Female motivations for terrorism and gendered counter terrorism

Female Agency & Motivations

Before venturing into gendered approaches to countering terrorism, it is useful to provide a brief summary of female motivation and mobilization. Despite the stereotypes and passivity often associated with women, studies suggest they aredriven to engage in terrorismfor many of the same reasons as men: political motives, sociopolitical grievances, intention for increase economic benefits, desire for profound societal change, devoted commitment to ideological or religious beliefs, and revenge for the death of a loved one, violation of honour, or real or perceived humiliation. [1]Accordingly, there is no single template for the women who participate in terrorism and, similarly, there is no set motivation for why they join. Nevertheless, Mia Bloom has developed the " Four R Plus One" framework to explain key motivations influencing women's engagement in terrorism. The Four R's include: revenge, redemption, relationships, and respect.[2]Bloom's research has found the most often cited motivation for women's engagement in terrorism is *revenge* , for the need to avenge a personal or familial shame.[3]A clear example of this motivation was demonstrated in Chechnya. Chechen female terrorists, also commonly known as the " Black Widows", were labelled as such based on their call to arms to avenge the death of their male loved ones killed at the hands of Russian soldiers. Chechen female militants' participation in terrorism has largely been characterized based on their grief and revenge, rather than political motivations; many of these women were driven to acts of martyrdom to regain a personal or familial honour, lost from the routine rape they endured by Russian soldiers.[4]

Secondly, the concept of *redemption* for a women's past sins, often involves the idea that martyrdom rids a woman and her family of all her past sins and stigmas.[5]As highlighted in the previous section, the traditional patriarchal societies many of these women originate from societies that govern women based on a strict set of social, cultural, and religious rules, so when a woman breaks these rules, they and their families are overwhelmed with shame and become ostracized by the community.[6]Because of this marginalization, women may turn to terrorist groupsas a means of regaining their honour through committing a suicide act. In other words, these women gain the dignity they lost in life, through their death.[7]

Thirdly, *relationships* , Bloom highlights are crucial in understandingwomen's mobilization. In particular, a woman's relationship with a knowninsurgent is regarded as the single greatest predictor that she will engage interrorist violence.[8]Moreover, the deliberate construction of kinship networks is often used toforce women into marriage within a particular organization, ' forcing' women tocommit violent acts. Finally, women are often motivated by a desire for the *respect* of their community, showing theyare equally as committed to a cause as men.[9]Similarto the motive for redemption, these women often become role models in theirdeath, particularly for young women leading difficult lives, a success they wouldnot have achieved in life.[10]Whilethese motivations may equally apply to men, it is important to note that men'sopportunities to win the respect of their peers are far greater than thoseopportunities open to women. For instance, men are more likely to be able topursue their dreams such as attending University, than women who are oftenexpected to stay close to home.[11]

Bloom adds an additional “ Plus One” motivation of *rape* , or sexualexploitation of women.[12]Besidesthe personal traumatic experience, once more, rape threatens a woman’s honourand tarnishes her future, particularly in societies with strong gender-specificnorms regarding virginity and chastity.[13]Research suggests that a desire for re-embracing norms, rather than settlinginto a post-rape depression, may motivate rape victims to commit a suicideattack.[14]Evidence suggests rape was used in Sri Lanka, both as an organizationalstrategy of the Liberation Tigers ofTamil Eelam (LTTE), and as a personal motivation for theirfemale suicide bombers. [15]Whilereports linked female attackers to cases of individual and mass rape, and whereboth failed female bombers and female LTTE members cited rape as a general motivation for theirparticipation, evidence also suggests the LTTE actively promoted this norm. Forexample, in one situation where women reported their rape to an aidorganization, the LTTE had instead convinced them to become suicide bombers inorder “ to recover thefamily honor of having sex with Sinhalese men.”[16]Bloom highlights that these women are indeed victims of their situationas they are essentially involuntary recruits forced to work for theorganization that has victimized them.[17]

Thepressure placed upon women in these societies, to uphold family ‘ honour’exhibits the presence of patriarchal, gender-based oppression. This honour ispredominately connected to a woman’s sexual behaviour, regarding her chastity, modesty and sexuality.[18]Accordingly, if a woman portrays immodest behaviour or inappropriate sexualconduct, she brings shame and dishonour upon not only herself, but her entirefamily. Whereas a woman’s

family honour is characterised through her purereputation, a man’s honour is embodied through his courage, religiosity andhospitality.[19]Inother words, women’s honour is regarded as passive and can only be lost, whereas men’s honour is active and can only be reclaimed or expanded. As such, a woman’s loss of honour, real or perceived, is a significant motivating factorfor engaging in terrorism, and in some cases, may be one of the only viableoptions to regain lost honour.

