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Editorial Policy

Overview

The International Relations Journal at San Francisco State University strives to exhibit the diverse range of undergraduate and graduate research interests that flourish in our department.

Each semester, the Journal is offered as a course in which students participate as writers or editors in a peer review process, or as administrative staff members who assist authors and editors as well as guide the Journal through its production.

The goal of the course is to expose students to the peer review process, focusing on academic standards of argumentation and factual accuracy, citation formatting, and collaborative editing using Microsoft Word's "track changes" feature. More broadly, the Journal's executive editors aim to help students develop writing/editing skills applicable in other courses and promote a deeper understanding of the discipline of International Relations as a whole.

Submissons & Process

The Journal encourages all students pursuing a B.A. or M.A. in International Relations to submit completed works (incomplete papers and abstracts are not accepted) at the beginning of each semester. From these submissions, the Journal's executive editors assign students to positions on the writing and editorial boards as well as a number of administrative-level appointments.

The course curriculum includes a number of informational workshops and at least three rounds of structured editing and revision. All editing is anonymous and each submission is reviewed by three different editors.

The structured peer review is as follows: [1] a submission is first edited by an undergraduate or graduate "peer expert" who has conducted prior research on topics and/or regions relevant to the paper and can thus provide fact checking and citation suggestions; [2] second round editing focuses on clarity and academic tone my paring the manuscript with an editor unfamiliar with the paper's subject; [3] finally, the paper is edited for proper citation formatting and technical aspects.

At the end of the semester, authors participating in this process are expected to submit a final manuscript for consideration by the Journal's executive editors and the faculty advisor.

Publication of Articles

Only submissions that have gone through the peer review process and meet the content and formatting requirements will be considered for publication. The Journal is published yearly.

For Submissions and Back Issues:

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For all other inquiries:

Department of International Relations
1600 Holloway Avenue/HUM Room 282
San Francisco, CA 94132

Phone: 415-338-2654
Fax: 415-338-2880

Acknowledgements

In Memory of DeVere Pentony

Former Chair of the International Relations Department
A pioneer whose lasting legacy lives with our students and faculty

Author Biographies

Yui Yoshiike

Yui Yoshiike is a second-year graduate student in International Relations at San Francisco State University. She received her Bachelor's degrees in International Relations from San Francisco State University and Meiji Gakuin University in Japan. Her research interests include international migration and refugee integration and resettlement. She is currently doing an internship at the International Rescue Committee as a resettlement case manager's assistant.

Anthony Nguyen

Anthony Nguyen is a second-year Masters' student from the Political Science Department at San Francisco State University. He studies comparative politics and international relations with emphases on East Asian politics, foreign policy, and human rights. His interests on East Asia stemmed from his past political activism and involvement with Vietnam and the local Vietnamese-American community. Upon graduation, Anthony plans to attend a doctoral program in the hopes of contributing to scholarly work and teaching on Vietnam and East Asia while continuing to pursue his activism on Vietnamese political and human rights advocacy.

Kelli Garry

Kelli Garry graduated from Berkeley City College in Spring 2016 with an Associate of Arts degree in History. She transferred to San Francisco State University directly after graduating, and upon taking an introductory course in international relations, loved the subject and decided to major in international relations. Her favorite field of study within IR is feminist theory. She subsequently focuses her research in areas where women are especially influenced by international policies. This has led her to research international law primarily, which includes critically analyzing the institutions with legislating power. In her free time you will usually find her painting, reading queer theory, or doing grassroots organizing for environmental non-profits.

Joshua Salazar

Joshua Salazar is 2018 graduate from the University of California, Santa Barbara with a BA in Global Studies and a minor in Italian Studies. Currently, he is a Master's candidate in International Relations at San Francisco State University, who is expecting to graduate in the coming year. He is keenly passionate about dissecting intersectional and social problems, such as social justice, socioeconomics, rights and rightless-ness, privilege, power, race, gender, and sexuality. In particular, he enjoys studying immigration and securitization of the European bloc. Already being trilingual in three languages (English, Spanish, and Italian), in his free time, he enjoys practicing, learning, and teaching new languages. Some of his earlier publications can be found in Global Square, Global Societies Journal, and Vagabond Multilingual Literary Journal. In the future, Joshua foresees himself working to better local communities–striving towards social equity for all.

Jenn Yan

Jenn is a first year Master's candidate in the International Relations program at San Francisco State University. Jenn received her Bachelor of Arts in Global/International Studies and Sociology from UC Santa Barbara. During her junior year of college, Jenn studied Political Science at Science Po, Lyon as a part of a French immersion program. Jenn is passionate about studying human rights, environmental justice, and gender inequality. After graduation, she plans to turn her passions into a career in the nonprofit sector.

North Korean Defectors in South Korea

Yui Yoshiike

Abstract

Over 30,000 North Korean defectors have entered South Korea since the 1990s, and despite the support by the South Korean government; the integration of the defectors has been one of the most puzzling challenges of the international community. This paper aims to understand what factors prevent North Korean defectors from integrating into South Korea through looking at the defectors' social, cultural, and economic capital. It shows that the lack of these three capitals create an identity crisis for the defectors, and that the native intolerance of the defectors makes integration problematic. This paper concludes that even though the government supports the defectors generously, it does not directly translate to a successful adjustment of the defectors into South Korean society. A better educational and cultural understanding between North and South Koreans and calling awareness to this issue will be the first step for better integration.

Introduction

It is reported that over 30,000 North Korean defectors have entered South Korea since the 1990s, and in the past five years, 25 defectors have unexpectedly returned to North Korea.[1] The South Korean government tries to integrate North Korean defectors in a variety of ways. However, it does not appear as though their integration has been successful.

This paper aims to understand what factors prevent North Korean defectors from integrating into South Korea. I argue that the lack of social, cultural, and economic capital creates an identity crisis for the defectors, and the native intolerance towards these defectors makes it more difficult for defectors to be integrated into South Korean society, in spite of the government's support.

The reason for choosing South Korea as a case study (juxtaposed to China) is because many defectors who have entered China first are likely to (re) settle in South Korea.[2] Moreover, researching North Korean defectors aids both Japan and other

1. Chloe Sang Hun. "North Korean Defector, 'Treated Like Dirt' in South, Fights to Return." *New York Times.* (2017) Accessed March 31st, 2018, from https://www.nytimes.com/2017/08/05/world/asia/north-korea-defector-south-korea.html

2. Yoo Chang, Stephan Haggard.& Marcus Noland. (2009). Migration experiences of North Korean refugees: Survey

surrounding countries, as it adds to the scholarship and tries to find efficient ways to address future immigration challenges. There is a high possibility that there will be more defectors from North Korea, and that neighboring countries such as Japan will no longer be able to ignore the issue. I believe that it is more efficient to analyze the integration policy and the challenges associated with it in South Korea since, like Japan, it is a democratic nation.

This paper will first discuss the literature in relation to the factors that prevent defectors from integrating into the new society. Then, it will provide background information of North Korean defectors in South Korea and a case analysis. Lastly, this paper will provide policy recommendations.

Literature Review

First, this paper introduces three factors that relate to the three forms of capitals as discussed by Pierre Bourdieu. These three forms of capital are "economic capital, which is readily convertible; social capital, which is comprised of 'social obligations' or 'connections'; and cultural capital or 'cultural competences', which can be embodied, objectified, and institutionalized."[3] His theory of social and cultural recreation addresses the social inequality related to the field of international migration.[4] These three factors are significant for migrants to integrate into the new society because social and economic inequality is deeply connected to integration.

Economic factors

Being economically stable and getting a job is vital to not only live, but to flourish as well. If migrants face financial difficulties in their new society, then they will feel like their host society is unwelcoming. Jobs and careers often determine their social class or community, thus, also influencing their social identity.

Unemployment affects their adjustment in the host society. For example, the unemployment rate of Muslim immigrants in Belgium is more than twice the rate of unemployment rate among native Belgian residents.[5] "In Belgium, the gap between natives and immigrants (from outside the EU) in terms of employment and education is higher than anywhere else in Europe."[6] People feel excluded when they are struggling with unemployment. As a result, not only are they unable to catch up with their class, they are treated as "others" or pariahs in their society.[7] These circumstances make immigrants feel unwelcome and isolated from their host society. Moreover, the level of skills that migrants possess affects their financial situation. If migrants only have low skills, then it will be more difficult for them to get high skilled jobs in their new society.[8]

Conversely, it is also important to examine the receiving country's perspective. The 'labor market competition model' argues that native people in the receiving society are against immigrants with similar skills because they think that immigrants are

evidence from China. *In Korea Yearbook* (2009) (pp. 301-328). Brill.

3. Jason D. Edgerton, & Lance W. Roberts. Cultural capital or habitus? Bourdieu and beyond in the explanation of enduring educational inequality. *School Field* 12, no. 2 (2014):193-220.

4. Ibid.

5. Sarah Teich. Islamic Radicalization in Belgium. *Research Assistant*, ICT. (2015)

6. Rik Coolsaet. What drives Europeans to Syria, and to IS? Insights from the Belgian case. *Academia Press*. (2015)

7. Ibid.

8. Ibid.

stealing their jobs. However, they also prefer immigrants who have different or low skills compared to them.[9] Jens Hainmueller and Michael Hiscox explain that, "both low-skilled and highly skilled natives strongly prefer highly skilled immigrants over low-skilled immigrants, and this preference is not decreasing in natives' skill levels."[10]

Social factors

Eric Bidet explains that, "the central idea of the social capital approach is that benefits and resources for individuals depend on their mobilization through social relations, which is actually the main feature that differentiates social capital from other forms of capital, such as economic or human capital."[11] In other words, social capital refers to the framework of the relationship of people, while economic capital refers to the bank accounts of people. When a person tries to build their social capital, they need to be connected to others in their new society, which is significant for both defectors and refugees.[12] Not only does it make their adjustment to society easier, it often helps lead them to jobs. Additionally, getting involved in communities also prevents them from feeling lonely and isolated in the new society.

Cultural factors

Cultural capital includes all cultural resources such as informal education transported through familial units, political parties, or society.[13] The idea of cultural capital has been used to understand skilled migration. Even if immigrants have recognized qualifications or needed skills from foreign countries, employers will often impose native-based standards that require immigrants to have enough local, professional experiences among other barring certifications in their new society. These standards make it difficult for immigrants to access skilled jobs, and make it easier for locals to secure such jobs. Yet, migrants with institutional cultural capital are likely to be employed for their professional and geographic mobility.[14]

Bourdieu also provides the idea of "habitus" in the discussion of cultural capital. "Habitus is rooted in family upbringing (socialization within the family) and conditioned by one's position in the social structure. Bourdieu termed it 'socialized subjectivity' or subjectivity conditioned by structural circumstances."[15] Someone's subsequent actions are likely to contribute to the constant of life chances. "One's practices or actions in a particular field are the interactive consequences of one's habitus and capital within the dynamics of that field".[16]

Host / Native Hostility

The idea of host / native hostility has not been paid a great attention compared to

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9. Jens Hainmueller & Michael J. Hiscox. "Attitudes toward Highly Skilled and Low-skilled Immigration: Evidence from a Survey Experiment—Erratum". *American Political Science Review* 104, no.3 (2010): 624-624.

10. Ibid

11. Eric Bidet. Social capital and work integration of migrants: The case of North Korean defectors in South Korea. *Asian perspective*. (2009):151-179.

12. Ibid.

13. Umut Erel. "Migrating cultural capital: Bourdieu in migration studies". *Sociology* 44 no.4 (2009):642-660.

14. Ibid.

15. Jason D. Edgerton, & Lance W. Roberts. Cultural capital or habitus? Bourdieu and beyond in the explanation of enduring educational inequality. *School Field* 12, no. 2 (2014):193-220.

16. Ibid.

other theories, yet it is important for understanding international migration integration issues because it references notions of nativism, racism, and xenophobia. Bozorgmehr explains that, "ironically, members of ethnic groups whose immigrant ancestors were discriminated against are capable of engaging in hostility and violence against the newest arrivals."[17] The fact that newcomers are likely to be treated differently from local people has been recognized. However, there is also discrimination among migrants themselves. First generation immigrants have experienced difficulties building their life and community in their host society; therefore, they feel threatened by new immigrants taking advantage of the social, cultural, and economic capital that they have already created for themselves.

Particular issues of defectors

It is important to note that defectors experience particular more nuanced issues because they differ from refugees or immigrants. Defectors originally form part of one nation, therefore, the idea of reunification is considered to be an international goal. On the one hand, people in the host nation would like to accept defectors, but on the other hand, they do not actually want defectors to be fully integrated into their society. This dilemma refers to the idea of reunification. Even though they may have shared the same values, culture, and language, defectors are likely to face difficulties to be integrated into the host society.

The German reunification is a good example. A mayor in Leipzig Germany writes, "No one on either side of the Wall had any idea how far apart we had grown in forty years. Only now are we beginning to understand it."[18] The differences between the two Germans are likely to come from small features, including the perception of silences, the timing of eye contact, and the distance from other speaker.[19] Even though they may share the same ethnicity and language, these subtle differences can divide them, thus affecting their social adjustment and identity.

Case study

Who are the North Korean defectors?

There are approximately 100,000 to 300,000 North Korean defectors who live in the Northeastern Asian region, and among these, approximately 30,000 to 50,000 defectors are willing to settle in South Korea.[20] There is no official data for the total number of North Korean defectors because many of them are undocumented.[21] However, according to the South Korean Ministry of Unification, it is estimated that between 1998 to 2017, more than 31,000 defectors from North Korea entered South Korea. The percentage of female defectors has been particularly increasing year after

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17. Mehdi Bozorgmehr, Anny Bakalian, & Sara Salman. "Host hostility and nativism." *The Routledge International Handbook of Migration Studies*, 16, (2012): 189-201.

18. Roland Bleiker. "Identity, difference, and the dilemmas of inter-Korean relations: Insights from Northern Defectors and the German precedent." *Asian Perspective* 28, no 2 (2004): 35-63; refugees: Survey evidence from China. In Korea Yearbook (2009) (pp. 301-328); Christoph Conrad, Michael Lechner & Welf Werner (1996). East German fertility after unification: crisis or adaptation?. *Population and Development Review*, 331-358.

19. Ibid

20. Sung Ho Ko, Kiseon Chung and Yoo-seok Oh "North Korean Defectors: Their Life and Well-Being after Defection." *Asian Perspective* 28, no 2 (2004):65-99..

21. Dongbae Lee. "The influence of North Korean political ideologies on the integration of North Korean defectors in South Korea." *Studia Orientalia Electronica* 1 (2013): 1-20.

year. For example, it was 12 percent in 1998, 78 percent in 2008, and increased to 83 percent in 2017. In terms of their age, there are 8,864 aged 20 and 8,993 aged 30.[22] Additionally, there are 14,563 defectors that do not have any work experience.

When it comes to educational background, the number of North Koreans with secondary school education (including middle school and high school) is the largest, which is about 21,688l, whilst the number of defectors with a university education is only about 2,143.[23]

Defectors from North Korea during the 1970s to 1980s were coming from privileged social groups, and their reason for departure was not an economic decision, but an ideological one. On the other hand, the defectors in the mid-1990s were likely to come from non-privileged groups. Therefore, while the former defectors did not face economic issues, the latter faced both economic and social issues.[24] For instance, in the 1990s, there was a big famine that killed approximately three to five percent of the total population in North Korea. This made many North Koreans leave their home and this was the main reason for them to defect in the 1990s. However, the defectors from 2000 had another reason. They sought both a better life and freedom.[25] The fact that many North Korean defectors have arrived in South Korea means that the South Korean government has a responsibility to integrate them into their society. In the next section, this paper explains the policy of the South Korean government towards the defectors.

What does the South Korean government provide?

As soon as North Korean defectors arrive at the South Korean airport, they go directly to a facility in order to be investigated, due to the fear that they might have been sent from the North Korean government as spies. After the first security investigation, they are then taken to accommodations provided by the Intelligence Command, under the Ministry of National Defense where they spend a month in the facility to check on their social status. After these investigations, they are sent to an education facility where they spend three months. This facility, established in 1999, is called "Hanawon," which means the House of Unity in Korean.[26] In Hanawon, the defectors receive a South Korean education to help them adjust and integrate into society. The education includes: demands in a capitalist society, ways of job-hunting, and interview skills.[27] They also receive medical / dental care on site, as well as professional counseling. Even after their three months stay at Hanawon, the government continues to provide additional support for them to start their life in South Korean society.

