**Elander, M. (2016). Prosecuting the Khmer Rouge Marriages. *Australian Feminist Law Journal*, 42(1), 163–175.**

Abstract: At the Extraordinary Chambers in the Courts of Cambodia (ECCC), the trial against the two surviving leaders of the Khmer Rouge charged in Case 002 is about to deal with the 'regulation of marriage'. This is the name given by the ECCC to the Khmer Rouge-instigated marriages also known as 'red weddings' or 'forced marriage'. In this symbolically laden case, the charges relating to the marriages stand as the only alleged crime of sexual and gender-based violence after no charges were brought for the many rapes committed in security centres and work cooperatives. As such, the charges have been described as 'the Court's best last chance to contribute to the ever-evolving body of law aimed at better responding to perpetually neglected sexual and other gender-based crimes in times of conflict and atrocity'. In this article, I examine the ways in which the marriages so far have appeared at the ECCC. One aim in writing this is to simply bring to attention what is about to unfold at trial. But in reading the representations of the marriages, the difficulties in prosecuting gender-based harms also come into view. Thus, the charges relating to the 'regulation of marriage' raise a question about the limits of symbolic value in any one trial.

**Frerks, G. (2016). Between Agency and Subjugation: Female LTTE Combatants in the Sri Lankan Conflict and Post-War Situation. In Frerks, G., Annelou, Y (eds.) (2016) *Gender and Conflict: Embodiments, Discourses and Symbolic Practices*. Routledge New York, NY.**

**Hutchinson, A., Waterhouse, P., March-McDonald, J., Neal, S., & Ingham, R. (2016). Understanding Early Marriage and Transactional Sex In the Context of Armed Conflict: Protection at a Price. *International Perspectives on Sexual and Reproductive Health*.**

Abstract: In summary, it is clear that conflict can break down protective factors that might have been put into place to protect young women's sexual and reproductive health, but also that one cannot assume that factors considered risky or protective in "normal" times will remain so in the context of conflict. However, there is little evidence documenting how young women in conflict-affected regions successfully negotiate their sexual and reproductive health without putting themselves at risk of poor sexual outcomes. Not enough is known about the difficult choices young women make when there are no safe options, or what might buffer the impact of the risks they take. Further research is needed on the protective factors that might alter the trajectory of risk exposure to poor sexual and reproductive health outcomes for young women affected by conflict.<sup>42</sup> Such research should examine the trade-offs made by young women, their families and communities that affect sexual and reproductive health, as well as the price of protection. Work in these areas may aid in the development of better postconflict interventions that could support millions of young women around the world who have been put in a position where few, if any, "safe" sexual and reproductive health practices are possible. The role of postconflict care in mediating, buffering and reducing the longer term impact of exposure to such risks is therefore critical, although it is not clear whether empirically informed strategies for such an approach exist.

**Kennedy, E. J. (2017). Women and Genocide: Ending Impunity for Sexual Violence. In R. E. Anderson (Ed.), *Alleviating World Suffering: The Challenge of Negative Quality of Life* (pp. 319–334). Cham: Springer International Publishing.**

Abstract: Women and girls are the heart of a culture and a society and hence are targeted and victimized during genocides and mass atrocities. Such strikes provoke fear and intimidation; prevent the possibility of retaliation; break up families; destroy communities; and change the ethnic identity of subsequent generations. This chapter explores epidemics of violence against women during some of the major genocides of the twentieth century, including the Armenian genocide during World War I; the Ravensbruck women's concentration camp during the Holocaust; the 'rape camps' in Bosnia in the 1990s war; the rape of more than 500,000 Rwandan women during the 1994 genocide; and sexual slavery of Yazidi women and girls in Syria and Iraq by ISIS. This investigation examines prosecutions for these crimes as part of a profound legal shift towards ending impunity for perpetrators of violence against women and girls. This change is influenced, in part, by the increased numbers of women prosecutors and judges in national and international tribunals, an increased attention to 'gender justice' on a global scale, and clarity of the penalties of such crimes, all of which provide deterrence for future sexual violence against women, and promote some measure of justice and the alleviation of suffering.

