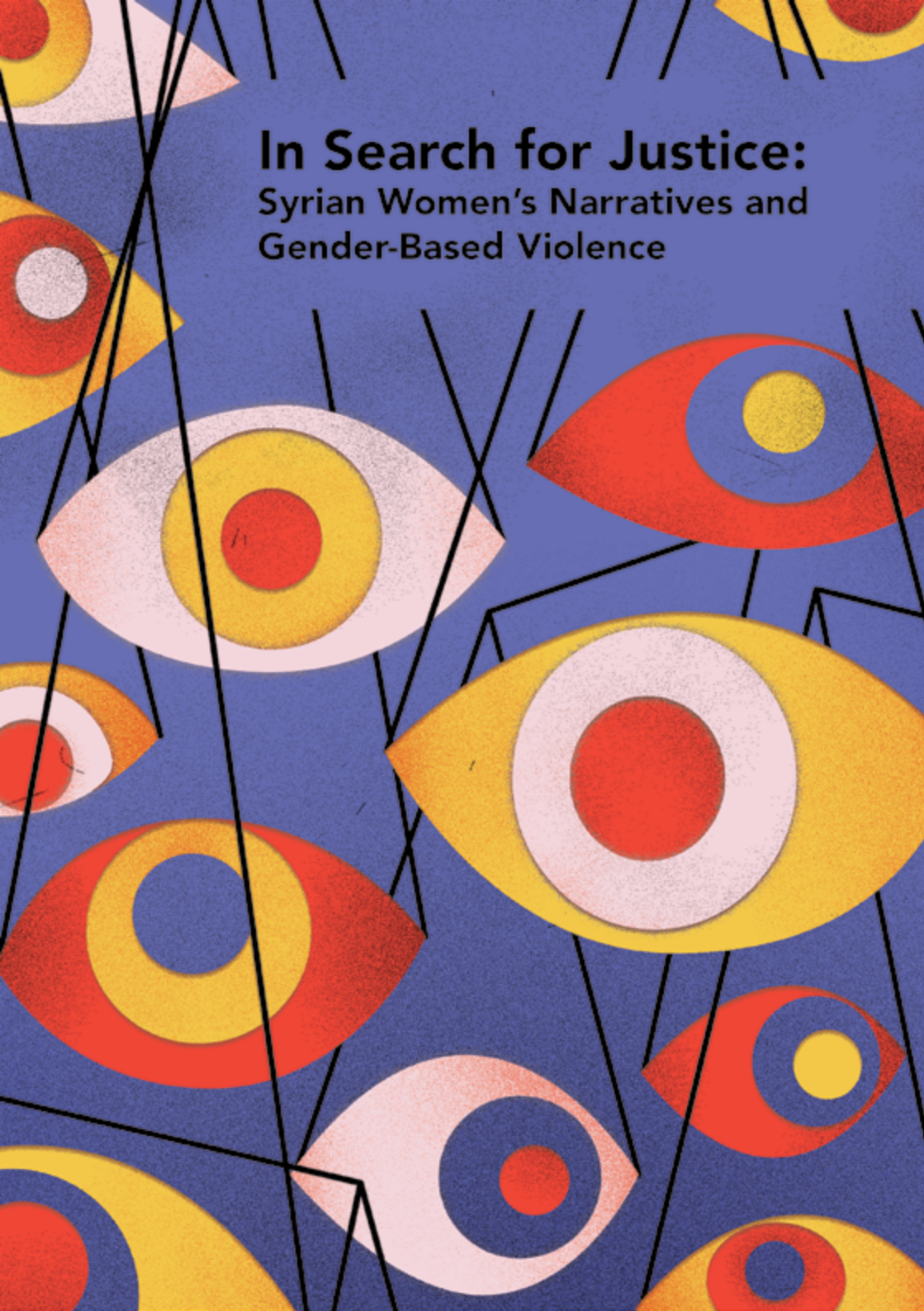


In Search for Justice:

**Syrian Women's Narratives and
Gender-Based Violence**



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Badael is a rights-based organisation founded in 2013 with a mission to foster transformative justice as the basis of a genuine and sustainable peace in Syria. Championing locally-owned alternatives, we endeavour to buttress the scope and impact of inclusive grassroots civic action and foment the development of holistic truth and understanding within and around the Syrian context. Our approach combines direct assistance and capacity building efforts with bottom-up narrative-shaping initiatives, including research, oral history and advocacy, so that all Syrians are equipped with the knowledge and tools needed to construct a pluralistic and rights-based society of tomorrow.

¹ The interviewers listed here are only the ones who conducted the interviews directly quoted in this paper. The other interviewers who took part in the broader research project are not mentioned here, but their contribution is acknowledged as essential for the development of this research paper 3

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Introduction

Gender-based violence (GBV) is an integral component of armed conflicts and has devastating consequences on civilians in conflict and post-conflict settings. In the Syrian context, these consequences are further amplified by the protracted nature of the war and pose a threat to ongoing and future reconciliation efforts in the country. To understand the links between GBV and justice processes in Syria, this paper looks at gender-based violence inflicted on women during the conflict, but not in relation to or as a direct result of their participation in political action. In other words, this study examines the forms of violence experienced by women as ordinary civilians, not as political dissidents, and not explicitly targeted by parties to the conflict due to their political affiliations. In this sense, the paper aims to go beyond common understandings of GBV as being instrumental to the conflict, looking instead at acts of GBV which are not necessarily acts of war or committed by armed actors – even though the war and its underlying structures have exacerbated and, in many cases, enabled GBV. For this reason, the paper focuses on GBV as violence against women in their everyday lives before and during the conflict, rather than focusing on GBV as merely a weapon of war.

By doing so, the paper brings attention to the complex nature of GBV in the Syrian conflict, moving away from simplistic discourses that reduce it to a strategy pursued only by armed actors against their opponents and shedding light on the broader socio-political and economic framework that predates the conflict and contributes to such violence in women's daily lives. It is argued in this paper that GBV in the Syrian conflict is inseparably interconnected with the broader context of socio-economic injustice, patriarchal norms, a gender-discriminating legal framework, the marginalization of rural regions, and finally, the armed conflict. This analysis is relevant to the prospects of war victims in Syria (i.e., the overall population

affected by war) gaining a sense of justice, which is in turn a precondition for meaningful and sustainable peace in the future. Following this, the paper also demonstrates how the social dynamics and transformations that take place throughout the conflict years cannot be adequately addressed without understanding the social, political, and economic context in which the Syrian conflict started. In this sense, this paper aims to shed light on the structural inequalities behind GBV as akin to the dynamics behind the Syrian conflict.

With this perspective in mind, understanding the complex nature of GBV within the Syrian conflict and the driving factors behind it are fundamental to the design and implementation of gender-just measures that redress the legacies of these crimes in a transitional society. By showing the structural limitations of the Syrian criminal justice system and expressing reservations about the adequacy of restorative approaches to transitional justice, the paper suggests transformative justice as an alternative approach to addressing GBV. Punitive justice and traditional, transitional justice measures based on the crime and the criminalization of perpetrators have failed women, especially female survivors of GBV. Given the social, political, and economic life in Syria, punitive justice tends to be more poignant and life-threatening to survivors, particularly for women, as it intersects with social stigma and discriminatory practices rooted in the Syrian society that encourage impunity for gender-based violence and expose sexual violence (SV) survivors to further violence by the community. On the other hand, the transitional justice approach claims to be “victim-centered.” However, legalism and precedence of prosecution over victim interests are two of the main critiques against transitional justice.

This research argues that the transformative justice approach moves away from an overemphasis on dry, forensic evidence and towards a historical perspective that relies on the voices of those historically

marginalized and rarely listened to. In other words, this research centralizes women's voices, using oral history methodology, to elicit women's storytelling and transcend a justice discourse overfocused on criminal proceedings and the courtroom as the only options for redress. In a context where women's perspectives are often marginalized and homogenized to fit into simplistic narratives, this paper focuses on the lived experiences of four women. Through the retelling of their stories, the paper recognizes on one hand their individual experience, but on the other hand places them within the context of a collective experience of women in a society where patriarchy is fed through structural inequalities.

The narrative presented intentionally speaks of "gaining" or "achieving" justice, rather than "restoring," "retrieving," or "regaining" it. While the latter are more commonly used phrases, they presuppose the existence a just state prior to the conflict. The sources this paper draws upon indicate the contrary: when attempting to establish accountability and delivering justice, the violation of rights committed during wartime cannot be looked at in isolation without examining the context and the history leading up to it. Therefore, this paper constructs a narrative that interlinks the pre-conflict experiences of women with conflict experiences to highlight continuities of violence and considers how such narratives are necessary to achieve justice in the post-conflict period.

This paper focuses on four forms of GBV experienced by women, whose accounts were selected and analyzed according to the type of GBV they were subjected to. Each section addresses the conditions preceding the specific form of GBV, its impact on the individuals affected by it, and how it relates to the conflict. The personal stories of women as represented in the first half of the paper reflect their own narration, with minimal interpretation bias. The second half of

the paper consolidates these experiences with an analysis based on commonalities and structural patterns within the context and answers questions on justice.

