# UNHCR Gender Mainstreaming – A Policy Analysis

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# Abstract

Since the 1980ies, the United Nations High Commission for Refugees (UNHCR) has in several conclusions focused on the particular attention to the international protection of refugee women. These conclusions are the result of ongoing feminist analysis and recommendations in order to recognize the different needs of women and men in a refugee situation. In 1988, UNHCR officially recognized the special vulnerability of refugee women and adopted a policy focusing on strengthening and empowering women according to their specific needs. This paper holds that UNHCR is caught in a dilemma of constructing refugee women as vulnerable victims while aiming to empowering them. The tension field between the victimization and empowerment of refugee women is the turning point of this paper. The purpose is to interrogate the underlying assumptions concerning gender in UNHCR policy and interventions to thereby give perspectives on the effects of the UNHCR policy. The method employed is a policy analysis model that draws attention to the way in which particular issues are problematized and explores the following effects. This paper unveils the underpinning assumptions in UNHCR policy and thereby contributes to the ongoing debates on gender mainstreaming.

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# List of Acronyms and Abbreviations

DRC – Danish Refugee Council

GID- Gender in Development

LGBT - Lesbian Gay, Bisexual, Transgender, and Intersex

NGO- Nongovernmental Organization

SGVB- Sexual Gender Based Violence

SOP - Standard Operating Procedures

POP - People-Oriented-Planning

PTSD - Post Traumatic Stress Syndrome

UN Charter – Charter for United Nations

UN – United Nations

UNHCR – United Nations High Commissioner for Refugees

WID - Women in Development

WRP - What is the Problem (represented to be)

# 1. Introduction

 *“One of the defining moments of the 20 century has been relentless struggle for gender equality… When this struggle finally succeeds –as it must- it will mark a great millstone for human progress” (Human Development Report 1995: 1)*

## 1.1 Problem area

In 1995 the United Nations (UN) convened the Fourth World Conference on Women: Action on Equality, Development and Peace in Beijing, China. Governments and international institutions across the globe signed the convention along with their endorsement of the Plan of Action with the commitment to achieve ‘gender equality and the empowerment of women’ (Moser 2005:2). Since the adoption of the Beijing Platform for Action, gender mainstreaming has become a globally accepted strategy for promoting gender equality. The United Nations High Commission for Refugees (UNHCR) has in correspondence to the Plan of Action and their mandate strengthened their institutional respond and issued a number of policies on women. The overall mandate of UNHCR is to provide security and protection for displaced persons in line with the UN Charter of 1945 (UNCharter 1945). One of the main threats to global security and protection for displaced individuals is the issue of Sexual Gender Based Violence (SGBV). Thus, the issue remains one the key elements of UNHCR operation which is reflected in their policies.

In 1995, UNHCR adopted its first guidelines on addressing sexual violence, namely Sexual Violence against Refugees: Guidelines on Prevention and Response. The aim was to provide an overall framework for establishing a comprehensive response to meet the protection needs of victims of SGBV. The guidelines underwent a revision during the 2001 SGBV Lessons Learnt Conference which led to the formulation of new guidelines in 2003: Sexual and Gender-Based Violence against Refugee, Returnees and Internal Displaced Person: Guideline for Prevention and Response (UNHCR web 2003). The introduction indicated that SGBV is mostly prevalent in environments where there is a general lack of respect for human rights. Since women and children are considered to be a vulnerable group to human rights abuses, they are also the ones who suffer the most from sexual and gender-based violence (UNHCR 2003:11). Men and boys are also recognized as victims of sexual violence but UNHCR statistics confirm that the majority of victims are women and girls. Thus, UNHCR guidelines on SGBV are mainly designed to target women and girls and use feminine pronouns to describe victims (UNHCR 2003:14). In 2008, the UNHCR launched: UNHCR handbook for the protection of Women and Girls to enhance the protection of women and girls (UNHCR 2008:4). Finally, the most recent guideline on SGBV was published in June 2011. Despite many efforts, it seems that in many areas UNHCR and its implementation partners are failing the implementation of their gender mainstreaming policies. The failing can be understood as a gap between policy and practice on gender policies.

## 1.2 Exiting literature on the gap

In this subchapter the exiting literature research on interventions and gender relations will be outlined to provide an overview of mentioned gap between policy and practice.

Sharon Carlson (2005) has during her extensive field work in Dzaleka Refugee Camp in Malawiexamined the implementation of UNHCR policy in the light of domestic violence. She argues that the incorporation of gender into UNHCR training and discourse not only serves to legitimize UNHCR’s position in the international humanitarian and political arena, it also reinforces power structures of patriarchy and Western modernity. Moreover, international agents influence the refugee homes in an attempt to teach acceptable domestic behaviour as well as to dictate what they consider to be proper gender roles. These influences can be both positive and negative outcomes. In this sense Carlson defines the gap as inherent in the policy formulation (Carlson 2005:37).

In addition, Jennifer Hyndman (1998) stipulates that there is a gap between the way that UNHCR conceives gender and culture in a humanitarian context, and the way they implement their policy because they either essentialize women in the planning process or minimize the meaning and implications of the differences vis-à-vis gender policies (Hyndman 1998: 241). She argues that ‘people-oriented planning’ is a cultural assumption. The integration and mainstreaming of gender is part of the agenda item of the humanitarian mandate. It specifies how gender and culture should be incorporated into refugee planning. Hyndman sees this as an example of negotiation and mutation of humanitarian practice on an ongoing basis. In her conclusion, she emphasizes that UNHCR has problems with unequal power relations towards refugees, and that UN humanism and its applied approach to manage ethnic diversity is oriented on the national order of the world. She finds that there’s a need for further investigation of UN rhetoric and practices around the notion of “family of nations” because *“….violence against refugee women […] has historical and political meaning, which exceeds the policies and practical efforts made to assist refugee women.”* (Hyndman1998:255).

Helena Moussa is interested in the creation of refugee women, and mainly the refugee dependency syndrome. The expression of this syndrome from refugee women could be interpreted as a gap between policy and practice (Moussa 1993: 173) Moussa concludes among other things that UNHCR is only one of many determinants in the process of female refugees to construct themselves as refugees (Moussa 1993:28). Harrell-Bond showcases that there is a lot of evidence of the treatment of refugees which can be described as “inhumane”. Harrell-Bond defines a gap between policy and practice. In practice, there are insufficient resources to meet the needs of the refugees which results in the fact that most help to refugees is being conceived in terms of charity and not in terms of enabling of rights. Another problem on the practical side may be seen in the way that UNHCR staff follows other procedures less favorable for refugees than the ones demanded by UNHCR themselves (Harrell-Bond 2002:68). Additional political gap arises due to the legitimization of the authority of the helper. There is a discrepancy, which Hyndman also touches upon, between the wish to include refugees in the decision-making of the camp, and at the same time needing to control the refugees if necessary at gunpoint (Harrell-Bond 2002:59). She identifies a need for *“…a “rights-based humanitarianism” that goes beyond “private charity or governmental largess”*. She argues that this approach is primarily about defending, advocating and securing human rights and not only about assistance. Beneficiaries should be seen as “survivors of adversity” and not as victims (Harrell-Bond 2002:52).

Hyndman and Malatha de Alwis see the problem of gender being mainstreamed into all proposals and evaluations of development work without including an analytical integration of the power relations gender entails (de Alwis & Hyndman 2008:88). They argue that training programmes and development initiatives may bend gender relations and identities, and feminist approaches are seen as a proposed solution to this gap. They are concerned that gender many situations is reduced to women. Finally, in line with the thoughts of de Alwis and Hyndman, France Cleaver argues that masculinity seems to be missing in development and gender policy. The change in terminology from Women in Development (WID) to Gender in Development (GID) represents a shift toward recognizing the need to analyze social relations between men and women and to be more aware of factors such as class, age, and personal agent. Despite, the shift much of development and gender policy remains to have a one-sided focus on women (Cleaver 2001:9-11). The idea of gender ‘equalization’ rests on the assumption that men should give up their power in order for women to be empowered. Thus, men oftentimes are included in women-focused projects without little concern toward the impact upon them and gender relations (Cleaver 2001:15).

## 1.3 Problem formulation

Based on the above mentioned views on failing humanitarian interventions caused by a desire to implement gender-mainstreaming into a large number of projects designed by the different UN-bodies, international NGOs and other local and international organizations, the research question of this project is as follows:

### 1.3.1 Research question

What are the underlying assumptions concerning gender in UNHCR’s guideline on Sexual Gender-Based Violence, and which effects emanate from this representation?

## 1.4 Concepts and definitions

In order to illuminate the content and the characteristics of the problem formulation and the distracted research question, the following concepts and definitions of the scientific problem will be clarified.

### 1.4.1 Gender

The concept of gender refers to the cultural assumptions and practices that govern the social construction of men and women, while sex is taken to be biology of the body differentiation between male and female (Reddock 2000:37). Gender relations are dynamic, and they are not only influenced by physical sex but also age, culture, and ethnicity etcetera.

### 1.4.2. SGVB

“*Sexual violence, gender-based violence and violence against women are terms that are commonly used interchangeably. All these terms refer to violations of fundamental human rights that perpetuate sex-stereotyped roles that deny human dignity and the self-determination of the individual and hamper human development. They refer to physical, sexual and psychological harm that reinforces female subordination and perpetuates male power and control*” (UNHCR 2003:18).

## 1.5 Outline of the project

This thesis is built up in a manner which enables the recipient to read the problem area and the conclusion independent from the remaining chapters and get a comprehensive understanding of the subject matter. However, it should be emphasized that the methodological considerations and the analysis all play an important role in creating an understanding of the origin of the points and sub-conclusions which together make up the final conclusion.

Chapter two outlines the core of the paper’s methodological stance and scientific approach which is social constructivism. Moreover, this particular chapter contains an exposition of the process, the collection of policy documents, and the logic behind the analysis method. In the final part of the chapter, the method and the scientific validity are discussed and assessed.

In order to process the research question concerning effects of UNHCR’s policy, it is essential to consider existing theories which support and/or reject contentions arising in the project and which make up the project’s theoretical framework. Chapter three presents three main theories of the research. The theorists applied are Carol Lee Bacchi, Michel Foucault, and Martha Albertson Fineman, respectively. By applying these theoretical stand points, the project revolves around discursive construction of problem areas, governing models, and human rights, amongst others.

In chapter four, the empirical data is analyzed, and subsequently linked with the applied theory. This is done with the purpose of extracting statements that are applied in the final conclusion, which follows after the continuing analysis in chapter five. Besides from the chosen and outlined theory (chapter three), supplementary theory and literature are applied in the analysis. Theorists and experts such as Jennifer Hyndman, Liisa Mallki, Sharon Carlson, Laura M. Carpenter, and Rhoda Reddock are applied.

The bibliography is to be found in chapter seven, whereas all employed appendixes are attached in chapter eight. These consist of UNHCR’s six focus areas on SGBV, which is the turning point of the present paper.

# 2. Methodology

In this chapter, the methodology of the study will be outlined. Firstly, the choice of empirical data will be specified and narrowed down while also reflecting on the choice of data and the generalizability. Secondly, the theory of science point of departure for the study will be presented and reflected upon, followed by a reflection on the choice and use of theories. Thirdly, the credibility of the study will be assessed deriving from an assessment of the external validity and the internal validity. Finally, the interdisciplinary of the study will be accessed.