Other potential motives drivingwomen to become terrorists may involve feelings of contributing to a cause, being part of a community and sisterhood, gaining an identity as a member of aterror organization, personal incentives such as marriage, and religiousmotivations including the perception of Islam as being under attack globally, and thus the call to defensive *jihad* .[20]Moreover, these are some of the motives compelling women to join Daesh. Specifically, Muslim women andyouth in diaspora communities throughout the Western world have often beencontinually ignored, hated, and separated from the broader public. Muslim womenand girls in particular, have become an easy and identifiable target because ofthe *hijab* and *burka* , as seen with backlash by governments such asFrance.[21]Consequently, ten percent of Daesh’s Western recruits have been women luredover social media platforms, with those European women acknowledging thatalienation and restrictions on religious practices, such as head scarf bans, have pushed them to join the group.[22]Alternatively, in Muslim-majority countries, issues such as unemployment, forced secularity by regimes, and the inability of democracy to deliver havecontributed to increased Daesh recruits. In addition, the organization hassucceeded with

recruiting women from around the globe based on underlyingcauses within Muslim communities, such as the continuance of patriarchy andpaternalism defining gender roles, allowing Daesh to exploit women’sunderstanding of their role in society.[23]

While studies have shown many of the above motivations for women are similar for men, gender-based oppression may establish an additional motivational element for women. As agents of violence, women are participating in the public domain and may no longer feel confined by their gender roles in the private sphere. This was especially evident in the findings of Anat Berko and Edna Erez on female Palestinian suicide bombers resistance to gendered oppression.[24]While it is without a doubt that Palestinian women have been motivated to take up an active role in their conflict for political and nationalist reasons, the resistance against gender oppression and the traditional patriarchal society can also be seen as contributing to their participation. Because of the restrictive Muslim-Palestinian society, young women are denied freedoms and are heavily controlled through gender-based oppression.[25]By becoming suicide bombers Palestinian women are taking control of their bodies, expressing their objections to the restrictive, patriarchal, gender-biased society. Nevertheless, Palestinian women’s attempt to challenge the narrative on oppression and inequality through martyrdom, has been unsuccessful in improving the situation for the women left behind. Specifically, when female bombers are unsuccessful in their attempt (they do not die) they are met with little approval by both their family and the community. In addition, they may become further marginalized as society perceives these women as

stepping outside of their traditional ‘ female’ role. Essentially, when “ female suicide bombers die, they are praised – but not if they live.”[26]The consequences of stepping outside of traditional gender roles in these highly traditional communities can be damaging and lead to stigmatization and exclusion from social and communal benefits.[27]

Whilewomen’s liberation is certainly an element in cases of female mobilization, thePalestinian example is perhaps an exception, as there is limited evidence inthe analysis available.[28]Furthermore, research suggests feminism is actually not the primary motivationfor female participation in terrorist movements. Often, women engaged in thesemovements look upon women’s rights as being a lesser priority or irrelevant tothe cause. In other words, the idea of leveling the gender playing field wasnot an intention when they took up terrorist causes.[29]O’Rourke argues that if female suicidebombers truly acted in rebellion of gender roles, they would likely not carryout attacks on liberal societies that embrace women’s rights.[30]Alternatively, while it seems women aspire to prove they are just as dedicatedto a terrorist movement as men, this does not indicate they necessarily wish tobe treated the same as men.[31]As such, female mobilization is not alwaysbased on a desire to replace traditional gender norms with gender-neutral normsinspired by Western feminists. O’Rourke goes further to suggest if states wantto prevent female terrorism, particularly suicide terrorism, they need torefrain from implementing policies based on Westernizing societies incommunities where female attackers stem from, and “ publicly commit to toleranceand acceptance of cultural diversity regarding the role of women.”[32]

Provided the increase in women’sactive participation in terrorist groups, it is curious that very few haverisen through the ranks to a leadership position. Correspondingly, women’sinvolvement in these groups has not improved their rights or status withintheir respective societies either. Even when women play more significant rolesin an organization, they are still second tier, climbing the ranks only when themen are incapacitated.[33]Accordingly, until women’s lives are valued equally to their deaths, directfemale participation in terrorism will not advance women’s rights nor improvegender inequality. Not surprisingly, female engagement within these groups isactually more likely to result in harmful consequences for society: if the onlyopportunity for intelligent and politically driven women to engage in politicsis through their deaths, then society is losing its most qualified women.[34]Womenwho will not be able to contribute to developing their communities anderadicating the harmful role model of a female bomber.