As suggested by an entire body of oral history research that forms the basis of this paper, the discrimination, violence, stigmatization, and traumatization as a direct result of sexual and other forms of gender-based violence within the Syrian context need to be examined. Despite the protected anonymity of the women interviewed, some may likely have experienced sexual and other forms of gender-based violence that they did not bring it up in their testimonies. This assumption not only presents a possible limitation to the analysis, but it begs the question of what made these women reveal this information while others have not. This is a consideration that needs to be factored into the following analysis and, although not necessarily answered in this paper, speaks to the question of when women choose to remain silent and when they choose to speak up needs to be addressed. Nevertheless, it is important to bear in mind that the choice to remain silence sometimes is a mechanism of resistance, rather than a sign of weakness or acceptance of the situation that the women live in.

Literature Review

The paper will use GBV as defined by Carpenter (2006):

Gender-based violence refers to violence targeted to a person because of their gender, or that affects them because of their special roles or responsibilities in society (Benjamin and Khadija, 1998). The description 'gender-based violence' clarifies that reference is made to violence rooted in prescribed behaviours, norms, and attitudes based upon gender (Lang, 2002).

In relation to this definition, this paper understands gender as a social construction (Lorber, 1994). Building on this key principle, it argues that the perpetrators of GBV crimes have targeted women not because of their biological sex, but because they fulfil the roles, behaviors, and attributes of women as a social construct in the context of Syria. Consequently, this study adopts the definition of crimes against women as given by Kathleen Barry, who describes them as "those acts of violence directed at women because of their female sexual definition" (Barry, 1985: 164). Thus, sexual violence is a form of gender-based violence that includes physical and non-physical acts with a sexual element (ICC-OTP, Policy Paper, 2014). Violence targeting a victim's sexual characteristics, sexuality, or sexual autonomy may qualify as SV, as well as sexual acts understood as such by the perpetrator or the victim (Schwarz, 2019). From a feminist perspective, the definition of sexual violence must distance itself from legal codes that focus on the extreme and less frequent forms of violence, which obscure "the subtler and more pervasive forms of abuse of women which are woven into the fabric of our society" (Klein, 1981). Liz Kelly argues that sexual violence includes any physical, visual, verbal, or sexual act that is experienced by the woman or girl, at the time or in hindsight, as a threat, invasion, or assault, that has the effect of hurting her, degrading her, and/or takes

away her ability to control intimate contact. In this paper, women who have suffered violence are referred to as survivors rather than victims, but the latter expression is used when speaking in general terms about forms of violence and oppression – as opposed to when referring to specific experiences.

Lastly, the paper will frequently engage with the concept of “vulnerability.” This term is highly controversial and recently came to play a crucial role in constructing the discourse around GBV, as a “new keyword” (Cole, 2016: 262) used by academics and humanitarians. The use of this concept has key political implications, and Alyson Cole describes “vulnerability studies” as part of the growing body of “contemporary work about the emotive aspects of politics, as well as the so-called ‘affective turn’ in philosophy and social theory” (Cole 2016, 261). Feminist scholars have called for a redefinition of this term, which has been criticized mainly for associating femininity to the condition of weakness, inactivity, powerlessness, and its links to sexuality as some definitions of “vulnerability” suggest (Gilson, 2016). Engaging with this debate, we refrain from accepting a reductive definition of vulnerability that focuses on a binary and stereotyped understanding of gender. Instead, we conceive vulnerability as “a condition of potential, rather than fixity”; “fundamental and shared, rather than hierarchically attributed”; “having a diversity of manifestation rather than homogenous ones”; and “as experienced in ambivalent and ambiguous ways rather than being inherently negative” (Gilson, 2016).

Within this framework of understanding gender and gender-based violence, this research views the dominant criminal justice (CJ) model as a “gendered system of justice,” designed around male-centered notions of criminality (Belknap, 2011; Chesney-Lind, 1988) and

resulting in a form of oppression and gender discrimination against women (Bertrand, 1969; Heidensohn, 1968). Current criminological theories fail to capture women's experiences, specific needs, and interactions with the criminal justice system as "shaped by their gender" (Brennan et al., 2018: 11). This leads to a strong gender bias in CJ and, subsequently, the misclassification of and attribution of inappropriate punishments to women offenders (Van Gundy and Kappeler, 2013).

For this reason, scholars call for a more in-depth understanding of women's criminalized behaviors within the broader socio-political context, considering women's experiences of victimization, poverty, and marginalization as central to this analysis. Traditional criminology does not consider all relevant gender-specific risk factors or the subordinate social role of women in patriarchal societies (Reckdenwald and Parker, 2008). It, therefore, lacks an intersectional approach; fails to understand the complexity of the intersection between race, gender, power, control, and crime (Burgess-Proctor, 2006; Schwartz, 1996; Sokoloff and Dupont, 2005); and neglects the effects of abuse and sexual violence on women, such as trauma (Andrews et al., 2003; Bloom, 2003; Bloom and Covington, 1998), the impact of domestic violence, single parenthood, social and marital roles, and experiences of sexism and racism (Holsinger, 2000). The failure to integrate these variables into the criminological theory framework results in inadequate criminal justice systems and, consequently, a partial understanding of the interplay between gender and crime.

In the Syrian case, the practices of the authoritarian regime, prevalent patriarchal values, and rigid social norms all heighten the punitive justice system, generating violent and harmful impacts on

Syrian women. The Syrian legal system leaves women vulnerable to gender-based violence and other forms of discrimination, promoting their legal and societal exclusion and limiting their access to justice. The Syrian Penal Code contains provisions that discriminate against women on different levels, “concerning the definition, evidentiary requirements, or sentencing for certain crimes” (Kelly and Breslin, 2010: 3). In particular, the Syrian punitive justice system considerably impacts women’s lives by encouraging impunity for perpetrators of gender-based violence against women and reinforcing oppressive, traditional gender roles that treat women as subordinate to their husbands or male guardians. The Syrian penal law is based on Islamic Sharia, and “honor” crimes – the killing of a girl or woman by a male family member for having broken sexual norms – are penalized differently than other crimes. Article 548 of the Penal Code allowed sentences of two to four months for honor killing, in comparison to “manslaughter,” for which an individual can be sentenced to up to 15 years (Maktabi, 2009). Even though the code was amended in 2009, increasing the penalty for honor crimes to a minimum of two years, “honor remains a mitigating factor in sentencing” (Kelly and Breslin, 2010: 2).

Moreover, the Syrian Penal Code enables the social and familial pressure on women and girls by forcing girls to marry their rapists (HRGJ, 2016). If a male individual is accused of rape, the punishment is suspended if he accepts to marry his female victim, in which case he is no longer prosecutable (Kelly and Breslin, 2010; HRGJ, 2016; Maktabi, 2009). These examples show some of the gaps in the Syrian Penal Code in relation to violence against women, demonstrating the gender-biased nature of the Syrian penal justice system and its

inadequacy to foster justice in the transition to peace.

Transitional justice emerged in the 1980s, and it became the dominant approach adopted in post-conflict societies to redress the legacies of human rights abuses (Gready, 2019). However, transitional justice processes often fail to address the real causes of conflicts and respond to the everyday needs of affected communities. Despite the existence of rhetoric claiming that this approach is “victim-centered,” Robins argues that victims’ needs are a secondary concern, as its main mechanisms, trials, and truth commissions are actually “driven by the needs of the state” (2017: 41) and aimed at the reconstruction or strengthening of the liberal state. As for feminist scholarship on transitional justice, Schulz (2020) notes that its current approach to gender is too narrow and results in numerous gender-blind spots.

Feminist scholars denounce the failure of transitional justice in addressing the gendered commission of crimes, which manifests in the alarmingly low number of prosecutions of sexual violence, understood here as one form of GBV. When feminist activists initially engaged with International Criminal Justice (ICJ), they achieved important objectives such as the inclusion of sexual violence crimes in the statutes of the Yugoslav and Rwandan Tribunals and the adoption of the Rome Statute in 1998, which officially criminalized rape and other forms of sexual violence (Bedont and Martinez, 1999). However, given the low numbers of prosecutions of sexual violence crimes and the lack of emphasis placed on women’s accounts of SV (O’Rourke, 2013), a sense of disillusionment has permeated more recent (and more self-reflective) feminist scholarship. O’Rourke argues that this disillusionment led to a more radical questioning of the “entire feminist project in international law” (O’Rourke, 2013: 14; Otto, 2009). Feminist scholars shed light on the limitations of the

criminal justice system and its structural flaws. They argue that there is a “fundamental incompatibility” between the structure of criminal law, which focuses on the punishment of individual crimes, and the “precepts and goals” of feminist activism, which aims to eradicate gender inequality in all its different forms and manifestations in society (Buss, 2011; Gruber, 2009: 614). The criminal trial model is said to reduce all complexities to the binaries of “innocent/guilt,” “good/bad,” “not criminal/criminal,” which is particularly evident in the case of sexual violence prosecutions. While feminist scholars understand rape prosecutions as one way to “address systemic and widespread violence against women,” there are limitations to rape trials in their focus on specific incidents and “feature a single accused” (Buss, 2011: 416). As Gruber puts it, “the model of criminality defined and upheld through rape prosecutions is simplistic. Crime is understood as a “problem of individual pathology and not social hierarchy” (2009: 623).