## 2.1 Choice of empirical data

In this section, UNHCR policy documents on SGBV and empirical data provided by Simon Turner’s field study will be outlined and the arguments that led to these choices will be specified. Another possibility, which was firstly considered, was to do a desk study on the implementation of SGBV studies via an analysis of a specific program within UNHCR or from one of their implementation partners. Some study documents from The Danish Refugee Council (DRC)[[1]](#footnote-1)'s Kenyan programme in Dadaab refugee camp seemed to be accessible. However, owing to a large number of requirements and approvals from different bodies, the documents eventually turned out to be inaccessible. It was also possible to access documents from the DRC headquarters in Copenhagen but after reading the material it mirrored legal technical aspects and not implementation details. Furthermore, it was also difficult to receive a complete pile of program paper, progress report, evaluation report etc. for one specific program. As a result of this, focus was instead placed on conducting an analysis on UNHCR policy documents on SGBV, and thereby outlining the foundation for implementation of SGBV initiatives for UNHCR bodies and implementation partners.

The reason why SGVB documents were chosen rests upon the whole design of UNHCR policies. The overall mandate of UNHCR is to provide security and protection for displaced individuals in line with the UN Charter of 1945. One of the main threats to global security and protection for displaced individuals is the issue of SGBV (UNCHAPTER1985). Thus, the issue remains one the key elements of UNHCR operation which is reflected in their policies. Since UNHCR’s initial Policy on Refugee Women, issued in 1990, the Office has strengthened its institutional response to SGBV through a series of initiatives: Guidelines on the Protection of Refugee Women (1991); UNHCR’s five Commitments to Refugee Women (2001); Guidelines on Prevention and Response to SGBV (2003); Standard Operating Procedures (SOP’s) for Prevention of and Response to SGBV (2006); and the Handbook for the Protection of Women and Girls (2008). These different policies documents can be divided into three policy sections: The Policy on Refugee Women is the core policy that reflects in the following two sections (2) The SOP’s are an inter-agency agreement on minimum standards and responsibility of action, and (3) the guidelines offer practical advice on how to design strategies and carry out activities. The SOP’s documents are beyond the scope of this study as they are inter-agency agreements with technical and legal aspects. On the other hand the UNHCR policy on refugee women and the guidelines will serve as the empirical data for the analysis.

As outlined above, UNHCR has developed and adopted several guidelines on SGBV in the past two decades. The main document being the UNHCR Policy on Refugee Women which is followed by several guidelines and handbooks. Analyzing all of UNHCR’s guidelines would be very extensive and time consuming, thus, this study is limited to analysing UHNCR’s latest and current guideline document, the Action against Sexual and Gender-Based Violence: An Updated Strategy 2011 supplement by UNHCR Policy on Refugee Women. By closely describing all steps in the research and interpretation process, as well as making the language and structure as accessible and understandable as possible, the reliability of the study can be ensured. The UNHCR’s updated strategy for 2011 is highly relevant this study while it focuses on how the SGBV related problems is conceived and represented in UNHCR policies. Therefore, the results of the study can be treated as a general analysis of how UNHCR deals with questions related to sexual gender-based violence.

The chosen UNHCR policy document provides a structure to assist UNHCR operations in dealing with SGBV. The strategy, among others, consists of six action areas to enhance the quality for protection. Action area one, five and six covers displaced children, persons with disabilities and lesbian gay, bisexual, transgender, and intersex (LGBTI) persons which are beyond the scope of this study ( UNHCR 2011:5). Thus, this study is limited to analyse action area two, three and four

(Annex :1).This will help answering the first part of the research question which aims to investigate the underlying assumption about gender in UNHCR guideline on SGBV.

To answer the last part of the research question which is the effects produced by the guidelines, Simon Turner’s book “Politics of Innocence – Hutu Identity, Conflict and Camp Life” will provide the empirical data (Turner 2010). Turner carried out his research in Lukole Refugee Camp in the western part of Tanzania in the mid-90s. His research is based on comprehensive ethnographic data which is obtained through primarily qualitative interview with refugees and UNHCR staff and also quantitative methods based on questionnaires. More specifically he identifies gender and age relations as an important part of the process of victimization. He focuses on putting into perspective how refugees perceive and cope with the bureaucracy model imposed by UNHCR and NGOs (Turner 2010). The choice of Turner’s research also reflects on the lack of any other more comprehensive studies that link ethnographic study of gender relations from an inside view with the effects of institutional behaviour. When working with case studies, questions of generalizability becomes relevant to address. According to Bent Flyvbjerg, professor on empirical methods, the generalizability depends on the concrete case study and the value of obtaining knowledge from a case study is just as valid as obtaining knowledge through a generalization (Flyvbjerg 2006:124-125). In other words, by analysing the specific case study of Turner, overall trends can be identified and compared to similar trends in case studies from other refugee camps, hereby enabling a more generalized discussion on SGBV issues. However, the focus in a case study is not the aim for absolute external validity (De Vaus 2007:237). Instead, the purpose of this qualitative policy analysis is to interrogate how gender is represented within UNHCR guidelines and give~~s~~ an interpretive picture of how these institutional representation effects lives of those who are governed.

## 2.2 Reflection on the use of data of secondary empirical data

When using secondary data, it is important to reflect the reliability of the study. This study is partly based on Turner’s findings. One of the disadvantages of using secondary empirical data is that the data has already been interpreted. Thus, this study is limited in interpreting already stated arguments. In order to distinguish and add perspectives to Turners research, this study is trying to apply other theories on Turner’s research which are focusing on how UNHCR interventions influence the gender relations among refugees. But before doing so, a policy analysis of UNHCR guidelines on SGVB will be assessed. In addition, the quotes and situations from Turner’s research have been analyzed directly instead of taking departure in his analysis, bearing in mind that the described situations reflects Turner’s written translation and not necessarily facts.

## 2.3 Theory of science

In the following, the theory of science of the study and thereby the ontological and epistemological assumption will be unfolded followed by a definition of the theory of science and ontology and epistemology, and then these notions will be applied to this study.

### 2.3.1 Social constructivism

In this study, the underlying assumption is that gender and sexuality are determined by their social surroundings; hence they are considered being socially constructed in a continuously developing and changing process. The primary interest of this study is to look at the representation gender in UNHCR’s SGBV guideline, and examine how these representations effect the gender relations. This understanding is the foundation of the study based on social constructivism.

Social constructivism developed out of interpretative research. Nature and the social world are divided by the Weberian assumption that there is meaning inherent in the social world which needs to be understood (Schmidt 2011). For social constructivists, however, meaning is not objectively accessible but dependent on the meanings that individuals ascribe to their surroundings, actions and practices. Assessing the subjective meanings is always limited by the cognitive framework and a priori theoretical concepts of an individual. Therefore, all knowledge about the social world is seen as subjective interpretations and constructions. In this sense, knowledge is always dependent on the values, ideas and judgments of the individual which are always shaped by a personal and historical context. Since the values, ideas and judgments are expressed in discourses, “reality” is constructed, and this “reality” angina influences values, ideas and judgments of people again cf. Bacchi and Foucault. Values, ideas and judgments become the structuring principles of the social world (Prowse 2010: 216). The underlying assumptions implied by a social constructivist point of view are important because they explicitly render the particular beliefs that determine how the research findings of a study are generated, how robust they are, and how this research can be connected to by other researchers (Prowse 2010:211-13).

### 2.3.2 Ontological and epistemological assumptions

Ontological and epistemological assumptions are inherent to every theory and every piece of research in social sciences and are therefore important elements of theory of science. They make up the underlying basis of every social research and thus constitute an important part of the methodology of research. Ontology refers to what is being researched and what social reality constitutes (Hofweber 2004). This includes questions about the nature, the existence, the appearance, the composition and the interaction of the different units of social reality. On the other hand, epistemological assumptions answer questions about how the assumed reality can be known, and how knowledge and justified belief can be assessed. As regards social epistemology, there is a range of positions along a scale of the question of whether there is a truth from radical naturalization to radical construction. Radical naturalization implies that knowledge is linked to truth as the goal of cognitive practices, and that there is an objective truth in social facts, whereas radical construction stipulates that the goal of intellectual and scientific theories is not to find facts, and that truth and reality are socially and discursively constructed. A less radical position would imply that scientific theories are based on social, cultural and historical presuppositions and biases (Steup 2005). The ontological position on gender and sexuality informs the theoretical framework of this study as well as the interpretation of empirical data. In this study, the ontology is that gender is socially constructed and changeable. More specifically the perception and construction of gender and gender roles determine the status of victimhood and vulnerability cf. subchapters 3.3 about Fineman’s theory. According to Foucault’s notion of governmentality the UNHCR as institutional structures can influence human behaviour through discursive and bureaucratically means (Lemke 2001 2-3). Thus, in this study, the epistemology is made of the application of Bacchi’s poststructuralist approach which pays much attention to how discursive in policy produces effects. This will be further elaborated in subchapter.

This study builds on already interpreted data cf. 2.1.1. Hence, this study's epistemological starting point can therefore be found in hermeneutics, which in this study is characterized by the fact that the perception of reality is part of an interpretive process. Hermeneutics will further serve as a methodological tool in the analysis as the intention to interpret data that is already interpreted by Turner also called double hermeneutic (Gilje, and Grimen 2002:169). This means that this study helps to construct an understanding of the world, which can later be subject to new interpretations. Another central tenet of hermeneutics is that one must understand the parts in order to understand the whole.

A frequent criticism of social constructivism is its view of truth as socially constructed because if the truth is socially constructed, the truth is also relative. For instants, a group of individuals in one social field can come to a consensus on what constitutes the truth but the same truth can be perceived as false in another social field in which individuals have a different perception of truth. This means that truth can be perceived as true and false at the same time (Wenneberg 2002:81-84). Hence, it is essential to analyse social phenomena from a given context within the social constructivist approach. Furthermore, it is important to recognize that due this understanding, the results reached are also set within a context and can therefore be characterized as subjective knowledge.

## 2.4 Choice of theories

In this subchapter the choice of theories used for the study will be reflected upon. The purpose is to explain the interconnectedness of the applied theories. All three theories contribute to the answer of the research question and philosophically they are grounded in a social constructivist approach.

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### 2.4.1 Carol Lee Bacchi – What is the problem (represented to be) approach

Carol Lee Bacchi’s approach: What is the Problem (represented to be), will serve to investigate the underlying presuppositions and assumptions about gender in UNHCR guideline on SGBV. The main focus of her approach is on how the problem itself is represented and what lies beneath. Bacchi argues that polices are attempted ‘solutions’ to ‘problems’. Hence, the chosen UNHCR documents are not the logical solution to a clearly defined problem but rather the expression of a particular construction of the ‘problem’ which shapes the policy respond. Bacchi argues that policy works created a problematisation then providing a solution. Thus, how the ‘problem’ is represented or constituted matters. This statement corresponds well with the ontological stance of this study. Moreover, she notes that the problematisation may not always be explicitly detailed in the policy text. The text might simply outline the solution, and how it is to be implemented. However, the problematisation is always implied, even if not spelled out (Bacchi 2009:1-3). Bacchi’s work is, as previously mentioned, located within Foucauldian discourse analysis, and therefore she suggests that we ask further refining questions about truth claims which are made, inclusions and exclusions, normalisations, and subjectivities and actions which are constructed and legitimated. Bacchi’s poststructuralist approach allows the analyst to study, how the use of language and the discourse surrounding a given problem representation affects the way in which the problem is understood, and what possible presuppositions and assumptions underlies it. Additionally, the analyst reflects upon which solution lies in the problem representation, and how the effects differ when some matters are seen as problematic while other things are left unproblematic (Bacchi 2009 15-19).

The details of Bacchi’s approach were explained above, but in order to structure the analysis, this study will follow a set of questions that Bacchi has suggested as guidelines for WPR Analysis:

***What’s the problem represented to be? An approach to policy analysis***

1. “What’s the ‘problem’ (e.g. of ‘problem gamblers’, domestic violence, pay inequity, health inequalities, etc.) represented to be in a specific policy?
2. What presuppositions or assumptions underpin this representation of the ‘problem’?
3. How has this representation of the ‘problem’ come about?
4. What is left unproblematic in this problem representation?
5. Where are the silences? Can the ‘problem’ be thought about differently?
6. What effects are produced by this representation of the ‘problem’? Consider three kinds of interconnected effects: discursive effects, subjectification effects, lived effects.”