The additional support is part of the '1997 Act on the Protection and Resettlement Support for the Residents Who Escaped from North Korea'.[28] The support includes:

22. Ministry of Unification."Policy on North Korean Defectors." (2016). Accessed on March 3rd, 2018 from http://www.unikorea.go.kr/eng_unikorea/relations/statistics/defectors/

23. Ibid

24. Andrei Lankov. "Bitter Taste of Paradise: North Korean Refugees in South Korea." *Journal of East Asian Studies* 6, no 1 (2006): 105-137.

25. Dongbae Lee. "The influence of North Korean political ideologies on the integration of North Korean defectors in South Korea." *Studia Orientalia Electronica* 1 (2013): 1-20.

26. Yoon In-Jin. "North Korean diaspora: north Korean defectors abroad and in South Korea." *Development and Society* 30, no.1 (2001): 1-26.

27. Ji Ming Kang. "What Hanawon doesn't teach North Korean defectors." *NK News*.ORG. (2015). Accessed in March 10, 2018, from https://www.nknews.org/2015/07/what-hanawon-doesnt-teach-north-korean-defectors/

28. Tara O. "The integration of North Korean defectors in South Korea: Problems and prospects." *International Journal of*

finance, housing, health care, basic welfare for six months, and special encouragement for entering school and getting jobs. In terms of finances and housing, each North Korean adult obtains approximately 35,000 dollars from the government, which covers their rental deposit for housing. In addition, the government is responsible for setting up a permanent apartment for them. Defectors who are between 50 and 60 years old are able to receive a pension as well.[29]

Defectors also receive opportunities to participate in professional employment training, and money for commuting costs. Food and housekeeping expenses are also paid for during their first three weeks of training. It is estimated that about 954,016 dollars are spent for one defector to be trained and educated.[30] In order to encourage South Korean companies to employ North Korean defectors, the government also funds 50 percent of the monthly wages of defectors, which is up to approximately 668 dollars for two years.[31] When defectors are unemployed, they receive monthly financial support, which is a double of the amount that unemployed South Korean citizens are able to get.[32]

In terms of education, the government provides North Korean defectors with a full tuition scholarship for public college and a partial scholarship of 50% for private college. With that being said, regardless of educational background, defectors receive high school degrees as an exception, so that they can get accepted to universities through a less-competitive process compared to South Korean students. When it comes to entering universities, South Korean society is exceptionally competitive. This education-related stress may often lead applicants to commit suicide or suffer from serious forms of depression. In particular, the university they enter is a cornerstone for their future employment, marriage, and social class. Even though North Korean defectors are likely to have high dropout rates, some famed universities have been open to admitting defectors.[33]

Moreover, defectors receive support from police officers, who play a huge role for their adjustment and settlement in the South Korean society effectively. After the period, of investigation and education, defectors are put under the surveillance of a security policeman for one to two years in their local residence. This may be helpful for defectors since it means that they have some company. However, the police are not likely to be a very resourceful institution for the integration of defectors.[34] The police officers tend to have a lack of knowledge regarding issues in North Korea, including the reasons for defectors leaving their home, their life, their personal history, and their current situation. Since the officers also have their general duties to tend to, this makes it hard for them to foster a deep connection with defectors.[35]

In addition, it is the responsibility of the police officers to introduce jobs to the defectors, to look for a temporary place to live until they are able to find a leased apartment, and to teach them general skills (e.g., how to buy things or how to use the

Korean Studies 15, no. 2 (2011): 151-169.

29. Ibid

30. Ibid

31. Ibid

32. Ibid

33. Ibid

34. Yoo In-Jin. "North Korean diaspora: north Korean defectors abroad and in South Korea." *Development and Society* 30, no.1(2001):1-26.

35. Ibid

subways). Therefore, even though defectors may meet a police officer without a good understanding of defectors and with a lack of authentic commitment to them, their role is still instrumental for defectors' social adjustment.[36] Overall, considering the government's support of finance, housing, health care, welfare, and career, it could be said that North Korean defectors are not ignored. They receive protection and positive incentives from the government.

However, despite all of the support from the South Korean government, most of North Korean defectors do not seem to adjust to the South Korean society very well.[37] Currently, North Korean defectors have experienced difficulties fitting into their new environment. The fact that there has been a rapid increase in the population of defectors in South Korea makes it even more difficult for them to adjust into the society.[38]

Analysis of case study

The following section will provide the factors, which prevent North Korean defectors from integrating into South Korean society. These factors include economic, social, and cultural factors, as well as native intolerance for the defectors.

Economic factors

In 2006, the Ministry of Unification stated that the unemployment rate among defectors was 36.5 percent. The main reason for their unemployment was the lack of motivation for finding jobs; especially low-paying manufacturing jobs.[39] A study by the Korea Institute for National Unification in 2005 reported that approximately 52 percent of the defectors are day-laborers and that about 17 percent have unstable jobs.[40] According to a study by the Database Center for North Korean Human Rights in 2005, only 5.1 percent of the defectors self-identify as upper-middle class, and 10 percent identify as lower-middle class.[41] At the same time, about 57 percent consider themselves as low class, and about 28 percent identify as living in serious poverty.[42]

As noted, the main reasons why North Korean defectors face economic issues include the lack of motivation, health issues, and the lack of skills and education. According to the Ministry of Unification, the main reason why many North Korean defectors are unemployed is their lack of motivation for finding a job—particularly manufacturing jobs with low wages.[43] Many of the defectors quit jobs that the South Korean government has provided them because they think that these jobs are inferior or because they are willing to start their own business. Defectors are not likely to be successful unless they know how the South Korean economy works.[44] With that

36. Ibid

37. Jieun Baek. North Korea's hidden revolution: How the information underground is transforming a closed society. (2001).

38. Yoo In-Jin. (2001). North Korean diaspora: north Korean defectors abroad and in South Korea. *Development and Society*, 30(1), 1-26.

39. Kim, Jih-Un & Jang, Dong-In "Aliens among brothers? The status and perception of North Korean refugees in South Korea." *Asian Perspective*. (2007). 5-22.

40. Ibid

41. Ibid

42. Ibid

43. Kim, Jih-Un & Jang, Dong-In "Aliens among brothers? The status and perception of North Korean refugees in South Korea." *Asian Perspective*. (2007). 5-22.

44. Tara, O. (2011). The integration of North Korean defectors in South Korea: Problems and prospects. *International*

being said, when North Korean defectors are unemployed, they are generally able to get monthly financial support from the South Korean government.[45] This could also contribute to defectors' lack of motivation for sustaining employment.

Many North Korean defectors are from poor families with limited medical care, thus, they continue to suffer from health issues, including physiological sickness after they arrive in South Korea. Even if they are able to obtain employment, they are likely to call in sick frequently, which often leads to their firing.[46] In fact, some defectors who are not sick may still find ways to obtain doctor's notes in order to miss work. High absenteeism among defectors vis-à-vis South Korean employees produces an image in South Korean society of defectors not being diligent. This belief may give South Korean business owners reasons to refuse employment to defectors.[47]

Another challenge facing North Korean defectors seeking employment is the lack of professional skills and education. Many defectors face significant issues fitting into the South Korean workforce particularly in the skilled labor market. As formerly noted, the education and skills that they obtained in their home country often do not meet the expectation of South Korean companies (e.g., computer literacy and English skills.)[48] There are many occasions where defectors lose their jobs due to their lack of efficiency at work. For instance, one defector who worked at a car service center had to quit because memorizing the car brands in English was too difficult for him, and the store lost some customers because of his accent.[49]

According to a survey by the Korea Research Institute for Vocational Education and Training, 28.9 percent of the defectors who obtained a college degree in North Korea are employed in manufacturing or as temporary workers in South Korea. They are not employed in their professions. This data shows that the professional training provided by the South Korean government is not efficient enough.[50]

This section talked about economic factors; however, it is also important to note that these factors are greatly connected to social and cultural factors. For example, North Korean defectors that do not have a good network in South Korea (e.g. family and alumni relations) experience more difficulties finding jobs compared to South Koreans.[51]

Social factors

In addition to the difficulties of the labor market, North Korean defectors also struggle with social and cultural issues. A survey shows that while about 58 percent of North Korean interviewees said economic difficulties are the greatest struggles that they have faced in South Korea, about 21 percent of them listed sociocultural differences.[52] Many defectors are likely to feel lonely, isolated, subordinate, and helpless.

Journal of Korean Studies, 15(2), 151-169.

45. Ibid

46. Ibid

47. Ibid

48. Roland Bleiker. "Identity, difference, and the dilemmas of inter-Korean relations: Insights from Northern Defectors and the German precedent." *Asian Perspective* 28, no. 2 (2004): 35-63.

49. Kim, J. U., & Jang, D. J. "Aliens among brothers? The status and perception of North Korean refugees in South Korea." *Asian Perspective*. (2007). 5-22.

50. Ibid

51. Roland Bleiker. "Identity, difference, and the dilemmas of inter-Korean relations: Insights from Northern Defectors and the German precedent." *Asian Perspective* 28, no. 2 (2004): 35-63.

52. Yoo In-Jin. "North Korean diaspora: north Korean defectors abroad and in South Korea." *Development and Society* 30,

Therefore, it makes them feel as though they do not belong in the new society. Some of the defectors even claim that the South Korean society is not friendly. It is known that defectors from North Korea tend to suffer from psychological issues such as depression, stress, and trauma-PTSD more seriously than other immigrants.[53] Many defectors who have left North Korea alone—leaving behind their family and friends—suffer guilt.[54] These negative memories and sentiments make them feel depressed and lonely.

In addition, many North Korean defectors do not have strong connections with neither North Koreans nor South Koreans. According to a survey, "only 14 percent of defectors were actively participating in a friendly society, mostly in religious ones."[55] Many of them are not willing to connect with other North Koreans since such connections remind them of their home country. Some defectors feel uncomfortable talking about their life in North Korea because it often reminds them of negative experience which they do not want to remember.[56]

Cultural factors

In 2004, Roland Bleiker stated that, "many defectors, despite being offered generous financial aid, job training, and other assistance in the South, find it extremely hard to adapt to life in an environment that espouses very different values from the ones in which they grew up."[57] North Korean defectors tend to understand the politics, economy, society, and culture of South Korea due to their own assumptions and values from North Korea. Though, sometimes these assumptions do not meet the realities of the South Korean society.[58] Many of the defectors feel overwhelmed by the freedom, which they never experienced in North Korea. North Korean defectors are not likely to make decision by themselves. In North Korea, everything was predetermined and the decisions that they had to make were very limited. The freedom in South Korea includes individualism, which allows them to make their own choices.[59]

However, some defectors feel that South Korean society is strict and individualistic. Living in a competitive and individualistic society is not easy even for South Korean natives; thus, it is even harder for defectors.[60] Such differences also challenge their social adjustment.

They face cultural differences regarding the idea of equality. In North Korea, they were taught the importance of equality, yet they experience socioeconomic inequality in South Korea.[61] Even though North Korean defectors may have experienced being poor

no.1 (2001):1-26.

53. Roland Bleiker. "Identity, difference, and the dilemmas of inter-Korean relations: Insights from Northern Defectors and the German precedent." Asian Perspective 28, no. 2 (2004): 35-63.

54. Tara, O. "The integration of North Korean defectors in South Korea: Problems and prospects." *International Journal of Korean Studies* 15, no.2 (2011): 151-169.

55. Eric Bidet. "Social capital and work integration of migrants: The case of North Korean defectors in South Korea." *Asian perspective*, (2009): 151-179.

56. Ibid.

57. Roland Bleiker. "Identity, difference, and the dilemmas of inter-Korean relations: Insights from Northern Defectors and the German precedent." *Asian Perspective* 28, no. 2 (2004): 35-63.

58. Tara, O. "The integration of North Korean defectors in South Korea: Problems and prospects." *International Journal of Korean Studies* 15 no. 2 (2011): 151-169.

59. Ibid

60. Jieun Baek. North Korea's hidden revolution: How the information underground is transforming a closed society. (2016).

61. Tara, O. "The integration of North Korean defectors in South Korea: Problems and prospects." *International Journal of Korean Studies* 15 no. 2 (2011): 151-169.

in North Korea, they were surrounded by those with a similar status—that is, poverty. However, North Korean defectors in South Korea are not only poor, they are also living among socialites and among other more-wealthy family and friends. These differences in the environment make integration more difficult and depressing for the defectors.[62]

Native intolerance of the defectors

While the South Korean government welcomes North Korean defectors, people in South Korea are not always tolerant of the defectors in their society. It has been said that the South Koreans' attitude towards the defectors is cold. Some people in South Korea use the phrase 'the defector problem'. This implies that the social integration and adjustment of defectors has become a popular and evident subject matter at the national level.[63] North Korean defectors and South Korean natives speak the same language, and they even share a common history dating back thousands of years. However, six decades of separation have created two different cultures and systems.[64] One North Korean defector in South Korea expressed, "I am living in a country where the people look like me and speak the same language, but their lifestyle and mentality are so vastly different that I feel like an alien." [65]

The idea of reunification is considered an international goal. Although it is clear that the two Koreas have completely different political identities and political and economic systems, there is a deeply held international belief that Koreans are one people, and that they should be reunited.[66] However, the first step is a discussion regarding reunification, how it should be pursued, and or if it is even desirable, let alone possible.[67] The dilemma remains that on the one hand, people in the host nation would like to accept defectors, but on the other hand, they do not actually want defectors to be integrated into their society.

In addition, the attention given to the goal of reunification has been less compared to past years. In prior years, people used to seriously consider the possibility that the regime might collapse and that Korean reunification might actually happen, and observers were surprised at the fact that it did not happen. On the other hand, people today tend to give little attention to the Korean reunification.[68] In 2005, Akramov Kamiljon argued that, "reluctance to focus attention to reunification has been reinforced by estimates that the associated costs may be enormous."[69] In addition to the economic, social, and cultural factors, South Korean intolerance towards the defectors greatly contributes to the problems relating reunification and integration.

62. Eric Bidet. "Social capital and work integration of migrants: The case of North Korean defectors in South Korea." *Asian perspective*. (2009): 151-179.

63. Yoo In-Jin. "North korean diaspora: north Korean defectors abroad and in South Korea." *Development and Society* 30 no.1 (2001): 1-26.

64. Tara, O. "The integration of North Korean defectors in South Korea: Problems and prospects." *International Journal of Korean Studies* 15 no. 2 (2011): 151-169.; Jordan, A. A. (Ed.). "Korean unification: implications for Northeast Asia." *Center for Strategic & International studies* 15 (1993).

65. Roland Bleiker. "Identity, difference, and the dilemmas of inter-Korean relations: Insights from Northern Defectors and the German precedent." *Asian Perspective* 28, no. 2 (2004): 35-63.

66. Byung Chul Koh. "Korea: Dynamics of diplomacy and unification." *Monograph series Keck Center for International and Strategic Studies* 12, (2001).

67. Charles K. Armstrong. "Korea and its Futures: Unification and the Unfinished War." *The Journal of Asian Studies* 60, no.1 (2001). 232-234.

68. Charles Wolf & Kamiljon T. Akramov. North Korean Paradoxes. (2005) RAND Corporation.

69. Ibid

Policy recommendation / Future research

In order to solve this issue, the South Korean government would need to revise the education in Hanawon towards the defectors, which includes the education about the social value of South Korean society as well as the professional training programs for employment. Lack of education and knowledge about South Korean society, its culture, and values dramatically affect the social adjustment of defectors. Three months of education in Hanawon is simply not enough for the defectors to understand South Korean society. Even if defectors spend more than three months in Hanawon, the most significant thing is the quality of the education. Additionally, a better education for South Korean natives about these defectors would also likely ameliorate integration efforts. If people are more aware of this issue in South Korea, then a mutual understanding and possibly a promotion of accommodation towards defectors will follow.

For future research, a deeper analysis of the education of defectors by the South Korean government as well as the role of NGOs may be valuable. NGOs may help offset government constraints and manage more flexible programs, which can assist defectors linguistically and financially. Each North Korean defector has a different need, thus, it is worth reexamining the desire of defectors in order to rebuild these programs effectively. Considering the current situation, this paper argues that there are more efficient ways to integrate defectors.