In response to these issues, restorative justice (RJ) emerged in the 1970s in the attempt to overcome the structural limitations of traditional justice systems that, conceptualizing punishment as a central objective of justice practices, failed to deter crime and rehabilitate crime perpetrators (Menkel-Meadow, 2007: 103). RJ marks a shift towards victim-centered practices (Menkel-Meadow, 2007; Marshall, 1996) by focusing on the harm inflicted by the offenders and considering the rectification of the victims’ suffering – according to the subjective needs of victims themselves – an absolute priority. However, the lack of the procedural safeguards typically guaranteed by a court’s presence is a criticism leveled at this justice model. Feminist scholars believe that this lack of formality could lead to intimidation practices; prevent an “equal say between parties”; and generate power imbalances that exclude specific class, gender,

ethnic, or age groups (Strang, 2001). Moreover, RJ mechanisms based on “dialogue and narrative” (Young 2000) could prevent the participation of less educated sections of the society while empowering the most educated and those belonging to higher social classes (Menkel-Meadow, 2007: 171). Feminist scholars also criticise RJ models that could “decriminalize” violence against women or result in a “lesser punishment” for crimes that “have only recently achieved some form of legal recognition” (Daly 2005; Stubbs 1995; Menkel-Meadow, 2007: 171).

Transformative justice emerged from the same background as RJ, as a more radical approach that aims to completely transform the practices and principles of transitional justice (Gready, 2019). This new approach calls for a shift of emphasis from the legal to the social and political spheres of justice and a bottom-up understanding of the victims’ needs (Gready and Robins, 2019). Transformative gender justice aims to address structural gender inequalities in post-conflict societies and to transform the various intersecting systems of oppression and structural conditions that marginalize women and make them vulnerable to violence in the first place. Boesten and Wilding (2015) believe that women’s needs should be the basis of transformative justice practices and that the goal should be to change the institutions that govern their daily lives and break patterns of oppression and gender-based discrimination (Boesten and Wilding, 2015). They argue that “feminist social transformation” cannot occur within the existing framework of liberal peace. The root causes of violence against women are not exclusively conflict-related but result from a convergence of several structural factors (Boesten and Wilding, 2015). Feminist scholars argue that understanding

violence against women in conflict times as an “extraordinary event,” separate from the social, economic, and political context, needs to be refuted to account for the structural mechanisms of marginalization and social exclusion (Boesten and Wilding, 2015: 7).

In the process of designing a gender-just, survivor-centered, and bottom-up approach to transformative justice, oral history is a crucial tool to visibilize the narratives of women victims of violence in conflict societies. Feminist scholars consider oral history not only a form of acknowledging women’s experiences but also a way to structurally “right wrongs, expose gaps in knowledge and challenge orthodoxies” (Bornat and Diamond 2007, 22), including history-making processes that embrace the perspectives of previously marginalized social subjects. Oral history methodology is based on the collection of individual memories through semi-structured interviewing techniques. The interviews are often open-ended, meaning that researchers aim to emphasize the participants’ perspectives by letting them speak without imposing narrow interview guidelines (Leavy, 2011). The establishment of an interpersonal relationship between the researcher and research participant aims to create closeness (Gluck 2013), making the interview process as collaborative as possible while addressing potential asymmetries of power. Gluck and Patai (1991) discuss the importance of acknowledging class, race, and power differences between interviewers and interviewees, calling for a reflection on positionality when elaborating a research methodology. When these differences are addressed, oral history may successfully create a “shared authority” and move towards an ideal participatory approach, ultimately resulting in an empowering experience for both the narrator and the interviewer (Gluck, 2011).

Methodology

This research is based on oral history interviews conducted by Badael between 2018 and 2020 for its Oral History Project. The aim of this project is to document the lived experiences of Syrian women before, during, and after the uprising, thereby preserving Syrian collective memory and countering the erasure of women's narratives from the larger conflict narrative. The "top-down" approach usually adopted in the construction of historical narratives often comes at the expense of grassroots perspectives, marginalizing and excluding the role of women in history-making. Conversely, the bottom-up approach – applied by Badael through oral history documentation – ensures that the project is participant-driven and sheds light on the experiences of disadvantaged and marginalized social groups, such as women of lower socio-economic status. Interviews were conducted according to participatory oral history and feminist practices. Thirty Syrian refugee women from different social backgrounds were recruited and trained as oral history interviewers to implement this grassroots approach. They targeted women within their communities, collecting rich testimonies describing the unique perspectives and experiences of Syrian women before and during the conflict. Before conducting the interviews, the selected women attended a workshop led by an oral historian and a psychologist, where they received training on oral history theories, practices, and modalities to conduct interviews on conflict contexts.

Geographical scope and interviewee selection

This paper draws from a database of more than 130 interviews conducted across the Turkish provinces of Istanbul, Gaziantep, and Mardin. Besides hosting the largest number of Syrian refugees (respectively 512,085, 451,510, and 88,235 people), these cities have been selected to represent the diversity of women's experiences from different Syrian regions. Gaziantep, located along the Turkish-Syrian border, principally hosts refugees from the Aleppo and Idlib governorates. Mardin, located just 35 km away from Syria's north-eastern borders, has refugees from the areas of Al-Hasakah and Deir ez-Zor. Istanbul hosts refugees coming from all parts of Syria. By including research participants from different regions in Syria, the Oral History Project aimed to understand different regional and local experiences of the conflict and its impacts. The geographical diversity of the collected testimonies enabled us to map demographic changes in Syria during the conflict. In addition to location, age has been a key factor in the selection of the participants. The interviewees consist of women between the ages of 18 to 70 years. This multi-generational approach allowed the researchers to capture women's experiences in various stages of their lives and understand the various roles played by women during the uprising and the ensuing events. Moreover, engaging with women of different ages provided insights into how gender-related cultural and social norms in Syria have transformed across generations.

The interview process

According to oral history practices, interviewees co-direct the course of the interview and are provided with opportunities to express themselves freely. The interviews generally followed a chronological order, with the narrators beginning by talking about their upbringing before moving on to the events that they deem significant. However, as each oral history interview was guided by the interviewees, the contents and structure of each interview were unique to the individual's account, lived experiences and perspectives. The women's stories covered various themes that include early marriage, gender discrimination, political activism, life in besieged areas, detention, displacement, and asylum. Through these women's narratives, stories of bottom-up resistance taking place both before and after 2011 were recorded. These stories illustrate gender-based crimes committed by the regime, as well as other conflict parties, alongside the violence they experience in their everyday lives from their family members or people they know personally. Moreover, women's accounts of demographic changes, internal displacement, and refugeehood provide crucial information that can be used to understand the transformations that Syria has seen.

Research ethics

All the participants agreed to participate in Badael's Oral History Project and gave their oral informed consent before the interviews. Their consent was recorded and transcribed afterward. To ensure their privacy, the interviewees were asked whether they wanted to use real names or pseudonyms, and the interviews were anonymized accordingly. The researchers refrained from disclosing any sensitive information that could cause any form of harm to the participants. In this report, the participants' identities were replaced with

pseudonyms. Sensitivity and respect have been a cornerstone to the interactions between interviewers and interviewees during the interview process. The interviews were conducted in the local dialect of research participants to allow them to express themselves confidently. Researchers encouraged interviewed women to talk about what they considered most meaningful, following their lead and validating their feelings. Furthermore, interviewers used trauma-informed techniques when participants talked about particularly sensitive and difficult topics, prioritizing the emotional wellbeing of the interviewees.

Analysis

Analyzing the interviews required several rounds of transcript readings to consider their context, content, and form. The first round of analysis involved a review of all interviews in the oral history database produced by the Oral History Project. In referring to a wide selection of interviews, the goal of this analysis was to identify commonalities in their experiences and general findings of GBV in the context of the Syrian conflict. This contributed to the paper's understanding of a wide range of experiences of GBV and the extent to which it permeated the everyday lives of Syrian women before and during the conflict. It is of note that the oral history narratives sampled in this paper mostly cover the lives of women from lower socio-economic backgrounds. The second round of analysis consisted of a more in-depth look at seven interviews. Their testimonies are mainly featured in the chapter, "Poverty and intersectional dimensions of vulnerability", to highlight structural factors that produce multiple layers of vulnerability to GBV. From this group, the testimonies of four of these Syrian women were selected to guide the paper. While the oral histories of these four

individuals were foregrounded, quotations were drawn from the three other testimonies, where relevant, to ensure that the analysis reflected variations in the experiences shared by these women. This smaller sample of four individuals was selected according to the presence, extremity, and gender-specificity of GBV in their first-hand experiences and its connections to the conflict, while excluding political persecution and targeted GBV as part of a deliberate military strategy.

