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Review of: Benedetta Faedi Duramy, Gender and Violence in Haiti: Women's Path from Victims to Agents

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have already endured a number of human rights violations in their respective homelands prior to the UK such as civil wars, gang rapes, or indiscriminate destruction. In this context, the reader seems to be invited to engage with, at least, two basic and interconnected outcomes. First, the book's basic, sobering, and straightforward undercurrent becomes immediately evident: demanding a right inevitably requires that there be a dutiful party to recognize or grant it. Parallel to this, most non-experts in international law might end up equally starved for acquiring additional knowledge on the legal complexities every refugee, displaced person, and asylum seeker inevitably faces. As a multidimensional testimony, *Asylum and Exile: The Hidden Voices of London* renders an invaluable product of communicative memory from a multicultural, unhidden, and plurivocal site of enunciation.

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Benedetta Faedi Duramy, *Gender and Violence in Haiti: Women's Path from Victims to Agents* (Rutgers University Press, 2014), ISBN: 978-0-8135-6314-5, 172 pages.

Over the past two decades, international law has made great strides in recognizing and addressing gender-based violence.¹ Sexual violence has become the dominant lens through which international law views gendered harms. In international criminal law, rape and sexual enslavement have been criminalized and prosecuted.² Sex trafficking has become a global concern and the topic of proliferating international and national legislation.³ While these harms are real and powerful, the narrow focus on sexual and gender-based violence can obscure other harms experienced by women and overlook similar harms experienced by men. The title of Benedetta Faedi Duramy's book, *Gender and Violence in Haiti: Women's Path from Victims to Agents*, demarcates a more nuanced approach that explores the roles women play not only as subjects but also as perpetrators of violence. The book contextualizes sexual violence, situating it within a cycle of inequality that begins by requiring young girls to be household servants and ends with the nearly complete exclusion of women from politics. Duramy's in-depth case study contributes both substance and method to the burgeoning literature on gender violence and international law.⁴

The book is meticulously researched down to the last detail, offering a rich and

1. See, e.g., Janet Halley, et al., *From the International to the Local in Feminist Legal Responses to Rape, Prostitution/Sex Work, and Sex Trafficking: Four Studies in Contemporary Governance Feminism*, 29 HARV. J. L. & GENDER 335, 336 (2006).
2. International Criminal Tribunal for Rwanda, Prosecutor v. Akayesu, Judgement, 2 Dec. 1998, Case No. ICTR-96-4-T; International Tribunal for the Former Yugoslavia (ITCY), Appeals Chamber, Prosecutor v. Kunarac et al., Judgment 12 June 2002, Case No. IT-96-23-T & IT-96-23-1-A.
3. See, e.g., Janie A. Chuang, *Exploitation Creep and the Unmaking of Human Trafficking Law*, 108 AM. J. INT'L L. 609 (2014).
4. See, e.g., ALICE EDWARDS, VIOLENCE AGAINST WOMEN UNDER INTERNATIONAL HUMAN RIGHTS LAW (2011); BONITA MEYERSFELD, DOMESTIC VIOLENCE AND INTERNATIONAL LAW (2010).

comprehensive perspective on the understudied experiences of impoverished Haitian women. The case study method enables Duramy to explore the situation of these women holistically, describing them as entire human beings rather than simply victims of violence. She is admirably evenhanded in her approach to these complex and potentially controversial materials. Although Duramy is clearly of the opinion that Haitian women face unacceptable levels of violence, she resists the temptation to portray her subjects as angelic or as entirely lacking in agency. The resulting nuance is an important driver of her theoretical contribution. Though the book is largely descriptive, and valuable for that description alone, it also links the situation that she studies closely in Haiti to broader questions in the field. Duramy's work offers a rare combination of sophisticated original material and theoretical food for thought. Fortunately, she is also a gifted writer. Given the descriptive detail, in the hands of a less talented author, this material might be painfully dry. In Duramy's hands it is lively and engaging; the book was difficult to put down, which is not a common experience with legal scholarship.

Gender and Violence in Haiti is a richly detailed exploration into the deep-rooted problem of sexual and gender-based violence in one of the poorest countries in the world.⁵ A less gifted and dedicated scholar would have thrown her hands up in despair, but Duramy thoughtfully and thoroughly works through the situation on the ground, from the applicable law to potential responses. Duramy imparts not just facts but pictures

and impressions from her work in Haiti, bringing the problems she describes to life for the reader. The first chapter, which is largely historical, is as a result, easy to read and interesting, providing important background for the rest of the book.

