Chapter 3
Identifiable Challenges as Global Complexities:
Globalization, Gender Violence, and Statelessness

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ABSTRACT

Discourses on globalization and violence often fall short on understanding the gender aspects of different forms of violence. This is particularly the case for stateless women and girls, faced with the existing institutionalized systems of social and legal protection which do not account for them, making them almost invisible. Subsequently, this contribution claims that the assessment of vulnerability, and likely responses, are linked to power and identity at the global levels. Furthermore, such responses are shaped by the structure of agency and associated power structures in society. Unequal power structures are likely to lead to unequal patterns of neglect, or perverse responses that protect entrenched interests aligned with existing structures of identity or influence. In this way, the "vulnerability of stateless identity" can itself be a source of heightened anxiety and fear.

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INTRODUCTION

Globalization is shaping the interaction among nations, economies and people (Scholte, 2005) and remains a predominantly male discourse (Adam, 2002). It affects differently men and women as workers, carers, consumers, re/producers and loan/aid recipients. The distinction between economic globalization and social globalization is one way to make a distinction between the development paradigm which is growth-oriented and the human-centred development paradigm (Aguilar and Lacsamana, 2004) which in turn widen the divide between men and women. Within such paradigms, both positive and negative aspects of globalization are easily recognisable. Globalization is increasing the contacts between people across national boundaries in economy, in technology, in culture and in governance (Scholte, 2005). At the same time, it is also fragmenting production processes, labor markets, political entities and societies, often alienating individuals from the job market (Sassen, 1998). Women are more likely to experience "in and out of work" poverty, aggressive cuts in welfare benefits and public sector employment and services, than men. When women become financially dependent are often more likely to become more vulnerable to violence (Towers & Walby, 2012).

The negative, disruptive, marginalizing aspects of globalization (Appadurai, 2000) overshadow the positive ones. More specifically, economic globalization is seen in the expansion of capitalism globally in the forms of spread of multi-national corporations and financial institutions, information technology, and consumerism (Harcourt & Escobar, 2005). Social globalization, on the other hand, focuses on human development and people centred development (Aguilar & Lacsamana, 2004). The needs for a new development paradigm have been recognized with the expansion of globalization and its negative impact has been observed with larger income distribution gap between the rich and the poor within the same country as well as between rich countries and poor countries. What has been less recognised is the link between violence against women and globalization (Manjoo & Nadj, 2017). In such context, it is not feasible to talk about women's right to a life free of all forms of violence, without acknowledging that there is interdependence between violence and root causes, such as poverty and inequality in wealth, underdevelopment, the rural/urban divide, race, indigenous status, age, sexual orientation discrimination and gender identity and so on (Gurunge et al., 2010). When highlighting the need to a deeper understanding of the causes and consequences of gender-based violence in a globalised society, intersectionality thus becomes a really useful tool in this endeavour (Cannon & Buttell, 2015). In other words, individuals' experiences are shaped by the ways in which their social identities intersect with each other and with interacting systems of oppression (Dobash & Dobash, 1979; Connell &

Messerschmidt, 2005). However, it is worth highlighting here that the relationship between gender-based violence, ethnicity, and poverty is neither clear nor uncontested (Coomaraswamy, 2017). The collective action frame that characterizes violence as cutting across boundaries of ethnicity and income risks minimizing differential experiences of, and potential vulnerabilities to, violence (Guruge et al., 2010). These issues deserve closer attention, yet there may be risks around using such analyses to further marginalize already vulnerable groups (Peroni and Timmer, 2013). The picture around race and ethnicity that emerges from empirical data is not always consistent (Guruge et al., 2010), and findings can be complicated by the different terminology used to describe Indigenous, black, and minority ethnic groups or even migrant groups. While there may also be correlations between severity and culturally specific forms of violence, the increased vulnerability to violence of minority ethnic women is likely related to poverty and income (Alhabib et al., 2010). Minority ethnic families in late capitalist societies are likely to be poorer than white families and this may be a key factor in explaining the increased likelihood of violence (McCloskey, 2006). Indeed, violence often takes place within a context of poverty and underemployment, cultural isolation, under education and language barriers, all issues exacerbated when women are stateless as enjoyment of rights is further limited (Sahar, 2017). However, in relation to globalization, there are related questions to be explored around the relationship between gender-based violence and employment (Sassen, 1996). While income is one measure of socioeconomic status, household income does not provide an accurate measure of women's access to that income. Employment, however, may be one inroad into exploring the potential protection that socioeconomic status can provide. Also, the social networks that can develop in employment could lessen isolation and thus women's vulnerability to violence. However, it is difficult for stateless women to find employment because they lack documentations such as birth certificates and consequently it is problematic for them to provide proof of identity (Goris et al., 2009). Until further work is undertaken to unravel the threads of poverty, employment, and gender-based violence to determine larger patterns of causality, it is difficult to firmly establish the nature of this relationship, only that a relationship exists. Knowing that a relationship does exist, however, is sufficient cause to reflect on the current collective action frame and how new knowledge around ethnicity and gender might influence its refinement (Briones, 2017).