Conclusion

By questioning the factors that prevent North Korean defectors from integrating into South Korea, I have argued that the lack of social, cultural, and economic capital creates an identity crisis for defectors. Also, despite generous government support, the native intolerance towards defectors still makes it difficult for them to be fully integrated into society. This paper concludes that even though the government supports the defectors generously, it does not directly translate to a successful adjustment of the defectors into South Korean society, and the support is still not enough because it does not narrow the chasm between both native-born South Koreans and defected North Koreans living together in South Korea—i.e., financially, culturally, and politically. I believe that the solution for this issue depends on what all the Koreans in South Korea can and are willing to do. There is a need for a better educational and cultural understanding between North and South Koreans, and calling awareness to this issue will be the first step for a better integration.

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South Korea's Responsiveness to Popular Xenophobia: Case Study on the 2018 Yemeni Refugee Crisis

Anthony Tran Nguyen

Abstract

The refugee crisis from the Middle East/North Africa (MENA) region remains a salient, global issue. However, international coverage on the refugee crisis continues to focus primarily on Western countries and how people from the MENA region are leaving their war-ravaged homelands for security and new living spaces in Europe, North America, and Australia. An unusual event happened in South Korea when a visa loophole on the country's infamous vacation island called Jeju-do led to over 550 Yemeni refugees arriving on the island requesting the South Korean government for asylum. This unusual event has led to popular xenophobia among the native South Korean population, which was driven partly by politicians and the local media. What causes an upsurge in xenophobia among citizens? Using the argument of fearism and securitization theories, this paper examines how the South Korean government, the political elite, and the media helped enable xenophobia and hatred among South Koreans against the newly-arrived Yemeni refugees. The paper will also briefly discuss on how to temper down xenophobic rhetoric through inter-cultural interactions and breaking down cultural barriers.

Introduction

The Saudi intervention/civil war in Yemen since 2015 has brought a grave refugee crisis for the Yemeni people. Many middle-class Yemenis were forced to flee their homes since 2015 as a result of the civil war and foreign military intervention, complicated by decades of political instability and economic hardship.[1] As a result of their homeland being ravaged by civil war, many Yemeni refugees ended up in Jeju Island, South Korea after transiting on air travel through Malaysia. At first, many Yemeni refugees stayed in Malaysia due to it being a Muslim-majority country, such as Yemen, but they were only allowed to stay for three months because Malaysia is not a signatory to the 1951 Refugee Convention and because the Malaysian authorities refused to extend visas for Yemeni refugees.[2] Additionally, Jeju Island in recent years

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1. Hwang Yuntae and Yeara Ahn-Park, "500 Yemenis in Jeju-do Seek Refugee Status: Welcome them or Be Cautious?", *The Kukmin Daily,* June 27, 2018, http://www.kukmindaily.co.kr/article/view.asp?arcid=0012475427, (accessed on March 15, 2019).

2. Choe Sang-hun, "Migrants Expected Warm Welcome on Korean Resort Island. They Were Wrong.", *The New York*

has allowed visa-free access for many countries in the world (where Yemen is in the list) in order to boost their slugging tourism industry. Yemeni refugees took advantage of the visa-free loophole to enter Jeju Island starting in 2016, believing that South Korea is a friendly, safe, open country towards Muslims and refugees.[3] The number of refugees increased by four-fold up to around 560 by May 2018.[4] However, this presence of Yemeni refugees in Jeju Island has prompted outrage among Koreans as some Koreans have demanded the government to expel refugees out of Jeju Island. On the other hand, many native residents of Jeju Island and NGOs have given them food and refuge; in contrast, the government has responded to the influx by banning Yemeni refugees from entering mainland South Korea.

This paper shall examine how much of an impact does popular xenophobic nationalism have on political decision-making in both the legislative and executive branches of the South Korean government. I argue that the legislative and executive branches of the South Korean government are responsive to popular sentiments and demands, even if those sentiments are xenophobic and anti-refugee. This is proven by statements and responses by the South Korean government and by the country's legislature, the National Assembly, regarding the issue of refugees coming into South Korea. I show how some of those words, from these statements and responses, include concessions to the xenophobic petitioners. I will conduct a web content analysis of all the opinions, sentiments, and responses among the media, the political elite, and the South Korean government on the Yemeni refugee issue in Jeju Island. The effect of popular xenophobic nationalism is what I shall measure through pinpointing out certain words, language in a sample of all the three actors through their articles, videos on social media and online petitions to the President of South Korea as well as speeches, quotes, and legal directives by political leaders of major political parties in the South Korean legislature and the South Korean government itself.

Literature Review

This topic on the impact on popular xenophobic nationalism and the government's response to those sentiments' ties the theories and definitions of both xenophobic fearism and securitization. Xenophobia, according to the definition by the United Nations Human Rights Office of the High Commissioner, is intense dislike or hatred against a certain group of people that are perceived as "outsiders" based on grounds upon national, ethnic or social origins, race, color, religion, gender, sexual orientation or other grounds.[5] It describes acts of xenophobia as including acts of direct discrimination, hostility or violence and incitement to hatred with the intention to humiliate, denigrate and/or hurt the person and/or associated group of people.[6]

The exact causes of why xenophobia exists is subject to debate among scholars. In one article, Harris argues that the fear of loss of social status and identity, real or perceived threats to citizens' economic success, and a feeling of reassuring national

Times, September 12, 2018, https://www.nytimes.com/2018/09/12/world/asia/south-korea-jeju-yemen-refugees.html, (accessed on March 15, 2019).

3. Ibid; Darryl Coote, "Yemeni Refugees Languish on South Korea's Holiday Island.", *Korea Expose*, June 14, 2018, https://www.koreaexpose.com/yemeni-refugees-flee-civil-war-languish-jeju-korea-holiday-island/, (accessed on March 15, 2019).

4. Ibid.

5. UNESCO, *Xenophobia*, http://www.unesco.org/new/en/social-and-human-sciences/themes/international-migration/glossary/xenophobia/, (accessed on April 1, 2019).

6. Ibid.

self and its boundaries when a country faces a national crisis are the reasons that some people would resort to xenophobia and hatred of foreigners entering their country.[7] Other scholars argue that resource competition is the leading cause to xenophobia, as studies on xenophobia in South Africa against African non-citizen migrants point out on the lack of jobs and scarce availability of government housing as their core explanation.[8] On the other hand, the poverty hypothesis demonstrates that a person's economic deprivation produces frustration and expressions of aggression towards the other, as in the case of the 2008 anti-foreigner violence in South Africa.[9] Frustrations with government performance as well as xenophobic rhetoric by other politicians are also other claims that some scholars argue that leads to xenophobia.[10] Other arguments as to why xenophobia exists in society also include racial/ethnic superiority over others as a result of poor intercultural communication.[11]

In many ways, xenophobia is related to nationalism and national identity, as well as individual rights. Here Kaysen argues that the perception of non-citizens having more rights/benefits than citizens while the government does not fully guarantee protection of individual rights, including rights relating to economic living and social protections, leads to people developing xenophobia attitudes.[12] Nationalistic and ethnocentric beliefs in the idea of ethnic/racial superiority over others and ethnic homogeneity are also the cause to xenophobia as well because natives with strong beliefs on national identity (i.e. ethnic nativism which asserts that citizenship is acquired primarily by birth inside of a country), in contrast to, civic loyalty (commitment and loyalty to the state), are more likely to have stronger negative views on foreigners.[13]

The literature on xenophobia also discusses the ways in which xenophobia and fear of the "Other" develops within society. A Nepalese philosopher named Subba coined the term "fearism" from his own fictional genre writings and led a global project in developing the term into a "philosophy" of fearism in collaboration with R. Michael Fisher.[14] In their definition of fearism, it is the process of discourse hegemony that creates a normalized environment of fear, by "keeping the cultural matrix of 'fear' operative and relatively invisible".[15] Popular culture, public discourse, and news

7. Bronwyn Harris, 'A Foreign Experience: Violence, Crime and Xenophobia during South Africa's Transition', *Violence and Transition Series,* vol. 5 (2001): 70, http://www.csvr.org.za/docs/racism/aforeignexperience.pdf

8. Suren Pillay et al., *Citizenship, Violence and Xenophobia in South Africa: Perceptions from South African Communities*, (Pretoria: Human Sciences Research Council, Democracy and Governance Programme, 2008), 7-8.

9. Christine Fauvelle-Aymar and Aurelia Segatti, 'People, space and politics: An exploration of factors explaining the 2008 anti-foreigner violence in South Africa' in *Exorcising the demons within: Xenophobia, violence and statecraft in contemporary South Africa*, ed. Loren B. Landau (Tokyo: United Nations University Press, 2012) 58–89.

10. Pillay et al., *Citizenship, violence and xenophobia in South Africa: Perceptions from South African Communities*, 45-46; Centre for the Study of Violence and Reconciliation, Understanding current xenophobic attacks and how South Africa can move forward (presentation at the South African Parliamentary Seminar on Migration and Xenophobia, Pretoria, South Africa, June 20, 2008.)

11. Matt Mogekwu, "African Union: Xenophobia as poor intercultural information," *Ecquid Novi: African Journalism Studies* 26, no. 1 (2005): 5-20, https://doi.org/10.1080/02560054.2005.9653315.

12 . Carl Kaysen, "Are Nations Natural Economic Units?" in *Racism, Xenophobia, and Ethnic Conflict*, ed. Simon Bekker and David Carlton, (Durban: Indicator Press, 1996), 31-48.

13. Oksana Yakushko, "Xenophobia: Understanding the Roots and Consequences of Negative Attitudes toward Immigrants," *The Counseling Psychologist* 37, no. 1 (2009): 45, http://digitalcommons.unl.edu/edpsychpapers/90/

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15. Michael R Fisher, "Invoking 'Fear' Studies", *Journal of Curriculum Theorizing* 22, no.4 (Winter 2006): 51, http://go.galegroup.com/ps/anonymous?id=GALE%7CA173422693&sid=googleScholar&v=2.1&it=r&linaccess=fulltext&issn=1057896X&p=AON

media are often identified as sources that have expressed negative stereotypes and demonizations of an Other (e.g. immigrants, foreigners, refugees, and asylum seekers). Thus, they play a crucial role in circulating and promoting xenophobic attitudes and popular hostility among the public against the designated Other.[16] When pop culture, news media, and public discourse circulates hostile attitudes towards the Other, the public is then taught to desire and demand the exclusion of the Other from their sphere, such as the nation-state, human values, civic rights, and moral obligations.[17] Fear itself has a complex role in its involvement in power relations between the state/citizens versus the Other or in cultural scripts, as well as in categorizing the Other as fearsome or constructing the Other as a danger to the national group's homogeneity existence.[18] Politicians capitalize on the production and circulation of fear of the "Other" made by public discourse, pop culture, and mainstream media in order to achieve their own political and economic agendas.[19]

The response to rising popular xenophobia is securitization by the state on refugees, migrants, and newcomers coming to the nation-state. Securitization literature discusses on how survival is the main core element that creates the notion of security as a result of a separation between politics and security. According to Buzan, Waever, and de Wilde, the purpose of security centers around survival, and that there is a more subterranean or subconscious logic behind the notion of "security" that is different from the political purpose of security.[20] Politics focuses mainly on debate, decision among the power actors within the boundaries of law.[21]

However, security can go beyond and outside the boundaries of law when the necessity for survival trumps rule of law.[22] This means that the nation-state and its identity, when facing an existential crisis of survival, can take extraordinary measures that may be outside the boundaries of the rule of law in order to eliminate the existential threat. Security itself not only goes beyond the established boundaries of rule of law, it can also go above politics as well.[23] In order to implement "successful securitization" by the nation-state, a political actor and/or state officials representing the "securitizing actor" need to speak in the rhetoric of "the need to bring security", presenting a crisis to a "resonating audience" that there is an existential threat to not only the state itself, but also the nation and its people as a whole.[24]

In terms of impact to society, Waever argues that securitization should be seen with

16. David Altheide, *Creating Fear: News and the Construction of Crisis* (New York: Aldine de Gruyter, 2002); Frank Furedi, *The Politics of Fear: Beyond Left and Right* (London: Continuum Press, 2006).

17. Nikos Papastergiadis, "The invasion complex: The abject other and spaces of violence." *Geografiska Annaler. Series B, Human Geography* 88, no. 4 (2006): 429-442, http://www.jstor.org/stable/4621538.; Imogen Tyler, "'Welcome to Britain': The cultural politics of asylum," *European Journal of Cultural Studies* 9, no. 2 (2006): 185-202.

18. Sara Ahmed, *The Cultural Politics of Emotion* (Edinburgh: Edinburgh University Press, 2004); David Garland, *The Culture of Control: Crime and Social Order in Contemporary Society* (Oxford: Oxford University Press, 2001).

19. Corey Robin, *Fear: The History of a Political Idea* (New York: Oxford University Press, 2004).

20. Barry Buzan and Ole Weaver, eds., *Security – A New Framework for Analysis*, (Boulder: Lynne Rinner Publishers, Inc., 1998), 21-27.

21. Luca Mavelli, "Between Normalisation and Exception: The Securitisation of Islam and the Construction of the Secular Subject," *Millennium: Journal of International Studies* 41, no. 2 (2016): 163, https://doi.org/10.1177/0305829812463655

22. Mavelli, "Between Normalisation and Exception: The Securitisation of Islam and the Construction of the Secular Subject," 164.

23. Buzan and Weaver, eds., Security – *A New Framework for Analysis*, 23.

24. Mavelli, "Between Normalisation and Exception: The Securitisation of Islam and the Construction of the Secular Subject," 163.

a negative light, as securitization itself constitutes a failure of the state to deal with political and national security issues that could have been dealt with through normal politics of democratic debate and rule of law-based decision-making/implementation.[25] Waever argues for states themselves to use the strategy of de-securitization, whereby the process of making crises and threats into issues of "existential threats to nation-state security" by state/political actors needs to be moved away from the "threat-defense sequence" that constitutes securitization and into "the ordinary public sphere" where it can be dealt with through public debate and consultation within the rules of the democratic political system.[26]

In connecting xenophobia against Muslims in South Korea with securitization theory, there has actually been no published body of literature that demonstrates the connection between xenophobia/fearism against Muslim with securitization theory by the state. This paper will connect the theories of xenophobia/fearism with securitization theory by analyzing the case study of South Korean xenophobia against Yemeni refugees by society and the state.

Methodology

This study conducts a textual content analysis through Korean online news websites and social media sites using speeches, quotes, and words from the media, political parties, and national government officials that are either published online or broadcasted on television which regard their sentiments and responses to the arrival of Yemeni refugees coming to South Korea. I will examine any similarities and differences between the media, political parties, and government officials and how each actor perceives the influx of Yemeni refugees coming to South Korea and how they wish to respond to the influx. Words, phrases, and sentences that denotes any positivity in supporting the presence of refugees from Yemen or negativity in opposing the refugees are expressions that will be recorded in and analyzed for any impact of the responses of these three actors upon Korean popular opinion on Yemeni refugees. The data from the words and phrases from speeches/quotes from government officials and political parties will be recorded and analyzed to see if there is any language of securitization. This will help me build a connection that the government is easily responsive to securitization when there is high popular xenophobia among citizens.

Background: The Refugee Act of 2012 and its implementation/impact on refugees in South Korea

The Refugee Act of 2012 is South Korea's first ever codified law that addresses refugee rights and processing refugee status (and it is also a first for the greater East Asia region). The Refugee Act of 2012 has several key provisions that are meant to codify the rights of recognized refugees and refugee status applicants, such as the right of refugees to social security for recognized refugees, basic livelihood security such as living expenses and proper residential facilities, medical support, primary/secondary education for refugee minors, the right to vocational training and language education, and the right to engagement in wage-earning employment through work permit.[27] Refugees also have the right to access an attorney, the right to an interpreter when being questioned for interview, the ability to access documentation of the interview in

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25. Buzan and Weaver, eds., Security – *A New Framework for Analysis*, 29.