The aim of this study is to interrogate the assumptions underpinning the UNHCR guideline on SGVB, which is question two in a WPR-analysis, and the accompanying effects, with a primary focus on subjectification effects which is question five in a WPR-analysis. In order to do this, it is important to look at how the problem is represented, which is question one in a WPR -analysis. Although question one, two and five as a starting point will structure the analysis, the remaining set of questions will be naturally included. This is due to the interconnection and interaction between the questions.

### 2.4.2 Michel Foucault – Governmentality

Foucault’s notion of governmentality and power will be used to elaborate Bacchi’s policy analysis. The main focus is to explain how UNHCR policy affects gender relations between refugees. In this study governmentality is merely used as a condition to explain under which structural framework that UNHCR is operating which is one of the main points in Turner’s analysis. But this study seeks to take it further by using Foucault’s notion of governmentality to understand how gender is represented in UNHCR policy, and what effects follow from this representation. But by doing so, this paper also seeks to reveal the lives that are affected by UNHCR’s policy.

### 2.4.3 Martha Fineman – The notion of vulnerability

Martha Fineman is a leading scholar in feminist theories and family law. Much of her scholarship has been focused on the legal implications of universal dependency, vulnerability and justices. In 2008, Fineman published ‘The Vulnerability Subject’ where she formulated a theory of vulnerability in order to argue for a more responsive state and a more egalitarian society. Fineman argues in the essay that vulnerability should be understood to be universal and constant, inherent in the human condition Fineman’s vulnerability approach enables the study to problematise the notion of vulnerability reflected in UNHCR guidelines on SGVB and reflect critical on the implementation of the human rights. According to Fineman, the current legal doctrine based on confining current discrimination-based models toward a more substantial vision of equality, which privileges some groups and disadvantages other. She elaborates that states are too concerned with *rights* part of the human rights trope rather than the *human* part. Hence, in order to have a more responsive state and a more egalitarian society are ought to understand this fact. Although Fineman does not explicitly refers to Foucault. Her theorisation of vulnerability is comparable with Foucault understanding of government. In this sense, Fineman’s vulnerability approach is a fitting supplement to Foucault and Bacchi.

### 2.4.4 Interdisciplinary

The work of this study is inherently interdisciplinary. The first part of the research question is answered via an analysis of UNHCR guideline, which locates the study in the tradition of political science. However, the effects produced by the guideline, can best be assessed by ethnographic and/or anthropological field work. Carol Lee Bacchi’s theory is interdisciplinary – coming from feminist studies and spanned mainly across political science and sociology – and therefore creates a theoretical set of tools to analyze empirical problems from a problem-oriented and holistic point of view. Simultaneously, it is open for connection to other theories, concepts and aspects to be considered.

# 3. Theoretical Framework

In this chapter the theories used to analyze the research question will be presented. First Bacchi’s theory on problem representation in policy document is presented then Foucault’s notion of governmentality and power relations are presented. Finally the vulnerability concept by Martha Fineman will be present. All those theories are together answering the research question of what is the problem represented to be in UNHCR’s policy document on Sexual Gender-Based Violence and what effects follow from this representation.

## 3.1 Carol Lee Bacchi

Carol Lee Bacchi’s approach: What is the Problem (represented to be) is a poststructuralist approach that draws on the work of Foucault and governmentality to understand the ‘modes of rule’, or ‘govern-mentalities’ that are expressed in public policy. It draws attention to the power relationships that determine who defines a policy ‘problem’, examines the way in which particular issues are problematised, and explores the discursive, subjectification and lived effects of that problematisation on those who are governed.

### 3.1.1. What is the Problem (represented to be)?

What is the Problem (represented to be) ( WPR) approach takes noting for granted. In fact, the very idea of policy becomes a subject for interrogation. Normally, policies are regarded as a good ~~a~~ thing that fixes things up. However, the notion ‘fixing’ carries with is an understanding that something needs to be ‘fixed’ implying that there is a *problem.* This presumed ‘problem’ oftentimes is reflected in the policy explicitly. Hence, there are implied ‘problems’. Therefore, WPR approach offers a method consisting of six interrelated questions to interrogate the ‘problem’ implicit in public policy and identified its effects (Bacchi 2009:1.2). For example, Bacchi argues that offering women training courses implies that women lack training. Albeit, the policy ‘indented’ to increase women’s representation in position of influence, little will change with this view of women as someone lacking skills. In fact such representation of the ‘problem’ has implications for the ways in which women skills are portrayed and the accompanying impact on gender relations in the labour market. Thus polices in Bacchi’s optic gives shape to ‘problems’ they do not address (Bacchi 2009:2). Hence, rather that reacting to ‘problems’ government are active in the creation of policy problems.

### 3.1.2 We are governed through problematisations

Akin Foucault, WPR approach aims to understand how society is managed, and with what repercussions for different groups of people cf. subchapter 3.2.1 about Foucault’s concept of governmentality. Bacchi argues the way to recognize different forms of rules is through identifying and analysing ‘problematisations’. Moreover, the use of the concept allows us to think behind forms of rules and to see how particular issues are thought of or problematised. (Bacchi 2009: 30-31). According to Bacchi, polices are problematising actives. Further policies ‘claim’ to ‘fix’ things; therefore it is their nature to assume the existence of a ‘problem’ that needs ‘fixing’. The term problematisation refers to the particular forms of rule through which we are governed. In order to understand how we are governed, we need to examine the problem representation that lodge within policies and policy proposal (Bacchi 2009:31-32).

### 3.1.3 Study problematisations rather than ‘problem’

WPR approach challenges the current dominate intellectual paradigm that focuses on solving ‘problems’. It argues that this particular approach to knowledge and practice can be identified as a specific governance project. Bacchi suggests that we need to shift our focus from how to solve ‘problems’ to consider how particular proposals imply certain understandings that may need to be in question. Problem-solving approaches build on the premise that societies are generally functioning well and, hence, that not much needs to change. By contrast WPR approach suggests that shifting one’s perspective from assumed ‘problems’ to the ways in which ‘problems’ are represented constitutes a claim to ‘participation in and management of problem’. As a result, this shift of focus opens up new forms of political thinking and assessment, and new ways to envisage relation of rule. Thus, the WPR approach promotes a problem-*questioning* rather than problem*-solving* (Bacchi 2009: 32-34)

The focus is shifting from ‘problem’ to problematisation, and to the problem representations they contain. This distinguishes WPR approach from other forms of policy analysis. Approaches to policy studies and policy analysis normally operates with three perspectives namely: ‘authorized choice’, ‘structural interaction’ and ‘social construction’. The ‘authorized choice’ sees policy as reacting to fixed and identifiable ’problems’ which are outside the policy process. ‘Structured interaction’ focuses on the competing voices involved in defining policy ‘problems’ and deciding policy directions. Therefore, the analyst in this view, need to offer advice on what is do-able to move in what is described as desirable direction Finally the ‘social construction’ is critic toward the ways in which participants in the policy process ‘ make sense of the world’ and to organisational forms and social practices through which governing is accomplished. WPR approach draws upon constructionist premises. It challenges the presumption in both ‘authorised choice’ and ‘structured interaction’ approaches that governments react to ‘problems’ that somehow exit in the world separate from the ways in which ‘problems’ are conceived. Rather it insists that governments are active creators or producers of policy ‘problems’. With this understanding governments play a privileged role as their versions of the ‘problems’ are constituted in the legislations, report and technologies used to govern. (Bacchi 2009 31-33).

This focus on the political dimension of ‘problem’ creation locates the WPR approach within the poststructuralist tradition. The primary interest is to interrogate ‘the textually-unstable that always contestable nature of social reality’ (Bacchi 2009:34) Furthermore a key premise of this approach is to examine policy and identify the implications it carries for those who are governed. Therefore, the representation of the problem matters as some people are harmed by this, while others benefit from particular problem representations. In this sense the WPR approach offers valuable insights into the processes of governing. In addition this approach creates a new framework for thinking through the implications of any policy advice offered to government (Bacchi 2009:34).

The WPR approach suggests that we need to focus attention on ‘prescriptive text’ or ‘piratical texts’. In this approach policies are ‘perspectives’ texts since they tell us what to do. As a result, policies and their accompanying methods of implementation provide points of entry to the problematisations and problem representations that require close interrogation (Bacchi 2009.35)

In Bacchi’s optic problem representations are elaborated in discourse. The term discourse does not refer to the traditional analysis of language. Rather, discourses are understood to be socially produced forms of knowledge that set limits upon what is possible to think, write or speak about a ‘given social object. The key point is to remember that these ’knowledges’ do not exist apart from the statements that constitute them. In this sense, discourses are fictions. However, they are powerful fictions due to their commonly accepted statues as truth. The “claims” of the discourses can be describes as ‘knowledges’, rather than as ‘knowledge’ to assert their contested status. Knowled~~e~~ges provide point of rupture to challenge conventional ‘knowledges’. Thus, the purpose is to uncover these and unite then in order to rediscover the history of struggle and conflict.

The WPR approach addresses the so called ‘rules of formation’, which marks the meeting point of discourse with the nondiscursive domains of institutions, political events and economic processes. The aim is access how specific discourse are legitimized and the struggle to ‘control discourse’. This statement leads to the concept of power in a WRP approach again takes its direction from Foucault cf. subchapter 3.2.3 Foucault concept of power.

### 3.1.4 Critical reflection on the problem representation

WPR is a critical form of analysis that offers critical reflection on the problem representations in public policies. Referring to Foucault the aim to critique in saying that things are not good the way they are. Rather it interrogates what types of assumptions the accepted practices are based. This directs the analyst to identify assumptions and presuppositions within identified problem representations in specific polices as a means to exploring the political rationalities (Bacchi 2009:39). The WRP method therefore suggests ‘reading off’ political rationalities from the presuppositions within programmes or polices. The aim is not simply to identify assumptions and presupposition in identified problem representations but also to assess the effects. Furthermore this involves identifying the implications and interconnecting power relations (Bacchi 2009:40)

WPR approach work from the premise that the discursive elaboration of problem representations constitutes political subjective of particular types, and that how this occur has political ramifications. For example, how some are stigmatized, others exonerated and keeping change within limits. Thus, a close examination of how the problem is represented is required and how those targeted might challenge the message. Furthermore, strategies and practices are initiated from below cf. subchapter 3.2.1 Foucault’s concept of conduct of the conduct (Bacchi 2009:42).

Discourse analysis such as Norman Fairclough[[2]](#footnote-2) *critical discourse analysis* tends to draw little attention to the impact of discourses on how people their lives on day to day basis, and how non-discursive factors interact with discourses. The non-discursive factor shapes human conscious and effects how we think and live our lives. Hence, WPR approach pays attention to the lived effect of these discourses. Moreover, WPR approach presumes that some problem representation benefit the members of some groups at the expense of others. The goal is to intervene and challenge problem representations that have damaging effects, and to suggest that issues could be thought about in ways that might avoid at least some these effects. Through a close analysis of how the problems are represented WPR approach aims to identify place where it might be possible to intervene in order to reduce harmful effects. Furthermore, this approach creates the opportunity to consider how resistance and challenge occur (Bacchi 2009:43-45). Finally discourses are seen as recourse for re-presentation. This idea rests upon the notion of power cf. Foucault and allowing us to demand~~s~~ rights and makes change (Bacchi 2009:46).

## 3.2 Michel Foucault

Michel Foucault is mainly known for the method of discourse analysis and the concepts of “bio-power”, “dispositive” and “governmentality”. Foucault further developed a theoretical complex conceptualization of power as being “power relations” bridging theory and practice and deriving from an analysis of the development of modern society and subjectivity.