It is worth stressing that even the meaning of the concept violence is contested (Walby et al., 2017): it has been stretched beyond physicality so that it encompasses many forms of power and harm, losing its distinctiveness, becoming submerged within notions of abuse and coercion. In order to potentially make visible the relationship between violence and other forms of power and to identify the levers

of transformation, it is better to restrict the concept of violence to a specific and precise definition connected to intended acts that cause harm. Addressing women and girls' experiences of violence, both as victims and perpetrators, as Harcourt and Escobar (2005) contend, call into account the patriarchal and totalizing nature of "globalocentric" frameworks which disempower women. This is particularly the case for stateless women and girls, faced with the existing institutionalized systems of social and legal protection which do not account for them, making them almost invisible (Policek, 2016).

BACKGROUND

Current discourses about statelessness rest at the intersection of national and international laws about displacement, migration, national security and citizenship (Batchelor, 2006). In a globalised world, such identifiable challenges are global complexities: being stateless is then to experience wordlessness (Arendt,1958). This in turn opens the space for vulnerabilities to raise to the surface, where citizenship rights become an aspiration. Consequently, being stateless becomes synonymous with vulnerability (Baines, 2017).

Statelessness, in a strictly legal sense, describes people who are not considered nationals and are unrecognized by any state (Weissbrodt & Collins, 2006)): they are either migrants, refugees or individuals who have never left the country where they were born. Although statelessness is prohibited under international law, the United Nations High Commissioner for Refugees (UNHCR) recently estimated that there may be as many as 10 million stateless people in the world (UNHCR, 2014), half of them women. The existence of stateless populations challenges some of the central tenets of international law and the human rights discourse that has developed over the past sixty years (Weissbrodt & Collins, 2006)). Most importantly, the concept of statelessness is at odds with the right to nationality, which is enshrined in the 1948 Universal Declaration of Human Rights. In particular, Article 15 states that no one shall be arbitrarily deprived of his/her nationality nor denied the right to change their nationality. Furthermore, the right to nationality has been further elaborated in two key international conventions which have fully brought the concept of statelessness into the United Nations framework: the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. The 1954 Convention was initially conceived as a protocol on stateless persons that was to be included as an addendum to the 1951 Refugee Convention. It was later made into a Convention in its own right, and it is now the primary international instrument aiming to regulate and improve the status of stateless persons. Significant numbers of stateless women face extortion from state and non-state agents as well as

arbitrary violence. Under the 1954 Convention, individuals who have not received nationality automatically nor through an individual decision under the operation of any state's laws, are known as *de jure* stateless persons. There are also countless others who cannot call upon their rights to nationality for their protection and are effectively stateless or *de facto* stateless persons. Often *de facto* stateless people are unable to obtain proof of their nationality, residency or other means of qualifying for citizenship and as a result may be excluded from the formal state. Scholars (Frelick & Lynch, 2005) have suggested that the term stateless may be expanded to included internally displaced persons (IDPs) who are in conflict with the state and therefore unable to avail themselves of basic services or protection (Goris et al., 2009). Under international law, *de facto* stateless persons are not covered by the provisions of the 1954 Convention, even though the Final Act of the Convention includes a non-binding recommendation that calls upon states to consider sympathetically the possibility of according *de facto* stateless persons the treatment which the Convention offers to *de jure* stateless people. Most governmental reporting on this issue concentrates on *de jure* stateless populations although there is a growing awareness that *de facto* stateless people are unable to realise their human rights and may be equally vulnerable for lack of effective protection from the state to which they have a formal connection (van Wass, 2008).

In 1961, a second Convention on the Reduction of Statelessness was introduced: here the provisions are to disallow statelessness at birth and to avoid statelessness resulting from the loss, deprivation or renunciation of nationality in later life, as well as statelessness resulting from state succession. It should be noted, however, that the 1961 Convention defers to states and asserts that nationality shall be granted by operation of law to a person born in the State's territory, where such persons would otherwise be stateless (Frelick & Lynch, 2005). One important failing of this Convention is that it does not prohibit the possibility of revocation of nationality under certain circumstances nor does it retroactively grant citizenship to all currently stateless persons. Nonetheless, the problem of statelessness has not been resolved adequately because few states have ratified the stateless Conventions and the problem of disenfranchised minorities being left without nationality has multiplied over the years (Blitz & Lynch, 2011). In 1965, the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) echoed the rights underlined in the previously mentioned conventions. Article 9 explicitly recognizes the right of women to confer nationality to their children, but this provision has been weakened by the number of states that have entered reservations, or caveats, to this article (Montoya, 2009). The work of CEDAW has been complemented by significant developments, albeit belated, in the work of other UN human rights treaty bodies and the human rights Special Procedures (Byrnes & Bath, 2008). As far back as 2003, the United Nations Commission on Human Rights expressly recognized the

nexus between gender-based violence and discrimination, noting that all forms of violence against women occur within the context of *de jure* and *de facto* discrimination against women, and are exacerbated by the obstacles women often face in seeking remedies from the State (Peroni & Timmer, 2013).

