

Does the International Violence Against Women Act Respond to Lessons from the Iraq War?*

By Nissa Thompson[†]

INTRODUCTION

In the days leading up to the U.S. invasion of Iraq, the protection and promotion of Iraqi women's rights was used as fuel for war. Today, many Iraqi women are worse off after the invasion as they suffer the daily loss of loved ones, food shortages, and increased levels of violence. In 2007, Iraqi activist Haifa Zangana published a scathing book on the role of "colonial feminists" in encouraging the war in Iraq, and American feminists' misguided focus on the legal representation, rather than the immediate safety of women in their post-invasion activities.¹

In October 2007, U.S. Senators Joseph Biden and Richard Lugar introduced the International Violence Against Women Act (I-VAWA) to the U.S. Senate.² The bill would fund U.S. government initiatives that aim to both prevent violence against women and support legal and health systems for survivors of gender violence. Is this bill a good thing for women worldwide? Or, given the United States' actions in Iraq, should women in other countries see I-VAWA as another way the U.S. government is carelessly intervening in foreign countries' politics with potentially harmful consequences for women? I believe that Americans must seriously and more carefully consider the consequences of international political or military actions in the

* Published in Volume 23 of the *Berkeley Journal of Gender, Law and Justice* (Spring 2008)

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¹ See HAIFA ZANGANA, *CITY OF WIDOWS: AN IRAQI WOMAN'S ACCOUNT OF WAR AND RESISTANCE* (2007).

² International Violence Against Women Act, S. 2279, 110th Cong. (2007).

name of women's rights. Therefore, I will critically analyze the proposed I-VAWA bill by measuring it against timely and unheeded standards derived from Zangana's criticisms of and suggestions for the proper role of feminism in foreign policy.

I. ZANGANA'S FRAMEWORK FOR PRACTICING INTERNATIONAL FEMINISM

The promotion of Iraqi women's rights as a justification for the invasion has proven to be the mother of all failures. Instead, Iraqi women have lost all they had achieved as activists before the invasion, and they comprise thousands of the 650,000 casualties, a number that has climbed since mid-2006.³

In *City of Widows: An Iraqi Woman's Account of War and Resistance*, Haifa Zangana argues that some American feminists should be held partially responsible for the increased levels of violence and poverty that women now face in Iraq as a result of the U.S. invasion and occupation. Zangana claims that, until October 2002, shortly before the war began, the United States government cared very little about Iraqi women.⁴ But suddenly, this changed when, under the guise of feminism, American and Iraqi-American activists allied with the Bush administration in rallying for the invasion of Iraq. Women for a Free Iraq is an organization that was created one month before the invasion explicitly for this purpose. The organization brought together Iraqi women to argue for the "liberation" of Iraqi people, specifically women.⁵ Since the invasion, activists like those in Women for a Free Iraq have spent their time and resources on efforts to strengthen Iraqi women's role in government. However, their efforts have failed to ensure that these women have access to basic necessities. Zangana states,

The rhetoric of women's empowerment, and the training of a handful of Iraqi women leaders on the principles and practices of democracy at conferences organized outside of Iraq, have nothing to do with the daily lives of women who

³ ZANGANA, *supra* note 1, at 17.

⁴ *Id.* at 81.

⁵ *Id.* at 85.

live in dire poverty, have been displaced from their homes, or are living in tents, lacking basic sanitation and supplies.⁶

Zangana calls these activists “colonial feminists” because of their blind support for U.S. foreign policy, whether it involves initiating a war or supporting an interim government that does not protect its people.⁷

Based on Zangana's criticisms of the United States and U.S.-funded non-governmental organizations (“NGOs”), I have extrapolated four criteria required for U.S. international intervention to ensure that it positively impacts women abroad. These criteria are to a) decrease NGO dependence on USAID; b) when women’s basic survival needs are not being met, prioritize them over the indoctrination of democracy; c) divorce diplomacy from women’s rights initiatives; and d) address the role of U.S. citizens in perpetrating international violence against women.

A. Decrease NGO Dependence on USAID

First, Zangana cautions that NGOs’ dependence on U.S. government funding can harm women. Instead of being independent from government involvement, NGOs run the risk of becoming an arm of the U.S. government when they accept money from the U.S. Agency for International Development (“USAID”). Considering that nearly all American NGOs receive the majority of their funding from the U.S. government, the idea that the government could determine their policies and actions is unsettling to feminists critical of U.S. policy both domestically and abroad.⁸

⁶ *Id.*

⁷ *Id.* at 11.

⁸ Abbey Stoddard, *With Us or Against Us?: NGO Neutrality on the Line*, HUMANITARIAN EXCHANGE MAG., Issue 25, Dec. 2003, available at <http://www.odihpn.org/report.asp?id=2578>.