This chapter established that genderconstructs do indeed influence women’s participation and role in terroristmovements. Accordingly, understanding women’s participation, role, andmotivation in joining terrorist networks, is crucial to developing policiesthat effectively counter-terrorism. Onlyviewing women as passive vessels and victims of terrorism is counter-productivefor the creation of effective counter-terrorism policies, and furtherperpetuates stereotypical views on the roles of women. Ignoring women’s agencyand active participation in terrorism could lead to unintended consequences forcounter-terrorism policies, including missing potential interventionopportunities to prevent possible propagation within women’s social circles. Moreover, by overlooking female’s agency in terrorism,

researchers may not betaking into full consideration the grievances and potential motivations contributingto women's radicalization and recruitment. [35]Accordingly, the following chapter will consider if implementing a genderedapproach to counter-terrorism produces more effective strategies, and what rolewomen can play in preventing and countering violent extremism and terrorism.

Gendered Counter-Terrorism Approaches

The negation of women as potentialterrorists is a clear outcome of not applying a gender-neutral profile, and hasthe potential to significantly constrain counter-terrorism measures. However, while gender stereotypes, specifically those denying women their agency inpolitical violence and terrorism may create barriers to counter-terrorism laws, they may also justify giving greater powers to counter-terrorism provisions; and while recognizing women's capacity for mobilizing into terroristorganizations is crucial for developing more effective counter-terrorismstrategies, it is not a task easily met.[36]Whenseeking to protect a state, its institutions, and its civilians from femaleterrorism, governments counter-terrorism responses and policies may beoverreaching and reactive. For example, impulsive responses may inadvertentlychallenge local cultural norms and target women directly for surveillance, stop, search and detention.[37]Consequently, arbitrary and abusive treatment of any population may act as arecruitment tool for terror groups, especially when outside forces begin totarget women in societies with strong ideologies of purity, motherhood andhonour. Accordingly, this chapter will address current counter-terrorismmeasures and their subsequent impacts on women's lives. It will then examinewhether

approaching counter-terrorism with a gender perspective would improvehuman rights implications, specifically for women. First however, it isimportant to place gender within the context of human rights.

Situating Gender Within a Human Rights Framework

Viewing counter-terrorism strategiesthrough a gender perspective, requires consideration of how gender fits withinthe human rights context. In order to use human rights as an analytical tool toidentify those violations stemming from gendered counter-terrorism practices, rights must be viewed as agreed upon, legally binding norms so as to provide abenchmark by which specific human rights violations can be measured, andsolutions brought forward. [38]Accordingly, states are required to ensure non-discrimination and equality asenshrined within international human rights law, particularly within the Conventionon the Elimination of All Forms of Discrimination Against Women (CEDAW), theInternational Covenant on Civil and Political Rights (ICCPR) and theInternational Covenant on Economic, Social and Cultural Rights (ICESCR). More specifically, within a counter-terrorismcontext the most relevant of these rights include, the right to life; theprohibition against torture and other cruel, inhuman and degrading treatment orpunishment; the right to freedom of expression and association; the right toprivacy; the right to liberty and security; due process and the right to a fairtrial; *non-refoulement* ;[39]andnon-discrimination (i. e., profiling).[40]A 2011 report published by the Center for HumanRights and Global Justice (CHRGJ), identified several key gendered human rightsobligations specifically relating to the counter-terrorism context, thatgovernments must adhere to as required by international law, including:

- Avoid adverse human rights impacts through theobligation to prohibit discrimination (both direct and indirect) on the proscribedgrounds of sex, gender, sexual orientation and gender identity;
- Ensure equality, both *de jure* (formal) and *defacto* (substantive) between men and women in the enjoyment of all civil andpolitical rights;
- Recognize that traditional stereotypes and attitudes(e. g., cultural attitudes) undermine the enjoyment of rights of women andensure that such stereotypes are not used to justify violations of equality;
- Assess how discrimination on the basis of sex, gender, sexual orientation and gender identity intersects with other grounds ofdiscrimination, such as race, religion, and class, particularly in terms ofimpacts on Muslim, Arab, and South Asian (MASA) communities, and counter theseeffects;
- Ensure participation of affected communities and thatthe rationale for inclusion is on the basis of equality and is rightsprotective;
- Ensure the above obligations are exercised in allbranches and levels of government, including in national security programs andnational security institutions at the federal, state, and local levels;
- Exercise due diligence to prevent, investigate, andpunish gender-based violence by non-State actors, such as terrorists.[41]

The obligations identified in this report, highlightthe double burden states bear of both respecting and ensuring the rights oftheir population and in balancing terrorist threats with individual rights. Moreover, these rights must be facilitated and not just protected. Nevertheless, states counter-terrorism

measures have been documented to havegendered consequences and significant direct and secondary effects on women, despite these obligations.