### 3.2.1 Governmentality

According to Foucault the modern society is characterized by the exercise of governmentality, which is a combination of the elements: “govern” and “mentality”. This concept “govern” implies a particular rationality or a way of thinking about management and leadership, and the term “mentality” refers to a historically given collective mind frame. Governing does not only take the form of political, legal or economic power, but it is directed at the soul and the mind of people. Foucault defines government as "the conduct of conduct" and thus as a term which connects "governing the self" with "governing others”. He presupposes that the free individual modern subject at and is able to and is able to and does governor conduct itself. The exertion of power by an actor therefore consists in governing or influencing the way other actors conduct themselves. In other words, this calculative approach and conscious activities by the state, aim to guide, shape, influence and transform human thought and action (Lemke 2001 2-3; Lingren 2007: 326-29).

Moreover, Foucault states: *”Governing people is not a way to force people to do what the governor wants; it is always a versatile equilibrium, with complementarity and conflicts between techniques, which assure coercion and processes through which the self is constructed or modified by himself” (Foucault 1993, p. 203-4 in Lemke 2001: 4-5)* This quote indicates that the sovereign state and the modern citizens co-determine each other’s emergence, leading to Foucault’s perception of power relations.

### 3.2.2 The notion of power relations

Traditionally, power is believed to be substantial, a “what” and viewed as belonging to e.g. the central government, manager or leader, based on resources and connected to a hierarchical relation dividing the system or society. In contrast, Foucault conceptualizes power as a power relation, a practice that is always global, massive, diffuse and complex and consisting between two actors as a practice of reciprocal influence. An everyday example would be a mother offering her child tea and lemonade to drink, but at the same time telling that lemonade is bad for it. By saying this, she tries to influence the probability of action of the child, which would represent the social relation between mother and child as a power relation. Therefore power relations are inherent to social relations (Foucault 2005:256). Power relations become visible through resistance and are driven to continue to exist by reciprocal provocation and fight, instead of a blocking opposition. It is subject to constant chaining and reversal. In this way resistance and conflict as well as compromises, fissures and incoherencies are inherent and constituent components of power relations (Lemke 2001: 9).

### 3.2.3 Characteristics of power relations: Government, strategic power and dominance

In his earlier works Foucault differentiates between strategic power, government and dominance (Lemke 2001: 5-6). Firstly he explains power as strategic games that are ubiquitous in human interaction, as they structure the possible field of action of others, which takes many forms, e.g. ideological manipulation or rational argumentation, moral advice or economic exploitation. In this sense, power relations are not always the result of an exclusion of liberty. Liberty is in contrast the basis of power relations and therefore can result in an “empowerment” or “responsibilization” of subjects, forcing them to “free” decision-making in fields of action.

Whereas strategic power is neither good nor bad in general, but just actors structuring the possible field of action of others, dominance refers to an asymmetrical relationship of power, which is stable, hierarchical, difficult to reverse and the effect of the use of technologies of government (which are the constituent elements of strategic power relations). In this sense dominance is the condition that would be referred to as power in a traditional sense.

Central understand Foucault’s conceptualization of political power. A state can be one form of political power. However he does not understand power as a problematic of legitimization and law, but of strategies, fights and war on a microphysical level. Therefore, government is a form of power that is a more or less systematized, regulated and reflected mode of power, beyond the spontaneous exercise of power, but following a specific form of reasoning. This “rationality” defines the telos of action and the adequate means of action to achieve it (Lemke 2001:5). Therefore government is the point where individuals are driven by others tied to the way they conduct themselves. This corresponds to governmentality, which Foucault compares to a pastor, occupied with the guidance and welfare of his sheep. In much the same way disciplinary or sovereign power is reinterpreted not as opposite forms of power but as different technologies of government (Foucault 1993:341). Government then is “the regulation of conduct by the more or less rational application of the appropriate technical means” (Lemke 2001:106). Institutions can be understood as a product or form of power relations, but power relations are not derived from or defined by institutions, because:

*“Governing people is not a way to force people to do what the governor wants; it is always a versatile equilibrium, with complementarity and conflicts between techniques which assure coercion and processes through which the self is constructed or modified by himself”* (Foucault1993:203-204). Therefore there are multiple forms and spaces of “governing” of people through other people within society, which overlie, cross and limit each other, cancel each other out or strengthen each other (Foucault 2005: 260).

## 3.4 Martha Albertson Fineman - The Vulnerability Subject

### 3.4.2 The limits of formal equality

According to Fineman there is an impoverished sense of equality embedded in our current legal doctrine. We understand equality in terms that are formal, focused on discrimination, and inattentive to underlying societal inequality. This understanding is in part shaded by the use of the equal protection doctrine as a tool to fight blatant forms of discrimination focused on race, sex and ethnicity. In particular, feminist legal reformers during the late 20th century designed to favour women, demanding formal equality and rejected any special consideration and classification based on asserted gender differences that led to exclusion and subordination (2008:2).

Fineman points to several gaps and limitation of the formal model of equality, the main argument being the lack of attention and correction of disparities in economic and social welling among social groups. This model leaves undisturbed – and may even serve to validate- existing institutions arrangements that privileged some and disadvantage others. It also fails to provide a framework for challenging existing allocation of resources and power. Secondly, she argues for the limitation of formal equality lies in the sameness treatment version of equality, which represents arguments for a more substantive concept of equality that is result-oriented and takes past circumstances, future obligation and disadvantage into account. (Fineman2008:3). Finally, Fineman critiques, the current model of equality from a political and policy perceptive that further limits the model as an anti-discrimination principle as its protections do not appear to extend to everyone. Politically, she argues this limitedness to be problematic as it has resulted in significant backlash. The problem is the fact that the goal of confronting discrimination against certain groups has largely eclipsed, even become a substitution for, the goal of eliminating material, social and political inequalities that exit across groups. In addition, disadvantages that transcend group boundaries such as the deprivation of basic social goods, poverty and denial of dignity are not recognized in the current framework. In this sense Fineman claims that inequalities are produced and reproduced by society and its institutions (Fineman 2008:3). For instance, the ongoing discussion in Denmark about the quota legislation to promote female senior manager is good example on Fineman’s concern. According to Fineman, such a legislation will reproduce inequality in the matter that is acknowledges women someone lacking cf. Bacchi

### 3.4.3 The Restrained State

According to Fineman the idea of non-state intervention is a major impediment to reforms intent on instituting a state that is more responsive to inequalities. Fineman suggests a more active state that acts as the principal monitor or guarantor of an equal society. She claims that the fact that nonintervention has facilitated a skewed and unequal society with the distance between rich and poor growing in recent years, makes clear that some form of prevailing power is essential to counter unfettered self-interest (Fineman 2008:4).

Moreover she states that “*although we often experience entities such as the family and the corporation as "natural" or inevitable in form and function, in reality such institutions are constructed and evolving; their identities are legitimated in law, hence by the state. Both intimate and economic entities are creatures of the state, in the sense that they are brought into legal existence by the mechanisms of the state*” ( Fineman 2008: 4).

In this sense the state determine how both the private and public are created as coherent entitled to act in society. Furthermore, this institutional creation places the state as the ultimate source of public authority. Both the private and public spheres are regulated and controlled by laws. Law defined the circumstances under which an entity and its actions will be considered entitled to the special protection. This idea of stat control refers to Foucault conception of governmentality cf.3.2.2. To him modern states are characterized for exercising soft power, in other word, governing through legislations. Hence, Fineman suggest that the state, in its unique role as creator of legitimate social organizations should undertake a similar responsibility to see that these organizations operate in a fair manner (Fineman 2008:4).

### 3.4.4 The vulnerability subject

Fineman’s concern with the current legal protection is highly connected to how we define vulnerability. The concept for vulnerability is oftentimes associated with victimhood, dependency, deprivation or pathology. For example, the humanitarian discourse refers to “vulnerable population” when refering to women, children and elderly (Turner 2010:69). Fineman states that we need to understand vulnerability as arising from our embodiment, which carries with ever-present possibility of harm and the realization of hazarders being beyond the human control. Bodily harm result accidentally or be caused by international actions. While we can attempt to lessen the risk or mitigate the impact, the possibility cannot be eliminated. We may suffer or succumb to diseases that random or result of pandemics or other biologically- based events. We are also at risk harm from humanly manufactured disruptions in our environment, such as pollution or chemical spills Furthermore, our bodily vulnerability is compounded by the possibility that should we give in to illness or injury there may be accompanying harm to or disruption of existing employment, economics or family. These harms are not located in the body itself, but in the interruption of institutional or social relationship (Fineman 2008:29). Furthermore, economical and institutional harm can accumulate in vulnerable individual life and resulting in greater harm. For example, a person who is fired from employment suffers from institutional and economical harm, which also affect his/her family. This burden they generate can be transferred from one generation to another. In additions to creating disadvantages families, negative economic and institutional harm that may cluster around members of a socially or culturally determined grouping who have suffered discrimination based on constructed categories such as race, gender, ethnicity or religious affiliation. Finally, while humans stand in a position of constant vulnerability, we are individually positioned differently. We have different forms of embodiment and we are also differently situated within webs of economic and institutional relationships. Therefore, our vulnerabilities range in magnitude and potentials at the individual level. In summary, vulnerability is both universal and individual, as it is experienced uniquely by each of us ( Fineman 2008:30).

According to Fineman if the real-life subject’s needs are to meet politics, ethics, and law should be shaped around a complete, comprehensive vision of the human experience. The current dominant political and legal theories are built around a universal human subject defined in the liberal tradition. These theories presume that the liberal subject is a competent social actor capable of playing multiple and concurrent societal roles: the employee, the employer, the spouse, the parent, the consumer, the manufacturer, the citizen, the taxpayer, and so on. This liberal subject informs our economic, legal, and political principles. It is through these prevailing ideologies of autonomy, self-sufficiency and personal responsibility which our society is perceived as consisting of self-interested individuals with the capacity to manipulate and control their profession independently and overlapping resources. However, the liberal subjects are through different legal contracts un-freed of stately inference. Many critiques of the liberal subject focus on autonomy. For example, feminist scholars have criticized the ways in which dominant theory and popular politics idealize notions of independence, autonomy, and self-sufficiency (Fineman 2008:11). The vulnerability critique builds on these insights, but differs in several ways. Vulnerability is a more encompassing concept and, for that reason, analyses centred around vulnerability are more politically potent than those based on dependency. Because, dependency understood as episodic and shifts in degree on an individual level, mainstream political and social theorists can and often do conveniently ignore it. Since vulnerability is ever-present and enduring, institutional as well as individual, it suggests a critique of dominant modes of thinking about inequality that is at once complementary to but more powerful than dependency. Fineman does not argue for vulnerability to supplant dependency but rather, claims that vulnerability analysis may ultimately prove more theoretically powerful. Furthermore, the vulnerability analysis criticizes the liberal subject to stand outside of the passage of time, and also outside of human experience. The vulnerable subject as opposed to the one-dimensional liberal subject approach offers a human reality that encompasses a wide range of differing and interdependent abilities over the span of a lifetime. Moreover, the approach recognizes that individuals are anchored at each end of their lives by dependency and the absence of capacity, which may occur, temporarily or permanently for some as a result of disability or illness (Fineman 2008:12).