To illustrate Zangana's point, in recent years, USAID has put pressure on NGOs to inform the populations they are working with that they receive their funding from the U.S. government.⁹ Addressing attendees of the InterAction Forum, the former administrator of USAID, Andrew Natsios, related and explained a statement he made to USAID-contracted NGOs in Iraq:

You are an arm of the U.S. government right now, because we need to show the people of Iraq an improvement in their standard of living in the next year or two. And I have to have it clearly associated with the U.S. government, for diplomatic reasons which are, in my view, eminently defensible, ethically defensible, and good policy.¹⁰

Similarly, former Secretary of State Colin Powell told an audience of NGOs in 2001 that the U.S. government views NGOs as "an important part of our combat team."¹¹ Although the fact that NGOs receive much of their funding from the U.S. government is unlikely to change any time soon, we must be wary of U.S. foreign policy that uses NGOs as a tool to promote anti-humanitarian initiatives that are blind, at best, to their impact on women.

B. Prioritize Women's Basic Survival Needs over the Indoctrination of Democracy

Zangana's second suggestion is that NGOs and the U.S. government focus on the most basic needs of the majority of women, such as safety from violence, hunger relief, and health care, rather than empowerment in the form of political representation or democracy trainings for a handful of women.

In 2004, the U.S. government began the Iraqi Women's Democracy Initiative, the goal of

⁹ Andre S. Natsios, Administrator, USAID, Remarks at the InterAction Forum's Closing Plenary Session: Results Count (Mar. 21, 2003), *available at* <http://www.usaid.gov/press/speeches/2003/sp030521.html>.

¹⁰ *Id.*

¹¹ ZANGANA, *supra* note 1, at 82.

which was to train Iraqi women in “political leadership, advocacy, entrepreneurship and organizational skills.”¹² The initiative was meant to encourage Iraqi women to participate in Iraq’s 2005 elections. Striving to give women a voice in government is a worthy long-term objective, and has the potential to help change legal and societal norms that perpetuate violence against women. But in places like Iraq, where the threat to women’s safety is immediate, we must prioritize protecting the safety and health of women over long-term goals of democracy indoctrination. Learning how to draft a democratic constitution is of little value when women are dying from violence every day.

The Iraqi Red Crescent reported in December 2007 that since the Iraq war began, over four million people have been displaced, and more than 82 percent of those displaced are women and children.¹³ While the number of women killed in the violence in Iraq is unknown, it is likely to be many thousands.¹⁴ However, the number of men killed by the violence has left widows in every neighborhood, which has drastically affected the economic survival of Iraqi women. The patriarchal economic system in Iraq means that when women lose their husbands and fathers, they lose the traditional breadwinners of the family. Without job experience or opportunities, women turn to prostitution and sexual violence and domestic violence increase.¹⁵ U.S. foreign policy should take into account the particular dangers that women face during times of war and armed conflict, and make every effort to avoid such effects.

C. Divorce Diplomacy from Women’s Rights Initiatives

¹² Stephen Kaufman, State Department implementing \$10 million in grants through democracy initiative (Sept. 27, 2004), <http://usinfo.state.gov/mena/Archive/2004/Sep/27-387029.html>.

¹³ DISASTER MGMT. DEPT., IRAQI RED CRESCENT ORG., THE INTERNALLY DISPLACED PEOPLE IN IRAQ 7, Update 30 (Jan. 27, 2008), *available at* <http://www.iraqredcrescent.org/reports.html>.

¹⁴ ZANGANA, *supra* note 1, at 17.

¹⁵ *Id.* at 81.

Thirdly, Zangana argues that Americans must pay attention to the well being of all nations, not only those in which we have a political or economic interest.¹⁶ The suffering of women in Iraq under U.S. sanctions, for example, was ignored even when the state of women's rights was highlighted immediately before the Iraq War. There are many nations in which women suffer from dire poverty, extreme violence, and low education rates. But the U.S. government only focuses on their plights when the criticism of a nation would be of strategic value to an ulterior motive.

In November 2007, a Saudi Arabian rape victim was sentenced to six months in prison and 200 lashes with a whip for being raped and for discussing her experience in the media.¹⁷ Not wanting to affect its diplomatic relationship or deter Saudi Arabia from attending the upcoming Middle East conference, the U.S. administration refused to criticize Saudi Arabia for its unequal, draconian sentencing policies. Despite pressure from Congress and the public, State Department spokesman Sean McCormack merely made the tepid statement, "[t]his is a part of a judicial procedure overseas in the court of a sovereign country. That said, most would find this relatively astonishing that something like this happens."¹⁸ The U.S. administration's strong, if misguided, rhetoric on women's rights in Iraq compared to its weak stance on Saudi Arabia reveals the wavering importance the U.S. has given to women's rights in its foreign policy. In the future, U.S. foreign policy should value the lives of all women equally and not turn a blind eye when women living in allied nations are abused.