The second chapter describes the current situation in Haiti with a combination of quantitative and qualitative research. As an empirical scholar, one of my few quibbles with the book was that I would have liked to have seen more caution with the statistics, some of which seemed potentially unreliable given the large variations in the numbers and the inherent difficulties of collecting reliable data in a country with limited resources like Haiti. Duramy does provide thorough methodological information regarding her original work.⁶ That small quarrel is easily overcome by the superb qualitative work that Duramy provides, work that is much more informative and interesting than the data collected by others. She weaves information from her interviews through the book seamlessly, putting powerful stories to work to highlight particular issues and bringing deeper understanding to the many complex questions raised in the book.

Duramy's deft use of stories is to be particularly applauded given their subject. Stories of sexual abuse wield a particular power; they horrify the reader and yet are magnetic. For those seeking to eradicate sexual violence, putting these stories to work is a complicated balancing act. The stories are often used to obscure nuance and complexity, to foment outrage that can be used to support extreme or simplistic positions.⁷ Yet the

5. The World Bank, Data by Country: Haiti, available at <http://data.worldbank.org/country/haiti> (classifying Haiti as low income and noting that 58.5 percent of the population lived at national poverty lines in 2012). See also The World Bank, Poverty Headcount Ratio at National Poverty Lines (percent of population), available at http://data.worldbank.org/indicator/SI.POV.NAHC?order=wbapi_data_value_2012+wbapi_data_value&sort=asc (ranking Haiti as the third poorest nation studied by national poverty lines in 2012, after Honduras and the Democratic Republic of Congo).

6. BENEDETTA FAEDI DURAMY, GENDER AND VIOLENCE IN HAITI: WOMEN'S PATH FROM VICTIMS TO AGENTS 10–14 (2014). I would have also liked more information, including sample sizes, on the methodology of the studies written by others upon which she relies.

stories cannot be ignored. They represent the experiences of the women on whose behalf advocates act and they hold undeniable moral sway. Duramy pulls out both of these aspects of the stories presented in her book, and uses them to illustrate the various quantitative studies on which she reports. She also intersperses stories of sexual assault with other types of physical abuse, drawing links between these two types of violence. Finally, she uses the stories to explore connections between political and private violence, suggesting that solutions to the two are inseparable.

Chapter Three is the theoretical heart of the book, questioning the conventional wisdom around women's relationship to violence. Duramy aims to "highlight limitations in the conventional wisdom that views women as victims and men as perpetrators of violence."⁸ Her specific task is to "enlarge understandings of why women engage in violence."⁹ Duramy begins the chapter with a thorough literature review, providing helpful context for the rest of the chapter (and for others writing on the topic). She foregrounds a crucial connection between the perception of women as less violent than men and the exclusion of women from political life. In both situations, Duramy notes, women are viewed as lacking agency and therefore cast in subordinate roles. Moreover, a focus on women as victims has guided other scholars of Haiti to focus narrowly on risk factors for sexual assault, rather than exploring the broader societal context and structures that encourage violence, whether perpetrated on or by women.

Duramy then illustrates the applicability of her theoretical frame in Haiti by drawing on her primary research from the field. Duramy's careful prose treats her interview subjects even-handedly; she paints them neither as demons nor as saints, but as humans whose behavior is impacted by the desperate situation in which they find themselves. This approach is an important strength of her book, enabling her to ask important questions about women's agency. While nearly impossible to definitively answer, these queries must be raised in order to fully understand these women and craft potential solutions to the complex web of problems they face. Duramy highlights the central motivation for many of these women: the ability to protect themselves and their children in a desperately poor environment. Yet Duramy does not shy away from offering other, less noble but profoundly human motivations, such as anger and revenge.

The fourth chapter sketches out the relevant legal framework, largely focusing on international law but also detailing the national law addressing discrimination and sexual violence against women. With her trademark thoroughness, Duramy covers all of the applicable legal instruments. Her comprehensive compilation of the relevant soft law will be a particularly useful resource for scholars in the field. She is more sanguine than this reader about the potential effectiveness of international law in resolving the deep-seated problems faced by poor women in Haiti, especially when it comes to non-binding instruments. At first this appeared to be a critique of the book,

7. See, e.g., Catharine A. MacKinnon, *Trafficking, Prostitution, and Inequality*, HARV. C.R.-C.L. L. REV. 271, 278-81, 307-09 (2011).

8. DURAMY, *supra* note 6, at 1.

9. *Id.*

but upon reaching the sixth chapter detailing her proposed legal strategies, it becomes clear that Duramy is every bit a hard-headed realist about the limits of international law, but one who (admirably, in my view) has not given up on the potential of this law to improve domestic laws in a variety of ways.