Our Narrators

The findings and analysis presented in this paper draw mainly on the oral history accounts of the women introduced below. These four women were all living in Turkey when their testimonies were recorded in 2019.

Azab, from rural Al-Hasakah, was 20 years old when she recorded her testimony. While, as mentioned previously, this paper does not reveal whether the interviewee chose to give her real name or a pseudonym, it is obvious in this case that Azab is not her real name. She chose an explicitly fake name and made it a running theme in her narrative during her interview. Azab is Arabic for “suffering” or “torture”. She explained that this word was perfectly suited to her, as her life has been nothing but suffering. Azab was born into dire poverty. Her father died before she was born. She never went to school and started working at the age of seven. She cleaned people’s houses, picked plastic out of garbage to sell to recycling plants, and collected firewood during winters. She did this in Damascus at some point when she lived in rural Damascus. Azab experiences a disability due to an impairment that makes her limp – it is unclear if this was congenital or acquired. To Azab, her family did not feel like a regular family. She did not have a close relationship with her mother or siblings and they rarely spent time together. Her mother was often away picking cotton, while Azab herself went to work every day. She was very shy and insecure, and she kept to herself.

Maryam is from rural Aleppo and was 25 years old when she was interviewed. She grew up poor but happy and, as she put it, spoiled by her parents and brothers as the only girl in the family. She was taken out of school after she finished the sixth grade. In addition to financial reasons, she attributed this to her family’s concern that “the eye was on her a lot,” partly due to her physical appearance. This

refers to both the “evil eye” (i.e., envy), as well as the “lustful gaze” of men. After she left school, Maryam earned money as a work-at-home weaver. She also learned hairstyling and cosmetics. She gave some of her earnings to her mother to contribute to household costs while keeping the rest for herself. When Maryam was 15, her marriage was arranged to a male relative living in Saudi Arabia whom she did not know.

Muna is from rural Aleppo. She did not share her age, but based on her account she was likely in her forties at the time of the interview. She grew up poor with a sick and choleric father. She began telling her story by recounting how her mother had suffered much injustice, raised by a father who frequently beat her and her siblings in fits of rage, then married off at 13. Muna is the oldest of six girls and two boys. As a girl and the firstborn of her family was held against her mother by her father and his family. Muna’s father wanted to take her out of school after sixth grade, but her mother repeatedly fought for her continued schooling and agreed to cover all expenses. Muna’s parents separated when she was in the eleventh grade. For Muna, things got eminently worse for her family after her parents separated. When she and her siblings stayed with her father, she was forced to leave school, and she could only see her mother in secret. She found work as a typist and she managed, with the support of her boss, to finish school and attend a community college, which qualified her to be a teacher.

Reem was 25 when she was interviewed. One of seven children, she spent her early childhood in her father’s – and what she considers as her own – hometown, Ras al-Ain, in the Al-Hasakah governorate. Eventually, her family moved to her mother’s native rural Aleppo. Reem remembers her time in Ras al-Ain fondly. She describes the

community as open and multicultural, its population made up of Arabs, Kurds, Chechens, Cherkessians, Turkmen, and Assyrians.

In contrast to Ras al-Ain, Reem found the traditions and life in Aleppo conservative and oppressive. Reem's mother upheld this culture and its values. Although her father, an army general, was liberal and "in the right," in her words, her mother was the one who determined how Reem was raised. Consequently, Reem had to leave school after the ninth grade and was forced to get married shortly afterward. She loved arts and crafts and would have liked to study fashion design, but she was not allowed to. In part, she interpreted being taken out of school to her body maturing early with puberty. Some years after Reem got married, she learned how to sew, took a clothes-making course, and worked as a seamstress.

Experiences of gender-based violence

The GBV cases described in the histories of the four women fall under four general categories: 1) child marriage and socio-economic violence; 2) domestic/intimate partner violence; 3) harassment, assault, and exploitation as refugees; and 4) sexual violence within the war economy. These four categories are interlinked and cannot be read independently of each other, as reflected by the narratives of the women.

Child marriage and socio-economic violence

Child marriage and socio-economic violence affect both girls and boys. However, they are more commonly perpetrated against girls and have arguably more severe consequences, intersecting with other forms of discrimination against them. Child marriage usually comes hand in hand with taking female children out of school or never sending them to school in the first place. Denying female children primary level education is not only a violation of basic human rights, but it puts them at an extreme disadvantage that makes them vulnerable in every aspect of their lives in the long-term (ICRW, 2018), including preventing them from being economically independent as adults. In this paper, the act of denying female children schooling is referred to as socio-economic violence (Council of Europe), since it prevents them from accessing future economic opportunities. Accordingly, child marriage and socio-economic violence exacted upon girls are considered forms of GBV.

Girls being taken out of school shortly after they start puberty, coerced, or forced by their families and communities to get married, has been a widespread phenomenon across Syria for as long as public schooling has been available for Syrian boys and girls. This has led to a characterization of child marriage and early gender discrimination, concerning access to education, as part of the patriarchal culture and traditions in Syria.

Under the Syrian Personal Status Law, the minimum legal age of marriage is 18 years for boys and 17 years for girls. Yet with judicial consent given by a guardian, girls can marry at 13 and boys at 15. This means that Syrian law does not formally endorse child marriage but allows it in practice and, therefore, does not protect children from being married early. It facilitates both the practice of early marriage and the socio-economic violence linked to it.

Azab never attended school. Maryam, Muna, and Reem had to leave school early. Azab, Maryam, and Reem got married when they were children. All marriages, except for Azab's child marriage, happened before the conflict in Syria started. Their stories show that the injustices they faced preceded the war, taking place in circumstances created by unjust structures governing people's lives which manifested, for example, in female children being married against their will. These structural inequalities and patterns of oppression are underlying causes of the conflict, as part of an unjust social, political, and economic system. For that reason, the conflict cannot be analyzed without references to them. Furthermore, it is abundantly clear that these structural forms of oppression increased the vulnerability of their victims to atrocities during the war. While some individuals were able to protect themselves from violence during the conflict to a certain degree, others did not have the means to escape violence, and consequently were subjected to it earlier in their lives and to higher degrees. Therefore, child marriage and other forms of socio-economic violence that these women suffered before or during the war must be indiscriminately considered as violations of justice, regardless of whether the injustices were committed by armed parties. If our ultimate purpose is to achieve justice in the post-conflict period, the violence suffered by women needs to be both addressed in relation to each other as a collective experience and through the women's own narratives.

Azab: Azab describes the state of poverty she had grown up in as “below zero.” Her family could not afford to send her brothers to school, as other poor families opted to do; none of Azab’s siblings went to school. Furthermore, Azab started working at seven, much earlier than other reported child labour cases. She worked outside the home environment, without adult supervision, and in dangerous and hard manual labour jobs. When Azab was eight, she was sexually assaulted by one of the men she cleaned a house for. She felt that she could not tell anyone: first, because she did not think anyone would believe her; and second, because she was afraid of being punished or even killed if the incident was brought to light. Despite developing a huge fear after this incident, she was forced to continue working in the man’s house. As she explained:

So, I couldn’t tell anyone. And he knows that I... ya’ni Syrian girls can’t talk... so he has the power and he has the money and he has everything. Who has the bravery to speak and say, “you did this to my daughter?” [...] they are ready to kill their daughters before they would “scandalize” themselves. No, I’m a girl, not a boy who can do what he wants.

Azab’s child marriage was also a direct result of her family’s poverty, thus, of structural class inequalities prevalent in the social and political system of Syria. However, as it was a part of a war-related organized criminal enterprise, it will be discussed in the section entitled Sexual violence within the war economy. Azab’s added vulnerability given her illiteracy will also be discussed later on.

Maryam: As previously mentioned, Maryam was taken out of school after sixth grade, financially contributed to the household through her work in weaving and had an arranged marriage at fifteen years old. Immediately after her wedding, Maryam moved to Saudi Arabia where her husband lived. They stayed married for five years and had

a son. After they got a divorce, she returned alone to her parents in Syria. She was promised that she could keep her son, but this did not happen and he was estranged from her. Maryam recalls that the marriage did not work from the start, that they did not get along at all and that he had simply married her to have a servant for himself, his family, and his friends. When Maryam returned home, she had to endure the stigma of divorce and hear much talk and blame from her immediate and wider family. This led her to accept the first marriage proposal she received from a man after her divorce. She said:

A divorced woman is something very shameful for us. We have no one in the family who is divorced. So, I used to hear a lot of talk and I endured a lot. Ya'ni the talk of the people, the family, the relatives. This used to upset me a lot. [...] They blamed me [...] that I didn't know how to live with him. Of course, his financial means were good [... they would say to me] you are the problem. And they didn't know the truth. Ya'ni that he brought me as a servant for him and his friends and that he wasn't even jealous at all.