¹⁶ *Id.* at 81.

¹⁷ News Release, Human Rights Watch News, Saudi Arabia: Rape Victim Punished for Speaking Out (Nov. 17, 2007), <http://hrw.org/english/docs/2007/11/16/saudia17363.htm>.

¹⁸ Sue Fleming, *U.S. Offers Mild Criticism in Saudi Rape Case*, REUTERS, Nov. 19, 2007, <http://www.reuters.com/article/topNews/idUSN1950867920071119?feedType=RSS&feedName=topNews&rpc=22&sp=true>.

D. Address U.S. Citizens' Role in Perpetrating International Violence Against Women

The fourth requirement that can be extracted from Zangana's book is to acknowledge that throughout the Iraq War, Iraqi men have not been the only perpetrators of violence against Iraqi women; U.S. service officers and citizens working in Iraq are also guilty of such violence. Zangana notes that, according to an ACLU report in Spring 2005, at least thirteen female detainees had been raped and abused by U.S. soldiers.¹⁹ Outside of detention centers, there have also been well-documented incidents of sexual violence by U.S. troops in Iraq, such as the case of fourteen-year-old A'beer Qassim Hamza al-Janaby's rape in March 2006.²⁰ Zangana argues that "A'beer's rape and murder is neither incidental nor aberrant . . . Rather, it is part of a pattern that includes the behavior at Abu Ghraib, as well as the Haditha, Ishaqi, and Qa'im massacres."²¹ A successful foreign policy must acknowledge that U.S. personnel and service officers can, and often do, perpetrate violence against women in U.S.-occupied countries. Not doing so undermines the United States' legitimacy in trying to prevent violence against women.

Up to this point, I have worked under the assumption that preventing violence against women abroad should be an important part of U.S. foreign policy. In the following section, I will explore this assumption and explain why I think a feminist foreign policy is essential.

II: THE PROPRIETY OF FEMINIST FOREIGN POLICY

Before using Zangana's four criteria to examine I-VAWA, I seek to situate myself in the debate over the propriety of feminist intervention on behalf of women abroad. As a white middle-class American woman, I often ask myself how American women and the U.S.

¹⁹ ZANGANA, *supra* note 1, at 97.

²⁰ Attach. A to Aff. in Support of an Arrest Warrant, Criminal Compl., United States v. Green, No. 3:06MJ230, *available at* <http://news.findlaw.com/cnn/docs/iraq/usgreen63006cmp.html>.

²¹ ZANGANA, *supra* note 1, at 119.

government can support women abroad without falling into the role of colonizers or ideological imperialists. Given the damage done by the U.S. government and feminist activists in Iraq, one must even ask whether nonintervention would be the best feminist foreign policy. However, as a producer for an international affairs radio program, I am acutely aware of how involved the U.S. is in other countries' domestic affairs. This reality makes a policy of nonintervention unfeasible. Indeed, the United States has a military presence in over 130 countries and provides financial aid to many more.²² As Chandra Mohanty notes,

Western feminist scholarship cannot avoid the challenge of situating itself and examining its role in such a global economic and political framework. To do any less would be to ignore the complex interconnections between first- and third-world economies and the profound effect of this on the lives of women in all countries.²³

Thus, as U.S. intervention in other countries' development and domestic affairs is unlikely to diminish, it is critical that those concerned about the safety of women on a global level insist on a U.S. foreign policy that respects women and values their rights.

Much feminist scholarship has discussed ideas of cultural feminism, colonial feminism, and the relationship between "Third" and "First" World feminists. For this paper, I choose to reference only one of the many scholars on these topics. Harvard Professor and native Egyptian, Leila Ahmed, describes "colonial feminism" as a Western discourse of dominance in which there lies "the notion that an intrinsic connection existed between the issue of culture and the status of women, and . . . that progress for women could be achieved only through abandoning the native culture."²⁴ I believe that Ahmed's definition is useful because it highlights a mistake feminists in

²² Chalmers Johnson, *The Arithmetic of America's Military Bases Abroad: What Does it All Add Up To?* (Jan. 19, 2004), <http://hnn.us/articles/3097.html>.

²³ Chandra Mohanty, *Under Western Eyes: Feminist Scholarship and Colonial Discourse*, *FEMINIST REV.*, Autumn 1988, 61, 63-64.

²⁴ LEILA AHMED, *WOMEN AND GENDER IN ISLAM: HISTORICAL ROOTS OF A MODERN DEBATE* 244

the U.S. often make when discussing the rights of women abroad: the confusion of “culture” with culturally-specific practices of sex inequality, which exist everywhere in their specific forms.