**O'Brien, M. (2016). 'Don't kill them, let's choose them as wives': the development of the crimes of forced marriage, sexual slavery and enforced prostitution in international criminal law. *International Journal of Human Rights* 20 (3) 386-4016.**

Abstract: Beyond rape, there are other crimes of sexual violence committed during armed conflicts, mass violence and genocide, including sexual slavery, enforced prostitution and forced marriage. This article explores the development in international criminal justice of these three crimes, comparing differences between the crimes, assessing any definitional overlap, and addressing challenges across jurisdictions. While there has been some development of jurisprudence in international criminal courts and tribunals, despite the extensive commission of these crimes in mass atrocities, there remains a lack of willingness by and to some extent inability of international courts and tribunals to address gender-based sexual offences. This article will conclude by confronting reasons behind this reluctance to ensure justice for female victims of sexual violence.

**Palmer, E., Williams, S., Palmer, E., & Williams, S. (2017). A “ shift in attitude ”? Institutional change and sexual and gender-based crimes at the Extraordinary Chambers in the Courts of Cambodia gender-based crimes at the Extraordinary Chambers in the Courts of Cambodia. *International Feminist Journal of Politics* 19(1) 22-38.**

Abstract: The Extraordinary Chambers in the Courts of Cambodia (ECCC) has been slow to address sexual and gender-based violence (SGBV) crimes perpetrated during the Democratic Kampuchea regime. However, there appears to have been a tentative “shift in attitude” at the ECCC toward the investigation and prosecution of these crimes. This article draws on feminist institutionalist theories, first to explain the ECCC’s initial failure to prioritize SGBV and then to explain how and why this may have changed. The article suggests that such change has not arisen from the ECCC’s formal rules. Instead, various actors working with and around these “old rules” have drawn on these provisions, civil society initiatives and international and national gender norms to modify “informal” practices concerning the prosecution of SGBV at the ECCC. Sensitivity to SGBV is particularly important in hybrid, or internationalized, international criminal structures, which may be hindered by prohibitive practices emerging from both the international and national components of the institution.

**Porter, Holly. 2016. *After rape: violence, justice and social harmony in Uganda*. Cambridge: Cambridge University Press.**

Abstract: Following the ICC intervention in 2005, northern Uganda has been at the heart of international justice debates. The emergent controversy, however, missed crucial aspects of Acholi realities: that the primary moral imperative in the wake of wrongdoing was not punishment but, instead, the restoration of social harmony. Drawing upon abundant fieldwork and in-depth interviews with almost 200 women, Holly Porter examines issues surrounding wrongdoing and justice, and sexual violence and rape, among the Acholi people in northern Uganda. This intricate exploration offers evidence of a more complicated and nuanced explanation of rape and its aftermath, suggesting a re-imagining of the meanings of post-atrocity

justice, whilst acknowledging the role of sex, power and politics in all sexual experiences between coercion and consent. With its wide investigation of social life in northern Uganda, this provocative study offers vital analysis for those interested in sexual and gender violence, post-conflict reconstruction and human rights.

**Rey, M. (2016). Reexamination of the Foreign Female Captive: Deuteronomy 21:10–14 as a Case of Genocidal Rape. *Journal of Feminist Studies in Religion*, 32(1), 37-53.**

Abstract: Whether it's Yazidi women captured by Islamic State of Iraq and the Levant (ISIL) in Iraq or Nigerian girls taken by Boko Haram, young girls being forced into marriage and sexual slavery have lately captivated the world's attention. In both cases, the men in these armies (who see themselves engaged in holy war) support forced marriage through the invocation of an ancient principle that views women as "spoils of war." Moreover, both of these wars have been called, at one point or another, acts of genocide against ethnic/religious minorities. In light of these recent events, this article reexamines the foreign female captive in Deuteronomy 21:10–14 through the lens of intersectionality and suggests that this text describes what contemporary international law scholars have identified as genocidal rape: the taking and raping of women identified as belonging to the foreign enemy. This article questions biblical scholars' traditional interpretations of Deut 21:10–14, which obfuscate the ethnic dimension of this female's status. Contrary to many interpretations of this text, which argue for an erasure of the foreign captive's ethnic identity, this article argues that the captive's ethnic identity actually serves as a means of targeting, marginalizing, and oppressing even after her procurement.