26. Ibid.

27. Republic of Korea Refugee Act 2012, Chapter 4, Sections 1-3, Articles 31-44

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their own language, the right to appeal to the Refugee Committee when application gets denied, and the right to privacy by prohibiting disclosure of personal information to any outside third-party source without the refugee individual's permission.[28] The right of non-refoulment and limitations towards detaining asylum-seekers are also recognized in the new law.[29] In terms of processing application, the Refugee Act of 2012 stipulates that all refugees have to apply at a port of entry and that they are required to stay at a designated location for a period not exceeding seven days while the application gets processed and approved for an interview/questioning stage.[30] Because the time period for completing the process of Refugee Status Determination is no more than 6 months, this was what allowed the Act to become codified by refugee law.[31]

Overall, these rules and regulations are a significant improvement in the treatment of refugees arriving in South Korea. However, many NGO civil society groups in charge of human rights and refugee rights have reservations on sections pertaining to livelihood assistance and right to work permits. This is because the distribution of livelihood assistance and work permits are under the discretion and control of the Ministry of Justice (MoJ)—where the MoJ can refuse to distribute them to refugee applicants if the applicants are shown to violate the law.[32] Another complaint that civil society NGOs have on the refugee law is also the lack of procedures on entailing permanent residency for refugees. In the 2012 refugee law, a refugee applicant can successfully attain the status of "refugee" recognition (and hence protection) when their application gets approved and certified by the Ministry of Justice. However, there is no mechanism for a refugee to apply for permanent residency status in the same manner as non-Koreans who are not refugees.[33] This opens up the doors of ambiguity on what to do next for recognized refugees—will the Republic of Korea allow them a permanent stay in the hopes of getting citizenship in the future or will they be forced to return back to their homeland once the war/repression ends?

In terms of how refugees were treated by the 2012 Refugee Law, many refugees from places like Egypt, Yemen, and Kashmir have complained of false translation and ill-treatment by the authorities when trying to process refugees for determination status. In one case, a Yemeni refugee had their application for asylum request rejected because of fabricated translations from an immigration official and an interpreter.[34] Many interpreters for languages non-common to Koreans, such as Arabic, are often not well-qualified enough to accurately render what a refugee said—often missing key details in the narrative and leading to the application's rejection.[35] Intimidation and ill-treatment are also rife in facilities that hold refugees, as some refugees were forced to be placed in detention centers with terrible, squalid conditions that are converted

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28. Republic of Korea Refugee Act 2012, Chapter 2, Article 14, 16, 17, 21

29. Republic of Korea Refugee Act 2012, Chapter 1, Article 3; Chapter 2, Article 20 (2)

30. Republic of Korea Refugee Act 2012, Chapter 2, Article 6

31. Republic of Korea Refugee Act 2012, Chapter 2, Article 18 (4)

32. Changrok Soh and Breda Lund, "The Refugee Act of Korea: The Limits of Civil Society Influence." *Korean Political Science Review* 48, no. 3 (2013): 21, https://www.academia.edu/28724225/The_Refugee_Act_of_Korea_The_Limits_of_Civil_Society_Influence

33. Republic of Korea Refugee Act 2012, Chapter 2, Article 18 (1)

34. Wooyoung Lee, "Refugees slam South Korean asylum process as abusive, biased," *UPI*, July 27, 2018, https://www.upi.com/Refugees-slam-South-Korean-asylum-process-as-abusive-biased/4641532671492/ (accessed March 28, 2019)

35. Ibid.

into refugee residential facilities.[36] Individuals there were treated almost as criminals in a prison as individuals were not allowed to sit when ordered by the immigration officers.[37] The rate of acceptance for refugee status has been low in recent years. As of 2017, less than 1% would get their application accepted with refugee status while only 318 applicants were accepted with "humanitarian visas" without any welfare support.[38] The way in which the South Korean state has implemented the Refugee Law invites ambiguity, loopholes, abuses, and restrictive application procedures. Henceforth, this shows that the South Korean state is still far away from being able to fully protect the human rights of refugees, as the state still views refugees in South Korea as more of a threat to the country's national security. This too explains the state's high priority on securitization.

Case study data: Yemeni refugees in Jeju, South Korea

Response to the crisis by the government: Securitization concessions while protecting "real" refugees

In response to public pressure, the South Korean government gave an executive order to prohibit Yemeni refugees from leaving Jeju Island for the South Korean mainland pending on the processing of their refugee applications.[39] Only about 7 Yemeni refugees are allowed to enter the South Korean mainland for medical or family unification reasons.[40] The number of refugees that has been allowed to enter the South Korean mainland later increased to 339 after the Justice Ministry granted one-year humanitarian permits to stay.[41] By June 1, 2018, the South Korean government finally dropped Yemen as part of the list of countries that do not require visas to enter Jeju Island. While President Moon Jae-in himself did not speak out publicly in response to the refugee crisis, the Blue House made a video in response to the petition with the government's justice minister, Park Sang-ki, speaking. He affirmed that the Yemeni refugees have entered South Korean territory legally and that South Korea itself has no intention of withdrawing from the Refugee Convention that South Korea signed in 1992, saying that "as a member of the international community, we are in a position to fulfill our duty to protect refugees."[42]

However, he also gave concessions and reassurances to the public that the government will crack down on refugees that violate the law—promising to root out "refugees that produce false identification and refugees that are doing criminal activity"—by making refugee applicants submit their social media accounts, be tested for drugs, and be screened them for any criminal record with a warning that any

36. Ibid.

37. Ibid.

38. Ibid.

39. Joyce Lee and Haejin Choi, "South Korea to tighten asylum laws as hundreds of Yemenis arrive", *Reuters*, June 29, 2018, https://www.reuters.com/article/us-southkorea-yemen-refugees/south-korea-to-tighten-asylum-laws-as-hundreds-of-yemenis-arrive-idUSKBN1JP0RY (accessed on April 1, 2019).

40. Yonhap News, "7 Yemeni asylum seekers on Jeju allowed to enter mainland", *The Korea Times*, July 16, 2018, https://www.koreatimes.co.kr/www/nation/2018/07/281_252317.html (accessed on April 1, 2019).

41. Min Joo Kim and Simon Denyer, "South Korea denies refugee status to hundreds of Yemenis fleeing war", *The Washington Post*, October 17, 2018, https://www.washingtonpost.com/world/asia_pacific/south-korea-denies-refugee-status-to-hundreds-of-yemenis-fleeing-war/2018/10/17/5d554d1e-d207-11e8-8c22-fa2ef74bd6d6_story.html (accessed on March 15, 2019).

42. S. Nathan Park, "South Korea Is Going Crazy Over a Handful of Refugees", *Foreign Policy*, August 6, 2018, https://foreignpolicy.com/2018/08/06/south-korea-is-going-crazy-over-a-handful-of-refugees/ (accessed October 15, 2018).

refugee that "contravenes the country's social order" will be deported.[43] In addition, he also said that "we will protect the basic human rights of refugees, but if they violate our legal order, culture, and values, then we will consider taking various measures, such as cancelling refugee recognition."[44] The justice minister affirmed that the government would not be abolishing Jeju Island's visa-free policy, proposed establishing a special tribunal for refugees.[45] This shows that the government took a relatively balanced approach in handling the refugee problem in protecting the rights of refugees, all while making some concessions to the xenophobic public which suggests that they will take securitizing actions against refugees who came to reap South Korea's economic benefits not for political asylum.

Refugee public discourse among the Korean political elite: Security of citizens or Human Rights of refugees goes first?

Presently, Korean lawmakers are divided on how to respond to the rise of refugees coming from the MENA region, with some lawmakers wanted more rights and protections for refugees while other lawmakers wanted more vetting to "weed out fake refugees". The views on refugees among lawmakers are dependent upon partisan lines, with centrist parties such as the center-left Democratic Party of Korea (the current president's ruling party) and the center-right Bareun Mirae Party being divided among themselves on how to respond to the refugee crisis; while the more extreme right-wing party (the Liberty Korea Party) and the more extreme leftist party (the Justice Party) have opposite views on refugees.

On the anti-refugee side, most members of the Liberty Korea Party and some members from the Bareun Mirae Party demand that the government prioritize the safety of Korean citizens over human rights of refugees. Lawmakers such as Rep. Cho Kyung-tae from the Liberty Korea Party and Rep. Kim Jin-Tae from the Korean Nation Party have pushed for the abolishment and amendment of the 2012 Refugee Law and deporting refugee and refugee applicants out of the country. Other lawmakers have argued that "the life and safety of the Korean people are threatened" with the presence of refugees.[46] On the other hand, there are many lawmakers (such as Representative Kwon Chil-seung) from the centrist ruling Democratic Party of Korea who want stricter screening process for refugee applicants. This gives the Justice Ministry more power and discretion to refuse applications from "those that are deemed harmful to society" while rejecting second applications from those that got their applications rejected for the first time.[47] However, the pro-security lawmakers from the Democratic Party are not interested in abolishing the 2012 Refugee Law, they simply wish to amend some provisions and have a stricter screening process. In analyzing their rhetoric through content analysis through Atlas.ti software, negative terms against refugees such as "illegal", "abolish", "safety", "terrorists", "abuse", and "fake" were more

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43. 대한민국청와대 (translated: Republic of Korea The Blue House), "[청와대Live] 청원답변 '난민법 관련' 청원" (translated as: [The Blue House Live] Reply to the petition on "Regulation of Refugee Law"), YouTube video, 22:16, August 1, 2018, https://www.youtube.com/watch?v=r-6S79tXn-8

44. Ibid.

45. Ibid.

46. Park Jeong-yang, "조경태 "난민보다 국민안전 우선" …난민법 폐지 법안 발의" (translated: Cho Kyung-tae: "Public Safety priorities over Refugees…a bill to abolish the refugee law"), *News One Korea*, July 12, 2018, http://news1.kr/articles/?3370475 (accessed on April 1, 2019).

47. Jo He-rim, "Lawmakers divided on direction of refugee law revision," *The Korea Herald*, July 2, 2018, http://www.koreaherald.com/view.php?ud=20180702000835 (accessed on April 1, 2019).

commonly mentioned among the anti-refugee lawmakers than terms such as rights and justice.

On the other hand, the more liberal wing of the current president's ruling party (and some members of the opposition centrist-right Bareun Mirae Party and the leftist Justice Party) wanted more humanitarian aid and translation help for the asylum-seekers, enhance the rights of refugees and asylum seekers by revising the 2012 Refugee Law, and provide subsidies to asylum seekers who have failed to obtain refugee status but were given humanitarian visas.[48] Some lawmakers of the Democratic Party, the Bareun Mirae Party, and the Justice Party were dismayed in seeing the hate speech rhetoric coming from the public. For example, lawmaker, Hong Myung-pyo, said that "the hate speech on refugees is not desirable, it's a pity", while Rep. Ha Tae-kyung from the Bareun Mirae Party said that "not accepting those who fled because of political and religious persecution makes Korea a racist nation.[49] Positive terms that supports refugees such as "rights", "justice", "human rights", "racism", "hate speech", and "humanitarian" were commonly mentioned in the speeches by the pro-refugee lawmakers.

These differing opinions among Korean lawmakers show that xenophobic rhetoric from the public only affected about half of the lawmakers in the National Assembly (primarily the conservative and some centrist lawmakers), while the other half were able to resist accepting xenophobic rhetoric from the public and resist the need for securitization. The lawmakers that represent Korea's political elite only play a minor role in securitization as not all lawmakers are in consensus with using securitization actions against the refugees. However, whether or not their rhetoric has influenced the public's opinion on refugees warrants further research and study.

Response from the media

The response by the media in terms of its portrayal of Yemeni refugees was at best almost sensationalist. The mainstream Korean media (especially television media) has portrayed the Yemeni refugee situation more as a national crisis, with one example YTN TV News made a sensationalist news headline (난민 모여든 제주도…왜? – Jeju Island, where refugees gathered…why?) that shows Yemeni male refugees (with their faces whitened out) being together in groups with each other in line in order to apply for asylum and job support with certain questions/facts being portrayed on the screen with dark background music that portrays suspense and tension.[50] One of the TV news stations, such as the cable news JTBC, in their reports on the Yemeni refugees did display a Yemeni male refugee doing his private afternoon prayer to Mecca in his own dwelling—an act that would be considered foreign among the Korean public as Korea has very few Muslims in its population.[51] The tone and graphics by which the

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48. Ibid.

49. Choe Yeon-jin, "'뜨거운 감자' 제주 난민문제, 공식입장 못내는" (translated: 'Hot potato' Jeju refugee problem, official stances), *The Chosun Ilbo*, July 3, 2018, http://news.chosun.com/site/data/html_dir/2018/07/03/2018070300331.html (accessed on April 1, 2019); Jeon Hyung-joo, "하태경 '예멘 진짜 난민은 포용해야…한국을 인종차별 국가로 만들지마라'" (translated: Ha Tae-kyeong: 'Yemen real refugees should be embraced…do not make Korea a racist country'), *The Kukmin Daily*, June 27, 2018, http://news.kmib.co.kr/article/view.asp?arcid=0012475991&code=61111111&sid1=hea/feed, (accessed April 1, 2019).

50. YTN News, "올해만 560명…예멘 난민, 제주도 입국 배경은?" (translated: 560 people this year alone…Yemen refugee entering Jeju Island ?), YouTube video, 10:48, June 19, 2018, https://www.youtube.com/watch?v=GmLX7QTsWe4

51. JTBC News, "제주, 예멘 난민 두고 '엇갈린 시선' …난민법 폐지 청원도 20만명 넘어" (translated: Jeju, Yemen refugees leave 'crossed gaze'…more than 200,000 petition for abolition of Refugee Law), YouTube, 4:48, June 19, 2018, https://www.youtube.com/watch?v=eWOCVhb56EU

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mainstream television media portrayed the Yemeni refugees in a dark, sensationalist tone. This makes the situation appear as though there is a national crisis. Hence, we can infer that the news media may be partly responsible for forming or arousing nativist, xenophobic thoughts against Yemeni refugees. In other words, the sensationalist portrayals of Yemeni refugees with stereotypes being shown of men (with their faces censored) crowding together in large groups, as well as a Muslim man doing his afternoon prayer, creates an atmosphere of fear whereby Koreans are encouraged to view Yemeni refugees as a threat.

In terms of newspaper reporting, newspapers' editorial reporting and opinion pieces are based upon certain partisan leanings. The more neutral and pro-liberal/left-leaning newspapers have portrayed the Yemeni refugees in a more informative way—including graphs and charts, in contrast to the sensationalist tones as reported by television media. One example is from OhMyNews (a more left-leaning news site with its reporters mainly citizen journalists), where in one of its editorials, it gave definitions on how the processing of refugees works with an ending in its editorial that concludes that "often extreme choices are made when excessive worries add to your imagination. It is doubtful whether the surge in Yemen refugee applicants in Jeju Island is a serious event that could lead to racism and hatred".[52] This news website simply gave its own editorial opinion that the Yemen refugee situation should not be capitalized as a serious event where one can express racism and hatred towards Yemenis. Other newspaper websites have dedicated some of its editorials in opposition to xenophobic/racist rhetoric on Yemeni refugees in its English-language editions such as the Kyunghyang Shinmun (a centre-left 'moderate progressive' newspaper) and the Korean Herald (which is mainly an English-only newspaper).[53]

On the other hand, conservative/right wing-leaning newspapers have portrayed the Yemeni refugees in negative sensationalism in its reporting. In one example, the Chosun Ilbo (which is a conservative-leaning paper) published a report on how four Yemeni refugee applicants were tested positive in their mandatory drug tests because of chewing khat (which is a drug plant native to the Arabian Peninsula), how they "illegally" transported khat into Jeju Island, and how such presence of a drug would impact society among the Jeju natives, saying that many Jeju native residents were not happy in seeing Yemenis chewing khat.[54] This shows again that media sensationalism attempts to target and curate negative portrayals of Yemeni refugees as "drug addicts," in order to play into the minds of the South Korean public audience and arouse xenophobic attitudes. Other newspapers who are more openly right-wing such as Pen-N-Mike have openly said in its editorial that the "presence of Yemeni refugees could constitute a threat of Korea's constitutional liberal democracy, national wealth, and security if we openly embrace them" as well as pointing fingers on "other media outlets and the Moon Jae-in government for pushing 'Political Correctness' and censoring out

52. Impeter, ""난민을 반대한다" 는 당신이 꼭 알아야 할 상식들" (translated: Common sense you should know about "refusing refugees"), *OhMyNews*, June 21, 2018, http://www.ohmynews.com/NWS_Web/View/at_pg.aspx?CNTN_CD=A0002447306 (accessed April 1, 2019).

53. Korea Herald, "[Editorial] Dilemma on refugees", The Korea Herald, June 27, 2018, http://www.koreaherald.com/view.php?ud=20180627000565 (accessed November 26, 2018); Kyunghyang Shinmun, "[Editorial] Five Hundred Yemeni Refugees in Jeju Question Human Rights in South Korea", The Kyunghyang Shinmun, June 19, 2018, http://english.khan.co.kr/khan_art_view.html?code=790101&artid=201806191953487, (accessed April 1, 2019).