In recent years, activists and politicians have come together to determine internationally recognized standards for what constitutes violence against women. The United Nations, for example, has defined violence against women to include psychological, sexual, and economic violence in addition to physical violence.²⁵ Yet, many nations and peoples still hold varying understandings and legal definitions of violence against women. Sometimes practices, such as female genital cutting (FGC), that fall under the internationally recognized definition of violence against women are defended in the name of cultural or religious reasons. In cases tied so closely to a particular cultural heritage, feminists must heed Ahmed’s warning against cultural feminism—abandoning a native culture is not necessary or even desirable in ending violence against women. Feminists in the U.S. must recognize that no culture or nation is without violence against women, including the U.S. If we are to effectively end violence against women, we will need to create partnerships across nations and cultures that help instigate change from within communities, not force change from outside.

III. THE INTERNATIONAL VIOLENCE AGAINST WOMEN ACT

In consideration of the aforementioned criteria and observations, I will analyze I-VAWA using the following standards: (1) Does it provide NGOs with funding in a way that makes them beholden to the U.S. government’s foreign policies?; (2) Does it focus primarily on the basic

(1992).

²⁵ Executive Summary, United Nations, Ending Violence Against Women: From Words to Action Study of the Secretary General (Oct. 9, 2006), <http://www.un.org/womenwatch/daw/vaw/launch/english/v.a.w-exeE-use.pdf>.

problems of survival facing the majority of women abroad, or does it primarily seek to indoctrinate a minority with ideals of democracy?; (3) Does it promote the prevention of violence against all women irrespective of her citizenship, and refuse to support a policy of turning a blind eye to abuses in allied nations?; (4) Does it recognize that U.S. troops and other representatives abroad also perpetrate violence against women? Finally, in addition to these criteria drawn from Zangana, I will ask: Does the bill encourage cross-cultural and cross-national dialogues, especially on highly sensitive issues such as FGC? Before undertaking this analysis, I will draw particular attention to the passages that I feel best demonstrate the bill's positive and negative applications of feminism in foreign policy. I will then provide a more detailed examination of whether the bill satisfies the standards I set forth above.

Presently, I-VAWA is in the Committee on Foreign Relations, hence I am referencing the initial version. The main objectives of I-VAWA are to streamline the existing efforts by the U.S. government to end violence against women and to fund new efforts by NGOs and the U.S. government to prevent violence and provide survivor services.

A. Congressional Findings & Definitions

The text of the bill begins with Congressional findings on the importance of ending violence against women. It states,

Violence against women and girls is rooted in multiple causes and takes many forms, including physical, sexual, and psychological. It affects all countries, social groups, ethnicities, religions, and socioeconomic classes and is a global health, economic development, and a human rights problem of epidemic proportions.²⁶

This understanding of violence against women lays the groundwork for a foreign policy that

²⁶ International Violence Against Women Act, S. 2279, 110th Cong. § 2(1) (2007).

encompasses the many socioeconomic pressures that lead to violence against women worldwide. By recognizing the wide-reaching effects of violence against women in a society, the bill is making a case for a holistic prevention and treatment strategy.

The bill goes on to list the various types of violence against women that exist across and within societies. It states that, “rape and sexual assault are weapons of war used to torture, intimidate, and terrorize women and communities.”²⁷ I-VAWA’s definition of violence against women includes “forced or child marriage, so-called ‘honor killings,’ dowry-related murder, human trafficking, and female genital mutilation.”²⁸ The bill goes on to say that in addition to female genital cutting, “other traditional practices harmful to women”²⁹ are included in its definition of violence against women.

While most of this definition fits into the internationally recognized understanding of what constitutes violence against women, I find the latter part of the definition troublingly vague. The phrase “other traditional practices harmful to women” was obviously meant to cover some of the many forms of violence that could not be enumerated in this bill. But its generality makes this phrase vulnerable to misuse by Americans hoping to stop practices that they perceive as harmful but are not considered harmful by the women participating in these practices. This vague clause could be remedied by a provision in the bill that insists on collaboration between women of different cultures and nations in the projects that I-VAWA develops.

Also included in the findings of I-VAWA is the fact that:

Displaced, refugee, and stateless women and girls in humanitarian emergencies, conflict settings, and natural disasters face extreme violence and threats because of power inequities, including being forced to exchange sex for food and humanitarian supplies, and being at increased risk of rape, sexual exploitation,

²⁷ S. 2279 § 2(7).

²⁸ S. 2279 § 2(4).

²⁹ S. 2279 § 4(1)(B)(i).

and abuse.³⁰ (4, line 11-17).