The denial and deprivation of nationality raises several important policy questions because it undermines human security since (even though stateless women enjoy most rights under international law), in practice, they face difficulties exercising many of these rights and therefore enjoy a precarious existence (Chan, 1991). The innumerable barriers with which stateless people contend, including the denial of opportunities to: establish a legal residence, travel, work in the formal economy, send children to school, access basic health services, purchase or own property, vote, hold elected office, and enjoy the protection and security of a country (UNHCR, 2014), are all exacerbated when the stateless person is a woman or a young girl. *De facto* statelessness is a particular issue for women: trafficked women, for example, who may have had their documents confiscated or stolen, or undocumented migrant women, including asylum-seekers, who may also be unable to prove their nationality and may be effectively stateless, can suffer discrimination and lack of agency (Blitz & Lynch, 2011). Statelessness may also arise from denial of a woman's ability to pass on nationality, from loss of nationality due to her marriage to an alien, from the change of nationality of a spouse during marriage, or from deprivation of nationality resulting from discriminatory practices (Coomaraswamy, 2017). Birth registration is also closely linked to the enjoyment by women and their children of the right to a nationality (Policek, 2016). In practice, indirect discrimination, cultural practices and poverty often make it impossible for mothers, especially unmarried mothers, to register their children on an equal basis as fathers (Ramcharan, 2017). Failure to register a child's birth may impair or nullify the child's effective enjoyment of a range of rights, including the right to nationality, to a name and identity, to equality before the law and to recognition of legal capacity as well as to problems in gaining access to diplomatic protection, and prolonged detention pending determination of proof of identity and nationality (Policek, 2016). All too often, the births, marriages, and deaths of stateless people are not certified and, as a result, many stateless persons lack even basic documentation. This lack of identification means that they are often powerless to seek redress through the courts (Blitz & Lynch, 2011).

There are significant links between women's nationality rights and gender-based violence (Bunch, 1997). Nationality laws determine the ability to acquire, change, and retain one's citizenship, as well as the ability to pass citizenship to children and non-national spouses. Though traditionally the nationality of wives and children was based on the nationality of the husband/father, in the last decade most countries reformed their nationality laws enabling women and men to confer citizenship on an equal basis (Ramcharan, 2017). Nonetheless, currently 27 countries still deny

mothers the equal right to confer nationality on their children (Chan, 1991). Roughly, 50 countries maintain other gender-discriminatory provisions in their nationality laws, such as denying women the right to equally confer nationality on spouses or stripping women of their citizenship due to their marital status (Coomaraswamy, 2017). When children do not have the right to their mother's nationality, they are at risk of being stateless, a status whereby no state recognizes an individual as a citizen. In addition to being a leading cause of statelessness, these laws impact several forms of gender- based violence and result in other human rights abuses. Indeed, gender discrimination in nationality laws can increase the obstacles faced by women attempting to leave abusive marriages and protect their children from abusers. For example, in some countries, if a woman acquires another nationality through marriage with a foreign man, she may be stripped of that nationality upon divorce even if she resides in the country, potentially losing her ability to work, own land, or even remain in that country – thereby threatening her ability to care for her children (Coomaraswamy, 2017). Similarly, if a woman has children with a man of a different nationality, but those children only have access to the father's nationality, it may be difficult for her to return to her home country with her children when attempting to flee an abusive environment (Sahar, 2017).

As highlighted above, research (Kirby, 2006) has shown that stateless women and girls are at an increased risk of being trafficked. Some of the reasons why stateless women and girls are at greater risk of human trafficking include obstacles they face in accessing education, formal employment, documentation, and freedom of movement. Statelessness is also linked with high poverty rates, depression, and feelings of hopelessness exploited by traffickers (Oram et al., 2017). Also, due to the lack of opportunity and insecurity caused by gender-discriminatory nationality laws, some families view early marriage as a route to greater security for their daughters, who can access citizenship and therefore legal status through their husbands (Weissbrodt & Collins, 2006). Conversely, when child marriage occurs in countries that prohibit the practice, those marriages often go unregistered (Milbrandt, 2011). In countries where women are unable to independently confer nationality, a missing marriage certificate means that children born of that union are at great risk of statelessness. With higher rates of child marriage among displaced populations from several countries with gender discriminatory nationality laws, the number of new-borns at risk of stateless among this population increases. Those without citizenship due to gender discrimination in nationality laws may lack accessing to public healthcare, inhibiting treatment for gender-based violence survivors, including sexual and reproductive healthcare (Hamel, 2014). Gender discrimination in nationality laws has an even more fundamental link with gender-based violence – one that has a harmful impact on a country's entire population. Discriminatory nationality laws contribute to the primary root cause of gender-based violence: women's unequal