54. Park Seong-woo, "[단독]제주 예멘 난민 4名 마약류 '카트' 양성반응…국내에서 복용한 듯" (translated: Four Yemeni refugees have tested positive for drugs because of possession of 'khat', as if consume domestically), *The Chosun Ilbo*, October 18, 2018, http://news.chosun.com/site/data/html_dir/2018/10/17/2018101702761.html (accessed on April 1, 2019).

'inappropriate' anti-Muslim rhetoric.[55]

Just like the divided opinions in the Korean National Assembly in regard to Yemeni refugees, the same goes for the newspapers and online news media in their portrayals of Yemeni refugees in its reporting and editorials. However, mainstream television itself plays a more critical role in showing a live portrayal of the event that happened, which helps the audience see and form their opinions on the situation. The tone being broadcasted on television (in many of its news reports) have a sensationalistic tone, which explains the rise of xenophobic attitudes among Koreans against Yemeni refugees.

Analysis

In analyzing the quotes and words through the internet news media and social media accounts, it has become clear that the presence of sensationalist fake news in social media platforms, anti-refugee rhetoric made by right-wing, anti-refugee politicians in the National Assembly, and media sensational rhetoric in the television and online/paper news portrayals have helped enable and spread xenophobic rhetoric among the South Korean public against Yemeni refugees. The dissemination of sensationalist real (and imaginary) news reports with its portrayals of Yemeni refugees in a negative light—such as "drug addicts", "pious radical Muslims", "a whole gang of bearded men", "violent murderers/kidnappers", "predators on young women", "pedophiles", "criminals", and "job-seekers"—have enforced and reinforced xenophobic attitudes among the Korean public against the refugees. This demonstrates the theories of fearism and securitization as being applied in the South Korea case study and the connection between both fearism and securitization through the rhetoric and behavior between citizens, civil society, the South Korean state, the South Korean political elite, and the media.

Conclusion

In solving the current refugee problem in South Korea, the best way to move forward in solving the issue is to modify the 2012 Refugee Law and put more added-protection for the refugees, especially on guaranteed living subsistence, medical care, education, and the right to work not just for recognized refugees but also those who are applying for asylum and those who just got their application rejected. It would also be beneficial if other NGOs (especially from the Refugee Support Network coalition) be permitted to provide food and monetary aid to the refugees instead of allowing the Ministry of Justice to control (or lack thereof I should say) all of the work and resources in doing application processing and distribution of goods and social services to the refugees. Housing for the refugees should not be in squalid detention camps with grotesque conditions. Yemeni refugees should be given a proper apartment block and equitable (i.e. necessary) resources for them to live.

Moreover, refugees who were granted "refugee status" should have the right to apply for permanent residency status, while those who failed to receive "refugee status" should be allowed to be arranged to be sent to a third country for asylum acceptance before deportation. There should be trained, professional interpreters who are fluent in Arabic or any other language. They must also be sworn in to interpret word-by-word

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55. Cho Joon-gyeong, "[PenN수첩/조준경] '예멘 난민' ...유럽의 실수 반복하지 말아야" (translated: [PenN Notebook] 'Yemeni refugee'…Don't repeat European mistakes), *Pen-N-Mike,* June 25, 2018, http://www.pennmike.com/news/articleView.html?idxno=7079 (accessed on April 1, 2019).

translations for refugees without any fabrications. Controversial provisions within the 2012 Refugee Law such as "fast-track Refugee Status Determination processing" needs to be repealed and be replaced with provisions that prohibit any shortcuts to normal standard processing on Refugee Status Determination. The 2012 Refugee Law should not be scrapped altogether, as there are many provisions that represent progress such as recognizing the right of non-refoulment but be strengthened with better protection and rights for refugees and asylum-seekers.

It is also important to educate the public on opposing racism/bigotry, the benefits of diversity, multiculturalism and the shared values of human rights, which is a cornerstone for building a just, democratic Korea that is integrated with the global community. This can be done through people-to-people diplomacy between South Korea and the countries of the Middle East in order to break down cultural barriers between the two sides which may engender fear among or for each other. The media itself should be regulated (and self-regulated) in toning down sensationalist rhetoric in its news reports and for the government (and the media) to perform its own responsibility to report false news reports that are prevalent in social media accounts. The efforts by pro-refugee NGOs to improve refugee rights can be derailed easily if the public is overtaken by far-right anti-refugee populist slogans.

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Failures to Construct Feminist Policy and the Plight of Refugees in Greece

Kelli Garry

Abstract

Since the beginning of 2015, the European Union has been facing a refugee crisis. This crisis has caused political backlash throughout European countries that are increasingly unable to provide agreed upon United Nations services to migrants seeking refuge. Female refugees constitute one of the most vulnerable groups susceptible to human rights abuses in refugee settlement camps. Greece is a major port of entry for refugees, who more often than not, are forced to stay in settlement camps on Greek islands for years at a time. This research paper examines both Greek and European Union asylum policy with a gendered perspective, and argues that Greece and the EU together are responsible for human rights abuses experienced by women in Greek refugee camps. I conclude that the Dublin III Regulation of the European Union included in the Common European Asylum System is a major contributor to human rights abuses against women in Greek refugee camps. Similarly, the lack of gender based training for authority figures in refugee camps constitutes a barrier in creating safe spaces for women where equal access to legal services and funding for women's health services is provided.

Introduction

In 2015, the arrival of over one million refugees seeking asylum in Europe sparked a migrant crisis the European Union had never seen before.[1] According to the United Nations Refugee Agency, around 362,000 people put their lives at risk to cross the Mediterranean Sea into Greece or Italy in 2016, and the estimated number of refugees seeking asylum in the European Union in 2018 was 37,034.[2] Although the number of migrants in the European Union has dropped since 2015, the migrant problem has not ceased. Underlying factors which have caused 1.8 million migrants to enter the European Union since 2014 include war and famine both of which are still present. This has led many analysts to assert that it is only a matter of time before the numbers of refugees and asylum seekers increase again.

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1. "EU Migrant Crisis: Facts and Figures," *European Parliament*, Last modified June 30, 2017, www.europarl.europa.eu/news/en/headlines/society/20170629STO78630/eu-migrant-crisis-facts-and-figures.

2. "Europe Situation," *UNHCR, The UN Refugee Agency*, Last modified December 6, 2018. www.unhcr.org/en-us/europe-emergency.html.

The life of any refugee is difficult, but female refugees are especially vulnerable. Female refugees face sexual harassment, emotional and physical assault, and exploitation on their journey to—and through— Europe as refugees. Amnesty International conducted dozens of interviews with female refugees in Greece who described— among other abuses— having been forced to sleep alongside hundreds of refugee men, all strangers. Due to this many women slept on the beach alone, rather than in their designated sleeping areas.[3] It is no surprise that women are more vulnerable than men during humanitarian crises, but many analysts fail to acknowledge the ways in which Greek refugee policy is exacerbating this extreme vulnerability.

During humanitarian crises, women have always been disproportionately affected, but studies show that female refugees in Europe are facing more gender-based violence as time progresses. Teresa Fernandez, an attorney at Women's Link Worldwide, a Madrid-based nonprofit that advocates for the rights of migrant women and girls, describes women as being invisible in the European refugee crisis. She then goes on to explain, that as a result of this invisibility, a gendered perspective is absent in the asylum office.[4] This is mainly due to an absence of female voices being heard, both as refugees and policy makers.

This research paper will analyze European Union and Greek policy using a gendered perspective, and answer the question: what aspects of European Union and Greek refugee policy or policies exacerbate the extreme vulnerability of female refugees in Greece? Looking through the theoretical lens of feminism, this paper will formulate an argument to explain why the quality of life for female refugees entering the European Union through Greece is decreasing, and it will also analyze ways to aid female refugees in their time of need.

This paper argues that the lack of a gendered perspective when creating policy to facilitate the safety of female refugees increases the amount of physical and mental violence female refugees experience in Greece.

Greece is a major port of entry for refugees hoping to find refuge in the European Union. Overr the last few years, the European Union has signed treaties which have directly affected the lives of female refugees living in Greece. Greece, being a member state of the European Union, has a legal obligation to uphold European Union law related to refugees, including the Dublin III Regulation of the Common European Asylum System.[5] The institution of the European Union allows for Greece to maintain its own refugee policy, along with the European Union refugee policy. The intersection of these policies must be analyzed. This paper will examine the ways in which the Greek government is failing to uphold European Union asylum policy, how European Union asylum policy is detrimental to the lives of female refugees in Greece, and how Greece's own refugee policy is failing to improve the poor living conditions experienced by female refugees in Greek territory.

Policy analysts with funding from an award of the Sexual Violence Research Initiative and the World Bank Group's Development Marketplace, studied European Union refugee policy before and after the migrant crisis in 2015. While analyzing

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3. "Female Refugees Face Physical Assault, Exploitation and Sexual Harassment on Their Journey through Europe," *Amnesty International*, Last modified January 18, 2016, www.amnesty.org/en/latest/news/2016/01/female-refugees-face-physical-assault-exploitation-and-sexual-harassment-on-their-journey-through-europe/.

4. Haloren Mellendorf, "The Invisible Women of Europe's Migration Crisis," *Heinrich Böll Stiftung North America*, Last modified August 15, 2018, us.boell.org/2018/08/15/invisible-women-europes-migration-crisis.

5. Jane Freedman, "Sexual and Gender-Based Violence against Refugee Women: a Hidden Aspect of the Refugee 'Crisis,'" *Reproductive Health Matters*, 24, no. 47 (2016): 18-26, https://doi.org/10.1016/j.rhm.2016.05.003.

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the effects of the European Union-Turkey agreement in 2016, they found that healthcare providers in refugee camps witnessed a shift from debilitating physical health symptoms in female refugees, to debilitating mental health issues, as well as a heightened risk of gender-based violence.[6] This is just one example of how the European Union refugee policy is directly correlated to the problems female refugees face in Europe.

Literature Review

Policy is informed by theory. When assessing European Union policy and its direct impact on the quality of life of female refugees, one must first study the theoretical backgrounds informing and driving policy. Liberal theorists of international relations emphasize the importance of the individual and are the main proponents of establishing a need to help individuals during a refugee crisis. Although liberal theorists such as John Ikenberry argue that the creation of international institutions such as the European Union is mutually beneficial to not only states but also individuals, feminist theorists such as Laura Parisi and Jutta Joachim critique these institutions for not doing enough to keep women safe.[7]

International Cooperation

Since the creation of the United Nations following WWII, a number of scholars believe the answer to all global crises may be found through international institutions, yet there are still those who disagree. The fundamental disagreement reduces to the questions of whether or not institutions work? And whether states are able to cooperate with one another? Realist theorists adamantly argue that states are greedy actors. Formulating their ideology around Thomas Hobbes' assessment of men and government to be self-serving, nasty, and brutish, realists do not believe that states will ever cooperate unless they are gaining from said cooperation.[8] Comparatively, liberal theorists, whose ideology is the backbone behind institutionalization, believe that states can and will cooperate for a number of reasons, not all of which can be reduced to their own personal gain.[9]

There are a multitude of questions that emerge when assessing the successes and failures of institutions, the first being: why would a sovereign state choose to bind its hands through an institution in the first place? Realist theorists such as E.H. Carr and Hans Morgenthau argue that states are power driven, and they view power in relative terms.[10] As such, these theorists struggle to see why any state would assent to supranational institutional control. For example, it does not matter to a state (in the

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6. Rebecca Hémono, , et al, "'The Needs Have Clearly Evolved as Time Has Gone on': A Qualitative Study to Explore Stakeholders' Perspectives on the Health Needs of Syrian Refugees in Greece Following the 2016 European Union-Turkey Agreement," *Conflict and Health*, 12, no. 24 (2018): 1-9, https://doi.org/10.1186/s13031-018-0158-9.

7. John Ikenberry, After Victory: *Institutions, Strategic Restraint, and the Rebuilding of Order after Major Wars*, Princeton: Princeton University Press, 2001; Laura Parisi, "Feminist Perspectives on Human Rights," International Studies Encyclopedia, (Oxford: Oxford University Press, 2010); http://www.oxfordreference.com/view/10.1093/acref/9780191842665.001.0001/acref-9780191842665-e-0119; Jutta Joachim, "Women's Rights as Human Rights," *International Studies Encyclopedia*, (Oxford: Oxford University Press, 2010), doi:10.1093/acrefore/9780190846626.013.430.

8. Garrath Williams, "Thomas Hobbes: Moral and Political Philosophy," *Internet Encyclopedia of Philosophy*, accessed March 21, 2019, https://www.iep.utm.edu/hobmoral/.

9. Tana Johnson and Andrew Heiss "Liberal Institutionalism," in *International Organization and Global Governance 2nd Edition*, 123-34, edited by Thomas G. Weiss and Rorden Wilkinson, London: Routledge, 2018.

10. Hans J Morgantheau. "Six Principles of Political Realism," in P*olitics Among Nations: The Struggle for Power and Peace Fifth Edition Revised*, 4-15, New York: Alfred A. Knopf, 1978.

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realist view) how many weapons it possesses; if another state possesses more weapons, then the state with the fewer weapons will do whatever is necessary to secure more weapons. In this view, states are purely motivated by power and relative gains, working in an institution that is mutually beneficial to every member seems highly unlikely.

John Mearshimer a realist theorist, describes the international world as anarchic and power driven. Similarly to other realists, he believes that states are in constant competition with one another, and therefore are unable to cooperate unless they believe their cooperation will result in relative gains. Therefore, states are unlikely to cooperate unless it is in their own best interest. These theorists see institutions as yet another arena for states to gain power and even go so far as to describe international institutions as smaller playing fields for strong states to assert their power.[11] Thomas Miles and Eric Posner take a realist approach when asking why states enter into treaties, or more specifically, binding multilateral agreements. After conducting research, these scholars conclude that states enter into treaties with other states to achieve personal gains. States will not enter into treaties if the costs outweigh the benefits.[12]

Those who believe that institutions are effective formulate their ideology around the idea that institutions force cooperation by limiting the amount of lying and cheating states are able to partake in, which in turn binds the hands of states wishing to assert their own power and therefore creates peace. Theorists like Robert Keohane argue that institutions are hugely positive and useful because they provide information, make commitments more credible, and facilitate coordination between states. Liberals see institutions as independent factors that have the ability to coerce states into collaboration, ultimately heightening the costs of cheating. Liberal theorists, for example, look at the United Nations Security Council and view it as a major deterrent to interstate war between member states. The Council facilitates communication, forces problem solving, and punishes those who cheat.[13]

Greece has been a member of the European Union since 1981, and the European Union itself was created in 1957, following the success of the Coal and Steel Community in Europe. Greece and other European Union countries gain many rewards for joining the institution of the European Union. These rewards are economic as well as political but are also met with the forfeiting of state sovereignty in many areas.

Greece has already joined the institution of the European Union. If we are to ask the question of how Greek refugee policy may be changed in order to assist in the development of better living conditions for refugee women in Greece, we must ask ourselves how the institution of the European Union alters (or does not alter) Greek refugee policy, and in what way. The European Union has binding agreements among member states that include a minimum standard of living for refugees in European Union territory. Do these institutionally binding treaties promote better living conditions for refugee women in Greece? Or do they facilitate negative living conditions for these women? These questions can only be answered by analyzing policy through a theoretical lens.

11. John. J. Mearsheimer, *The Tragedy of Great Power Politics*, New York: Norton, 2001.

12. Thomas Miles and Eric Posner, "Which States Enter Into Treaties, and Why?" *Coase-Sandor Institute for Law and Economics*, Paper No. 420 (2008): 1-31 chicagounbound.uchicago.edu/law_and_economics/623/.