Lastly, Fineman addresses the privileges and disadvantages connected to current model of protection. Within the various systems for, individuals are often positioned differently from one another, so that some are more privileged, while others are relatively disadvantaged. Privileges and disadvantages accumulate across systems and can be combined to create effects that are more devastating or more beneficial than the weight of each separate part. Oftentimes privileges conferred within certain systems can mediate or even cancel out disadvantages conferred in others. For instance, akin to Bourdieu, education may triumph poverty, particularly when coupled with a supportive family and progressive social network (Fineman 200816-17). In this sense inequalities are product of institutional systems of power and privilege. Thus, the vulnerability analysis provides means to investigate the institutional practices that produce the identities and inequalities. Moreover, the vulnerability analysis focuses on the examination of the ambiguities and anomalies that are evident in the current models of discrimination and in the identity categories these models utilize. Due to this understanding, some individuals can maneuver past disadvantages typically associated with the existing discrimination categories of race or gender.

In summary, Fineman argues that there are many gaps and limitation in our understanding of the quality. The limited understanding, for example, is seen in the light of the strong focus on a now gender differences, race, and ethnicity. She points out that the equal treatment of equality. The equivalence shall and our limited understanding described in part outside a critique of the liberal tradition, with the battle cry of self-responsibility and freedom as the ruling ideology that after her optics are highly result oriented. She argues therefore for a more complete and universal concept, where politics, ethics and legislation implicates the human experience (we cannot neglect the material needs, physical frailty, dependency, how can we ignore this in our conception of equality, social sciences policy and right). Vulnerability analysis is not outside the human experience, which she claims that the liberal model does. Legal protection is criticized because it is always associated with addiction, pathology, but she voted for the vulnerability can affect anyone. Vulnerability must not only be not related to stigmatized groups. Her concern is that with this narrowed focus can validate that some privileged over others ie that reproduce existing inequalities. A vulnerability analysis is therefore be appropriate to identify, highlight disparities and how institutional practices produce and construct identities and categories (current differential treatment - based models) provides - ie. how the existing inequality is reproduced or worse, because it focuses on discrimination against defined groups. Moreover it advocates examining the privileges and benefits conferred on limited parts of the population of the state and social institutions.

# 4. Analysis

The purpose of the analysis chapter is to reflect upon the research question: What are the underlying assumptions concerning gender in UNHCR’s guideline on Sexual Gender-Based Violence and which effects emanate from this representation. This will be done with the help of the WPR-approach by Carol Bacchi, complemented by Foucault’s conception of governmentality and power relations and Fineman’s Vulnerability approach. The first subchapter serves to illustrate the general representation of gender in UHNCR policy documents. This also sets the frame for the following representation analysis and effect analysis. In the second subchapter, the representation of gender in the SGBV guidelines will be assessed. In the third subchapter, the effect of the representation will be explored through empirical data provided by Turner’s field study in Lukole Refugee Camp. Finally, the analysis will be recapitulated, while reflecting upon the impact of effects, which emanate from UNHCR policy

## 4.1 Analysis of UNHCR policy

The special vulnerability of refugee women was firstly recognized by UNHCR in 1988, and since then UNHCR policy has been mainly focused on women (UNHCR 1990:6). Although men are mentioned as a target group of special concern on the UNHCR website (UNHCR 2012), they are rarely included in the current UNHCR policy framework, which consist of UNHCR Policy on Refugee Women 2008 (UNHCR 2008a) and the UNHCR Handbook on the Protection of Women and Girls 2008 (UNHCR 2008b). Oftentimes women are mentioned as vulnerable victims alongside with children, thus, neglecting their agency and responsibility: *“refugee women represent, either as single women or with their dependents, approximately 80 per cent of UNHCR’s target population and […] programmes can be effective only if they are planned with an adequate understanding of, and consultation with, this group”* (UNHCR 2008:7).

Although the abovementioned states that 80 per cent of refugees worldwide are women and children, UNHCR statistics show that worldwide the proportion of adult male and female mandated refugee is almost equal (UHNCR 2001: 6-20). The disparity between the represented refugee figure and the actual displaced population can in Bacchi and Foucault’s terms be translated into *problem creation* to which the UNHCR can propose certain *solutions (*Bacchi 2009:34). In other words, the delimitation of the refugee population indicates a delimitation of the actual ‘refugee problem’. Thereby, it can be argued that the ‘problem’ of refugee women and children is a created ‘problem’ by the UNHCR. Hence, the exclusion of refugee men in UHNCR policy can therefore be interpreted as governing technique of the UNHCR. Liisa Mallki (1995) elaborates that: “*perhaps […] women and children embody a special kind of powerlessness; perhaps they do not tend to look as if they could be “ dangerous aliens”; perhaps their images are more effective in fund-raising efforts that those of men”(Mallki 1995:11).* She argues that children and women expressions are better than adult men ‘bare humanity[[3]](#footnote-3)’ with no specific culture or history while adult men, on the other hand, represent the negative flipside of popular images of refugees (Turner 2010: 59).

Although the special role and position of women is emphasized frequently and framed within the context of vulnerability, the main focus of UNCHR policy is “mainstreaming” and “integration”. The aim is to enable women to participate and to plan interventions taking into account the different roles of women and to integrate these: It is important to recognize the different roles of women such as a social role as daughter, wife and mother, an economic role as an income earner and provider of food, water, fuel and the role as a religious, cultural and political being (UNHCR 2008:5). The implicit intention by highlighting these roles could be to adapt interventions to the division of labor between men and women and thereby reduce the dependency of women thus benefitting the whole target population and not marginalize parts of it. In concrete terms this means identifying constraints to women’s participation in project delivery procedures, respond to women’s initiatives, making available appropriate technologies that alleviate time and energy demands on refugee women and to collect statistics and eliminate unintentional discrimination in delivering goods and services. On a broader level UNHCR claims to aim at achieving greater involvement of refugee women as participants and beneficiaries in the social and economic activities of a project, increasing their status in the community, to provide a catalyst improving access to better employment, education, services and opportunities and to take into account the particular social relationship between refugee women and their families (UNHCR 2008:6).

The framing of women as belonging to a group of especially vulnerable people and the humanitarian principle of gender equality can be explained by Fineman’s vulnerability approach. In her point of view, the term vulnerability in general has become the legitimating purpose to eliminate social and political inequality that exists in social groups. Thus, the framing of women as vulnerable victims can be seen as an attempt to address unequal gender relations. Fineman argues that this may lead to an exacerbation or reproduction of existing inequality. In line with Fineman’s concern, Turner’s study shows, among other things, an ostensibly superficial change in gender relations which he argues to be grounded the inherent dilemma of UNHCR policies between victimization and equality (Turner 2010:52) In addition, Jennifer Hyndman suggests that UNHCR’s approach to women refugees is neither internally nor externally coherent, unitary or consistent (Hyndman 2000:72). The bureaucratization of knowledge about gender in an institution like UNHCR however tends to lead to fixed schemata and procedures concerning gender and culture, instead of adapting the specific intervention to the specific camp and situation of women, which is different from women to women. Furthermore, women have slightly different positions in society which is oftentimes disregarded on the ground. This is not reflected in the gender guidelines and the “People-Oriented-Planning” concept by UNHCR in the 90s:

*“The UNHCR guidelines and POP-approaches are, then, part of an institutional bureaucracy that attempts to create a grid of intelligibility for the agency without necessarily linking the complications of local histories, cultures, and conflicts to their considerations”* (Hyndman 2000:74).

By that, Hyndman argues that UNHCR policy uses fixed schemes of women and lacks adaptation to the individuality of every women and the situational adaptation of the policy to the specific position of the individual women in society which is further influenced by the concrete local history, culture and conflict situation. This statement corresponds with Bacchi who claim that policies and policy proposals tends to be employed by a rather fixed understandings of ‘problems’ and their ‘solution’. Additionally, Norman Long (2001) criticizes humanitarian interventions for often operating on the precondition that target groups are assumed to lack capabilities or knowledge. Akin to Bacchi, Long sees planned interventions as a simple solution to a very complex situation. Instead, he suggests for a multiple reality which is made up of different cultural perceptions and social interest, and constituted by the ongoing social and political struggles which take place between different social actors. Further, he argues that interventions are and ought to be always part of a flow of events within the broader framework of activities of the state and the actions of different interest groups operating in society (Long 2001: 35).

De Alwis and Hyndman contribute to the critical discussion of humanitarian interventions. They argue that gender in many situations is reduced to women only and they point to the necessity of a feminist analysis which they understand as: *“*…*analysis and political interventions that address the unequal an often violent relationship among people based on real or perceived social, economic, political, cultural and sexual differences”* (de Alwis & Hyndman 2008:88, 95). They emphasize that gender analysis in itself is not sufficient to understand power relations. Albeit they see gender analysis as a tool to uncover existing power relations in the society. Power relations may also shift during displacement and during the intervention of a humanitarian NGO. As a theoretical approach, de Alwis and Hyndman use a feminist approach that is intersecting class, caste, religion, sexuality, nationality, race, historical context, regional geopolitics, cultural dynamics and gender relations into the policies and membership in social groups as they see all those variables as useful in the study of changing of identities and power relations. Today these parameters are left to the field workers to include more or less desultory. De Alwis and Hyndman argue that a result of ongoing feminist analysis and recommendation is the recognizition of the different needs of men and women in a refugee situation and the integration of mechanism of acknowledgement of difference into existing programs and projects within the framework of the general organizational goals of providing protection, finding durable solutions and providing assistance leading to the realization of their full potential (de Alwis & Hyndman 2008: 87-89). Finally, Reddock argues that historically the notion of gender has never encompassed equality. Former development strategies such as modernization had men in focus inherently, while the newer ones such as “Women in Development” particularly focused on women (Reddock 2000:33-35). One of the weaknesses of the women theories is that they tend to reproduce the vulnerability and victimization of women by negative connotations, which correspond to Fineman’s notion of vulnerability.

### 4.1.1 Summary

In the first subchapter of the analysis, UNHCR policy has been analyzed and the general representation of women has been investigated. Since UNHCR’s initial Policy on Refugee Women was issued in 1990, UNHCR has strengthened its institutional respond to refugee women. The basis of this view is the creation of refugee women as victims and the framing and condition of women belonging to the category of especially vulnerable people. This victimization, creation of difference or reinforce perception of women is one of the poles in the tension field of UNHCR policy. The other pole is defined by the in UNHCR inherent humanism of equality which is the underlying assumption of UNHCR projects with the aim of empowering women and support them to achieve equal opportunities and access to education, income generating activities, political participation etc. like men. To sum up, UNHCR finds itself in a dilemma of constructing women as vulnerable victims while also aiming to empower them (cf. Turner 2010:52). Finally, refugee men are not included in the policy framework; they are only mentioned as a target group of special concern on the UNHCR website. The following representation analysis takes a discursive approach and examines the representation of men and women in UNHCR policy on SGVB.

## 4.2 Analysis of representations

The objective of this subchapter is to interrogate the represented problem, the assumptions and presuppositions underpinning the UNHCR guidelines on SGVB.

In the UNHCR guideline, SGVB is mainly represented from an *inequality* perspective, that is, how unequal gender relations and discrimination are considered to be the root causes of SGBV (UNCHR2011:6). The obvious underlying assumption is that SGBV is a result of gender inequality. Thus, this assumption in order to mitigate the risk of SGVB issues relates to unequal gender relations must be addressed. The introduction to the UNHCR Handbook on the Protection of Women and Girls 2008 states that: “*Today, women and girls everywhere still face greater obstacles claiming and enjoying their rights than do men and boys. Displacement generally exacerbates these inequalities, as does a tendency to focus on human rights abuses in public, rather than private, spheres. Gender inequality is at the heart of sexual and gender-based violence. To prevent SGBV we must therefore put an end to such inequalities (UNHCR 2008:3).*

This quote indicates the notion gender inequality which rests upon the stereotypical roles in which women are seen as subordinate to men. Furthermore, these inequalities are considered to exacerbate during displacement resulting in SGVB. Thus, the representation of SGBV as rooted in unequal gender relations implicitly eliminates men as victims of SGBV. Although men and boys are recognized as victims of SGVB, they are not represented in the action plans (UNHCR 2011:6). This will be elaborated in the following sub chapters; 4.2.1 Engaging men; 4.2.2 Sex as survival mechanism in situation of displacement and 4.2.3 Providing safe environments and safe access to domestic energy and natural resources.