Maryam's second husband was a fighter from Libya. She never said for which group, but as they later moved to Deir ez-Zor and given other details she revealed from their life, evidently he belonged to Daesh. Maryam had four more children with her second husband, and it seemed that she had been generally happy with him. While she avoided talking directly about Daesh, the conflict, or politics, her avoidance of the subject should not be interpreted as stemming from guilt or loyalty she feared to admit; it is more likely based on a fear of persecution.

This is relevant because, regardless of whether Maryam herself took issue with being a "Daesh wife," she had married her husband

voluntarily and could by default be considered a collaborator, if not a member herself and thus a perpetrator. However, her decision to marry her second husband was also out of desperation and the lack of options, as a result of a breakup of an arranged marriage she had been subjected to in a foreign country at a young age. Maryam's life as a Daesh wife and everything that happened to her because of it (see Sexual violence within the war economy) cannot, therefore, be viewed in isolation from the added vulnerability on account of the socio-economic violence and child marriage inflicted on her prior to the conflict. In other words, women's choices during conflict times need to be analyzed through the broader lens of the inequalities and violence that they survived in the pre-conflict years. Sometimes, women had no other choice but to place themselves in situations that risked further violence during the conflict to survive the violence they had been subjected to in the pre-conflict period.

Reem: Reem was also forced into marriage around the age of fifteen, in her case, shortly after being taken out of school. Reem is the only interviewee discussed in this chapter who left school early and did not attribute it to her family's financial circumstances. To her, this decision was rooted solely in her mother's conservative views and upholding of traditions. Likewise, her marriage was set up and enforced by her mother. Reem recounted:

I told her that I'm not... I don't want him; I don't want this man. So she told me, we don't have this [culture of women wanting or choosing]. Ya'ni this is it; we all married this way and you have to get married. I married your siblings off like this. And you have to marry the same way. The important thing is the na'eeb [fate or one's lot in life] happened.

As with the other three cases, Reem's forced marriage happened before the war broke out, but the next sections show once again how this exacerbated her vulnerability to further violence related to the war.

As seen in all four women's narratives, the violence and disadvantages our narrators faced during the conflict years were directly related to the socio-economic context in which they grew up in prior to the conflict. Hence, the violence experienced during the conflict years need to be contextualized within the social, legal, and economic inequalities of Syria that also made the conflict inevitable. The economic and social violence women experienced in the pre-conflict period stripped them of viable resistance mechanisms, making them more vulnerable to violence during conflict years. Therefore, to break the cycle of violence, the pre-conflict context must be taken into consideration while analyzing the reasons for violence within the conflict setting.

Domestic and intimate partner violence

While the presence of domestic and intimate partner violence is not exclusive to the Syrian context, as irrespective of political conflict, it is important to emphasize its linkages to the broader structural injustices affecting women and girls that fed into the conflict and magnified the vulnerability of its victims. The accounts of intimate partner violence reveal the strong connection between this form of GBV and other forms of violence stemming from systemic oppression, primarily poverty and socio-economic oppression within a patriarchal culture.

Muna: Muna married her husband as an adult and of her own volition, outside of any arranged situation as they attended community

college together. Yet, this did not change the power relations within their marriage. On the contrary, as she exclaimed:

He saw that I was weak. He saw that I was weak and poor. [...] but he asked to marry me, formally. But he wanted me for free. As in, on the basis that he will protect me, he gets me for free. [...] Here he took advantage of me being a poor girl [...] and I married him although [my family] didn't approve, saying he's Kurdish, Kurdish and we don't want him, we are Aleppines. I am from Aleppo and he is Kurdish. We don't want him. We don't want him. And I just want to be done with this. I'd suffered injustice from my family. [...] Wallah I went against their will and I married him. He took advantage of this opportunity.

Muna noted that her family did not have any means or wider influence in the community, and that they partially abandoned her after she went against their will and married him. Her uncles even described how they would brutalize and kill her if she thought of divorcing him and returning home. Therefore, Muna argued, her husband was able to have ultimate power over her. He demanded that she hand her entire pay cheque over to him. He regularly beat her "to death" and afterwards would bring his "girlfriends" to their home. The first time she escaped to her family, he kept their son hostage and did not let her take him with her. Whenever she complained or sought for their help, her family backed him up and approved of his actions. Several years into their marriage, his violence, oppression, extortion, and degradation of her took on new forms. At one point in her interview, Muna started laughing and said: "Wallah, I should have died a long time ago, but I didn't. I don't know why... despite how much he hit me on my head wallah."

After Muna's husband married a second wife, she finally asked for

a divorce, but he only conceded after giving up all her rights. He then took her children away and prevented her from seeing them, refusing to let them live with her even when he could not afford to support them. The war had started by that time, leading him to move to Qamishli. This made it harder and more dangerous for Muna to visit them or travel to her. At one point, Muna's ex-husband decided to send their underage daughters to Turkey to earn money and send it to him. After he sent the youngest daughter to join her two sisters in Turkey, Muna decided to cross the border, be with them, and help them escape what was essentially forced labour.

Muna had to tolerate her husband for years because neither her economic situation nor the social milieu her family was in allowed her to break the cycle of violence she experienced in her marriage. Furthermore, there were no state policies to protect and support women through divorce. With no state and social support, even after she was able to get a divorce, she had to survive socio-economic hardships.

Reem: Reem described her husband as "reckless, clueless about what responsibility means." He did not work, got her pregnant straight away, and was never at home. She soon found out that he was an addict and in debt, which made him sell her wedding jewelry, the dowry that is often a bride's only financial security. Similar to Muna, Reem tried to resist and sought her parents' support, but they stood on his side and sent her back to him. He beat her when she got home, which led to premature labour in her seventh month of pregnancy. Reem's life continued as usual, and she had two more children. Her husband regularly beat her and locked her out of the house. After a while, she started hitting back. She learned how to make clothes and worked as a seamstress as a source of income. After she started

earning money and supporting herself and her children, she wanted to get a divorce, but her husband threatened to take their children away from her and, once again, she received no support from her family. He later gave her a hard blow to the head that caused her to start taking sedatives and become addicted to them.

After the war had started and the regime bombed Aleppo, Reem's husband took shelter in his parents' apartment on the first floor, leaving her and their young children to fend for themselves in their apartment on the fifth floor. As her family fled to Turkey, she also wanted to leave, but having been a shabeeh (pro-regime militia thug) – as she put it – her husband refused. She decided to take her children and flee to Turkey anyway. Compelled by heavy bombardment, he joined them at the last minute. Reem recounted the horrors of crossing the border illegally, attempting at different stages to cross on foot during heavy rainfall, being shot at by the Turkish Gendarmerie, and eventually having to go through a tunnel with water up to their necks.

After some time in Turkey, Reem was startled to learn that she had been pregnant before the escape despite having been unable to have children for eight years and taking sedatives during her first few months of pregnancy. Her daughter was born prematurely and in a critical state. She later required several surgeries and prolonged medical care to recover. She wanted to send her two older sons to school, but her jobless husband wanted them to work in a garment sweatshop. One of her sons sustained an injury at work, which led to an infection and ended up causing lameness and extreme fragility in his hand. Reem's husband almost beat her to death several times before he finally divorced her and left for Syria after the regime reclaimed Aleppo. When Reem recounted how her husband almost

choked her to death, she said: “We went to the United Nations and [my son] gave a testimony about this,” which suggests that she had access to some form of protection assistance in Turkey.

All four women narrated the domestic violence they had to endure within the pre-war socio-economic context of Syria rather than narrating it either simply as an individual misfortune or as caused simply by war circumstances. In other words, the narratives of the women clearly indicate how socio-economic violence is a collective experience for women in a context where economic and social inequalities are exacerbated by state policies.

Harassment, assault, and exploitation as refugees

While the previous two sections discussed the increased vulnerability of victims of GBV during the war, this section considers accounts of increased vulnerability to GBV as a result of the war. In many ways, the stories of the women featured in this paper show how they had more opportunities and greater access to support and protection in Turkey than in Syria, the latter being a war-torn country. This is not just a result of the war or discriminative laws in Syria, but it is also because most women lacked social and economic support and were even directly oppressed by their families in Syria. However, as refugees, especially as recently displaced individuals new to the host country, these women did not know the country’s language and were not familiar with its lifestyle and environment. They could not even rely on the protection granted by assumed connections or support networks. In Syria, these connections could have warded off attacks from strangers to an extent – without understating the fear many narrators described telling anyone about, let alone reporting, instances of harassment. Nevertheless, since vulnerability

is exponential by nature and as the unprotected refugee experience places them in circumstances that inherently create vulnerability, refugee women are more susceptible to GBV than non-displaced women.