13. Robert O. Keohane and Lisa L. Martin, "The Promise of Institutionalist Theory," *International Security*, 10, no. 1 (1995): 39-51, doi:10.2307/2539214

Immigration/Asylum Seekers

Sandra Lavenex plainly points out that when it comes to state sovereignty and security, realist theorists stress the importance of border controls aimed at fighting illegal immigration, and oftentimes do not allow for high numbers of asylum seekers to seek refuge in their countries. In contrast, she argues that liberal theorists tend to emphasize humanitarianism and adopt refugee protection laws. She then goes on to assess how Eastern and Central Europe have begun to adopt realist-oriented legislation when it comes to the refugee crisis: by enacting much stricter border controls.[14]

Realists back their arguments for not adopting open border policies by arguing that it is in their own citizens' national interest to be protected from immigrants. This argument can be made economically, e.g., immigrants hurt the state economically and take jobs from citizens, and it also can be made through the lens of health and security; e.g., allowing for open borders brings in criminals. Anna Gryzmala-Busse also points out that far-right groups, which are often associated with realism, argue that influxes of refugees threaten national and cultural traditions.[15]

Theoretical positions help formulate legislation, therefore, it is imperative to develop a deep understanding of their tenets. Theory is especially crucial to understand how the European Union and Greek refugee policy are exacerbating the extreme vulnerability of female refugees seeking asylum in Europe. Feminist theorists and policy analysts alike argue that the legal status of female refugees has a direct impact on their treatment in foreign countries.

Female refugees are not only vulnerable because of their gender, but also because refugee policy does not even make an attempt to protect them despite their intense vulnerability. It is equally important when discussing international institutions and the laws they choose to ratify when it comes to refugees, to look at the treaties' wording and goals. If we ask ourselves why women entering the European Union as refugees are still facing such extreme vulnerabilities and gender-based violence, regardless of legislation aimed at stopping this form of discrimination, we must ask ourselves who is writing human rights legislation, and who is being protected under it.

Rachael Lorna Johnstone has approached these question from a liberal feminist perspective. After mapping out human rights legislation since its creation following World War II, she explains multitudes of gender biases adopted by the United Nations Treaty Bodies. For example, she points out that human rights legislation has historically been used to grant civil and political rights, rather than "private" rights. The omission of private rights (e.g. the right from experiencing violence in one's household), disproportionately affects women.[16] This marginalization of women's rights is rooted in the definitions adopted and used in legislation.

Greece and the European Union alike have created a refugee policy aimed at the protection of female refugees from physical and mental violence, but are still continuing to fall short. This paper's analysis will show that their laws which foster the mistreatment of refugees in their countries continue to exacerbate the extreme vulnerability of women because they lack adequate female representation during the creation of such laws. In other words, female perspectives are not heard during the

14. Sandra Lavenex, "Migration and the EU's New Eastern Border: Between Realism and Liberalism," *Journal of European Public Policy*, 8, no. 1 (2001): 24-42, https://doi.org/10.1080/13501760010018313.

15. Anna Gryzmala-Busse, "Poland's Path to Illiberalism," *Current History*, 117 (2018): 96-101.

16. Rachael Lorna Johnstone, "Feminist Influences on the United Nations Treaty Bodies," *Human Rights Quarterly, 28*, no. 1 (2006): 148-185, doi:10.1353/hrq.2006.0005.

creation of refugee policy, nor in refugee camps.

Feminism

Feminists take a special approach when discussing refugees that is inherently liberal. According to Sarah Cross realists believe refugee regimes to be too ambitious, while feminists believe them to not be ambitious enough. Cross then goes on to explain the reasons why both theoretical viewpoints analyze refugee regimes and view them as inadequate to solving the refugee crisis. Realists will always see state interests as triumphing over refugee rights, so no amount of international human rights legislation aimed at women's security will ever suffice to keep the global population of women safe from violence, malnutrition, etc. Feminists, on the other hand, argue that legislation aimed at the promotion of women's rights fails to reach its objective because it does not go deeply enough into detail on how to secure the rights of women, i.e. it remains too vague and open-ended.[17] Regardless of this criticism, however, liberals and feminists alike would argue that international refugee regimes such as the United Nations Human Rights Campaign matter in geopolitics.

Maggie Rose views feminism as an innovative approach to understanding and solving the refugee crisis, especially in Europe. In comparison to realism, neoliberalism, and feminism, Rose explains that realism, with its focus on the state and antagonistic nature towards outsiders, will always be detrimental to refugees. Not only that, but the idea behind realist theory, that power and force are the only mechanisms to maintain world order and peace exacerbate sexism. Ideas of masculinity override the ideas of other groups, leading to the permanent subjugation of women. Rose also critiques liberalism by saying that although it is centered on the individual, it is nevertheless male-centered, making it inadequate to solve the problem of the intense vulnerability faced by female refugees.[18]

Feminists uphold the idea of the human rights concept itself being socially constructed. In order to understand why institutions, as well as states, place emphasis on specific rights over others, one must analyze the society where these rights are promoted. Feminists argue that patriarchal societies fall short in the protection of women's rights because they are created in male-centered societies.[19] Human rights, therefore, have cultural implications. Women across various cultures experience oppression differently.

Female refugees coming from Syria, for example, have already experienced economic degradation in comparison to their male counterparts. This lack of economic equality facilitates their experiences as refugees fleeing their war-torn countries. In addition, the majority of cultures in the world give women the responsibility of caring for children in the family. Female refugees, therefore, are faced with additional burdens when it comes to caring for their children. For this reason, family reunification refugee law disproportionately affects women in comparison to men.

Institutional liberal theorists, as well as realist theorists, do not center women in their analysis of international relations. This is evident by the way women's needs are

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17. Sarah Cross, "Refugees and Legal Rules: Can the International Refugee Regime Provide Adequate Protection" Conference Papers -- *International Studies Association* (2007): pp. 1-28.

18. Maggie Rose, "Feminist Theory and the European Refugee Crisis," *Conspectus Borealis,* 9, no. 1 (2016): 1-15, https://commons.nmu.edu/cgi/viewcontent.cgi?article=1009...conspectus_borealis

19. Laura Parisi, "Feminist Perspectives on Human Rights," *International Studies Encyclopedia*, (Oxford: Oxford University Press, 2010), http://www.oxfordreference.com/view/10.1093/acref/9780191842665.001.0001/acref-9780191842665-e-0119.

omitted from legislation in all areas, including refugee policy. Feminist theorists must, therefore, dissect policy, and in doing so prioritize women and analyze how policy specifically impacts them and their livelihoods.

The following case study was created to dissect various policy measures from Greece and the European Union. The case study will analyze the impact of these policies on female refugees living in Greece. In short, asylum procedures, legal challenges specific to women, lack of safe spaces for women along with a lack of gender training for humanitarian workers, and a lack of funding for projects associated with the betterment of the lives of female refugees will each be analyzed.

Case Study

Greece has remained one of the largest emigration countries since WWII. In the 1980s, Greece was a transit country for Eastern Europeans, Middle Easterners, and Africans. Today, Greece is a major transit hub for Middle Easterners fleeing from war-torn countries in the Middle East, such as Afghanistan and Syria. The European Court of Justice found in 2011 that 90 percent of illegal entry into Europe was through Greek borders.[20]

The European Union's agreement with Turkey signed on March 18th, 2016 was created in order to manage the large influx of refugees arriving in Europe. The agreement upholds that all Syrian migrants who travel to the Greek islands illegally are to be returned to Turkey, and in return, legal Syrians are to be accepted into the European Union.[21] The agreement means that asylum seekers who arrive on the Greek islands have not been allowed onto mainland Greece because they are required to be returned to Turkey, however, these returns have not been taking place. Hundreds of migrants arrive in Greece on a weekly basis, and thousands have been trapped in inhumane conditions.[22]

The Dublin III Regulation, adopted by the European Union on January 1st, 2014, lays out the rules for which states are obligated to evaluate asylum requests for refugees arriving in the European Union.[23] The regulation stipulates that migrants must have their asylum processed at the state in which they arrive. This has negative implications for refugees arriving through the Mediterranean, the most commonly arrival locations are Italy and Greece. European Union countries also continue to return refugees to Greece due to the regulation, causing massive overcrowding.[24]

Asylum as a human right was first recognized in the 1951 Geneva Convention on the protection of refugees. The European Union as an institution has been pushing for a Common European Asylum System (CEAS) since 1999. Since 1999, the European Union has created a number of legislative measures to establish a standard of treatment for refugees entering the European Union. These measures include the European Refugee Fund, the Temporary Protection Initiative, and the Family Reunification

20. "IOM in Greece - The UN Migration Agency," *International Organization for Migration* accessed March 21, 2019, https://greece.iom.int/en/iom-un-migration-agency.

21. Deutsche Welle, "The EU-Turkey refugee agreement: A review," *DW*, last modified March 18, 2018, https://www.dw.com/en/the-eu-turkey-refugee-agreement-a-review/a-43028295.

22. "Greece: 'I Want To Decide About My Future,'" *Amnesty International*, Last modified October 5, 2018, https://www.amnesty.org/en/documents/eur25/9071/2018/en/

23. Annapaola Ammirati, "What is the Dublin Regulation?" *Open Migration*, Last modified December 8, 2015, https://openmigration.org/en/analyses/what-is-the-dublin-regulation/.

24. "World Report 2018: Rights Trends in European Union," *Human Rights Watch*, accessed March 21, 2019, https://www.hrw.org/world-report/2018/country-chapters/european-union

Directive.[25] Greece is failing to administer the Family Reunification Directive properly, which affects female refugees significantly more than their male counterparts.

According to Jane Freedman, "Over 86 percent of cases facilitated by the Ecumenical Refugee Programme in Greece of single-parent households seeking family reunification are female-headed households."[26] Refugees also maintain the right to family reunification under the Dublin III Regulation of the Common European Asylum System. Female refugees face major obstacles when appealing for family reunification in Greece. These obstacles include no access to legal advice and information, long waits for responses from applications, limited definitions of a "family", and refusal to recognize identity and marriage documents.[27]

Female refugees who are unable to be reunited with their families, in turn, pay smugglers to relocate them with family members. Women interviewed by humanitarian workers from Amnesty International said they had no choice but to use smugglers to reach family members. As Amnesty International's report explained, going to remote places with unknown men made women feel extremely uncomfortable and unsafe, especially if they were traveling on their own.[28] Often times these women face physical and sexual violence from smugglers, especially if they are traveling with children.

Legal Challenges

A major area of criticism coming from humanitarian groups working in Greece is that refugees are not provided with adequate legal counseling while petitioning for asylum. Although no refugees have access to adequate legal information currently, the Women's Refugee Commission found that women are disproportionately less informed than their male counterparts. After conducting several interviews with legal aid groups and female refugees, the Commission found that legal aid groups who visit refugee sites speak with men much more frequently than women, because women stay in their tents for safety.[29] The result of women having less access to legal counsel is that legal organizations have less information on women and how to assist them throughout the asylum procedures. The Greek government must improve channels of communication with female refugees in order to improve their living conditions.

Inadequate Inclusion of Gender

According to the United Nations Refugee Agency, "over 60% of the 150 reports submitted across all 24 transformations indicated that the inadequate inclusion of gender was among the top three challenges in implementing commitments."[30] The United Nations High Commissioner for Refugees Guidelines on Membership of a Particular Social Group states that women can be recognized as a social group. However, not all countries recognize women as a member of a social group. This means

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25. "Common European Asylum System," *European Commission*, last Modified March 22, 2019, https://ec.europa.eu/home-affairs/what-we-do/policies/asylum_en

26. Jane Freedman, "Sexual and Gender-Based Violence against Refugee Women: a Hidden Aspect of the Refugee 'Crisis,'" *Reproductive Health Matters*, 24, no. 47 (2016): 18-26, https://doi.org/10.1016/j.rhm.2016.05.003.

27. Ibid.

28. "Greece: 'I Want To Decide About My Future,'" *Amnesty International*, Last modified October 5, 2018, https://www.amnesty.org/en/documents/eur25/9071/2018/en/

29. "INITIAL ASSESSMENT REPORT: Protection Risks for Women and Girls in the European Refugee and Migrant Crisis Greece and the former Yugoslave Republic of Macedonia," *United nations Refugee Agency, United Nations Population Fund and Women's Refugee Commission*, accessed March 21, 2019 https://www.unhcr.org/569f8f419.pdf.

30. Ibid.

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that sexual violence, and specific forms of harm including domestic violence, are not always recognized as persecution.[31] Human Rights Watch reports from Lesbos noted that countries who fail to identify vulnerable groups also fail to give them proper access to basic services that would lead to life improvement, such as healthcare.[32]

Lack of Safe Spaces and Gender Training

In addition to a lack of Farsi and Arabic translators, which hinders access to existing services such as legal counseling, a report conducted by the United Nations Refugee Agency, United Nations Population Fund, and Women's Refugee Commission discovered that there is also a dearth of safe spaces for women and girls in Greek refugee camps.[33] Inhumane conditions for female migrants include lack of access to very basic services and facilities such as sex-segregated showers, medical care, and safe abortions. There is also a significant lack of gender awareness training in the humanitarian sector, resulting in personnel who are not only untrained but who are unable to even relate to the cases of women experiencing physical or mental abuse.[34] Jane Freedman,[35] a professor at the University of Oxford, describes in her case study of female refugees in Greece that overcrowding in reception centers means that pregnant women, single women, and women with children are forced to share tents with male strangers.

Women lacking access to safe bathrooms and toilet facilities is another major deterrent to their physical and psychological well-being. There are no separate distribution lines for food or toilet and shower facilities. Refugee women living at these sites all expressed feelings of unsafety when using the bathroom or taking a shower.[36] "This camp is not safe. I won't even go to the toilet by myself. I always have to wait for someone to go with me," said Nahla, a refugee from Syria.[37]

The Women Refugee Commission also found a lack of security at refugee sites, especially for women. Greek police working in refugee sites allow anyone to enter without showing identification. The Commission interviewed several women living in these sites who referenced holes around the fences enclosing their tents. These women described instances where men entered their sites through holes in the fences at night. This lack of security exposes women to numerous threats, including trafficking, kidnapping of children, and gender-based violence such as domestic abuse.[38]

The lack of doctors in refugee camps affects all refugees, especially women. Women

31. Anne Bonewit and R. Shreeves, "Reception of female refugees and asylum seekers in the EU case study Germany," *Brussels: Directorate General for International Policies, Policy Department C: Citizens' Rights and Constitutional Affairs*, last modified February 2016, http://www.europarl.europa.eu/thinktank/en/document.html?reference=IPOL_STU(2016)556929.

32. Peter Bouckaert, 2015, "Syrian Refugees are not the Problem," *Foreign Policy*, last modified November 18, 2015, https://foreignpolicy.com/2015/11/18/syrian-refugees-are-not-the-problem/.

33. Enomw111, "Migrant Women and Sexual Reproductive Health Rights," *European Network of Migrant Women*, last modified August 7, 2018. http://www.migrantwomennetwork.org/2018/08/07/migrant-women-sexual-reproductive-health-and-rights/.

34. Ibid.

35. Jane Freedman, "Sexual and Gender-Based Violence against Refugee Women: a Hidden Aspect of the Refugee 'Crisis,'" *Reproductive Health Matters*, 24, no. 47 (2016): 18-26, https://doi.org/10.1016/j.rhm.2016.05.003.

36. Anne Bonewit and R. Shreeves, "Reception of female refugees and asylum seekers in the EU case study Germany," *Brussels: Directorate General for International Policies*, Policy Department C: Citizens' Rights and Constitutional Affairs, last modified February 2016, http://www.europarl.europa.eu/thinktank/en/document.html?reference=IPOL_STU(2016)556929.

37. Ibid.

38. Ibid.

have little to no access to sexual and reproductive health services or psychological support . "Some of us have been in a camp for two years and nothing is changing," explains Alma from Syria, living in Skaramagas camp outside Athens.[39] The Greek government has failed to supply sufficient staff and major humanitarian organizations are continuing to move out of Greece mainly due to lack of funding.[40]

Funding

Sebastian Leape, a policy advisor for the office of Gordon and Sarah Brown, spent a summer volunteering in the Moria refugee camp in Greece. He then wrote an article assessing the allocation of funding for refugees living in Greece and came to disturbing conclusions. He etimates that the European Union has allocated over 1.6 billion euros since 2015 to meet the needs of refugees in Greece. This funding alone, when divided among the number of refugees currently in Greece, amounts to 7,000 euros for every refugee living in Greece, which is enough to cover the cost of a shared apartment and food. However, the money allocated to Greece from the European Union that has been unevenly dispersed in refugee camps.[41]

In Moria, the UNHCR has allocated 150 million euros worth of emergency funding to pay for refugees to live in apartments, but many refugees in Moria do not even have tents to sleep in. Moreover, the UNHCR has now left Greece, leaving refugee funding allocation operations up to 10 small organizations that Leape believes lack the resources and capacity to do their jobs properly.[42]

When it comes to female refugees specifically, European Union funding programs continue to fall short in their inclusion of specific financial measures designed for the integration of female refugees in European host countries. The European Social Fund 53, introduced regulation number 1304/2013 on December 17th, 2013 in the European Union, which calls for measures to promote gender equality but fails to call for specific measures and programs aimed at the improvement of the lives of female refugees and asylum seekers.