### 4.2.1 Action area 3 – Engaging men

Action area 3 in the guidelines addresses the engagement of men and boys in SGBV prevention. Firstly, it is stated that “*engaging men and boys as partners in combating SGBV is being recognized as a necessary component of SGBV strategies pursued by humanitarian agencies”*. Secondly it says that: “*Actively engage men and boys to promote gender equality; prevent domestic violence, sexual violence and other forms of harmful traditional practices; and mitigate the impact of SGBV”.* This sentence implies that men should be partners in solving the problems of SGBV, which could be said to place men exterior to the problem of SGBV, understood as they cannot be victims of SGBV. On the contrary one may assume that men thereby are recognized implicitly as creators of the problem of SGBV. When men are recognized as being creators of SGBV, it is being legitimized that there is a need to cooperate with them to solve the problem of SGBV. The use of women in solving the problem of SGBV is not mentioned which could be translated as it is the women having the problem as victims of SGBV.

The notion of having men and boys to promote gender equality could entail that men need to delegate their power in order for women to enjoy their rights. In this way, one could argue that men are seen as a major and stronger actor than women. Akin to Mallki cf. sub chapter 4.1, Turner (2010) argues that women embody the helpless refugee victim, while men on the other hand embody ‘trouble’ in the shape of political activity and rule-breaking (Turner 2010:160). Perhaps UNHCR is in their strategy aiming to recognize that the previous focus on women in development strategies has indeed been mistaken, cf. sub chapter 4.1. UNHCR is thus legitimizing the need to explicit in their guideline state how men are able to delegate power, and thus can be recognized as an important partner in the combat of SGBV. Hence, one may argue that the policy of UNHCR is drawing upon an understanding of power that is embedded in the understanding of men as powerful and women as less powerful. This could be said to refer to a stereotyping understanding of power and gender. This is further emphasized in the UNHCR Handbook on the Protection of Women and Girls 2008 which states that refugee women and girls face great difficulties claiming and enjoying their rights (UNHCR 2008:3).

Finally, it is stated that “*policies and programmes which focus on individual attitudinal change in the short term result in incremental societal change in the longer term. It is in this context that culturally appropriate prevention programmes can usefully highlight the positive social roles that men and boys play as partners, providers, caregivers, peacemakers and protectors alongside women and girls* (UNHCR 2011: 15).

This sentence could be said to enlighten that when the programs are appealing to cultural issues, men are seen in the role as i.e. provider and peacemaker. This could be a sign of – as stated before in this subchapter 4.2 – that men are being seen as exterior to the problem of SGBV. They have not previously been seen as a resource to achieve the goal of gender equality. Hence, it is by UNHCR seen as important to include men in order to change the culture. This can also be said to be a technique of governmentality.

Furthermore, this refers to Foucault’s notion of power. In Foucault’s point of view, power is positive and productive. In this case, it means that UNHCR is using its knowledge about the refugee to trigger specific behaviour without them experiencing power as an assault on their personal freedom but rather experiences it as part of their choice. This governing technique is by Foucault mentioned the *conduct of the conduct* which implies that the state through various techniques, voluntarily engages those who are governed to bring the change it has intended (Foucault 1993:341) (Lemke 2001:106).

To return to the problem representation SGVB is problematised as embedded in unequal gender relations. Thus, safety issues are linked a political objective. In doing so, the ‘problem’ of SGVB and its solutions will be limited to the problem of gender inequality. According to Bacchi and Foucault, this limitation of the ‘problem’ will lead to unintended consequences for the policy objective which will further be interrogated in sub chapter 4.3 Analysis of the effects. The limitation of the ‘problem’ can be an explanation of why boy and men are not recognized as victims of SGVB. Thus, it can be said that the "problem" is designed with a constructed “solution”. This leads on to Fineman's theorization of the vulnerability concept. According to her, the concept of vulnerability is institutional constructed. This means that social institutions based on historical discrimination define vulnerable groups, and thereby design the respond for these groups. In this case, it can be said that although men and women can be equally at risk of SGVB, women are considered to be more vulnerable. Because of this, the guideline encompasses only preventions for women.

Summing up, the idea of gender ‘equalization’ seems to rest on the assumption that men should give up their power in order for women to be empowered. Thereby, the risk of SGVB is mitigated. The proposal involves men as partners to create gender equality. Men's position in society is accentuated and described in positive terms that refer to recognition of their power and the power to bring change. This can be said to be a sign of governmentality that attempts to bring change through active participation and involvement of those who are governed. Finally, the definition of gender inequality, in which the guideline operates, limits the problem to cover some groups and excludes others. As argued in sub chapter 4.1 and analyzed on in subchapter 4.2 refugee men are not considered to be victims. Instead, they are represented as powerful and as partners in combating SGVB.

### 4.2.3 Action area 2 - Sex as survival mechanism in situation of displacement

Action area 2 addresses sex as a survival mechanism in situations of displacement. Here it is stated that *“men and women may experience displacement differently”*.This quote refers to the first UNHCR policy adopted on Refugee Women in 1990. The policy argued that “*become a refugee affects men and women differently and that effective programming must recognize these differences*” (UNHCR 1990:5), and ever since the target population of UNHCR has been women cf. sub chapter 4.1 about the analysis of UNHCR policy. This statement is further emphasised in the UNHCR Handbook on the Protection of Women and Girls 2008 cf. sub chapter 4.2 that argues that  *“The protection of women and girls of concern is a core activity and an organizational priority for UNHCR”* UNHCR (2008:17). In addition it is stated that “*No one is spared the violence, but women and girls are particularly affected because of their status in society and their sex”* (UNHCR 2008:19). These quotes highlights that women are considered to be more vulnerable than refugee men simply due to their position in society and sex. The way in which the vulnerability concept is elucidated from of a society approach refers to Fineman's problematisation of the vulnerability concept. According to her, the understanding of vulnerability is reduced to address inequality issues. Hence, the victimization of refugee women is an expression to address gender inequality. This is core essence of the dilemma of UNHCR which on one hand constructs women as vulnerable victims, and on the other hand wanted to empower them cf.4.1. Moreover Bacchi elaborates that this definition of the vulnerability concepts delimits the problem. Although the guideline is concerned about women’s vulnerability, clinical studies show that refugee men also face great difficulties during displacement. Rates of Post Traumatic Stress Syndrome (PTSD) among refugee[[4]](#footnote-4) men rank from 39 % to 100 %, while rates of depression rank between 47% and 72%. The impact of war trauma and social isolation and the change in social status lead to acculturation difficulties. Past trauma and current adjustment changes increase the risk of developing behavioural and mental health problems (McGraw et al, 2004: 1-2). In addition, Turner argues that refugee men find it harder to adapt to life in the camp than refugee women. He argues that while the traditional role of women remains unchanged, the role of men as breadwinner and protector is in many cases replaced by UNHCR, leading to frustrations in the event that they fail to fulfil societal expectation (Turner 2010:62).

Despite facing great obstacles, the impact of displacement and vulnerability on refugee men is not fully recognized cf.4.1. This can be explained by Fineman’s notion of vulnerability. According to her, the current protection doctrine is concerned with confining discrimination-based models toward a more substantial vision of equality which privileges some groups and disadvantages others (Fineman 2008:7). Hence, the absenteeism of refugee men’s vulnerability can be seen as way to eliminate gender inequalities. Furthermore, Fineman criticises this approach, arguing that this will inevitably produce or exacerbate existing inequalities (Fineman 2010:1). This will be further treated in sub chapter 4.3 the effect analysis.

Moreover, the guideline specifies in details how women are affected by displacement. It is stated that *“women may have fewer employment opportunities available to them* *particularly if they are responsible for young children”* (UNHCR 2011:16). The problem of displacement is here represented in an employment perspective. Part of UNHCR strategy to empower women is to adapt interventions to the division of labor between men and women, thereby reducing their dependency and contribute efforts on gender equality. To return to the problem representation of SGVB, the solution to gender inequality is to empower women and thereby mitigate the risk of SGVB. According to Bacchi, this solution may not be a logical solution to the problem SGVB, but rather the expression of a particular construction of the ‘problem’. She would argue that the focus on gender inequality[[5]](#footnote-5) will limit the problem of SGVB. As mentioned previously, becoming a refugee paralyses the traditional role of men. Men are no longer in position to provide for their own families (Turner 2010:66-68). This may lead to frustration which can result in violence. Horst (2006) elaborates that refugee men: ”*have largely lost the responsibilities, work, property and status they used to have. A number of these men cannot deal with the frustrations this leads to and take to substance abuse and gender-based violence” (Horst 2006: 69).* This statement is further echoed byCarlson (2005) who interviewed women and men in Dzaleka Refugee Camp in Malawi. They were asked to explain why a husband might beat his wife. The most common reasons given for domestic violence were:

* *“The wife’s actions; namely if the wife is not submitted to the husband. This reason was often justified in biblical terms. As a Congolese woman explained, “(t)he Bible says that a wife must submit. The wife might force a husband to beat her by the mistakes she makes.” Related to this, both men and women often stated that laziness, messy home or unprepared meals were reasons for domestic violence*
* *Jealousy. Infidelity, including using prostitutes or taking lovers, by both husbands and wives were cited as possible reasons for jealousy.*
* *Alcohol. This reason was common with all communities, except for the Somali community.*
* *Boredom and a feeling of uselessness.*
* *Hunger and poverty.*
* *Being a refugee."* (Carlson 2005: 25)

According to six most common reasons given, four items points to male unemployment issues as reasons for the prevalence of violence against women. This clearly indicates a need to recognize male vulnerability. Simultaneously, it is witnessed that the demarcation of SGVB to gender inequality and employment issues concerning refugee women does not provide a holistic solution to the problem of SGVB. This refers to what is the centre of Bacchi policy model, namely creating simple solution to complex issues.

Furthermore the proposal stated as a result of unemployment that “*women and girls may be compelled to exchange sex for material goods or protection, or sell sex in order to survive. Nonetheless, many challenges remain, as women engaged in survival sex are highly stigmatized both by the police and their communities.”*(UNHCR 2011:16). The previous quote represents women as the provider for the household and argues that refugee women have poor employment opportunities. The present quote indicates the implications that follow from women unemployment. It is argued that women exchange sex for materials good in order to survive and support their families. It seems here that the risk of SGVB is connected to employment.

This quote stipulates a sudden understanding of the concept of gender inequality and gives indications of how the concept is defined in the proposal. Since unemployment is seen as factor that increases the prevalence of SGVB, it can be argued that this proposal seems to be drawing upon feminist ideology based on labor division. The feminist movement that took hold in the late 1960’s, predominant in Europe and Northern America was highly inspired by the Marxists tradition, which is concerned with the division of labor. Hence, the labor market was seen as an important platform to achieve recognition and thereby reduce women dependency.

Built on these arguments, it can be argued that this proposal seems to be resting upon a Western perspective on gender inequality. Carlson (2005) argues that international humanitarian agencies oftentimes operate with Western definitions. She elaborates that “*this has often resulted in one-sided explorations of refugee domestic violence, drawing broad assumptions and simplifying the problem into either individual or social terms”* (Carlson 2005:12). In this sense, non-Western problems are given Western solutions. Furthermore, Carlson points to implications of this model arguing that “*Western feminist writings have a tendency to homogenize the women in developing countries, ”producing/re-presenting a composite, singular ‘third world woman’ – an image which appears arbitrarily constructed, but nevertheless carries with it the authorizing signature of Western humanist discourse” (Mohanty 2000: 53). Mohanty considers this a form of colonization such that Western feminist discourse reinforces the West’s hegemony”* (Carlson 2005:13.14).