Current Counter-Terrorism Practices: Impacts on Women's Rights

Since the events of September 11, 2001, both domestic and international political discourses have centred aroundsecurity. Domestically, terror threats have led to states enacting numerousemergency laws in an effort to increase security, whereas internationally, theconcept of a global " War on Terror" has implied " that a security threat anywhereis a security threat everywhere."[42]Essentially, this " War on Terror" indicates a potentially infinite war in termsof its scope, targeting an indefinite, yet threatening enemy.[43]Inrecent years however, counter-terrorism practices have begun to shift from areactive to a preventative approach, whereby the ' hard' counter-terrorismmeasures involving militarisation, defence, law enforcement and intelligence, are increasingly being pushed aside in favour of ' soft' measures, such asdiplomacy and development (winning " hearts and minds"), offering a moreholistic approach to countering terrorism. [44]However, the dominance of masculinisedand militarised counter-terrorism strategies in the past, has limited scholarlyresearch on the experiences and roles of women in security today. Moreover, because these traditional ' hard' approaches to counter-terrorism have beenprioritized, funding for solutions to socio-economic conditions potentiallyconducive to terrorism, such as gender inequality, has been minimal.[45]As aresult and as will be discussed below, the effects of this militarisation hasdisproportionately impacted women and children, particularly regarding theireconomic, social, and cultural rights.

The post-9/11 “ War on Terror” periodhas also encountered highly gendered narratives, as seen with the United Statesinvasion of Afghanistan and the discourse to ‘ save’ Afghan women; or as LauraBush put it, “ the fight against terrorism is also a fight for the rights anddignity of women.”[46]Consequently, this response only amplified those traditional concepts of womenas victims in need of protection from men, further perpetuating genderstereotypes. Moreover, this ‘ saving women’ rhetoric has allowed states to usewomen’s rights to distinguish between ‘ civilized’ and ‘ uncivilized’ culturesand countries in national security discourses. [47]Perhapsnot surprisingly, there has been little meaningful effort in documenting andtheorizing gender and human rights impacts on counter-terrorism practices, however states’ counter-terrorism policies, while often explicitly gendered, have often been found to silence both women’s presence and perspectives.[48]Correspondingly, Ramzi Kassem identified three key areas following the launchof the “ War on Terror” that failed to encompass women: first, in thoseimplementing the policies and practices; second, in populations indirectlyimpacted by the policies and practices; and third, in those populations whowere directly affected by the policies and practices.[49]

Human rights literature oncounter-terrorism tends to focus on the “ unspoken assumption” that men are morelikely to suffer from security measures, both in numbers and in endured rightsviolations, than women. [50]Assuch, human rights advocates prioritize those government policies thatprimarily victimize men through measures such as, indefinite detention, extraordinary rendition, and torture, effectively neglecting the costs

forwomen and sexual minorities.[51]Consequently, by prioritizing male victims of governmental abuse, the humanrights community is not only reinforcing the gender bias toward males asvictims of civil and political rights, but they are also inadvertentlyundermining women's rights by " prioritizing responses to governments'counter-terrorism measures over women's experience of terrorism."[52]

Victims of gender abuse, are oftentrapped between the cruelty endured by terrorist groups on one end and aState's counter-terrorism measures on the other, which often fail to prevent, investigate, prosecute or punish the violations endured, and frequentlyfacilitate additional human rights violations of their own.[53]Theunseen " collateral damage" of these policies remain mostly undocumented, withlittle focus by international organizations on the impact of these abusivegovernmental measures on spouses and family members of those targeted.[54]Thereare various situations involving these collateral impacts ofcounter-terrorism measures on femalefamily members including, enforced disappearances, extraordinary rendition, forced deportations, and prolonged detention without trial. These circumstancesleave female family members, especially wives, to share in the trauma, anxiety, and terror of the experience, and then to deal with consequences such asharassment, social exclusion, and economic burdens, particularly if the malewas the primary income source for a family. [55]Theseconsequences exemplify the disproportionate impacts of ' hard' counter-terrorismpolicies on the economic, social, and cultural rights of women.