Sheelan, a 22 years old girl from Al-Hasakah, recounted her experiences of sexual harassment and assault in Turkey:

Here, a lot of stories happened to me, especially because I work. And, of course, I saw lots of people looking at me, given that I'm Syrian and a girl who is working. [...] "This is a pretty girl, let's give her work, she'll work." They eyed her or there is harassment as well. They just try, they have nothing [to lose].

Muna: When Muna finally managed to reunite with her daughters in Turkey and offered them support after standing up to their father – who had remained in Syria – she was faced with threats that made her less safe, unsure about her ability to live independently in rented accommodation. Before the house she was living in at the time of the interview, Muna and her daughters had lived in five different apartments, each of which they faced trouble and were taken advantage of. At their first place, their belongings were stolen by someone, which Muna suspected was either the landlady or a neighbor. At the second place, the landlord overcharged them with the electricity bill and other costs. He evicted her when she brought this issue up and threatened to call the police on her, saying that Syrians would be sent straight to refugee camps. At the third place, they lived with the owners with no separate or private space and were threatened by police whenever they had arguments. At the fourth place, the owner, who was married, kept harassing Muna by denying her access to the shared bathroom and pressuring her to marry him. The fifth landlord made them completely renovate the

apartment before moving in, and he evicted them shortly afterwards. In their place of residence at the time of the interview, however, they had a proper tenancy agreement protecting their rights as tenants. Before recounting this chapter of her life, Muna said laughingly:

Wherever I go, people take advantage of me and make things difficult for me, because we are women, females. We don't have a male with us. I still suffer from this. I suffer from this so much.

Reem: Reem ended up agreeing to marry a much older Turkish man who had already been married. She says he had been a friend and offered this purely as a formality out of protectiveness and care for her and her children, although polygamy is illegal in Turkey. This turned out to be a genuine offer, as he furnished a flat for her and her children but he does not live with them or stay over. Reem expressed that she found a father figure and a real pillar of support in her "husband". Although this story is not an example of GBV, it still sheds light on Reem's vulnerability in Turkey as a single mother with no means of support from her own family. She was able to find a job, had received some humanitarian assistance, and her family began enjoying Turkey's free public education and healthcare. Yet she decided to enter this arrangement with a stranger, despite all the risks and dependency involved, to afford to send her children to school and secure proper medical care, or perhaps to have a better life beyond the bare minimum for survival.

Women who do not have access to social and legal protection as refugees in their host countries – both due to the legal system that governs the lives of migrants in the country and the lack of social networks to fall back on – are more likely to experience GBV and be threatened by GBV unlike in contexts where either the law or existing social networks provide them with protection. Even though

being a refugee is a direct outcome of the war, the lack of social and legal protection in the country of refuge is the main reason behind experiences of GBV. Once again, the existence of GBV needs to be addressed as a structural issue within the specific legal, economic, and social context beyond individual experiences. If Turkey was able to provide economic, legal, and social protection to Syrian refugee women, their chances of experiencing GBV would have been lowered considerably.

Sexual Violence within the war economy

This section relates two accounts of sexual violence, both related to the war and systemic attacks against the civilian population. One story is a case of sexual violence as an actual enterprise, while the other can be interpreted more as a result of people's vulnerability within the war economy. These forms of GBV are potentially the only wrongdoings in this paper that amount to war crimes and crimes against humanity. However, they pose a level of complexity in attaining justice for the victims, as laid out in the following sections.

Azab: After the war broke out, Azab's family moved back to Al-Hasakah. They received the news that her brother, who was serving in the army, had been injured and was in a critical condition. Shortly afterwards, a man told them that he could arrange for Azab, who was around fourteen at the time, to get married to a young benevolent man in Turkey. He said that the man could support the entire family and help Azab get the education she had long dreamed of getting. Azab, her brother, and their aunt traveled to Turkey with this man, whom she then called "the merchant". She described the torturous ordeal of having to cross the border illegally. Once they arrived, the man took them to the house of another "merchant." The next

morning, they were offered breakfast. Then, the merchant's wife gave her and other girls involved in the situation clothes to wear and makeup to put on. Azab recounted:

There were about ten [girls] there with me. [... The merchant] knows other merchants over there in Syria. Each of them brought [a girl] from his area, one from Deir [ez-Zor], one from I don't know where. [...] When we entered the room, we saw that they were all old men, not like they told us, 20 years old and I don't know what. They were all old, over 65, 75 years old. [...] What happened to us was as if we were animals. It's funny. And it's sad. But because I'm used to this now, I laugh. Usually, I cry. Today I laugh. So what happened to us was that we were sold like animals. He comes... Get up! We get up. Walk! We walk. [...] Like buying sheep and these things, looking at their teeth. This sheep is good. They started doing this to us, like getting a dog, getting an animal. [...] Here everything broke in me. Everything I saw. Everything broke. All my dreams [...] I knew that I wasn't a human. Honestly, the one thing that crossed my mind was an animal being sold in the bazaar.

Azab managed to escape being slave traded and enslaved that time. She refused to be sold to the man who picked her. The merchant let her go on the condition that they pay him for the expenses of getting them there. Azab, her brother, and aunt were able to get this money from a relative of theirs who had been "married" in Turkey the same way.

Once Azab returned home, she was shamed and humiliated by her family and relatives. Her uncle's wife paraded her from one door to another, saying that no one wanted her because she had a limp. So, when another merchant came less than a month later, Azab was

sent with him again. This time, she also resisted, but her aunt, her sole companion in that trip, did not stand by her side. The merchant threatened to kill her brother if she did not go with the old man who had bought her.

The man took Azab to a sheikh, who refused to believe that she was of legal age and thus refused to marry them. Another sheikh in another area, however, agreed to conduct the religious ceremony. Azab was kept hostage for four months, during which she was raped and otherwise physically and mentally abused by both her captor and his grown daughter. In addition to doing all the housework, she also had to care for her captor's adult son, who appeared to have down syndrome. Finally, a neighbor reported her suspicion of a hostage case to the police. The house was raided, the man arrested, and Azab was "rescued". An investigation was opened, for which Azab gave a witness statement. She received medical and psychological treatment and was housed in a women's shelter.

Maryam: When the siege of Deir ez-Zor was reaching an end, and Daesh presumably expected to be defeated, Maryam and her children were smuggled out of the city along with other Daesh wives and families. Her husband promised her that he would follow them. However, before their escape, the women had to destroy all evidence of their identities/affiliations, including their phones, so Maryam had no way of contacting him. She never heard from her husband ever again. When asked about her marital status at the start of the interview, Maryam stated that she is a widow even though she did not say if her husband was dead (or presumably dead). Maryam and her children managed to arrive in Idlib unharmed. With nowhere to go, they ended up in an IDP camp. After about a week, someone in the camp was able to locate her brother, who had by the time fled

with their parents to Turkey. Maryam was able to call him and he arranged for her and her children to be taken to a smuggler's house.

Those who pay smugglers to take them across the border to Turkey normally stay in houses built especially for this purpose until the "right" time to cross comes. Different people came and went, while Maryam and her children were told they had to stay and wait longer. The reason they were told was that Maryam's children could slow them down and get them caught, and that there was no one to carry them. They stayed for around a month and a half at the smuggler's house. As Maryam recounts, crying:

And then I understood that he was taking advantage of my situation, he was taking advantage that there was no one with me. He wanted something from me. [He said] I won't get you out, until I get what I want.

So, Maryam started calling her mother, begging her family to speak with the smuggler and get her out. She implied that he wanted something from her, to which her mother advised, if not explicitly, to concede to his wishes lest he do something to her or her children. She said: "It turns out it wasn't just him who was ibn haram [bastard], it was all of them ya'ni. [...] and then he took what he wanted."

The smuggler raped her and did not take her across the border. He took her to another smuggler, who also raped her. Maryam was passed on from one smuggler to another for about four months, raped by four different men, until she managed to get out – she did not share how she did this in the interview. During her captivity, she gave her five-month-old twins and two toddlers sedatives. Maryam cried throughout her account of this:

And then this one also took what he wanted, and I wished that

earth would open up and swallow me. I wished that I never came here, ya'ni that I never left. I wished that I died under the bombs. [...] They saw that I was pretty and young and that I didn't have anyone. I became known there. You just had to tell them, the one from Aleppo with the four children. [...] They all tell each other, the smugglers. They know each other and tell each other. [...] Yes, God had mercy on me, but after what! After they took what they wanted!

Impact of GBV, protracted harm and blame

Azab: Azab lived in different women's shelters until she was seventeen. By then, her family had fled to Turkey and she went to live with them. They moved between different cities in Turkey, pursuing work opportunities. When she was interviewed, Azab could speak Turkish, but she still could not read or write. She had a few jobs but experienced various problems with them, but she found a therapist that has helped her a lot and frequents a support center that offers empowerment activities and opportunities. Despite the progress she made over the past five years, she still expressed how traumatized she still was from the acts of violence she was victim to.