status in society. When a State holds women's citizenship as encompassing less rights than that of men, it shows that all citizens are really not equal, despite what any Constitution might claim (Batchelor, 2006). It shows that rights can be granted and denied based on gender (Baxi, 2017). Gender discrimination in nationality laws implicitly endorses the idea that women should naturally hold less power than men, that they are beneath men, that the father is the head of the household and the legitimate source of identity (Chan, 1991).

ISSUES

The Nexus Between Vulnerability to Violence and Globalisation

A particular aspect of the nexus between vulnerability and globalisation lies in the construction of social identities. Globalization has complex interactions with the structure of identity: it may contribute to reducing the salience of hierarchical and exclusive patterns of identity, for example through expanding market opportunities for groups who historically suffered adverse terms of recognition, such as women (Aguilar & Lacsamana, 2004). But there can also be adverse interactions, when globalisation creates opportunities for economic change that are aligned with established power structures, and social groups with weak influence suffer attacks to their economic, social and cultural positions. This being particularly the case for stateless women and young girls because they remain invisible, with little state protection (Police, 2016). The nature of social networks, and norms of sharing or helping is often linked to group identities with greater reciprocity and risk-pooling within groups. Of course, what constitutes a group will itself vary: it may extend to an extended family, a broader kinship group, a village or, as it is intended here, the group of women who are stateless.

Although stateless women are not a unified group per se, women who are stateless, irrespectively of the reason of their stateless status, share the common experience of being invisible in any discourse which addresses gender-based violence. This relates to a further point: it may be tempting to consider identity as given when debating identity-vulnerability interactions. However, identities are intrinsically socially formed, products of group-based interactions, and the nature of vulnerability can itself shape the nature and functioning of a social identity (Baxi, 2017). This has been extensively documented for the evolution of social norms amongst societies that have to manage common pool resources (Smith, 1988). In many cases, these also involve occupations with high levels of risk, with associated norms of mutual help. These internalized norms are constituent elements of the identity structure. Subsequently, the assessment of vulnerability, and likely responses, are linked to power and identity,

at the global level, even before addressing vulnerability at a local level (Harcourt & Escobar, 2005). Furthermore, the response to vulnerabilities (whether narrowly economic or linked to identity) is shaped by the structure of agency and associated power structures in society (Hearn, 2004). Unequal power structures are likely to lead to unequal patterns of neglect, or perverse responses that protect entrenched interests aligned with existing structures of identity or influence. Furthermore, the "vulnerability of stateless identity" can itself be a source of heightened anxiety and resistance, as support structures associated with existing group-based identities are threatened (Edwards, 2009) or dismissed (Frelick & Lynch, 2005). In the context of globalization, this leads directly on to the relationships between urban economic change, gender norms and violence against women (Milbrandt, 2011). Globalization tends to be associated with higher levels of women's labour force participation rates, especially in services and export-manufacturing (Sassen, 1996). While the debates about the empowering effects of paid employment continue to rage, the specific links between women's labour force participation and violence against women remain unclear. The relationship between women's paid employment and experiences of gender-based violence also depends on the type of work that women are engaged in. Women working in irregular, low paid and casual jobs of low quality are more likely to experience violence, while those working in better-paid, higher quality jobs tend to experience less as they have more resources and choices to resist it. Clearly, women are exposed to victimization and violence irrespectively of their employment status (Carthy et al., 2019). In turn, violence against women is further exacerbated when male partners are unemployed or have irregular work. Some types of occupation also put women more at risk of gender-based violence. Sex workers in particular are especially vulnerable to violence (Hamel, 2014). Many sex workers and trafficked women are stateless women or women who are at risk of becoming stateless, and therefore very vulnerable (Karandikar & Próspero, 2010).

The social and institutional fabric of cities is also important in making women more or less vulnerable to gender-based violence, although again the situation is not clear-cut and is somewhat paradoxical. Social relations in cities are particularly fragmented: this can lead to higher risks for women in that it has also been widely reported that when women have someone to talk to, their experience of violence tends to be less (Hamel, 2014). In cities where friendship groups may be smaller, women can be more isolated and therefore less likely to respond to or exit from situations of gender-based violence. On the other hand, tolerance of violence against women can be lower in cities, linked to more flexible gender ideologies. This situation has been referred to as the sanctions and sanctuary framework, where levels of violence are found to be lowest where there are community sanctions against it and where women have access to shelter or family support. Sanctions can be formal legal provisions or moral pressure from neighbours (Bunch, 1997).