Alternatively, while males haveconstituted the majority of the population targeted by these counter-terrorismmeasures, it is important to consider the direct impacts on the femaleterrorist. Although minimal scholarly research has been conducted into howfemale insurgents experience these same counter-terrorism policies while instate custody, Kassem's research regarding the deliberate erasure of femaleprisoner abuse in Abu Ghraib, is a compelling example. He highlights that whilethe extensive abuse of male prisoners by US forces at Abu Ghraib was madepublic and acknowledged by the United States, research indicates that thecountry also went to great lengths to prevent the dissemination of informationregarding the detention and heinous torture its forces committed against femaleprisoners.[56]In particular, he argues that because one of the key narratives providinglegitimacy to the United States' " War on Terror" and subsequent invasion ofAfghanistan and Iraq, was the fight against terrorism to improve the rights anddignity of women, if evidence was made public regarding the United States'torture and abuse of those women it was supposed to be ' saving', its legitimacywould be significantly undermined.[57]

On a similar note, gender-specificinterrogation practices that are sanctioned by counter-terrorism laws, oftenviolate international human rights law, specifically with respect to theprohibition on torture and cruel, inhuman or degrading punishment, a rightguaranteed under customary international law.[58]Specifically, female terrorist suspects are subject to rape and other forms ofsexual and gender-based violence, as was discovered in the underreportedtreatment of female detainees at Abu Ghraib by the United States. Of course, the more publicized abuse of male detainees at that same

facility, amongothers, also involved gendered-based interrogation protocols often consistingof methods involving the “ feminization” of Muslim male prisoners meant tohumiliate them.[59]These techniques were undertaken to exploit perceived notions of cultural andreligious understandings of masculinity, femininity, and gender roles, in aneffort to provoke feelings of emasculation and shame.[60]Notonly do these counter-terrorism techniques amount to discrimination, tortureand cruel, inhuman or degrading treatment, but by arousing feelings ofemasculation suspected terrorists may over-compensate with hyper-masculinisedfeelings accepting or strengthening violent behaviours, actually impeding thefight against terrorism.[61]

Anothercounter-terrorism measure impacting women’s rights involves those femalerelatives of suspected terrorists, who are not suspected of terrorist offencesthemselves but are also subjected to collective sanctions such as unlawfuldetention and interrogations. These measures of often employed in an effort toeither gain information from the female regarding the suspected male relative, or to act as leverage to compel male suspects to provide information or make aconfession.[62]In addition to being discriminatory, these counter-terrorism methods directlyviolate the detained woman’s civil and political rights as enshrined in theICCPR, including the right to liberty and security of the person[63]and theright for those deprived of their liberty to be treated with humanity.[64]

Counter-terrorism practices have also been widely recognized for profiling whereby gender stereotypes are used as a proxy for profiling on grounds of race, nationality, ethnicity, or religion. For instance, in his 2009 report on a gender perspective for countering terrorism, Martin Scheinin former Special

Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, highlighted French police interrogations questioning of male terror suspects on their views regarding women's equality, and female suspects wearing religious headdress, on why they wore it.[65]These practices equate gender inequality with a certain, race, nationality, ethnicity or religion, suggesting that males and females from such groups are more likely to be terrorists, and are highly discriminatory.[66]In addition, profiling based on gender-stereotypes of persons of a particular ethnicity or religion, such as Muslim women, has become more common in recent years with restrictions on women's religious dress.[67]These profiling measures are discriminatory as they associate women who wear a veil with radical ideologies that are deemed to not equate with national values, and therefore a state considers them a potential threat to national security. Moreover, these Muslim women who choose to wear a veil are especially vulnerable in European and North American contexts, to increased racism, discrimination, harassment and abuse, in the wake of Islamist terrorist attacks.[68]

Restrictive immigration controlshave also shown to disproportionately affect female asylum seekers, refugeesand immigrants, specifically in regard to those seeing protection fromgender-based persecution.[69]Forexample, female asylum seekers who meet the definitional requirements forrefugee status have been denied international protection for having provided" material support" to terrorist actors, a provision added to US legislationfollowing 9/11 regarding ' terrorist activities'.[70]However, in some communities many women who have been forcibly coerced, sometimes

through sexual violence or threats of sexual violence, to providedomestic services for their attackers, are frequently denied opportunities forsafe refuge based on this perception of providing material support to aterrorist organization.[71]The useof the threat of terrorism to establish restrictive legislation which deniesrefugee protection to eligible asylum seekers, is again a violation of humanrights law and *non-refoulement* guarantees under international refugee law.[72]

Finally, while the protection andpromotion of gender-related rights should be prioritized at all times, somegovernments have in fact exploited gender inequality using these rights as abartering tool to advance counter-terrorism objectives. For example, in 2009Pakistani authorities signed a peace deal with the Taliban agreeing toimplement the Taliban's restrictive interpretation of Islamic law in exchangefor peace.[73]Consequently, this interpretation was a significant impediment to theadvancement of Pakistani women's rights, and saw the closure of girls' schools, prevention of women from working, and attending markets unaccompanied, andresulted in the beating of women for disobeying these laws.[74]Whilethe bartering of gender-rights for counter-terrorism advancement is a directviolation of a State's human rights obligations, it also implies human rightsare optional.