Azab spoke of many mental and physical health problems since she was trafficked, held captive, and abused. She startles easily and suffers from bouts of fear and panic. She described her difficulty speaking and interacting with people whenever she's nervous. She also described a condition where she tears up things she holds in her hands. One time, shortly after she was rescued, she had a stiff hand that she could not release for what appeared to be weeks or months. She also got severe depression. She tried to kill herself at least once, and self-harms. At the time of the interview, she had recently burned her hands just to see if she could feel something.

Azab shared that she does not feel understood by her family, who started pressuring her again to get married. She refuses to give in to this and "lose her life again" for their sake, as she put it.

With regards to the court proceedings against her captor, which seemed to have started a short while before the interview, Azab said:

Then the big shock came to my face. A while ago, the police came to my house and told me you have a court appointment. So as soon as I started breaking this fear inside me, these people came to confront me again. For five years, I have been trying to forget them, love myself, and be confident.

She said that she was frightened throughout the court hearing and that she did not know or could not focus on what she said during it. She was questioned about why she had previously dropped the case, which she explained that she wanted to let things go and forgive. She shared that she was dreading the second hearing because the judge told her that charges might be pressed against her and she might be accused of lying, especially since there were no witnesses to verify her claim and she had withdrawn the charges.

Maryam: When explaining why she was married young, Maryam gave a similar justification to her being taken out of school, besides financial hardship. She said: "So many suitors came... and my brothers were 'jealous over me'." "Jealousy over" is a rather literal translation from Arabic; it connotes a perceived threat to the honor of the jealous relative when someone is interacting with, being seen, known, or talked about by, others as a potential mate. Jealousy here means overprotection, and it implies a favorable view of the male's possessiveness and patronage over the female. Thus, while Maryam attributed her child marriage – and partially her unfinished schooling – to societal pressures, she did not appear critical of the culture behind them, nor did she resent her family's decisions and her fate being governed by them.

Later, when relating her sexual violence experience at the Syrian-Turkish border, she said:

Of course, all this was, with my parents' knowledge, this thing that was happening to me. And they'd say, concede, concede, it's ok. [...] Until today I blame my husband that he'd left me, that he hadn't come with me, that he'd let me go through this phase, this worst phase of my life. And at the same time, I blamed my brother that he hadn't come and get me. [...] and when I say something, [...] they blamed me. After everything that happened to me, after all this, they blame me.

Maryam concluded her account by saying:

May God enact his vengeance on whoever caused it, who let me go through this terrible time in my life. [...] In every prayer, I ask God to go to the Hajj and get a blank slate [forgiveness of sins] ya'ni and I pray for [the punishment] of every person who did something to me and who oppressed me.

At the time of the interview, Maryam and her children were living in a shelter that houses orphans, widows, and single-mother families in need. She was happy there and said that she finally feels like a human again. Her family did not approve of her moving there, but she suggested that this was mainly because of the aid money, which they used to take when she was living with them. Her husband's family wanted both her and the children to live with them in Libya. She seemed inclined towards this and was in the process of obtaining passports for her children.

All the narratives indicate that gender-based violence has a protracted impact on affected individuals and their communities because of social, psychological, and economic repercussions that have long-term effects on women's lives even after the act itself has stopped. This is mainly because the violence experienced by these women prevented them from accessing education, economic opportunities, and, thus,

become a great barrier to access an independent life. This increases the chances of bondage to the people inflicting violence on women. Furthermore, the women's narratives show that protracted violence is not an individual experience, but a collective one. Therefore, GBV needs to be addressed through policy and structural changes rather than short-term solutions to "save" the individual. Overall, individual women's narratives of GBV need to be recognized for their value as a means to pave the way for collective justice.

Poverty and intersectional dimensions of vulnerability

Building on the specific and individual GBV experiences from the oral histories of four narrators featured thus far, a wider sample of testimonies provides a clearer picture of the structural and intersectional dimensions of vulnerability. From the seven women whose lives this chapter draws on, five were taken out of school early, one never attended school, and only one finished her schooling. From the six women who suffered from the lack of education as a specific form of socio-economic violence, three got married as children and one approximately at the age of eighteen. All but one of these six women explained that they never went to school because their families were too poor. It should be noted that before the conflict, the Syrian state provided free education for all children across the country. In practice, the costs mentioned then refer not to tuition fees but stationary, uniforms, and transportation. Additionally, attending school costs the child's valuable time, which could otherwise be utilized for paid labour to increase household income. This suggests that the families of at least five of the seven women whose testimonies were used had been living below the poverty line; they could not afford to meet basic needs and/or did not benefit from the social welfare system.

These women's stories can be used to understand the lives of women from lower socio-economic backgrounds, making the correlation between severe forms of GBV and poverty undeniable. In other words, individual narratives of GBV speak to a collective experience and should be addressed as such.

One could argue, of course, that women with better circumstances may have simply not revealed stories of sexual assault, rape, or other sexual forms of gender-based violence. Perhaps they would stand the chance of losing "more" if their identities were revealed – simply

because they have more. Regarding intimate partner violence, it is also likely that many women either do not consider or do not know that what their husbands did amounts to rape or sexual assault, or they understand it as such but refrain from saying so. Given the cultural norms of the society that these women live in, violence against women is not spoken about openly. All of this considered, when looking at the accounts of rape given by two out of seven women, the extreme socio-economical vulnerabilities of the two survivors were notable, in comparison to the other women, given the severe financial insecurity faced by their families.

With poverty at the root of how most women's lives developed, there is overwhelming evidence of the intersection of socio-economic marginalization and oppression. Socio-economic marginalization inevitably leads to greater susceptibility to violations. However, as testified by the narrators, none of the related experiences of GBV is attributable to one single circumstance isolated from the broader structural conditions within which the survivors had lived under. Socio-economic injustice, patriarchal norms, a gender-discriminating legal framework, the marginalization of rural areas, and the armed conflict are all contributing and interrelated factors of these experiences.

To illustrate this, one could look at how each narrator spoke of the lack of family support and how each saw that as one – if not the – major reason for what made them vulnerable to GBV, without excluding other financial and societal pressures. The only counterweight women would have in countries with discriminatory legal and economic systems is the backing of male allies, who are usually close family members (such as fathers and brothers). A husband or a stranger would not consider a woman a prey if that could cause retribution

– if not legally, then at least communally or “tribally” through a father or a brother. The fathers and brothers of Azab, Maryam, and Muna had no leverage on the community-level themselves, which is again explained by their poverty or subjugation under an oppressive system that offers no prospects for empowerment. However, their weakened agency under an economic and politically repressive and discriminating structure is not the only reason they did not support their daughters/sisters. They also upheld and gave into patriarchal cultural norms and societal pressures, as did Reem’s father. Furthermore, being harassed or violated was often never spoken about due to the victim’s fear of potential punishment (even death) if the incident is disclosed to their families. This illustrates the complex dynamics that further exacerbated these women’s vulnerability in general, effectively multiplying their vulnerability to GBV.

These are some of the multidimensional and otherwise complex reasons that led to experiences of GBV before and during the conflict, and increased the narrators’ vulnerability to both GBV and other forms of violence during the conflict. Therefore, it is imperative that any efforts to bring about justice for these women should be designed to address both the root causes of structural oppression and the intersecting structural disadvantages that contribute to even greater vulnerability during conflict and post-conflict times.

The problematic vis-à-vis transitional and restorative justice

Based on the insights gained by analyzing these women's experiences, this paper argues that punitive justice, traditional transitional justice, and restorative measures will not suffice for women to attain justice. This will be explained by looking at the cases presented above through punitive and restorative justice lenses.

As for criminal justice systems based on punishment, one of the main issues that arise is that they focus on the criminal accountability of individuals without necessarily addressing intersecting structures of oppression that enabled the crime. At first sight, it might appear that only Azab and Maryam were subjected to conflict-related sexual violence (CRSV) in the narrow sense because their perpetrators were linked to the war as slave traders and human traffickers of refugees. The man who "bought" Azab from the traffickers, imprisoned her, and sexually and physically abused her can be judicially held accountable for his crimes, as can his accomplices or co-perpetrators, albeit outside of war crime tribunals (this has taken place). However, the exclusive focus on the individual perpetrators of CRSV that Azab and Maryam were subjected to neglects the systematic injustice that put them in a vulnerable position in the first place. Individual family members or regime officials are not held accountable in criminal proceedings for the systematic, structural oppression and socio-economic marginalization they upheld, enforced, fueled, if not otherwise contributed to. The complicity of individuals in creating an environment that makes and maintains women's vulnerability to GBV does not fit regular crime categories.

By considering crime and criminalization as the only means to address complex social problems, punitive justice systems tend to reduce said problems to individual crimes and only prosecute those directly

involved in the punishable act itself. This results in the erasure of the intersecting systems of oppression and broader social context that enabled such human rights violations to happen in the first place. Moreover, any actors that did not directly commit the crime, as defined by criminal law (in this case, the women's families), are exempted from responsibility.