Explicitly stating the link between conflicts and violence against women is important because it clearly notes that the U.S. government should take into consideration the safety and well being of women in conflicts and humanitarian disasters. While this passage does not explicitly state the links between U.S. military personnel and violence against women in other nations, it does approach the subject by mentioning the potential for sexual violence in cases where women may be forced to trade sex for survival.

Another significant Congressional finding is that violence against women and girls results in the “de-legitimization of States that fail to prevent it and the impoverishment of entire societies that tolerate it.”³¹ If this principle were implemented into U.S. foreign policy, perhaps the U.S. government would have taken a stronger position on the Saudi rape case.

B. I-VAWA's Statement of U.S. Foreign Policy Regarding Violence Against Women

A critical passage in I-VAWA is its fourteen-point statement of U.S. policy regarding violence against women. It establishes that it would be U.S. policy to “promote women’s political, economic, educational, social, cultural, civil, and human rights and opportunities throughout the world . . . [and] . . . to condemn and combat violence against women and girls, and to promote and assist other governments in preventing and responding to such violence.”³² By including the safety and well being of women as part of official U.S. foreign policy, I-VAWA ensures that violence against women will not being sidestepped for the sake of diplomacy. Indeed, the bill goes on to state that it will be U.S. policy “to systematically integrate and

³⁰ S. 2279 § 2(8).

³¹ S. 2279 § 2(10).

³² S. 2279 § 3(1)-(2).

coordinate efforts to prevent and respond to violence against women and girls into United States foreign policy and foreign assistance programs, and to expand implementation of effective practices and programs.”³³

This statement of U.S. policy is also noteworthy because it specifically condemns violence against women that is committed or endorsed by a foreign government.³⁴ This could encourage the U.S. government to be more critical of governments that sanction violence against women through laws and judicial rulings. To prevent U.S. foreign policy from being too unilateral in work on stopping violence against women abroad, Section 3 also includes provisions to support and build capacity of local NGOs that strive to prevent and respond to violence against women and girls.³⁵ The bill further encourages the collaboration and mutual support between local women’s NGOs and U.S. organizations in coordinating activities with local governments and other public and private sector actors in that country.³⁶ Such a multilateral approach to combating violence against women is helpful not only because it can be more effective in changing existing systems, but it can also ensure the respectful consideration of local culture in the face of change.

The last policy definition of interest includes a tacit acknowledgment of the role of U.S. troops and officials in perpetuating the cycle of violence against women. I-VAWA states that it is U.S. policy to implement policies and practices that address violence against women and girls in international “peace and security efforts.”³⁷ These efforts include United Nations peacekeeping missions in places like refugee camps and post-conflict areas in which U.S. citizens are involved.

³³ S. 2279 § 3(5).

³⁴ S. 2279 § 3(4).

³⁵ S. 2279 § 3(7).

³⁶ S. 2279 § 3(7)-(8).

³⁷ S. 2279 § 3(9).

The inclusion of this point may promote better training on violence prevention and survivor services for U.S. personnel abroad.

C. Proposed Amendments to the Foreign Assistance Act of 1961

1. Establish New Women's Offices Within the Executive Branch

Section 101 of I-VAWA proposes to amend the Foreign Assistance Act of 1961.³⁸ In proposed section 300(B), I-VAWA establishes an “Office of Women’s Global Initiatives” that would coordinate U.S. efforts regarding issues impacting women and girls abroad.³⁹ The Office of Women’s Global Initiatives would replace the current Office of International Women’s Issues in the Office of the Under Secretary for Democracy and Global Affairs in the Department of State. Separating violence against women from the issue of democracy seems fitting given the events in Iraq. Zangana frequently laments the focus of U.S. foreign policy on democracy rather than safety for women in Iraq. Creating a separate office to deal exclusively with the issues of violence against women would tentatively shift the focus of U.S. foreign policy for women towards their immediate wellbeing.

I-VAWA also establishes the Women’s Global Development Office (“WGDO”) within USAID.⁴⁰ The Director of WGDO has the stated goal of integrating “gender into all policies, programs, and activities” of USAID to improve women’s social position and access to opportunities.⁴¹ The Director would also integrate the prevention of violence against women and

³⁸ S. 2279 § 101 (proposed amendments to the Foreign Assistance Act of 1961, §§ 101-300, codified at 23 U.S.C. §§ 2166-2220(e) by adding §§ 300A-D).

³⁹ S. 2279 § 101, proposed § 300B.

⁴⁰ S. 2279 § 300C.