From the above examples, it is clearthat state compliance with international human rights law in thecounter-terrorism context has often not been prioritized or enforced in anymeaningful way. Indeed, many of these instances are in line with conditionsconducive to the spread of terrorism as identified by the United Nations GlobalCounter-Terrorism Strategy and adopted by the General Assembly under Resolution70/291, including:

Prolonged unresolved conflicts, dehumanization of victims of terrorism in all its forms and manifestations, lack of the rule of law and violations of human rights, ethnic, national andreligious discrimination, political exclusion, socioeconomic marginalization andlack of good governance.[75]

Andwhile this negligence could constitute a thesis in itself, this section hasonly attempted to highlight those gendered counter-terrorism strategiesimpacting women's rights. Accordingly, havingsituated women and their rights in the current counter-terrorism discourse, this paper will now move on to a more in depth exploration of gender and genderperspectives, before applying them to counter-terrorism strategies.

What is a Gender Perspective?

Before engaging in a discussion onthe impacts of applying a gender perspective to counter-terrorism strategies, it is essential to elaborate on what gender means. According to the UnitedNations Office of the Special Advisor on Gender Issues and the Advancement ofWomen, ' gender' refers to:

> The social attributes and opportunities associated with being male and female and the relationships between women and men and girls and boys, as well as the relations between women and those between men. These attributes, opportunities and relationships are socially constructed and are learned through socialization processes. They are context/time-specific and changeable. Gender determines what is expected, allowed and valued in a woman or a man in a given context. In most societies, there are differences and

> inequalities between women and men in responsibilities assigned, activities undertaken, access to and control over resources, as well as decision-making opportunities. Gender is part of the broader socio-cultural context.[76]

Distinctfrom sex which is typically understood as biological and binary, gender islargely recognized as socially constructed and flexible. Moreover, gender isnot synonymous with women, and includes various gender identities and sexualorientations.[77]A gender analysis then, requires attention to how sex and gender interact and involves the systematiccollection and evaluation of information relating to gender differences andsocial contexts to help “ identify and understand the different roles, divisionsof labor, resources, constraints, need, opportunities/capacitates, andinterests of men and women (and boys and girls) in a given context.”[78]Whereas a gender perspective, refers to the consideration ofthe distinct needs, experiences and status of women and men, and boys andgirls, and their subsequent impact of those factors on these groups. Thisperspective examines how sex and gender interact with other forms ofsocio-cultural differentiation, including age, race, ethnicity, religion, class, poverty level, disability, and nationality, thus improving situationalawareness.[79]Accordingly, the concepts of femininity, masculinity and the immutability ofgender identity are incorporated into a gender perspective.

While today, the international humanrights system, various government agencies, and international securityinstitutions, recognize gender as inherently social, it was not always thecase: the term ‘ gender’ does not

appear in any of the major human rightsconventions.[80]Nevertheless, significant progress has been made regarding gender-related humanrights concerns, as demonstrated through CEDAW. Although the term ‘ gender’ isnot explicitly mentioned in CEDAW, it is embodied in the text, requiring statesto refrain from prejudices based on “ the idea of the inferiority or thesuperiority of either of the sexes or on stereotyped roles for men and women.”[81]Moreover, other major human rights treaties include prohibitions on a widevariety of discriminatory bases including ‘ sex’, which has come to beinterpreted to encompass protections for both sex and gender based violations.[82]Alongwith these advances in the interpretation of ‘ gender’, a paradigm shift hasoccurred whereby traditional human rights concepts are no longer state-centric, where violations of gender were protected by international law. As a result, feminists and gender advocates have effectively brought forms of gender-basedviolence under treaty protection.[83]Becauseof the importance of the public/private dichotomy to understanding thehistorical marginalization of women’s rights and as a key foundational point offeminist theory, a more in depth discussion will follow in Chapter V.