**Sarich, J. & Olivier, M. & Bales, K. (2016). Forced Marriage, Slavery, and Plural Legal Systems: An African Example. *Human Rights Quarterly* 38(2), 450-476.**

Abstract: Slavery, long abolished under international law, left a devastating imprint on Africa. However, enslavement of women through forced marriages remains a common phenomenon in many African states. These African states share the common feature of legal pluralism where traditional legal systems continue to be observed alongside national laws in which slavery is outlawed. Where traditional practices condone the marriage of underage girls who are legally unable to consent, the questioning of age-old accepted forms of marriage can generate strong reactions. This article traces the position of forced and child marriages in international law, and investigates how legality becomes a moveable target when legal systems exist in parallel. Despite international and African Union conventions on slavery and human rights declaring that marriages not based on the full and free consent of both parties are considered a violation of human rights and a form of slavery, these practices persist. These instruments are assessed to gauge the level of conformity (or variance) of African state practice where forced marriages commonly occur. Importantly, the reasons behind noncompliance and the impact of legal pluralism are explored in African states where forced marriages commonly occur.

**Touquet H., Gorris E. (2016). Out of the shadows? The inclusion of men and boys in conceptualisations of wartime sexual violence. *Reproductive Health Matters*, 24 (7), 36-46.**

Abstract: Researchers increasingly acknowledge that men and boys are frequent victims of sexual violence in conflict alongside women and girls, who remain the group that is

disproportionately affected. This increasing awareness has contributed to significant efforts to include men and boys in conceptualisations of conflict-related sexual violence in policy as well as in international criminal law. This article analyses the changes that have occurred in these two fields in recent years. We argue that while a major shift towards including male victims in international policy on wartime sexual violence took place in 2013-2014, this development has yet to be consolidated in salient policy guidelines and handbooks. While men and boys' potential victimisation is frequently recognised, most policy documents do not treat the topic of male victimisation in depth. International criminal law on the other hand has pioneered gender-neutral and inclusive definitions. However, the interpretation and application of the gender-inclusive approach is often left to the discretion of judges and the prosecution who at times fail to take the experience of males fully into account, signalling the continuing influence of gender stereotypes and deeply held cultural myths. A renewed effort to fully integrate male victims into conceptualisations of conflict-related sexual violence in both policy and law is therefore advised.

**Varin, C.; Abubakar, D. (eds) (2017). *Violent Non-State Actors in Africa: Terrorists, Rebels and Warlords*. Palgrave Macmillan.**

Abstract: This book explores the rise and impact of violent non-state actors in contemporary Africa and the implications for the sovereignty and security of African states. Each chapter tackles a unique angle on violent organizations on the continent with the view of highlighting the conditions that lead to the rise and radicalization of these groups. The chapters further examine the ways in which governments have responded to the challenge and the national, regional and international strategies that they have adopted as a result. Chapter contributors to this volume examine the emergence of Islamist terrorists in Nigeria, Mali and Libya; rebels in DR Congo, Central African Republic, Ethiopia and Rwanda; and warlords and pirates in Somalia, Uganda and Sierra Leone.

**Whitehouse, B. (2016). *Sadio's Choice: Love, Materialism, and Consensual Marriage in Bamako, Mali*. *Africa Today*, 62(3), 29-46.**

\*\* This article does not examine forced marriage in conflict situations but provides important information about the changing role of marriage in Bamako, and is methodologically interesting.

Abstract: This article analyzes the public response to the story of a young woman who rejected her fiancé during her wedding ceremony in Bamako, Mali. Controversy over her actions revealed divergent opinions about the rights and responsibilities of individuals regarding marriage and spousal choice in contemporary Malian society, where economic insecurity, tense gender dynamics, and the demands of kin undermine young persons' aspirations for romantic fulfillment and companionate marriage. Using evidence from online discussion forums, ethnographic interviews, and focus-group discussions conducted in Bamako, this article explores the gap separating young Bamako residents' ideals of marriage from their lived realities. It finds that

concerns about materialism in love and marriage are shared by young men and women alike, indicating deepening uncertainty over ongoing social change.

**Wibben, A. T. (Ed.). (2016). *Researching War: Feminist Methods, Ethics and Politics*. Routledge New York, NY.**

Abstract: *Researching War* provides a unique overview of varied feminist contributions to the study of war through case studies from around the world. Written by well-respected scholars, each chapter explicitly showcases the role of feminist methodological, ethical and political commitments in the research process. Designed to be useful for teaching also, the book provides insight into feminist research practices for students and scholars wanting to further their understanding what it means to study war (and other issues) from a feminist perspective. To this end, every author follows a four-part structure in the presentation of their case study: outlining a research puzzle, explaining the chosen approach, describing the findings and, finally, offering a reflection on the feminist commitments that guided the research.

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