Second, the quotation indicates the potential of women by acknowledging them as breadwinners. Finally, by outlining the obstacles and challenges they encounter, their vulnerability status is confirmed. This indicates a duality in UNHCR policy cf. sub chapter 4.1. UNHCR mainstreaming policy seems to lie between the framing and condition of women as belonging to a group of especially vulnerable people and the humanitarian principle of gender equality. Turner argues that UNHCR has an inherent dilemma of wanting to empower women and the need to control them at the same time (Turner 2010:52).

To sum up, the guideline legitimizes its respond by arguing that displacement affects men and women differently. Furthermore, by outlining women’s vulnerability, refugee men are ruled out as victims. According to Fineman, this limitation of the vulnerability concept refers to an institutional definition, which in Bacchi’s optic can be characterized as problem creation. When refugee men are not recognized as a vulnerable group, the concept loses its universality and becomes socially constructed based on historical events cf.2.3.1 on social constructivism. Furthermore, the problem of SGVB as a result of gender inequality is specified and linked to employment opportunists. This understanding of unequal gender relations seems to be embedded in Western society. Hence, it can be assumed that the problem is created and solutions are designed. Apart from a preconceived understanding constructing a problem that does not always fit the context. In other words, since policy draws on conceptions and understanding from other cultural contexts the implementation of protection into another cultural setting will be inadequate, and thus the real problem will probably remain unaddressed.

### 4.2.3 Action area 4 - Providing safe environments and safe access to domestic energy and natural resources

Action area 4 addresses the physical structures that causes or increases the risk of SVGB. The magnitude of the problem is been displayed by the statement *“Millions of displaced women and girls around the world are at risk of being raped, beaten or killed [..]” as they search for water, firewood and other essential staples they need for domestic purposes”* (UNHCR 2011:17). Furthermore, it is argued that: ”*Despite the risks, some women are compelled by their economic circumstances to gather and sell such commodities”* Here the problem is linked to the main problem representation sub chapter cf. 4.2, which in section 4.2.3 is defined as unequal division of labor.

Moreover, the guideline verifies the problem by referring to data and reports. It is stated that *“Indeed, in many of UNHCR’s operations, women report that assault when collecting firewood is the most significant protection or safety issue they face. Given the scale of this problem, more programming and advocacy needs to be done to respond to fuel needs and create safe income-generating opportunities”*(UNHCR 2011: 17). The last part of the quote gives indication on how to solve the problem. Furthermore, the solution is specified stating that *“UNHCR has undertaken [initiative] to develop and coordinate a multi-sectoral fuel strategy in relevant operations to help determine the choice of fuel on the basis of several factors, including community needs and habits”*(UNHCR 2011:17). The guideline further specifies the implication if the needs aren’t meet *“they will seek out other options – including perhaps unsafe or unsustainable ones”* (UNHCR 2011:17).

Finally, it is argued that *“A fuel strategy contributes to mitigate the risk of SGBV and promotes safe access to domestic energy and other natural resources. Providing safe environments for communities of concern also relates to camp infrastructure”* (UNHCR 2011:17).

It is clear from this last action area the problem of SGVB has been narrowed down to issues concerning the physical environment. The guideline specifies concrete areas of concern and provides concrete solutions making the problem tangible. These concern areas are connected to the area of women. Implying a sense of powerlessness towards women and labeling them as vulnerable. Akin to Bacchi, Fineman argues that reducing vulnerability to refugee women only sheds light on part of the problem. The word gender in Sexual Gender-Based Violence implies that both women and men can be victims and perpetrators. However, Carpenter (2006) argues that the international efforts to address gender based violence in conflict situations, documents and reports tend to focus primarily on the kinds of gender-based violence to which women are exposed (Carpenter 2006:82). He elaborates that although men and boys are acknowledged as victims of wartime sexual violence, there is no action plans to address this issue. Furthermore, Carpenter argues that “*much of the ‘human security’ discourse in international institutions is based upon a highly gendered understanding of who is to be secured, characterized by the exclusion of civilian males as subjects of ‘protection’ or as victims of ‘gender-based violence”* (Carpenter 2006:85). This formulation confirms the general theme in the present guidelines. The concepts of vulnerability and SGVB is oftentimes linked together and used to explain the situation of women. Therefore although not explicitly excluding men their vulnerability, SGVB is not fully recognized.

To substantiate Carpenter’s arguments the guidelines acknowledges men and boys as an *at-risk population of SGVB.* At the same time it is argued that the guideline builds on recommendation given by UN Security Council Resolutions 1820, 1888 and 1960. These resolutions build on the Security Council Resolution 1325 that aims to promote women's participation in conflict resolution, peaceful building and reconstruction and the protection of girls and women in conflict situations (UN 2012) In other words, the resolution is mainly concerned with security issues relating to women and girls. Hence, although men and boys are mentioned as at-risk population the reference to the resolutions indicates that ‘real’ population at-risk is women and girls. Thus, in explicit terms the problem of SGVB is connected to women and girls (UNHCR 2011: 2).

Referring to Malkki, Turner, cf. sub chapter 4.1 points to reasons why women are perceived more vulnerable that man. Among others he argues that women express better that adults men ‘bare humanity’ with no specific culture or history while adult men, on the other hand, represent the flipside of popular images of refugee ( Turner 2010: 59). This indicates that vulnerability of refugee women is constructed by the humanitarian regime cf. sub chapter 2.2.1 on social constructivism. This corresponds well with the theoretical framework of this study.

### 4.2.4 Summary

The purpose of this section was to clarify how the problem of SGVB is represented, and how the subjects within are portrayed. The problem of SGVB is represented from an inequality perspective; this is how SGVB is seen as rooted in unequal gender relations. This formulation structures the guidelines and thereby the responds. In other words, eliminating gender inequality becomes a core objective of the guideline. The guideline does not explicitly define gender inequality but illustrates it in different cases. Firstly, the proposal involves men as partners to combat SGBV and thereby contribute to gender equality. In addition, men are portrayed as powerful agents with ability to bring change. This provides a strong image of men which implicitly draws of a picture of men’s status in society. Additionally, this excludes them from being vulnerable and thus victims of SGVB. Furthermore, the status of women is outlined in the guidelines. It is argued that women face greater difficulties than men, and it is thereby stipulated that women are more vulnerable than men. This understanding seems to draw on gendered constructions which situate men as strong, aggressive, and powerful, and by contrast, women as weak, vulnerable, and submissive. Moreover, this understanding is substantiated by different examples. Firstly, the problem of SGVB is directly linked to employment opportunists, arguing that unemployment in particular places women into situations where they are forced to exchange money for material goods in order to survive. Secondly, SGVB is connected to security concerns, where the problem is narrowed down to concerns only regarding women. Finally, summing up, the guideline leaves an impression that women are weak and vulnerable. The physical structures and social structures created by displacement exacerbate these vulnerabilities. On the other hand, men are portrayed as powerful and resourceful, as they are considered as partners to combat SGVB. Hence, the guideline offers different interventions to improve the situation of women and thereby mitigate the risk of SGVB. This leads to the focus of the following analysis chapter, which aims to explore the effects of these interventions.

## 4.3 Analysis of the effects

Having analysed the representations in UNHCR’s strategy, this sub chapter aims to explore the effects of these representations. SGVB is mainly represented from an *inequality* perspective. Thus, the strategy provides a number of initiatives to address problems related to gender inequality. The assumption is that refugee women experience displacement differently than refugee men and thereby face greater obstacles. Hence, these interventions are targeted towards the improvement of the situation of refugee women. To explore the effects of these interventions Simon Turner’s data from Lukole Refugee Camp will be used as empirical data. He investigates, among others, how UNHCR interventions affect the gender relations.

### 4.3.1 Food distribution to women

The distribution of food is considered as a priority in combating of SGVB. The guideline argues that “*Survival sex is frequently a direct consequence of gaps in assistance, failures of registration systems [..].* Hence, it recommends that “*Prevent delays in distribution of food and non-food items that may force persons of concern to engage in harmful practices like survival sex”* (UNHCR 2011: 16). The following example shows how food distribution affects the gender relations. “*Man: Some women say that UNHCR give them food, so they do not respect the men. So there are many divorces. Old woman: No, that is only the young women. Young woman: That is not true. Man: Some women just wash themselves and put on nice clothes and go to the market instead of working”* (Turner 2010: 67). This quote indicates that what has been illustrated in the representation analysis, namely that women are prioritised owing to their vulnerability. As an effect men feel threaten by this intervention. Thus, in an attempt to hold on to their masculinity the man in this conversation creates a discourse about women not adhering to their gender roles. He draws on family values by mentioning women dressing up and going to the market as a reason for divorces and the break-down of family structures. The old woman supports this discourse but is dissociating herself as an elderly woman from it, while the young woman is rejecting it. Thereby conflict is fuelling a renegotiation of gender- and age relations which corresponds to Foucault’s notion of conflict being inherent to power relations.

Moreover, the distribution of food as a technology of government causes problems in relationships between men and women. In this case, man can no longer provide food for his family as he used to be able to before. Men feel that the position of hierarchy between men and women is being threatened because of the food distribution which relates to Foucault’s understanding of power relations. The way whereupon the men are exercising power through discourses in order to stabilize their manliness can be interpreted as an act of power exercise as a result of the UNHCR intervention. The discursive struggle shows that the refugees feel that the hierarchical power relations among them are threatened. It is difficult to identify the causes which may be the character of UNHCR intervention, UNHCR policy or the perception of women refugees as vulnerable victims. But what can be concluded from this is that the food distribution has caused renegotiations of gender roles.

Furthermore, this example indicated what both Fineman and Bacchi argue for. The preferential treatment for women, which in this case is exemplifies through food distribution, creates a situation which might not be in the best interest of women. Bacchi elaborates that policies proposal oftentimes lead to creation of others problems. In this sense, as mentioned earlier, one of the effects produced by the food distribution is that women no longer respect their man. This indicates that men's role as breadwinner is undermined by the intervention. Hence, it can be argues that, tensions that arise from this intervention may lead to frustrations and violence against women cf. subchapter 4.2.2. In addition, it can be argued that the discourses produced by the men in the event of food distribution avert change in the gender relation. In other words, the intervention seems to uphold the position of women and thereby contributing to gender inequality.

### 4.3.4 Distribution of Kangas to women

Another non-discursive situation where the intervention effects the gender relations occurs when UNHCR is distributing traditional clothes, so-called Kangas, to the women (Turner 2010: 68). The women say to the men: *“You are not our husbands because you don’t give us clothes..[…] we are fed by bazungu( UNHCR) and I will respect you when we will be back in our home country”* (Turner 2010:68). This example showcases once again how UNHCR is taking the role of the provider from the men. The woman in the conversation points out that the man is not able to provide for her. As a consequence, she’s legitimizing her action drawing on the situation in the camp being a different space with different rules.

Kangas embody a symbolic and cultural meaning for the relationship between men and women. By giving Kangas to the women they take on the husband’s role and thereby enhance the women’s room for manoeuvre. In this specific situation, the aim of UNHCR policy to make women less dependent is obtained (UNHCR 2008(2)). The motivation of UNHCR behaviour is unclear whatsoever. Either, knowingly about the symbolic meaning of the kangas, they use culture as a strategy to empower women in an indirect way. But they are interfering in the gender relations to an extent that men seem to fear their masculinity and create a discourse, be it strategically or not, in order to uphold their respected position in the relationship. Discourses of this kind might then be counteracted upon by the women reshaping it again. Akin to Bacchi this illustrates the way discourses between the male and female refugees themselves influence each other, shape the interventions and their outcome in terms of gender relations.