When considering the role of patriarchal culture, the other main driver for denied schooling and forced early marriage, the issue of the perpetrator as the root problem becomes even more abstract. In addition to the difficulty of linking many of the violations to single perpetrators with direct connections to the conflict, there is also the issue of place and time. Transitional and restorative justice measures normally deal with crimes or acts that happened during the conflict in question and in the countries where it occurred. However, the accounts of all four witnesses show that the GBV inflicted on them before the war had led to increased ramifications and vulnerability to certain types of violence during the conflict. Therefore, justice for the victims of the war means that prior events and conditions need to also be reconciled. The violations in Turkey, which occurred to the women in their vulnerability as refugees, also expose the shortcomings of traditional post-conflict justice measures. Justice for Azab, Maryam, Muna, and Reem as victims of the war in Syria requires compensation for their increased exposure and risk thereof to various forms of GBV, including SV that stems from both violations that had occurred before it, and human rights violations that were magnified by the war and occurred after they escaped Syria.

In addition, there is the issue of compromised, gendered credibility of some of the most disadvantaged and affected witnesses, on account of the vulnerability preceding or caused by the violation.

Azab's story shows how her illiteracy and general lack of education, as well as lack of care received as a child, made her more vulnerable to being enslaved and held hostage. However, it may have also affected her understanding of, and ability to accurately recount, what happened to her. Furthermore, the whole experience severely traumatized her in addition to having been subject to psychological harm since the age of eight when she was sexually abused. All these factors put Azab at a disadvantage when trying to testify coherently and logically, and thus jeopardizes her credibility in a system that lacks a trauma-informed, intersectional approach to its work. On top of this, Azab's court experience was extremely distressing for her and disruptive to her path towards overcoming her trauma. Bearing testimony as an SV survivor can have grave and long-lasting socio-economic consequences. The social stigmatization around sexual violence and the notion of "honor" in Syria may lead to the victim being punished and even killed for the crime inflicted on them. As the women interviewed repeatedly stated, they could not tell anyone about being sexually harassed or assaulted for fear of repercussions. Yet, most criminal justice processes require formal and signed witness accounts, which means attaching one's name to them.

Restorative justice models focus on assisting survivors, so they can be less public and allow for more anonymity. There are several models of RJ, but they share the fact that the offender, victim, and support people for each side are brought together in a community context, alongside representatives of formal institutions. Both the victim and the offender are given the space to present their own story and acknowledge each other's. RJ models often involve a public or private apology and a plan for restitution to the victim (Verity and King, 2008). However, these models still fall short except for certain standalone psychosocial support measures to support GBV survivors and rehabilitative activities aimed at reintegrating

the individual into the community. This is because, on a structural level, they fail to address the deep rooted cultural perceptions of GBV that influence the mindsets of the survivors' communities and of the survivors themselves. Being continuously situated in a system that set the condition, caused, and allowed the violence to happen makes it impossible to heal. Maryam's story represents an important case of culpability and victimhood in times of war. The question of the parents' responsibility for denying their children certain rights – when they arguably have few other choices and their actions are socially normalized – is taken to a new level of extremity and tragedy. From the way Maryam told her story, it seems unlikely that she would seek justice through any formal mechanism for the crimes inflicted on her by the smugglers. It can be assumed that, in Maryam's case, this is not due to potential harm stemming from social stigmatization, but because she could be considered guilty and prosecuted for war crimes as a former Daesh wife.

Moreover, Maryam's narrative referred solely to justice at the hands of God. She appeared to be thoroughly disillusioned with the notion of receiving justice outside of divine intervention. This lack of trust and recognition of the authority of manmade, "worldly" systems of justice are understandable considering her personal experiences; they simply do not reflect right and wrong, as they are positioned within rights-based frameworks. Ironically, Maryam's recollection of some memories of life "under Daesh" sounded like the most dignified period of her life. Similarly, she spoke of her second husband as though she had felt more supported by him than by anyone else, up until he failed to accompany her and their children when they fled Deir ez-Zor.

Conclusion

The experiences of women recounted in this paper demonstrate how existing justice tracts within peacebuilding and post-war reconciliation processes fail to address structural and contextual dimensions around GBV, and instead address GBV as singular incidents. They ignore the structural forms of oppression that enable and fuel GBV and fail to address it as one of the many root causes of such violence. This has resulted in a limited ability to contribute to genuine societal transformation. Therefore, it is important to note how existing justice tracts are highly gendered, failing to take into consideration the collective experiences and injustices women have been facing in Syria due to structural gendered inequalities. Economic inequalities, political oppression, and the lack of a just legal system have all contributed to not only women being subjected to GBV in the first place, but also take away from women the tools and means to break cycles of violence and lead independent lives. It is only through women's narratives that can link individual and collective experiences of violence together and, thus, develop tools of justice for women.

Neither punitive nor restorative approaches effectively bring justice to the women whose victimization by the war was entrenched by GBV before, during, and as a direct result of conflict. Besides holding the perpetrators accountable and providing some material or therapeutic reparation for their loss, these women's true justice and effective reconciliation entail far more measures.

From the stories of Azab, Maryam, Muna, and Reem, it is clear that each crime needs to be contextualized and that any justice effort must address the social, political, and economic context in which the crime occurred. Ultimately, justice also means that vulnerability needs to be reconciled to recognize the intersecting, structural

grounds of discrimination and disadvantages the vulnerabilities are based on. These women's experiences are characterized by the same economic struggles and social inequalities that prevented them from completing education and exacerbated their vulnerability in a patriarchal society, exposing them to the abuses of husbands, traffickers, and other family members. This means that justice cannot occur if the socio-economic, legal, political, and patriarchal contexts are not transformed. While each of the narrators found individual solutions to end the violence they experienced, this paper has shown that as GBV is a collective experience, achieving justice should also be a collective gendered experience that requires structural transformation, made possible through listening to women's own narrations of their experiences. Therefore, it is crucial to read the individual narratives of women as part of a collective effort to achieve justice for survivors of GBV.

It is impossible to truly compensate victims for what they have lost, as their losses cannot be offset, nor their experiences undone. Therefore, the only chance a nation brutalized by authoritarianism and war can achieve reconciliation is by abolishing the root causes of injustices that led to the suffering to prevent it from happening again to the next generations. Survivors of GBV will not feel vindicated if their families and communities still hold them responsible for the crimes inflicted on them. Similarly, women who had to leave school and were married as children can only be compensated for this – albeit partially – if their daughters do not suffer the same fate and, thus, breaking the generational cycle of violence. This can only be made possible through structural transformation in the given context.

Another lesson from the women's stories is that their vulnerability to GBV did not stop once they fled Syria. The effects of the conflict and

the system of oppression at play in a country, such as Syria, spill over its national borders and are not necessarily confined to that country. This is most evident in the phenomenon of forced displacement and migration. Therefore, efforts to bring justice to victims of war and mass violence would need to consider their circumstances in countries of exile as well. Migration policies and the legal systems of the host countries are interlinked with the possibility of achieving justice for victims of war.

Finally, the intersectional dimensions of the vulnerabilities of those most susceptible to extreme forms of GBV and their additional vulnerability due to the violence that women have been subjected to can lead to their exclusion from not only their families, communities, but also formal justice processes. This can be due to lack of access, lack of understanding and ability to participate with agency, and/or lack of trust. Justice mechanisms must be inclusive to and accessible for those most in need, which are overlooked in many post-conflict situations.

For these reasons, transformative justice seems to be a viable approach to address the root causes of GBV in Syria's transitional process. Transformative justice processes occur at the community level, without the involvement of governments and formal authorities, as it posits that change and transformation are more likely to happen within local communities than within the state. As the needs of communities always different, transformative justice interventions can take several different forms and often include: (i) supporting survivors in their healing journey, while working with the person that caused harm to take accountability for their actions; (ii) building the capacities of community members to support transformative justice interventions; and (iii) building skills to prevent such violence from re-

occurring (Mingus, 2020). All these interventions share the fact that they seek to respond to violence without creating more violence, focusing instead on supporting healing, accountability, resilience, and strengthening prevention strategies so that this violence does not happen again.

Working on addressing the root causes of violence, transformative justice explicitly calls for a radical restructuring of the existing system of intersectional gender oppression that limits women's freedoms and renders them subordinate to male actors. At the core of this transformative change lies a redefinition of gendered social relations and the implementation of mitigating strategies to prevent, or at least reduce, the experiences of discrimination and violence that women experience daily in transitional contexts. This, however, entails the full recognition of the structural system of violence that women are subjected to and acknowledgment of the need for gender inclusion in the peacebuilding process. Transformative justice also necessitates the active participation of survivors, affected groups, and grassroots actors in the transitional process, starting with a bottom-up understanding of the survivors' needs and with the subsequent development of policies and measures to address them. By centralizing the voices of Syrian women and other historically marginalized members of Syrian society and acknowledging their experiences, this paper identified their shared and collective patterns of vulnerability and outlined the social, political, and economic transformations in a post-conflict Syria that will not only reduce the chance of women from being subjected to GBV, but also provide women with the necessary tools and means to fight against GBV.

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