In Chapter Five, Duramy spells out in detail the very limited remedies available to victims of sexual violence living in Haiti's slums. This informative and well-written chapter explores "the cultural barriers and practical and institutional obstacles Haitian women face when they are in need of protection and justice."¹⁰ It discusses both social norms that render women unwilling to report rapes, as well as enforcement failures in the police forces and criminal justice system. Given the overwhelming and entrenched web of problems faced by impoverished Haitian women, it is hard to imagine that even a well-resourced and capable justice system could ameliorate their condition. The chapter's focus on law enforcement and legal solutions imported from Northern states also gives rise to the question of whether there might exist more effective yet locally-tailored mechanisms that could begin to untangle some of the problems presented in the book.¹¹ Duramy does touch briefly and critically on indigenous dispute resolution mechanisms, but a more in-depth discussion of the available options would have rounded out this chapter nicely.

Duramy wisely recognizes the limitations of a legal solution, which leads naturally into her discussion of more comprehensive strategies to improve the situation of women in Haiti. Although

these women appear trapped in cycles of violence caused by complex and seemingly intractable problems, Duramy carefully and patiently walks the reader through a range of potential responses. In her words: the situation of Haitian women can be ameliorated, "only by implementing long-term, cooperative, and multilateral approaches with local resources and decision making."¹²

Given the complex set of factors that provoke women into participating in violence, Duramy highlights the importance of social rehabilitation and reintegration for these women. She focuses on economic and educational aspects of these efforts, including literacy and skills training and financial and material resources such as microfinance support. The chapter also raises the importance of physical and mental health services for women who have suffered violence. Perhaps most crucially, Duramy suggests measures such as childcare and geographically accessible training, to ensure that women have equal opportunities to participate in such programs and in society more broadly. Duramy also recognizes the need to shift social norms in order to reintegrate women and girls who have been subject to sexual violence, suggesting public awareness campaigns and monitoring and support networks. She notes the importance of involving domestic institutional actors and tailoring these efforts to local preferences. The chapter ends with two important contributions; a discussion of strategies to increase women's participation in politics and several proposals for community-based interventions including public education campaigns. The book

10. *Id.* at 100.

11. See Jaya Ramji-Nogales, *Designing Bespoke Transitional Justice: A Pluralist Process Approach*, 32 MICH. J. INT'L L. 1 (2010).

12. DURAMY, *supra* note 6, at 116.

concludes with a chapter that addresses the 2010 earthquake, documenting and suggesting solutions drawn from international law to problems that women faced as a result of that natural disaster.

In short, Duramy's book is detailed, even-handed, and thoughtful. It upends assumptions that impede deeper understanding of the complicated issues that Haitian women living in poverty face. The book offers readers a nuanced view of an extraordinarily complex situation and presents a range of carefully crafted solutions that one can only hope will inform policy makers in Haiti and beyond.

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New Grounds in the Fair Trade Debate

Daniel Jaffee, *Brewing Justice: Fair Trade Coffee, Sustainability, and Survival* (2d edition Oakland, California: University of California Press, 2014), ISBN: 9780520282247, 432

pages; April Linton, *Fair Trade from the Ground Up* (Seattle, WA: University of Washington Press, 2012), ISBN: 9780295991726, 200 pages; *Fair Trade and Social Justice: Global Ethnographies* (Sara Lyon & Mark Moberg eds., New York, NY: New York University Press, 2010), ISBN: 9780814796214, 320 pages; Tamara Stenn, *The Cultural and Political Intersection of Fair Trade and Justice* (New York, NY: Palgrave Macmillan, 2013), ISBN: 9781137331557, 288 pages.

Since the 1980s, the "fair trade" labeling system has evolved with the explicit aim of addressing structural inequalities in global markets by enabling consumers to voluntarily purchase ethically-produced goods. Fair trade (FT) is institutionally grounded by a set of shared principles and standards which are upheld by global oversight organizations and then communicated to consumers through ethical labeling on products. The principles of fair trade include paying a fair wage, equal employment opportunities, and financial and technical assistance to producers. Fair trade has expanded rapidly over the past ten years with consumers globally spending \$1.3 billion on fair trade products in 2005, \$3.3 billion in 2007, and over \$7 billion on products produced by more than 1.4 million farmers and workers from seventy-four countries in 2013.¹ Academic interest in the topic has grown along with this expansion of fair trade.

Scholars concerned with development, poverty reduction, human rights,

1. FAIRTRADE INTERNATIONAL (FLO), STRONG PRODUCERS, STRONG FUTURE (2014), available at http://www.fairtrade.net/fileadmin/user_upload/content/2009/resources/2013-14_AnnualReport_FairtradeIntl_web.pdf.