In summary, the effect of the non-discourse interventions is that gender roles are challenged and reinforced by instrumentalized discourse, which corresponds to Mallki’s finding about Hutu refugees in Tanzanian. She argues that the refugee camp reinforces the adherence to personal and cultural identity when these come under pressure (Mallki 1997: 66-68). Furthermore, these interventions can be interpreted as act of governmentality according to Foucault because UNHCR is intervening with the gender relations through several of everyday practices.

### 4.3.2 The election of female street leaders

In the representation analysis, men are situated as strong, aggressive and powerful, and by contrast, women as weak and vulnerable. This statement is echoed by Turner who argues that “women *embody the helpless refugee victim and the self-sacrificing cornerstone of the community while men embody ‘trouble’ in the shape of political actively and rule-breaking*” (Turner 2010:160). This example indicates how these images for men and women are practised. Turner describes the following situation about the election of female street leaders in Lukole Refugee Camp: *“The UNHCR was not satisfied with the fact that 99 percent of the leaders were men and was trying to establish a parallel system of committees. Although the leaders did not openly oppose the suggestion and appeared to play along with UNHCR rules, they purposely delayed the process. When the field assistant mentioned the committee lists, the leaders tried either to turn the conversation on to other issues or brought up a number of excuses”* (Turner 2010:53). As part of UNHCR gender policy, the staff tries to empower women to political engagement within this intervention of electing street leaders. Here, it is not the women claiming the positions of street leaders but UNHCR functioning as a spokesman on behalf of the women. However, they are not imposing a quota for female street leaders, but instead try to appeal to the almost entirely male group of street leaders to cooperate in establishing a parallel system of committees run by female leaders. This “soft” way of exercising power can be seen as means of governmentality according to Foucault. The effect of this inclusion of the male street leaders gives the men the power to delay the process. In this sense, they are indirectly enabled to function as gatekeepers for the women's access to the influential position of a street leader. The relationship between men and women in a political sense is thereby unchanged. The political power stays with the men. This example clearly indicates Fineman’s problematisation of the inequality. She argues that the actual causes or important means to eradicate inequalities are overlooked. In this case the influential position of street leader is not prioritised. Instead the vulnerability of women, as illustrated in case of food distribution becomes a focus for the intervention. Thus, this example substantiated the underlying assumption about women in UNHCR policy, which shed light on in subchapter 4.2 on the representation analysis.

Summing up, this example showed that women are not politically empowered in Lukole Refugee Camp, since men function as gatekeepers to these positions and thereby shape the intervention. Therefore gender relations are not changed on a political level.

### 4.3.5 Summary

In this subchapter the effects of UNHCR interventions on the gender relations in Lukole Refugee Camp have been analysed and thereby answering the last part of the research question. The interventions have a strong influence on gender relations. In the first case of food distribution, refugees use the discourse to renegotiate their power relations. In the second example, the distribution of Kangas the interventions open up the possibility for a change in gender relations. But women hesitated and instead contribute to uphold the existing gender relations. In numerous occasion, women legitimize their action referring to the refugee camp as a temporary situation. For example a women states that “*I will respect you when we will be back in our home country”* (Turner 2010:68). This indicates that women reflect critical upon the interventions as referring to their home country. Mallki elaborates that displacement reinforces traditional norm and values. Furthermore, the example with the street leader shows that women are not politically empowered, as men function as gatekeepers. The political power given to the male refugees is used creatively as a resource to reshape the intervention. The election of female street leaders as an intervention is taking on the shape of a power game between UNHCR and the male refugees about the access to the position of a street leader. Women are absent in this game. This affects gender relations insofar that it is at least made difficult if not impossible for women – although advocated for by UNHCR – to enter the political sphere via the position of a street leader. Moreover this case illustrates a lack of political agency of women which is a least partly caused by the men sabotaging access to the position for women. In fact, gender relations in Lukole have not been changed so much by UNHCR policy but they have been challenged to a large degree through the functional logics and unintended side effects of UNHCR’s governing practices. One reason is that UNHCR is itself not realizing the gender policy that they promote – as it is shown by the quote of the refugee leader in the introduction to this study

## 4.5 Recapitulation of the analysis

The purpose of this subchapter is to recapitulate the analysis and reflect upon the effects, which emanate from UNHCR policy.

In the first subchapter of the analysis, UNHCR gender mainstreaming policy and the general representation of women has been assessed. The conclusion is that refugee women are created as vulnerable victims belonging to the category of especially vulnerable people. This statement is further emphasized in subchapter 4.2 on the representation analysis, where the guideline in its arguments for protection against SGBV, situates men as strong, aggressive, and powerful, and by contrast, women as weak, vulnerable, and submissive. Finally, the effects of UNHCR interventions showed an ostensibly superficial change in gender relations, which are grounded in the inherent dilemma of UNHCR policies between victimization and equality (cf. Turner 2010:160).

UNHCR, as the main humanitarian organisation concerned with refugees, is caught between various dilemmas that are interlinked: between protection and assistance as their tasks, between controlling the camp and caring for the people as the modes of governing, between gender equality (whatever is understood hereunder) and vulnerability of women as regards. For instance, the ways in which men are constructed as troublemakers who misused their power for their own private benefit and subverted the community situates them as to disturb the image of the refugee as a victim and were therefore not part of the various programs for specific vulnerable groups. In contrast, they were paid special attention to in meetings on camp security, where they were warned not to take part in military or political activity and they were objects of reports, policies and strategies against domestic and sexual violence against women. Furthermore, a contradiction is stated in the case of male street leaders where men act as gatekeepers to the domain of street leaders. In this case, they are positioned to exercise political power and at the same time hinder the election of women street leaders or establishing a parallel women’s committee. This example unfolds and sheds light on the gap between UNHCR policy and practice cf. subchapter 1.2 literature reviews on the gap.

Moreover, in contrast women were in UNHCR’s view understood to be poor victims with a lack of agency that needed to be empowered. In fact, it can be argues that the whole system of humanitarian aid/development is based on the discourse of victimization. The cases of the reflecting women who are not respecting her husband in this spatial and timely situation of living in a refugee camp cf. subchapter 4.3.1 on food distribution for women and the young women feeling accused of and distancing herself from going to the market and therefore being responsible for the divorces. The way in which these examples show how women reshape the discourse illustrates that women are not passive victims but are in fact active agents that reshape interventions and use the room for manoeuvre that humanitarian interventions open up for them. The reflecting women is a enlighten example for the need to consider the timely, historical and cultural context becomes very clear.

To sum up, interventions that actually address the special needs of women within the concept and discourse of “vulnerability” cause a change in gender relations on a discourse basis. Some men cheat on the system of food distribution and the strategic use of their political power as a street leader or NGO employee in their own interest, and thereby give reason to NGOs and UNHCR to perceive them as troublemakers. However, the resulting discourses of humanitarian agencies generalize men as dangerous aliens and reinforce, on the other hand, the image of women as “vulnerable victims”. This is the reaction the NGO workers of Christian Outreach showed as a consequence of men cheating on the system of food rations (Turner 2010:58). Women’s agency is neglected and not cured by community projects and special treatment – at least not to the information given by Simon Turner. The concept of vulnerability is in an inherent contradiction to the principle of equality, since it categorizes the needs of people in a hierarchical way. How could that produce equal relations between men and women? On the other hand, UNHCR and its implementing partners are reinforcing its fixed and essentializing gender ascriptions and the existent hierarchical relation between men and women as an unintended consequence of their political and administrative practices. Only men are street leaders and there are almost no female NGO employees. The situation in Lukole also shows that cultural patterns of the population are not taken into account in the conception and execution of interventions and the agency of refugees are fought instead of using it constructively. Gender relations have been put into a hybrid situation through the refugee camp and are constantly reshaped by the refuges. However, substantial change can only be assessed on a longer term basis.

# 6. Conclusion

The core of this study is to explore the effects which emanates from UNHCR’s guideline on SGBV. The study has sought to give perspectives on the effects via determining the representation of gender in UNHCR’s guideline on SGVB and thereafter exploring the effects of these representations. This has been achieved by analysing the implementation and discursive conditions of UNHCR policy. Thereafter the problem representation of SGVB and the subjects within is interrogated in the light of the WPR approach by Bacchi complemented by Foucault’s conception of governmentality and Fineman’s vulnerability approach. Finally the effects of the representation are assessed through empirical data provided by Turner's (2010) field work in Lukole Refugee in Tanzania.

The analysis of the UNHCR policy showed that the process of victimization and the concept of vulnerability builds the basis for UNHCR and other relief agencies to see a need of helping the refugees in general and - although pursuing equality – to define groups of people as needing special attention e.g. through programs with a gender component to empower women. The victimization was shown to be one of the poles in the tension field of UNHCR mainstreaming policy. The other pole was defined by the inherent principle of equality that is the underlying assumption when UNHCR is doing projects that aim at empowering women and supporting them to achieve equal opportunities etcetera. It was pointed out that UNHCR finds itself in a dilemma between constructing the refugee women as vulnerable victims while aiming to empowering them.

The problem of SGVB is represented from an inequality perspective and thereby sheds light on one of the poles in the tension of field of UNHCR mainstreaming policy. Moreover, the conception of inequality is defined in solutions represented in guidelines to mitigate SGVB. Firstly, the proposal involves men as partners to combat SGBV and thereby implicitly excludes them as victims of SGVB. Secondly, the vulnerability of women is outlined while arguing the different needs of women and men in a situation displacement. Finally, the guideline offers different interventions specifically to improve the situation of women and thereby mitigate the risk of SGVB.

The third part of the analysis chapter 4.3 explores the effects of the interventions. Here it is pointed out that in some cases refugees don’t actively change the interventions, but that the interventions often have a strong influence on gender relations and triggers a reinforcement of traditional gender roles. This was shown by the intervention of food distribution where refugees use the discourse to renegotiate their traditional power relations. In the example with distribution of Kangas it was shown that interventions may also open up the possibility for a change in gender relations. The final analysis of the election of female street leaders showed that women are not politically empowered in Lukole Refugee Camp, since men function as gatekeepers and hereby the gender relations are affected the way that it is almost impossible for the women to enter the political sphere via the position as a street leader in spite of the intentions from UNHCR.

In sum up, the underlying assumption about gender unveiled in chapter 4.2 is in this part of the analysis shaping the interventions. In other words, the vulnerability of women becomes the focus of intervention as illustrated in the case of the street leaders, and thereby existing inequalities are reproduced and exacerbated by the UNHCR intervention.

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1. DRC donates funding to CARE international Kenya who leads and implements gender programmers in Dadaab Refugee Camp [↑](#footnote-ref-1)
2. Bacchi and Fariclough differ in their conception of power. Implicit in Bacchi’s approach is the assumption that policy is essentially about the struggle for power to define the problem. Unlike in Fairclough, who sees power from a Marxist perspective, where individuals or institutions exercise power over others. In other words Fariclough main interest is locating the structural use of power, whereas Bacchi’s approach focuses in identifying the effect of discourse( Fairclough 1992:91-92) [↑](#footnote-ref-2)
3. The concept *bare humanity* refers to Giorgi Agamben’s conception of the *bare life.* Agamben argues that refugees are reduced *bare life*: humans as animals in nature without political and freedom (Agamben 1998:37). [↑](#footnote-ref-3)
4. Although, this study refers to refugee men resettled in other countries, the results can to some extend be applicable in refugee camp context. Literature conducted by Centre for Torture Victims (CTV) show that there is limited studies of men in refugee camp (2007:4). [↑](#footnote-ref-4)
5. Since the adoption of the Beijing Platform for Action( 1995), gender mainstreaming has become a globally accepted strategy for promoting gender equality. Governments and international institutions across the world signed the convention along with their endorsement of the Plan of Action with the commitment to achieve ‘gender equality and the empowerment of women (Moser 2005:2). [↑](#footnote-ref-5)