Partly related to the social and institutional characteristics of the city are the ways in which gender- based violence correlates with constructions of fear and mobility, which, in turn, affects women's wellbeing. The extent of fear experienced by urban dwellers is not necessarily directly linked to actual victimization rates among a given population, but often rooted in media sensationalizing and demonizing of certain parts of cities. However, it has also long been acknowledged that women experience greater fear of violence, and that this is linked to wider patriarchal inequalities that influence women's confidence to negotiate the city in terms of operating freely in open public spaces (Dobash & Dobash, 1979).

Violence Against Stateless Women and Girls

Although there are many possible ways to define violence (Carthy et al., 2019), the World Health Organization definition which associates intentionality with the committing of the act itself, irrespective of the outcome it produces (Alhabib et al., 2010), is most fitting to describe the experience of stateless women and girls. The intentional use of physical force or power, being threatened or actual, against another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment or deprivation, mostly encompasses victims' experiences of violence. The inclusion of the word power, in addition to the phrase "use of physical force", broadens the nature of a violent act and expands the conventional understanding of violence to include those acts that result from a power relationship, including threats and intimidation.

The "use of power" also serves to include neglect or acts of omission, in addition to the more obvious violent acts of commission. Thus, "the use of physical force or power" should be understood to include neglect and all types of physical, sexual and psychological abuse. This definition covers a broad range of outcomes, including psychological harm, deprivation and maldevelopment. This reflects a growing recognition among both researchers (Carthy et al., 2019) and practitioners (Manjoo & Nadj, 2017) of the need to include violence that does not necessarily result in injury or death, but that nonetheless poses a substantial burden on individuals, families, communities and health care systems worldwide (Felson & Paré, 2005). Many forms of violence against stateless women and girls, can indeed result in physical, psychological and social problems that do not automatically causes injury, disability or death. These consequences can be immediate, as well as latent, and can last for years after the initial act of violence.

Defining outcomes solely in terms of injury or death therefore limits the understanding of the full impact of violence on individuals, communities and society at large. One of the more complex aspects of the definition is the matter of intentionality (Walby et al., 2017). Two important points about this should be noted.

First, even though violence is distinguished from unintended events that result in injuries, the presence of an intent to use force does not necessarily mean that there was an intent to cause damage. Indeed, there may be a considerable disparity between intended behaviour and intended consequence. A perpetrator may intentionally commit an act that, by objective standards, is judged to be dangerous and highly likely to result in harm, but the perpetrator may not perceive it as such. A second point related to intentionality lies in the distinction between the intent to injure and the intent to use violence.

According to Pittaway and Bartolomei (2001), violence is culturally determined, and this is an experience that could be particularly relevant to stateless women who have different cultural backgrounds and beliefs: certain behaviours, may be regarded by some women as acceptable cultural practices (Coomaraswamy, 2017), but are considered violent acts which are legally sanctioned in the hosting country.

Violence against stateless women takes multiple forms and occurs in a wide variety of different contexts: including within the family and in state institutions (Edwards, 2009). Similarly, there are a wide variety of agents of violence, including both persons related to or known to a woman and strangers. Violence can include physical assault, rape or sexual violence, harassment, emotional and psychological violence.

These differing forms of violence are gendered in that they are the products of structural inequalities between men and women, inequalities which are socially produced, and which are not fixed, but change over time and space. Paraphrasing the Beijing Platform for Action (Peroni & Timmer, 2013) gender-based violence is a manifestation of the historically unequal power relations between men and women which have led to domination over and discrimination against women by men and to the prevention of women's full advancement.

Although the definition of violence against women produced by the UN General Assembly in the Declaration on the Elimination of Violence against Women in 1993 has been adopted as a suitably comprehensive definition of all of the various forms of violence which women may face, irrespectively of their legal status, being them migrant women, stateless women or refugee women, it is worth considering the definition of refugees as provided in the 1951 Convention Relating to the Status of Refugees (Geneva Convention) because the majority of stateless women are either migrant or refugee women. Migrant women are defined as those who have crossed an international border and are living in a country outside of that of their country of origin. Women may migrate for a variety of reasons and thus different categories of migrant women are considered, including migrant workers, students, women migrating in the context of family reunification, undocumented migrants, and women victims of trafficking. The boundaries between these categories are obviously fluid and women may be classed in more than one category or move from

one to another in the course of a migratory process. However, this categorisation may be useful in highlighting the multiplicity of situations in which stateless women find themselves. The policies and legislation relating to each of these categories will also have important impacts on the positions of stateless women and will increase or decrease their vulnerability to violence and their insecurities.