The Asylum, Migration and Integration Fund 60, introduced with regulation number 516/2014, also does not outright mention programs or measures taken to meet women's needs even though it was created to address the needs of vulnerable groups. In addition, a lack of funding towards childcare services continues to disproportionately affect female refugees burdened with the need to take care of children in their families. The inability to have a safe space for children causes women to have decreased access to job markets, which are already extremely narrow for migrants and refugees.[43]

Analysis

The agreement made between the European Union and Turkey in 2016 is failing female refugees in Greece. Syrian migrants, who make up a substantial portion of

39. Ibid.

40. "Greece: 'I Want To Decide About My Future,'" *Amnesty International*, Last modified October 5, 2018, https://www.amnesty.org/en/documents/eur25/9071/2018/en/

41. Sebastian Leape, "Greece has the means to help refugees on Lesbos—but does it have the will?" *The Guardian*, last modified September 13, 2018, https://www.theguardian.com/global-development/2018/sep/13/greece-refugees-lesbos-moria-camp-funding-will

42. Ibid.

43. Silvia Sansonetti, "Female refugees and asylum seekers: the issue of integration," *Directorate-General for Internal Policies*, Women's Rights & Gender Equality, last modified February 2016, http://www.europarl.europa.eu/thinktank/en/document.html?reference=IPOL_STU(2016)556929.

female refugees in Greece, arrive in Greece illegally and are not being returned to Turkey as the agreement states. The failure to uphold the agreement means refugees are being held for extended periods of time as "illegal" refugees in Greece, and are therefore not having their asylum applications adequately processed.

In addition, the Dublin III Regulation of the European Union (included in the legislation of the Common European Asylum System) forces refugees to apply for asylum in the country in which they first step foot in the European Union territory. Syrian refugees who are now supposed to be moved to Turkey after migrating to Greece are not being granted this right to petition for asylum within the European Union. On top of this, Greece is positioned as a major port of entry for refugees traveling through the Mediterranean. The inability to transfer migrants to other European Union countries causes massive overcrowding in Greek refugee camps.

The Dublin III Regulation also includes the Family Reunification Directive, created to establish a common policy for reuniting migrant families entering the European Union. Female refugees in particular have limited access to legal information due to their increased vulnerability in refugee camps. There is also a lack of Farsi and Arabic translators in Greece, making access to legal counsel nearly impossible. The position of women in society in relation to men, as well as the fear female refugees face when leaving their tents to speak with legal representatives, causes refugee women to receive legal counsel second hand, often from husbands or men they are traveling with. This leads to an even further disproportion of the power male and female refugees have when it comes to having access to leave camps or be reunited with family members. Women who are desperate to be reunited with their children often times will pay smugglers to take them to them, resulting in extreme vulnerability and risk.

Female refugees are not recognized by every European Union member country as a member of a social group, even though they should be according to the UNHCR Guidelines on Membership of a Particular Social Group.[44] This means that a female refugee fleeing from gender-based violence such as domestic violence or sexual abuse is not able to use these reasons to petition for asylum. Vulnerable social groups are also supposed to be granted special access to services based on their specific needs. The unwillingness of Greece to adequately address the needs of women as a social group leads to their lack of access to healthcare services such as reproductive healthcare.

The lack of security offered to refugees in Greek refugee camps is extremely detrimental to the lives of female refugees. Reports of Greek police allowing entry into camps without any form of identification further support female refugee narratives that they are extremely unsafe. Furthermore, a lack of access to safe spaces for women in camps, including shared washrooms, toilets, and even food distribution centers, all contribute to the gender-based violence refugee women experience.

Finally, European Union funding is not being properly allocated to refugee camps in Greece, contributing even more to the extreme vulnerability refugee women experience. European Union funding programs are also failing to adopt specific measures aimed at the improvement of the lives of female refugees. Most notably this includes a lack of funding towards childcare services, as well as the omission of the needs of women as a vulnerable group.

44. "Guidelines on International Protection: 'Membership of a particular social group' within the context of article 1A(2) of the 1951 Convention and/or its 1967 Protocol relating to the Status of Refugees," *UNHCR the UN Refugee Agency*, last modified May 7 2002, hrlibrary.umn.edu/unhcr_gender-guidelines.doc.

Conclusion

Feminism is crucial when studying the lives of refugees, and not only when discussing the lives of female refugees. When women are unable to secure employment due to discrimination, the men in their families often times are forced to pick up the slack. When women do not have access to safe spaces to sleep, use the toilet or shower, or even gain access to food, men traveling with them are forced to offer protection.

Greece is experiencing a right-wing shift in refugee policy. This shift is formulated by the idea that refugees are dangerous or even criminal and stems from the ideological characterization of refugees being mainly single men, traveling alone. This male-centric formulation of who and what refugees are is hurtful toward all refugees on many levels and stems from a lack of a gendered perspective when it comes to refugee policy, as much as it is a consequence of living in a patriarchal society.

Since the creation of the United Nations Convention on the Protection of Refugees in 1951, feminists have been working to establish legislation which protects not only refugee men but also refugee women. Feminist scholars and policy analysts have ever since disagreed on the best way to establish equality among men and women when it comes to human rights legislation, after noting massive disproportion in how human rights legislation betters the lives of men in comparison to women. Today, there is little disagreement among feminist scholars regarding the area of female refugees and the specific policies that inhibit their growth and development.

International Relations scholars who argue whether liberal institutionalism or realism are the keys to creating and maintaining good living conditions for all citizens globally are often times too broad in their assessments of human lives. Feminism is a necessary theoretical framework that contextualizes the topic of human rights, and how to secure those rights, especially in the case of humanitarian crises. Feminist scholars have assessed that lack of privacy, barriers to communication with officials, lack of gender training at refugee camps, and legal challenges women face specifically, all exacerbate their increased vulnerability as refugees in Greece. A global conversation is currently being conducted, on how to better the lives of the millions of refugees currently entering Europe and assist them in their time of need. As scholars and policy analysts we must always remind ourselves to focus on more than only half of the population of people that is affected by policy making.

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Paradoxical Successes: A Contemporary Examination of the Philippines' Steps Forward and Backward vis-à-vis Socio-economic Development

Joshua Salazar

Abstract

Much literature continues to highlight how the Philippines has emerged as a critical actor in global trading and how it has witnessed dramatic and positive structural changes. While this is true to a certain extent, such scholars have not only mistakenly overlooked these so-called "successes," they have even glossed over more important problems. Thus, by adopting a holistic lens of the Philippines' socioeconomic development, I am able to deduce more qualifiable conclusions for both the domestic and national levels. This has led me to explore the following questions: how has the Philippines succeeded in improving its socioeconomic sectors; who and at what levels are these successes felt; and what does this mean for its future socioeconomic growth? I argue that the Philippines has witnessed paradoxical successes. That is, many lives have been spared, gender disparities have decreased, and national poverty levels have improved; conversely, however, invisible and physical structures such as poor accountability, corruption, poverty, and vested interests continue to hamper growth at both the domestic and national levels—hence, yielding vicious and self-perpetuating cycles of inequality. It is important to remain critical of the Philippines' socioeconomic development because it will yield more insight on their future and on more important issues, structures or agents, and factors which are—or are not—stymying their overall socioeconomic and aggregate growth.

Introduction

Economic and human development is a multifaceted enigma that continues to perplex many scholars because there are many factors that come into play. Additionally, it is perhaps of utmost important realm to explore this because analyzing human discourses, at varying breadths—i.e., social, environmental, and so forth—teaches us how forces are positively and negatively affecting each other. In other words, reflecting

upon such scholarship can lead us to new levels of problem-solving and ethical understanding. Since the latter part of the 20th century, the Philippines has undergone tremendous structural shifts and, as a result, emerged as an important economic agent in the global marketplace—creating new dependencies and altering globalization's course.

This paper will explore the Philippine's remarkable discourse of social and economic development (socioeconomic); however, at the same time, argue that many inconsistencies continue to lie awry vis-à-vis human and political development. Due to length constraints, I will focus on the Philippines' socioeconomic development since the middle of the twentieth century, as it is the most salient today. In particular, it is also conducive for my analysis to condense decades of literature and varying statistics. To be clear, although the Philippines has improved its social and economic sectors to some respect, it has also yielded uneven or incomplete results at varying levels, therefore stymying both their aggregate and socioeconomic growth, perpetuating their stagnant status, and, too, yielding paradoxical successes.

Methodology

First, in incorporating the Philippines' history, I will explore the decline of national poverty, yet also underscore its demise due to the lack of macroeconomic growth. Second, I will examine deeply rooted and invisible structures such as patriarchy, which continue to halt their development. Third, I will argue that there is an urban bias, leaving those in rural areas left behind and, thereby perpetuating endless cycles of poverty. Fourth, I will examine the importance of diversifying income via overseas migration, and how it has led to overall national growth. Then I will explore the Philippines' political paradox of democracy and argue that poor accountability and corruption is glossed over amidst claims of their "democratic successes." Last, I will quickly examine the Philippines financial sector and show that although they have increased their GDP by becoming an electronics exporter, protectionist or vested interests continue to hurt the Philippines' overall socioeconomic and aggregate growth. In sum, the following conclusions support my argument that 1) many structures continue to thwart the Philippines' advancement to the international arena and 2) both their socioeconomic and aggregate advancement albeit their progress should not be discredited.

Demographic and Rural Changes

Before delving into the Philippines' gains and lapses of social development over the past few decades, it is as important to mention some precursors. According to Hossain et al., the average household size decreased from 5.4 in 1985 to 4.8 in 1997.[1] This notion is particularly important because the attrition in household size affects the number of workers and the total amount of contributed income. Contrary to popular belief, the decrease in household size did not translate to decreased poverty levels. In fact, Steven Sinding notes that, "[W]here fertility has declined . . . poverty rates remain essentially unchanged from their 1980 levels."[2]

Moreover, developing countries are notorious for being heavily dependent on their

1. Mahabub Hossain et al. "Income Distribution and Poverty in Rural Philippines Insights from Repeat Village Study," *Economic and Political Weekly* 35.52/53 (2000): 4650-4656. JSTOR [JSTOR]. Web. 23 Sept. 2018. 4657

2. Steven Sinding. "Population, poverty and economic development," *Philosophical Transactions of the Royal Society* 364 (2009): 3023-3030. JSTOR [JSTOR]. Web. 23 Sept. 2018. 3028.

agricultural sector. The majority of Filipino households live and work in rural sectors; however, one reason for their continuing poverty is because they have failed to fully develop their agricultural sector. Rural households in the Philippines, in particular, have witnessed significant social changes. The rural sector has shifted its dependence on agriculture from 54 percent in 1985 to 39 percent in 1997.[3] Contemporarily speaking, according to the Asian Development Bank, the agricultural share of wages declined 46.1 percent in 1997 to 44.8 percent in 2003.[4] In other words, the formerly mentioned statistics reflect a structural employment shift towards non-rural sectors—e.g. services, a sector that has significantly expanded over the past few decades. Conversely, the advancing rural sector (via green revolution technologies) has also yielded and deepened negative repercussions. For example, farmers have now become increasingly dependent on fertilizers, thus making them more vulnerable to environmental shocks.

As formerly mentioned, the Philippines' overall, average household income has steadily increased since the 1980s for most families. In truth, alleviating poverty has been a grave challenge. Additionally, it is important to mention that advancing technologies and the rise of the services sector have also helped to alleviate poverty levels. It is as also worth noting that the economy during the Marcos dictatorship was in poor shape due to its debt-driven growth. Not until after the Aquino democratic revolution took place did the Philippines experience growth rates of 2.3 percent between 1990 and 1995.

Poverty stunts economic growth and income. Sinding notes that poverty levels in East Asia, have been on the decline over the past 25 years poverty, —most notably, in the Philippines.[5] The Asian Development Bank adds that poverty estimates in the Philippines, according to the Gini coefficient metrics, have improved from 0.4822 in 2000 to 0.4580 in 2006.[6] In most countries in the world, income growth has occurred unevenly. This is particularly true for the Philippines, with some areas continuing to be worse off than others. Anne Booth's position is similar to the argument in this paper, since she predicted Philippine economic growth to be even slower due to declining macroeconomic growth rates, especially when compared to 2002.[7] The decline in income is reflective of various factors—i.e., the decline in stable or high-quality jobs. Therefore, one can conclude that the Philippines has achieved remarkable success in lowering its national poverty levels, but has left many in impoverished conditions. Since this occurs heavily in rural areas, some scholars dub this "metropolitan bias." In other words, a disproportionate focus has been spent on strengthening the urban sector at the expense of the rural sector. Martinez *et al.* add that whereas the pace of economic expansion is quite remarkable, "[it] has yet to be manifested in the distribution of household income."[8] In sum, national economic growth has not translated to or been felt at the domestic or rural levels.

3. Hossain et al., "Income Distribution and Poverty in Rural Philippines Insights from Repeat Village Study," 4652.

4. Fernando Aldaba and Asian Development Bank, POVERTY IN THE PHILIPPINES CAUSES, CONSTRAINTS, OPPORTUNITIES (Manila, Philippines: Asian Development Bank, 2009), 22.

5. Sinding, "Population, poverty and economic development," 3028.

6. Aldaba and Asian Development Bank, POVERTY IN THE PHILIPPINES CAUSES, CONSTRAINTS, OPPORTUNITIES, 25.

7. Anne Booth, "SOUTHEAST ASIA'S ECONOMIC PERFORMANCE: Achievements and Challenges," *Southeast Asian Affairs* (2004): 18-34. JSTOR [JSTOR]. Web. 23 Sept. 2018. 18, 20.

8. Arturo Martinez et al. "Is there income mobility in the Philippines? (Report)" *Asian–Pacific Economic Literature 28.1* (2004): 96-115. EBSCO [EBSCO]. Web. 23 Sept. 2018. 96, 113.

Income Inequalities within Rural and Urban Settings

In studying income inequalities in the Philippines, it is important to look at some precursors, effects, and case studies. It is equally important to examine inequality because it, as Edward Taylor and Travis Lybbert write, "[C]an directly shape how overall economic growth of an economy translates into poverty alleviation." [9]

Holdings of land in the Philippines have declined for agrarian farmers and some; do not hold any land shares at all. This pattern can be seen in other developing and predominantly agrarian states such as India. In many cases, rural households sharecrop their land with owners under rental contract.[10]

It is important to note that the global financial crisis only deepened and worsened the livelihoods for the poor, especially in rural areas. In complicating income inequality, Carolyn Sobritchea recounts scholar Nolasco, and adds that, "Filipino women have to carry the burden of attending to the basic needs of their families in times of economic crises caused by continuous market manipulations of multinational companies and imperialist powers."[11] Another reason for the increasing income inequalities could be attributed to the deeply rooted patrimony and patriarchy in the Philippines.

In relation to urban areas in the Philippines, Robert Fletcher Manlove explores the paradox of increasing social capital. He notes that since 1975, "[T]he gap between the wealthy few and the general population [is] widening."[12] One example of such exaggerated claims is that although poverty levels have declined since the 1980s, Dressel asserts that "[T]he absolute number of poor, based on income of $1.25/day, actually increased from 18.5 million in 1985 to 19.7 million in 2006."[13] This shows the pervasiveness and prevalence of social inequality that is still very much alive in urban Philippines. In the subsequent paragraphs I will further examine the Philippines social development in relation to gender.

Income Diversification

Many Filipinos continue to diversify their income—i.e., they continue to seek other financial means in order to decrease their vulnerability to shocks, via services or enterprise income. Since the 1980s, many Filipino families have tried to decrease their dependence on agriculture. As a result, the Philippines has also experienced a rise in the non-rural job sector. Additionally, many Filipinos have voluntarily left the Philippines as economic migrants to more-promising and "developed" countries. For decades, the Philippine government has strongly supported (female) Philippine migration abroad because of the trickle down benefits via remittances. In addition, income disparities can also be attributed to some families having relatives working abroad: some families possess the means of sending members abroad and others may not, which creates an economic disparity. Nonetheless, remittances have been one major source of income for Filipino households and, at the same time, they have also

9. J. Edward Taylor and Travis J. Lybbert, ESSENTIALS OF DEVELOPMENT ECONOMICS (Oakland, California: University of California Press, 2015), 111.