⁴¹ S. 2279 § 300C(c)(1)(A).

girls particularly into USAID's foreign assistance programs.⁴²

Given the strong relationship between USAID and NGOs in the United States and abroad, the Women's Global Development Office would facilitate the flow of funds to NGOs working on ending violence against women abroad. However, by inserting this office into USAID's administration, the U.S. government can exert more control over the priorities and actions of USAID-funded NGOs. In the best-case scenario, this would mean that more money and time would be given to NGOs dedicated to ending violence against women. In the worst-case scenario, however, this integration initiative could provide the U.S. government with authority to misappropriate NGOs' resources in the name of women's rights abroad for controversial policies that are ultimately harmful to women. The dangers of this type of integration can be seen in President Bush's HIV/AIDS and family planning initiatives, where NGOs receiving money from the United States were strong-armed into focusing on abstinence-only programs.⁴³

To further complicate matters, both the Director of the WGDO and the Coordinator of the Office of Women's Global Initiatives would be appointed by the U.S. President, with the Senate's advice and approval.⁴⁴ Placing the choice of appointments in the hands of the Executive Branch puts NGOs in a dangerous position, as the Executive would be even more likely to impose U.S. government policies on USAID-funded organizations. While some checks and balances do exist on the executive branch, these checks are unlikely to make much of an impact on such minor appointments as these.

⁴² S. 2279 § 300C(c)(1)(B).

⁴³ Deborah R. McFarlane, *Reproductive Health Policies in President Bush's Second Term: Old Battles and New Fronts in the United States and Internationally*, 27 J. OF PUB. HEALTH POL'Y 405, 414 (2006), available at http://findarticles.com/p/articles/mi_qa4020/is_200601/ai_n17182484/pg_6.

⁴⁴ S. 2279 § 300B(a).

2. Establish an Advisory Commission Violence Against Women

In addition to the aforementioned offices, I-VAWA would establish an Advisory Commission on International Violence Against Women.⁴⁵ The commission's members would consist of academics, representatives from NGOs, and other distinguished individuals knowledgeable in the field of violence against women.⁴⁶ This commission offers an important opportunity for sectors that are often overlooked by the government to contribute to U.S. foreign policy. Ideally, the members would be culturally diverse individuals, with the ability to inform the U.S.'s actions abroad in a way that the current isolated policymakers cannot. Perhaps citizens from other nations sitting on the panel could serve as mediators between the laws and practices of one nation and U.S foreign policies in the prevention of violence against women. They might also facilitate connections between another country's NGOs and the U.S. government. However, such an idealistic scenario of inter-nation dialogue through the Advisory Commission is unlikely since anyone sitting on the panel would, in effect, be working for the U.S. government.

3. Implement a Comprehensive Strategy Combating International Violence Against Women

The largest policy and program that I-VAWA proposes is the "Comprehensive International Strategy to Reduce and Prevent Violence Against Women and Girls."⁴⁷ This program mandates that the President along with the Coordinator of the Women's Global Initiatives and the Director of Women's Global Development devise a strategy to prevent and respond to international violence against women.⁴⁸ The first step is to identify ten to twenty

⁴⁵ S. 2279 § 300D(a).

⁴⁶ S. 2279 § 300D(b)(2)(A)-(C).

⁴⁷ S. 2279 §102 (further proposed amendments to the Foreign Assistance Act of 1961, §§ 101-300, codified at 23 U.S.C. §§ 2166-2220(e) by adding §§ 300G-L.

⁴⁸ S. 2279 proposed § 300G(a).

middle or low-income countries that “are geographically, ethnically, and culturally diverse, and have severe levels of violence against women and girls.”⁴⁹ Part of developing the strategy involves conducting a study to determine how violence against women and girls negatively affects development efforts, and then recommending two or more anti-violence programs to each country.⁵⁰ These programs would be undertaken “in cooperation with the governments of each country in specific areas for progress in preventing and responding to violence against women and girls.”⁵¹

The prospect of cooperation between nations in this comprehensive strategy would be a positive addition to U.S. foreign policy in respect to women. Development programs for women that the United States currently funds through the World Bank and the International Monetary Fund have very superficial levels of collaboration between nations. The bill does not elaborate much in this section upon the type and extent to which cooperation between the U.S. and host nations would occur. Given how deeply ingrained, accepted, and normalized some kinds of violence against women are in cultures, however, we can only hope that the U.S. would work very closely with host countries on I-VAWA initiatives.

The aforementioned section does offer a clear description of the types of countries that the U.S. would be working with. Ideally, these guidelines would discourage the U.S. from employing diplomatic motives when it chooses to criticize or work with particular countries on issues of violence against women. Furthermore, the comprehensive strategy is significant for its multi-faceted approach to reducing and responding to violence against women. The programs that the strategy would undertake range from “enhancing the capacity of the health sector to

⁴⁹ S. 2279 § 300G(c)(1).