Despite these advances, many stateshave shown resistance to the inclusion of a gender perspective in domains whereit had traditionally been absent, notably so in the context of nationalsecurity and human rights. [84]Thisopposition came to the fore when the UN Special Rapporteur on the promotion and protection of human rightsand fundamental freedoms while countering terrorism presented his reportto the UN General Assembly in 2009. The report integrated a gender perspective, defining gender as

distinct from sex and inclusive of social constructions, andexplored the relationship between gender equality and counter-terrorism.[85]However, both the report's nuanced approach and findings, of counter-terrorismundermining both women's rights and the rights of LGBTI individuals, generatedmuch criticism from Member States'.[86]Ní Aoláin highlights this criticism is indicative of states willingness toaccept counter-terrorism strategies when focused on the protection of women andtheir victimhood, but hesitancy to fully engage in the broader context ofgender perspectives within the counter-terrorism domain.[87]Despite the international community's strong debate over the definition ofgender and the meaning of a gender perspective, the practice of governmentaland inter-governmental entities and their application of these concepts hasbeen relatively consistent.[88]Based on this consistent application of a gender perspective, the nextquestion to be addressed is why and how might counter-terrorism benefit from agendered perspective?

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[1]Barakat, Chowdhury Fink and Shetret, *supra* note 84, at 3.

[2]Bloom, *Bombshell* , *supra* note 26, at 234.

[3]Ibid.

[4]Cindy D. Ness, " In the Name of the Cause: Women'sWork in Secular and Religious Terrorism," in *Female Terrorism andMilitancy: Agency, Utility, and Organization* , ed. Cindy D. Ness (New York: Routledge, 2008), 19.

[5]Bloom, *Bombshell* , *supra* note 26, at 234.

[6]Katharina Von Knop, “ The Female Jihad: Al Qaeda’sWomen,” *Studies in Conflict & Terrorism* 30, no. 5 (2007), 400.

[7]Ibid.

[8]Bloom, *Bombshell* , *supra* note 26, at 235.

[9]Ibid., 236.

[10]Ibid.

[11]Ibid.

[12]Ibid.

[13]O’Rourke, *supra* note 81, at 712.

[14]Ibid.

[15]Ibid.

[16]Ibid., 713.

[17]Bloom, *Bombshell* , *supra* note 26, at 236-37.

[18]Anat Berko and Edna Erez, “ Martyrs or Murderers? Victims or Victimizers? The Voices of Would-Be Palestinian Female SuicideBombers,” in *Female Terrorism and Militancy: Agency, Utility, AndOrganization* , ed. Cindy D. Ness (New York: Routledge, 2008), 149.

[19]Ibid.

[20]Cervone and Peresin, *supra* note 87, at 497.

[21]Ispahani, *supra* note101, at 103.

[22]Jayne Huckerby, " When Women BecomeTerrorists", *New York Times,*

January 21, 2015, accessed July 20, 2017,

[23]Ispahani, *supra* note101, at 103.

[24]Berko and Erez, *supra* note 134.

[25]Ibid., 160.

[26]Ibid.

[27]Ní Aoláin *, Situating Women in Counterterrorism Discourses, supra* note 36, at 1096.

[28]Ibid., 1099.

[29]Bloom, *Bombshell* , *supra* note 26, at 245.

[30]O'Rourke, *supra* note 81, at 703.

[31]Bloom, *Bombshell* , *supra* note 26, at 246.

[32]O'Rourke, *supra* note 81, at 718.

[33]Bloom, *Bombshell* , *supra* note 26, at 244-45.

[34]Ibid. 245.

[35]Rafia Bhulai, Naureen Chowdhury Fink and Sara Zeiger,“ Introduction”, in *A Man’s World? Exploring the Roles ofWomen in Countering Terrorism and Violent Extremism* (New York: Hedayahand The Global Center on Cooperative Security, 2016), 10.

[36]Ní Aoláin *, Situating Women in Counterterrorism Discourses, supra* note 36, at 1093.

[37]Ibid., 1094.

[38]Huckerby and Satterthwaite, *supra* note 27, at 5-6.

[39] The principle of *non-refoulement* is found in Article 33 (1) of the 1951 United Nations Convention Relating tothe Status of Refugees, which prohibits State Parties from returning a refugeeto any country where their life or freedom may be threatened based on theirrace, religion, political opinion or membership to a particular social group (*United Nations, Convention Relating to the Status of Refugees (Geneva: United Nations, 1951),* Art. 33, para. 1) [hereinafter UN Refugee Convention].

[40]Center for Human Rights and Global Justice(CHRGJ), *A Decade Lost: Locating Gender in U. S. Counter-Terrorism* (NewYork: NYU School of Law, 2011), 16.

[41]Ibid.

[42]Vasuki Nesiah, “ Feminism as Counter-Terrorism: The Seduction of Power”, in *Gender, National Security, andCounter-Terrorism* (New York: Routledge, 2013), 129.

[43]Ibid., 130.

[44]CHRGJ *, supra* note 156, at, 13.