Stateless women and girls are subject to the same types of violence as non-stateless women, however, the specificity of their positions may in some cases increase their vulnerability to certain forms of violence and may limit the ability for seeking protection and redress. Moreover, stateless women may be more vulnerable than stateless men to violence because of gendered inequalities within the migratory process and in both their countries of origin and new host countries. Stateless women may thus be seen to be in a situation where they are "doubly" vulnerable to violence – as migrants/refugees and as women (Baines, 2017). The bias in research and policy on migration has continued to influence contemporary policies despite a feminisation of migratory flows. The "invisibilisation" of migrant/refugee women means that violence to which they are subject are under-reported or ignored. Further, the fact that many types of gender-based violence take place within the "private" sphere of the family or home means that this type of violence may remain unseen or un-investigated. Greater efforts are thus required to assess the true extent of violence against stateless women, being women who are migrants, refugees or women born in the country where they live.

SOLUTIONS AND RECOMMEDATIONS

Identifiable Challenges as Global Complexities

Delving further, searching for holistic solutions that address individual, institutional and structural causes and consequences of gender-based violence, it is evident that the adoption of a "cookie cutter model" towards violence against women, treating all manifestations as part of the same problem for which only certain remedies apply, it is not enough (Cannon & Buttell, 2015). Similarly, in adopting a "one-size-fits-all-approach" the disservice to victims is evident (Batsleer, 2017): this approach is never going to reach the goal of elimination of violence, whether through immediate or progressive elimination efforts, because women's experience of violence is contextualised within diverse geographical, jurisprudential and cultural locations (Walby et al., 2017). Whether it is the death of a woman as the ultimate act of violence, whether it is the violence witnessed in conflict situations or in transitional situations or within the confinement of the home or on the street, violence does not arise out of a vacuum (Oram et al., 2017).

Challenges to address gender-based violence against stateless women are to be identified in the lack of visibility that stateless women have in policy and research settings. In assessing the condition of stateless women and the challenges they face, the basic insight of feminist and gender analysis approaches should be taken seriously, that the absence of gender in theoretical and empirical research leads to distortion, or even blindness, with respect to ubiquitous social and political phenomena. Gender remains one of the few modes of differentiation that has social, cultural, political, and economic implications everywhere in the world. As Youngs (2000) puts it, all institutions involve the exercise of power to the advantage of some and the disadvantage of others, and therefore gender is a pervasive basis for such differentiations. In other words, focusing on women allows for the investigation of the effects of globalization on a group that is disadvantaged, to a greater or lesser extent, in every country in the world. An analysis of the gendered effects of globalization includes two principal dimensions (Pickering, 2011). The first has to do with economic resources and opportunities. The second concerns the spread of norms and ideas regarding the place of women in social, political, and economic life. Economic arguments on the effects of globalization on women fall into two broad groups, one intensely critical and the other basically optimistic, but with reservations and qualifications. From the critical point of view, as already stated, economic globalization has largely negative consequences for women. It confines them to low pay, low status, often part-time jobs that reinforce their subordination and perpetuate the devalorization of women's work in most societies. Globalization when it is defined as increasing capital mobility, trade, and offshore manufacturing, leads to an increasing feminization of labor because women continue to be constructed as dependents and thus confined to the worst paying jobs. The removal of barriers to transnational investment, far from empowering women, has brought them dismal jobs in offshore production sites where they are subject to sexual discrimination and harassment, an experience further exacerbated when women are at risk of becoming stateless or are stateless.

As already highlighted, women, irrespectively of their citizenship status, suffer the most from problems linked to globalization because they are responsible for most family sustenance; finding food and fuel becomes harder. Sassen (1998) references extensive research showing that with regular wage work, women gain greater personal autonomy and independence and can gain more control over budgeting and other domestic decisions and greater leverage in requesting help from men in domestic chores. As households become more dependent on female incomes, the status and relative power of women improve. Expanded chances to earn an independent income can provide a foundation from which, over the longer term, to attain enhanced social and political status. A benefit that could be extended to women who are stateless if there were legal provisions to address stateless women's invisibility in the job

market. Also, in addition to the relatively improved empowerment of women in the household associated with waged employment, there is a second important outcome: women's greater participation in the public sphere and their possible emergence as public actors. Except that for women who do not have citizenship status, such as stateless women, social and financial empowerment is not possible. This indeed remains the biggest challenges for stateless women.