⁵⁰ S. 2279 § 300G(c)(3)-(4).

⁵¹ S. 2279 § 300G(5)(A).

respond to such violence” to “increasing opportunities for women and girls in education and economic development.”⁵² By assessing the needs of women in a particular country and then choosing an appropriate program for that country, the U.S. has a greater chance of actually bringing positive, tangible change to women. This proposal is a significant improvement over current U.S. development policies in Iraq, which have continuously overlooked the daily needs of women by focusing on less tangible, ideological trainings.

Indeed, the programs outlined by the I-VAWA offer concrete action with the aim of producing measurable results. Even the goals that may be less concrete, such as “changing social norms and attitudes”⁵³ provide actionable suggestions, such as “providing funding and programmatic support for mass media social change campaigns.”⁵⁴

4. Funding I-VAWA

As is often the case with policies and initiatives combating gender-based violence, funding is a point of concern in the bill. I-VAWA would provide the Coordinator of the Office of Women's Global Initiatives with 175 million dollars in new funds each year to give to federal agencies, women’s nongovernmental organizations, foreign countries, and multilateral institutions.⁵⁵ The parties that receive money would be chosen through and held accountable under an open and transparent process.⁵⁶ Ideally, this process would allow the Coordinator and nongovernmental groups to check the work and bias of the organizations receiving federal money and prevent NGOs from being bullied by the U.S. administration into supporting policies

⁵² S. 2279 § 300G(c)(6)(B)-(C).

⁵³ S. 2279 § 300G(d)(3).

⁵⁴ S. 2279 § 300G(d)(3)(C).

⁵⁵ S. 2279 § 300H(d)-(e).

⁵⁶ S. 2279 § 300H(f).

that are controversial and perhaps detrimental to women.

Another effort at transparency and accountability in I-VAWA is the “Annual Report on United States Efforts to End Violence Against Women and Girls.”⁵⁷ The report will detail the progress of the comprehensive strategy and the grant programs. The Coordinator of the Office of Women’s Global Initiatives will collect data for the report with the assistance of the Administrator of USAID and the Director of Women in Development Office. Again, the idea of holding parties accountable for the work they are doing is a positive step, but an analysis is only as unbiased as those who perform it. The former USAID Administrator’s willingness to call NGOs “an arm of the U.S. government”⁵⁸ when it came to Iraq indicates that USAID may judge organizations more on their willingness to comply with overarching U.S. foreign policies than on their reduction of violence against women. An alternative evaluation program might include the collection of data by an organization not affiliated with the two I-VAWA offices that has no stake in the results of the evaluation.

5. Addressing International Violence Against Women During Times of Conflict

The remaining sections of I-VAWA consider the problem of violence against women in conflict situations. This topic is critical, not only because of the increase in violence against women in times of conflict, but also because of U.S. responsibility for some of this violence. This responsibility comes from both perpetrating violence against women, and by creating the conflict in which violence against women flourishes either out of control or as a tool of war. I-VAWA would “ensure that the United States programs to train military and police forces and judicial officials include instruction on preventing and responding to violence against women

⁵⁷ S. 2279 § 300I.

⁵⁸ See *supra* note 9.

internationally.”⁵⁹ If enacted, this could make a large difference in places like Afghanistan and Iraq where the U.S. is currently training soldiers in military operations. Also benefiting from this improved training are “judicial officials,” “units involved in regional and multilateral peacekeeping operations,” and USAID humanitarian workers.⁶⁰

Most impressively, these sections provide clear guidelines for responding to, and preventing, the violence against women perpetrated by private military contracting firms and U.S. military personnel. I-VAWA requires all military contracting firms to “train all contractors who will be deployed to humanitarian relief, conflict, or post-conflict operations in preventing and responding to violence against women and girls.”⁶¹ The contractors must then engage in public outreach to inform the host community of the various ways to report violence against women and girls and how to “promptly and appropriately respond to reports of violence against women and girls.”⁶² By listing military contractors’ explicit duties to prevent and respond to violence against women whenever possible, the U.S. is greatly expanding the reach of anti-violence programs.

I-VAWA further requires that the Department of Defense,

[I]n consultation with the Coordinator of Women's Global Initiatives and the Director of the Office of Military Affairs of the Bureau of Democracy, Conflict and Humanitarian Assistance, establish mechanisms for reporting incidences of violence against women and girls by United States personnel, military contractors, military observers, and police forces participating in humanitarian relief, peacekeeping, and post-conflict operations.⁶³

This requirement directly satisfies Zangana’s criteria that the bill recognizes that violence against women is sometimes perpetrated by U.S. personnel or soldiers. If enacted, I-VAWA would begin

⁵⁹ S. 2279 § 300K(a).

⁶⁰ S. 2279 § 300K(c)(1)-(2).