[45]UnitedNations Special Rapporteur on the promotion and protection of human rights andfundamental freedoms while countering terrorism, *Report of the SpecialRapporteur on the Promotion and Protection of Human Rights and FundamentalFreedoms while Countering Terrorism* , Doc. A/64/211, (United Nations, August3, 2009), para. 24 [hereinafter Doc. A/64/211] *.*

[46]Laura Bush, " The Weekly Address Delivered by theFirst Lady", *The American Presidency Project* November 17, 2001, accessed July 19, 2017, http://www. presidency. ucsb. edu/ws/? pid= 24992.

[47]Huckerby and Satterthwaite, *supra* note 27, at 3.

[48]Ibid., 1.

[49]Kassem, *supra,* note2, at 15-16.

[50]Ní Aoláin *, SituatingWomen in Counterterrorism Discourses, supra* note 36, at 1106.

[51]Huckerby and Satterthwaite, *supra* note 27, at 4.

[52]Ibid.

[53]Kassem, *supra,* note2, at 17.

[54]Ní Aoláin *, Situating Women in Counterterrorism Discourses, supra* note 36, at 1106.

[55]Doc. A/64/211, *supra* note 161, para. 30.

[56]Kassem, *supra,* note2, at 27.

[57]Ibid., 29.

[58]Doc. A/64/211, *supra* note 161, para. 44.

[59]Kassem, *supra,* note2, at 20.

[60]Ibid., 20-22.

[61]Doc. A/64/211, *supra* note 161, para. 45.

[62]Ibid., para. 31.

[63]United Nations General Assembly, *InternationalCovenant on Civil and Political Rights* (United Nations, December 16, 1966), Art. 9, para. 1.

[64]Ibid., Art. 10, para. 1.

[65]Doc. A/64/211, *supra* note 161, para. 37.

[66]Ibid.

[67]Ibid., para. 39.

[68]Ibid.

[69]Ibid., para. 50.

[70]Kate Ogg, " Separating the Persecutors from thePersecuted: A Feminist and Comparative Examination of Exclusion from theRefugee Regime", *International Journal of Refugee Law* 26, no. 1 (2014), 86.

[71]Kara Beth Stein, " Female Refugees: Re-Victimizedby the Material Support to Terrorism Bar", *McGeorge Law Review* 38(2007), 823-824.

[72]It is important to note that where counter-terrorismmeasures inhibit asylum seekers from claiming refugee status, internationalrefugee law provides protection from gender-related persecution within article1A (2) of the UN Refugee Convention, as clarified by the United Nations HighCommissioner for Refugees (UNHCR) Guidance Note on Refugee Claims Relating toSexual Orientation and Gender Identity (UNHCR, *Guidance Note on RefugeeClaims Relating to Sexual Orientation and Gender Identity* (Geneva: UNHCR, November 21, 2008)).

[73]Doc. A/64/211, *supra* note 161, para. 36.

[74]Ibid.

[75]United Nations General Assembly, *The United Nations Global Counter-Terrorism Strategy Review* , Doc. A/70/291, (United Nations, July 19, 2016), 4 [hereinafter Doc. A/70/291].

[76]United Nations Office of the Special Advisor on Gender Issues and the Advancement of Women, *Gender Mainstreaming: Strategy for Promoting Gender Equality* (New York: United Nations, August 2001), 1 [hereinafter *Gender Mainstreaming*].

[77]Doc. A/64/211, *supra* note 161, para. 20.

[78]CHRGJ *, supra* note 156, at, 17.

[79]Sahana Dharmapuri, " UN Security CouncilResolution 1325 and Countering Violent Extremism: Using a Gender Perspective toEnhance Operational Effectiveness", in a *Man's World? Exploring theRoles of Women in Countering Terrorism and Violent Extremism* (NewYork: Hedayah and The Global Center on Cooperative Security, 2016), 37; seealso Huckerby and Satterthwaite, *supra* note 27, at 5.

[80]Huckerby and Satterthwaite, *supra* note 27, at 6.

[81]United Nations General Assembly, *Convention onthe Elimination of all Forms of Discrimination Against Women* (UnitedNations, December 18, 1979), Art. 5, para. A.

[82]Huckerby and Satterthwaite, *supra* note 27, at 6.

[83]Ibid.

[84]Ibid.

[85]Doc. A/64/211, *supra* note 161, para. 52.

[86]CHRGJ *, supra* note 156, at, 15. In fact, Member States responses were sonegative to the report, the UN General Assembly agreed to delete all referencesto the report from its annual resolution on human rights and counter-terrorism(Ní Aoláin *, Situating Women in CounterterrorismDiscourses, supra* note 36, 1117).

[87]Ní Aoláin *, SituatingWomen in Counterterrorism Discourses, supra* note 36, 1117.

[88]CHRGJ *, supra* note 156, at, 17.