Economic changes associated with globalization may also provide the seeds for cultural transformations that improve the conditions of women. Certainly, women often retain the bulk of unpaid domestic work, resulting in a double burden. And depending upon the cultural, class, and family contexts, not all women will benefit from paid employment. Yet, importantly, independent economic resources and opportunities give women more choices, and the agency to pursue their collective interests. International interactions, in addition to whatever economic or material purpose they have, inevitably depend on, and work to diffuse, norms and ideas. Cross-border interactions always rely on a basis of shared norms. The more transnational activity people engage in, the more they absorb ideas and norms prevailing in international society. In other words, a socialization effect would benefit stateless women and women at large. Socialization is a process through which actors learn the ideas, values, and norms of the social contexts in which they interact. The more a country's citizens and organizations participate in, and value, these transnational networks of exchange, communication, and organization, the more likely they are to absorb international ideas and norms (Ramcharan, 2017). To the extent that a country internalizes norms and ideas diffused through cross-national interactions, it incorporates those norms and ideas into its domestic policies, laws, and institutions, in turn working toward the elimination of statelessness.

FUTURE RESEARCH DIRECTIONS

When discussing stateless women and violence, taking the gendered nature of violence seriously, we need to ask questions about which women we are talking about, otherwise the female subaltern remains "even more deeply in shadow" (Spivak, 1999, 274). Thinking about future research directions requires a balanced assessment of the contribution of feminist scholarship on gender-based violence so that as the poorest and most disenfranchised segment of society, stateless women and girls are not anymore at the receiving end of state and interpersonal violence. Sensitization to the problem of gender-based violence should be incorporated not only into governmental, legal, and judicial organizations but also in medical training.

Urgently, future research should seek to recognize cultural differences in different groups and should recognize the complex nature of differences between and within

ethnic groups. More concentrated and culturally sensitive research can lead to a clearer understanding of the scope and causes of violence against women, which in turn may lead to more effective preventive and intervention efforts.

What is already known is that gender-based violence is increasingly recognized as a global health issue. In the past decade, a number of prevalence surveys on intimate partner violence have been performed and widely different estimates of the prevalence of domestic violence have been reported in different settings, suggesting a need to standardize the methodology used in such research (Alhabib et al., 2010).

Gender-based violence has reached epidemic proportions in most societies but a review of the relevant literature has identified major differences in methodology, instruments, sample size, period covered, the population surveyed and types and forms of violence studied. To accurately estimate the prevalence of violence in different settings, researchers need to develop clear and consistent definitions to allow comparisons between settings.

Scholarship on gender-based violence has overwhelmingly pointed to women's unequal status as the primary root cause of violence against women and girls around the world (Batsleer, 2017). While every government has asserted their commitment to combating gender-based violence, this commitment requires that these governments take action to end gender discrimination in nationality laws and remove gender- discriminatory provisions from all laws with particular focus on legislations that discriminate migrant, refugee and stateless women. Violence should be analysed as an institution in its own right. Violence is distinct from other forms of power and coercion.

Gender relations are constituted in a social system. While the critical response to the traditional neglect of gender inequality often started with a focus on women, it has since developed into more subtle analyses of a range of dimensions of gender relations in social institutions. Some social institutions are more saturated by gender relations, more inflected or shaped by gender, than others. Gender relations are in part constituted through violence. Gender relations are part of the social relations that constitute the institution of violence. The analysis of the gendered nature of violence requires comparisons between women and men, which are not possible if the analytic focus and data collected concern women only. The development of the measurement of violence against women and men deepens the field of gender analysis. Establishing the concepts and definitions of violence and gender is necessary to develop theory and the measurement framework (Walby et al., 2017). The boundary between violence and not violence has been drawn in different places. For some scholars (Felson & Paré, 2005), violence is broadly defined as any major detriment or harm to human wellbeing; for others (Alhabib et al., 2010), violence is more narrowly and precisely defined to include only those harms, intended by other people, which result from unwanted physical contact.

Adjacent to this are different understandings of severity, repetition and duration (Alhabib et al., 2010). The concept of gender might initially appear to depend on a simple dichotomy, but the extent to which social systems, institutions and practices are saturated with gender is a subtler question (Butler, 1991). Gender is more than the distinction between male and female, as the significance of transgender indicates (Cannon and Buttell, 2015). Gender may be addressed by focusing on women, disaggregating data by gender in existing categories and mainstreaming gender into existing categories – both to make gender visible and to transform these categories. The process of theoretical development proposed here can be described as mainstreaming. This involves mutual adjustments in both the specialised perspective (here, gender-based violence intended as violence against women) and the mainstream perspective (including the criminal justice, health and employment systems, all influenced and shaped by globalization). The development of a theory of change depends on the investigation of the links between violence, gender and other aspects of social systems. At minimum, these other aspects include the significance of varying forms of criminal and civil legal justice, as well as health, welfare and specialised services and patterns of social, economic and political inequality as framed in a globalized society (Sahar, 2017).