⁶¹ S. 2279 § 300L(e)(1)(B).

⁶² S. 2279 § 300L(e)(1)(C)-(D).

⁶³ S. 2279 § 300L(f)(2).

the process of creating a standardized mechanism for reporting such violence—something that does not currently exist but is desperately needed.

IV. APPLYING FEMINIST FOREIGN POLICY CRITERIA TO I-VAWA: A SUMMARY

When I began thinking about I-VAWA in relation to Zangana's work, I did not believe I would find much to admire in I-VAWA. The U.S.' relationship with Iraqi women before and after the invasion indicates that there is much work to be done to create a more pro-woman and women-centric U.S. foreign policy. However, read against Zangana's critique of the failures of U.S. foreign policy in Iraq, I-VAWA is a substantial step in the right direction. To elucidate my conclusion, I briefly return to the five criteria I listed in the beginning of Part III to support a final judgment.

A. NGO Neutrality

I-VAWA will provide NGOs and international organizations with millions of dollars in funding for their work in ending violence against women worldwide. For the most part, this appears to be a terrific opportunity to create new and innovative programs to prevent and respond to violence. However, the issue of NGO neutrality remains. While there are safeguards and evaluation measures in place under I-VAWA, these measures are only as independent as those involved in the processes—in this case, the officials appointed by Congress and the President of the United States. If any of these officials fail to advocate for women in favor of more overarching policies, such as democracy-building, then I-VAWA will fail. However, if the USAID-funded NGOs are able to remain independent and serve women and girls without being concerned with interference from outside, I-VAWA could be very successful in deterring and

responding to violence.

B. Addressing Women's Immediate Survival Needs

I-VAWA does an excellent job of focusing on the immediate needs of women in humanitarian crisis, as opposed to long-term issues like women's empowerment and democracy training that are valuable in non-conflict situations. The programs suggested in the comprehensive strategy deal with the crucial issue of violence and how to make a community safer for women. Programs such as "increasing legal and judicial protections" and "increasing educational opportunities" for women and girls have measurable effects on levels of violence. In this regard, I-VAWA fulfills Zangana's wishes for a more realistic approach to improving the lives of women.

C. Committing to End Violence Against All Women

I-VAWA does, theoretically, treat all nations and their abuses against women equally. The process for choosing the countries to participate in the comprehensive strategy is clearly written to include all lower and middle class nations. However, once again, I-VAWA is only as strong as those who follow its directives. If the President overlooks a country like Saudi Arabia's high rate of violence against women for political reasons, there is no mechanism in place to check that decision. While this is a flaw reflected only in a worst-case scenario, I believe that laws must withstand the worst-case scenario to be viable.

D. Acknowledging Violence Against Women as Perpetrated by U.S. Personnel

I-VAWA succeeds most at recognizing that American personnel and service people can

and do perpetrate violence against women abroad. The bill not only ensures that troops, contractors, and peacekeepers will be trained in violence prevention and response, but also creates a standard system of reporting incidences of violence against women by U.S. personnel.

E. Respecting Cultures and Creating Partnerships

While I believe that integrating gender into U.S. foreign policy is necessary, especially given the level of diplomatic and military involvement of the U.S. in the world, the U.S. needs to be cautious and respectful to other cultures and societies. I find one phrase in the bill worrisome in this regard. The term “traditional practices harmful to women” is sufficiently vague in that it could be misused to give women the false choice of either abandoning their culture or facing violence indefinitely. This problem would be significantly diminished if the bill provided a sufficient guarantee that extensive cross-cultural and cross-national dialogues would occur that would prevent any such misuse. The bill does suggest that some cooperation would take place between the United States and host nations in I-VAWA’s projects. But it does not elaborate enough to make me confident that the needs and voices of women in the host country will be heard. One way to ameliorate this problem would be to list in the “Comprehensive International Strategy” the specific offices of the government that I-VAWA officials will be working with and what roles these offices will play in the projects. Another place where collaboration could be guaranteed is in the Advisory Commission on International Violence Against Women. The description of the Commission already provides for a variety of professional backgrounds to be represented, but does not mention cultural or national diversity. Without including these voices from the communities that I-VAWA projects will be working with, the bill risks falling prey to

some of the tendencies of “colonial feminism.”⁶⁴

CONCLUSION

Overall, I-VAWA offers U.S. legislators a substantial and unprecedented opportunity to discuss the integration of gender into U.S. foreign policy. While I have reservations about some of its current language, I am hopeful that I-VAWA will bring the issue of violence against women to the international stage like never before. One can only hope that if we had a bill like I-VAWA in place before the invasion in Iraq, things today would be much different for Iraqi women.

⁶⁴ *See supra* note 24.