CONCLUSION

Exacerbated by globalization, the condition of statelessness divests women and girls from essential rights, such as free movement, political rights (including the right to vote and to stand for public office), as well as access to education, health care, property and formal employment. Those circumstances only perpetuate the cycle of marginalization and exclusion that deprives women and girls from their dignity and that disseminates inequality: a stateless woman who cannot work in order to provide for herself and her family is more likely to be subject of sexual exploitation and to endure domestic violence; a stateless girl who cannot go to school or who cannot receive proper health care will be in an evident disadvantaged position, and she is less likely to ever fulfil the criteria for a residence permit that would allow her to work and be part of a society, in turn becoming more vulnerable to violence, abuse and exploitation. In today's global economic order, violence against stateless women and girls is further exacerbated by privatization of public services, consolidation of wealth and power and corporate control over limited resources (Appadurai, 2000). As the poorest and most disenfranchised members of society, stateless women and girls are at the receiving end of not only physical or sexual violence, but also structural, political and economic violence, all of which reinforce and reproduce one another.

The concluding part of this contribution warns against the risk of producing simplistic analyses equating violence against women to the gendering of power (Carthy et al., 2019). To understand violence against stateless women and girls we need an intersectional analysis that is able to grasp the interconnections and overlaps between various forms of marginalisation and subjugation and to go beyond male-dominated conceptions of gender (Adam, 2002) in a globalised world. In other words, this contribution contends, we need to expand our analysis to include global economic restructuring. Economic globalization is a form of oppression that is closely linked to patriarchy, capitalism and colonialism but also, as Aguilar and Lacsmana (2004) argue, the present neoliberal globalization produces a new patriarchal subordination of women, caused not only by direct intervention and violence, but by the fact that maximization of profit is the central goal of all societies.

Globally, the issue of statelessness and its effects on women raises several concerns for scholars and legal practitioners (Batchelor, 2006). First, the subject has received scarce attention from both scholars and monitoring bodies, and there is relatively little comparative research on the causes, patterns and consequences of statelessness in the international system (Milbrandt, 2011). Until recently, statelessness remained a minor interest within UNHCR despite the agency's mandate and in spite of the fact that the global population of stateless people includes millions (Baines, 2017). Second, for development agencies, the concept of statelessness introduces an essential power dynamic, which is particularly challenging for the design and delivery of effective pro-poor social development programmes, which although challenging the economic divide between the North and the South of the world (Briones, 2017). Most stateless people are the victims of discrimination by the states in which they live, and yet these national governments remain key interlocutors for multilateral agencies and non-governmental bodies tasked with delivering aid. In general, stateless groups are not prioritised in social assistance programmes and are further disadvantaged as a result of aid policies that do not succeed in reaching them. Third, and related to the last point, there is an inherent problem in the recourse to international law as a means of preventing human rights violations by states (Weissbrodt & Collins, 2006). It is a long recognised norm of international law that states have the sovereign right to determine how nationality, and hence citizenship, is acquired (Batchelor, 2006; Baines, 2017). However, in the case of stateless people, the state's prerogative of determining formal membership is often at odds with the protection of human rights (Baxi, 2017). Indeed, the very notion of statelessness exposes the essential weakness of a political system that relies on the state to act as the principal guarantor of human rights (Chan, 1991). Those who are left outside the state are vulnerable to abuse, poverty, and marginalisation in all its forms.

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KEY TERMS AND DEFINITIONS

Feminism: It is the belief in social, economic, and political equality of the sexes. Although largely originating in the West, feminism is manifested worldwide and is represented by various institutions committed to activity on behalf of women's rights and interests.

Gender-based Violence: It involves men and women, in which the female is usually the target, and is derived from unequal power relationships between men and women. Violence is directed specifically against a woman because she is a woman or affects women disproportionately. It includes, but is not limited to, physical, sexual, and psychological harm. The most pervasive form of gender-based violence is abuse of a woman by intimate male partners.

Globalization: Intended as the growing interdependence of the world's economies, cultures, and populations, brought about by cross-border trade in goods and services, technology, and flows of investment, people, and information.

Human Rights: They are the basic rights and freedoms that belong to every person in the world, from birth until death. Human rights belong to every human being regardless of sex, race, nationality, socio-economic group, political opinion, sexual orientation or any other status.

Intersectionality: A concept often used in critical theories to describe the ways in which oppressive institutions (racism, sexism, homophobia, transphobia, ableism, xenophobia, classism, etc.) are interconnected and cannot be examined separately from one another.

Patriarchy: It is a term used in feminism to describe the system of gender-based hierarchy in society which assigns most power to men, and assigns higher value to men, maleness, and "masculine traits". Feminism recognizes most of human society as patriarchal.

Social Identity: Can be defined as an individual's knowledge of belonging to certain social groups, together with some emotional and valuational significance of that group membership.

Socialization: It is the process through which a person, from birth through death, is taught the norms, customs, values, and roles of the society in which they live.

Statelessness: In international law, a stateless person is someone who is "not considered as a national by any state under the operation of its law." Some stateless persons are also refugees. However, not all refugees are stateless, and many persons who are stateless have never crossed an international border.