10. Michael Todaro and Stephen Smith, *Economic Development*, 12th ed. (Upper Saddle River, New Jersey: Pearson, 2015), 454.

11. Carolyn Sobritchea. "Representations of Gender Inequality and Women's Issues in Philippine Feminist Discourses." *Asian Journal of Women's Studies* 11.2 (2005): 67-88. ProQuest [ProQuest]. Web. 23 Sept. 2018. 73

12. Robert Fletcher-Manlove. "Social Inequality in Urban Philippines." *Philippine Studies* 50.4 (2002): 451-495. JSTOR [JSTOR]. Web. 23 Sept. 2018. 492

13. Dressel, "The Philippines: how much real democracy?", 539.

led to increasing levels of Foreign Direct Investment (FDI) and improved their overall social, human, and structural development.

Remittances are not only a stable source of income; they create powerful consumption and growth patterns, generating greater economic growth, which leads to an increase in social capital. In sum, remittances help families afford basic goods, health services, and education. Thus, this leads to a growth in social capital. Numerically speaking, the number of overseas workers in 1979 was estimated to be 380,000: the number climbed to 3.8 million by 1995.[14] This enormous increase in overseas migration shows how Filipinos have sought economic refuge in developed countries based on their perceptions of these states having stable and more prosperous labor opportunities. Even though Filipinos have sought alternative avenues to generate income, leading to greater socioeconomic success, growth patterns continue to occur unevenly. Data suggests that income diversification has been an attempt to escape poverty and achieve social mobility, but the reality is that many Filipinos are repeatedly left behind. This runs contrary to the Philippines government claim of complete economic success.

Gender

Gender is also an important factor that affects income inequalities. Regarding women in the workplace, Rachel Salazar Parreñas argues that, "[T]he economy depends on the work of women outside [and inside] the home."[15] Ester Boserup further explains that women have a high rate of participation in agricultural work;[16] She also adds that this sort of participation "polarize[s] division of [labor], creates a wide gap in productivity and income between men and women within the same sector, [therefore], lowering the position of women in relation to men."[17] This pattern continues to perpetuate stereotypical and patriarchal narratives and systems.

In contrast, the World Economic Forum, 2016 "Global Gender Gap Report," over the past decades stated, the Philippines had closed its gender gap on both the Health and Survival and Educational Attainment sub-indexes. It also remains one of the top countries that support political empowerment and closing the gender gap: its average is 94%.[18] The Philippines employs a disproportionately high number of female ambassadorships in relation to not just other Asian Pacific countries, but to the rest of the world. One reason why the Philippines has made such milestones is because by 1986, women's movements had begun to confront and transform patriarchy, gender norms, and duties—thanks to the Aquino revolution.

In sum, the Philippines has moved itself in gender gap ranking to number 7 out of 144 countries. Women greatly contribute to the workforce and to economic, human, and social development; therefore, this begs the necessity to continue to integrate women into both economic and social sectors and to further our efforts towards gender egalitarianism. Mao Zedong's rhetoric neatly sums up the formerly mentioned

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14. Moshe Semynov and Anastasia Gorodzeisky. "Labor Migration, Remittances and Household Income: A Comparison between Filipino and Filipina Overseas Workers." *International Migration Review* 39.1 (2005): 45-68. Wiley [Wiley]. Web. 23 Sept. 2018. 59.

15. Rachel Salazar Parreñas. "THE GENDER IDEOLOGICAL CLASH IN GLOBALIZATION: WOMEN, MIGRATION, AND THE MODERNIZATION BUILDING PROJECT OF THE PHILIPPINES." *Social Though & Research* 28 (2007): 37-56. JSTOR [JSTOR]. Web. 23 Sept. 2018. 37.

16. Ester Boserup, Woman's Role in Economic Development (New York City: St. Martin's Press, 1970), 10.

17. Ibid., 130.

18. World Economic Forum. *The Global Gender Gap Report* 2016 (Geneva: World Economic Forum, 2016), 14, 16.

conclusions when he notes that 'women hold up half of the sky.' The Philippines would hinder its aggregate advancement by not supporting the advancement of women in(to) the industrial or services sectors. In many developing countries (i.e., Latin America or Africa), tradition and domestic subservience continue to hamper support for women's modernizing role. The situation in the Philippines negatively effects socioeconomic and aggregate development.

Higher Education

Many academics have argued that higher education levels yield greater financial returns. Put frankly, Moshe Semyonov and Anastasia Gorodzeisky note "household income is positively and significantly related to education of both husband and wife."[19] Most economists would agree that higher educational levels strongly correlate with higher household incomes. Another reason why many migrants seek temporary refuge in Europe or the US is to access strongly developed economies and an advanced educational sector. As formerly noted, the Philippines has since closed its gender gap in educational attainment over the past few decades; access and opportunity remain recurring problems. According to the 2013 Social Progress Index report, out of 50 developing countries, the Philippines has remained virtually stagnant in its position—placing 31st on access to higher education and 29th on access to basic knowledge.[20] The United Nations' Human Development Report adds that in relation to mean years of schooling, the Philippines has slightly progressed from 6.6 years since 1990 to 9.3 years as of 2017.[21] These numbers show the paradox of the Philippines' rising social sector. Despite increases in urban development, many are simply still unable to access higher education because of their lack of (access to) resources and are thus unable to elevate their economic status. This situation has produced a vicious self-perpetuating cycle of poverty.

One determinant for improving higher education levels is by increasing the resources available for teachers and students at all levels: primary, secondary, and tertiary. The Philippines continues to have a low priority on education. Access to higher education is one part of the problem; quality is an even graver one. Many students are often unprepared for universities, tuitions are too high in relation to family incomes, professors are unqualified (e.g., only 8% of professors hold doctoral degrees), and educational reforms are often mismanaged.[22] Politicians' neglect for education and corruption amongst the educational sector in the Philippines reflects the domestic reality: One should reconsider the Philippines' educational sector's priorities and reevaluate its alleged "successes."

If the Philippines changes its priorities by investing money to educate its population, chances of new Research and Development (R&D), new innovations, and better national economic growth can be enhanced. The Philippine economy might then rise sufficiently to allow it to challenge core players in regional and world markets, and achieve success as a strong electronics exporter. This was the example shown

19. Semyonov and Gorodzeisky. "Labor Migration, Remittances and Household Income: *A Comparison between Filipino and Filipina Overseas Workers*," 58.

20. Michael Porter, Scott Stern and Roberto Artavia Loría, SOCIAL PROGRESS INDEX 2013 (Washington, DC: *Social Progress Imperative*, 2013), 88.

21. United Nations Development Programme, "Human Development Reports: Mean years of schooling (years), United Nations Development Programme, http://hdr.undp.org/en/indicators/103006, 2017. [accessed 23 September 2018].

22. Daniel Walfish. "High Education in the Philippines: Lots of Access, Little Quality." *Chronicle of Higher Education* 48.2 (2001): A60-A62. EBSCO [EBSCO]. Web. 23 Sept. 2018.

by China and Japan just a few decades ago. Such structural changes are not likely to happen any time soon because of corrupt politicians, entrenched business interests, and institutionalized patriarchy. Proper planning, as shown by China and Japan demonstrates that economic success can be achieved if given the right priority.

Political Sphere

In studying the Philippines, it is important to examine its political advancements and drawbacks over the past decades. Former Philippine president Corazon Aquino, is emblematic of the Philippines' contemporary, political, historical, democratic, and paradigmatic shift. In 1986, Aquino ousted the Ferdinand Marcos dictatorship with her 'People Power' movement. Not only did voter turnouts increase, but also the 1987 establishment of the Philippine Constitution resulted in impressive "institutional arrangements regarding liberal, civil, and social rights."[23] Samuel Yu adds that, "[T]he new Constitution . . . expanded the content of the articles on human rights and . . . set up [the] legal mechanisms to protect them."[24] Conversely, critical scholars and Filipinos would strongly agree that the Philippines displays a political paradox of democracy. Poor institutions, lack of accountability, complex socioeconomic and political structures, and cumbersome, bureaucratic procedures are to blame. Corruption yields many negative economic costs such as an undermining of state legitimacy and rising transaction costs. This situation exacerbates economic disparity between the rich and the poor. It is also safe to add that the quality of governance diminishes with distance—i.e.; rural areas are especially more vulnerable than metropolitan ones. The underdeveloped Philippine government and rising crimes have led to the proliferation of President Rodrigo Duterte's 'war on drugs.'

Contemporary Political Climate

Given the Philippines' past social achievements, it is important to further examine its current sociopolitical condition. Despite the Philippines' widespread social success and current social conditions such as human rights, they are undergoing many changes under the Duterte Administration. We face an era of contentious and challenging politics. Further discussion and critical analysis of Philippines' social and political discourse has never before been more necessary. Many social and political achievements over the past 40 years are now being challenged and reversed by Duterte.

The Philippines situation is not unique; its current sociopolitical climate can be compared to other "developed" countries such as the US, Italy, or Hungary. Human Rights Watch reported that over 12,000 men, women, and children have died as a result of Duterte's ruthless drug-crackdown campaign.[25] Police officers have falsified evidence and killed individuals without legal justification or due process. In sum, the Philippines' current sociopolitical state is particularly alarming in light of the great number of positive achievements achieved during the past few decades; these are being unraveled at the expense of thousands of lives.

23. Björn Dressel. "The Philippines: how much real democracy?". *International Political Science Review* 32.5 (2011): 529-545. SAGE Journals [SAGE Journals]. Web. 23 Sept. 2018. 530.

24. Samuel C. K. Yu. "Political Reforms in the Philippines: Challenges Ahead. *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 27.2 (2005): 217-235. Project Muse [Project Muse]. Web. 23 Sept. 2018. 224.

25. Human Rights Watch, *Philippines' 'War on Drugs*,' https://www.hrw.org/tag/philippines-war-drugs, 2017. [accessed 23 Sept. 2018].

Economics Sphere

The Philippines has undergone a tumultuous journey of economic growth and stunts since the 1980s. The growth in consumption patterns in the 1980s and 1990s contributed to the Philippines' macroeconomic growth—, leading to a rising GDP and an increase in the number of export-oriented goods. The Philippine economy has undertaken significant economic transformations over the past four decades: transforming itself from an agro-based exporter in the late 1970s and early 1980s to an electronics exporter in 2003.[26]This point is both significant and important; the Philippines embarked on an export-oriented agenda in the 1980s by establishing EPZs lowering tariffs. It also offered subsidies or tax incentives in order to promote export-led growth, AFTA (and ASEAN) and increased foreign direct investment. Kelly Bird and Hal Hill note, "[I]n contrast to previous growth spurts . . . [although] GDP growth has accelerated, investments and labor force growth have not."[27] This may be explained by the Philippines' (traditional) low rate of saving money. The belief that the Philippines economic model is a complete success is a paradox. This belief overlooks economic stagnation and economic steps backwards.

Foreign Direct Investment

The discourse on FDI to the Philippines warrants further examination, since it has yielded both positive and negative effects. The Philippines has experienced attrition as a source of outward FDI. In juxtaposition, Sayeeda Bano and Jose Tabbada assert that the Philippines had 114 million dollars of FDI inflows and, that number had risen to 1.2 billion dollars by the early 1990s.[28] Jamshid Damooei and Akbar Tavakoli add that, "[T]he nominal value [of] FDI inflows . . . has been on the rise since the mid 1980s, [rising] at annual rate of 25 percent from 1980 to 1998."[29] The effect of such FDI has translated to an increase in production efficiency.

President Arroyo signed the Investment Priority Plan in 2001with the intent of developing potentially competitive sectors. Arroyo's plan was designed to make foreign capital investment to the Philippines more attractive. The Philippines has repeatedly supported both the WTO and trade liberalization and they continue to be an important actor in both Asian and Trans-Pacific trading. FDI is an important source of growth because it can lead to positive spillover effects in R&D or technology transfers. However, this economic plan has a chance of being thwarted because many Filipinos have lobbied for further protections of the agricultural or textile sectors because they fear the domination of external firms. Despite such widespread macroeconomic success, increasing FDI inflows have not translated to industrial growth as experienced by its trade partners. This can be attributed in part to vested interests.

Future Research

There are some potential avenues for further scholarship, which could better

26. Jose Tongzon. "Trade Policy in the Philippines: Treading a Cautious Path." *ASEAN Economic Bulletin* 22.1 (2005): 35-48. JSTOR [JSTOR]. Web. 23 Sept. 2018. 25.

27. Kelly Bird and Hal Hill. "Philippine Economic Development: A Turning Point?". *Southeast Asian Affairs* 0 (2009): 267-288. JSTOR [JSTOR]. Web. 23 Sept. 2018. 271

28. Sayeeda Bano and Jose Tabbada. "Foreign Direct Investment Asian Developing Countries." *Journal of Economic Integration* 30.2 (2015): 359-398. JSTOR [JSTOR]. Web. 23 Sept. 2018. 375-376.

29. Jamshid Damooei and Akbar Tavakoli. "The Effects of Foreign Direct Investment And Imports on Economic Growth: A Comparative Analysis of Thailand and the Philippines." *Journal of Developing Areas* 39.2 (2006): 79-100. JSTOR [JSTOR]. Web. 23 Sept. 2018. 87-88.

illuminate the Philippines' paradoxical or exaggerated socioeconomic success. First, it would be worth examining the Philippines' continued push for protectionist reforms at the agriculture level. At the political level, examining the Philippines' statist rhetoric may also help scholars to better understand the social effects of Duterte's imposition of martial law on both local and national levels. Last, it is important to further examine the nexus of socioeconomic development in relation to aggregate development. Although the Asian World Bank asserts that the Philippines' Gini coefficient has improved, I argue that it overlooks many physical and invisible structures (e.g., domestic patriarchy, national corruption, and poor accountability among institutions). These may be the most important structures to examine in future academic research.

Conclusion

As shown in this paper, there is a paradox behind the Philippine's widely discussed, and unprecedented socioeconomic success. It has been shown how both statistics and literature strongly suggest that the Philippines has industrialized and, as a result, raised the standard of living for many. On the other hand, those in rural areas are routinely ignored, reflecting a bias toward those living and working in the metropolis. Those living in rural areas face even greater odds of achieving upward social mobility. The Philippines has since emerged as an important agent among ASEAN trading partners and has increased exports, which have, in turn, increased levels of FDI. Many Filipino households have begun to decrease their vulnerability to financial shocks by seeking other stable income, such as seeking employment in the services or enterprise sectors, or by sending family members abroad, who will then remit back home. This is a great improvement from relying on an often unpredictable agricultural market.

The evolution of the Philippine political sector is also a paradox. Democratic safety nets have been established, yet poor governance continues to stagnate cultural, economic, and political life.

It is without a doubt that over the past thirty years, the Philippines has improved its educational sector and lowered gender disparities. Both men and women have attended school longer and the wages of women have gained parity with those of men. However, the level of household income is still relatively disproportionate compared with the rate of economic expansion. Despite the widespread social, economic, and cultural successes of the Philippines, aspects of patriarchy, corruption, and urban bias continue to thwart the Philippines' national aggregate growth, and may do so for some time. At present, the Philippines' former milestones should be acknowledged. It must be recognized, however, that there must be further changes politically and economically.

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Downfalls of the Trafficking Victims Protection Act (TVPA)

Jenn Yan

Abstract

Human trafficking is a global issue that continues to grow domestically and internationally despite aims to eradicate it. This paper examines the Victims of Trafficking and Violence Protection Act (TVPA) and argues that although the TVPA is a huge victory for human rights and has set the framework for the protection of victims of human trafficking, it does not fully protect victims. This paper will examine crucial flaws in the TVPA, and highlight how it is imperative to change the discourse surrounding how state and law enforcement view, approach and solve the issue of human trafficking.

Introduction

Migration is a complex phenomenon that continues to take precedence in the twenty-first century. With globalization, interstate mobility has become much easier. Although much of migration in the world today takes place voluntarily and legally, not all migration takes place under such conditions. One of the many unintended consequences of globalization is human trafficking. This form of illegal and non-voluntary migration is taking place and dominating our world today. Human trafficking has grasped the attention of scholars because it is the third largest crime against humanity in the international crime industry, generating 150 billion of dollars in profit and causing the suffering of many victims – mainly women and children.[1]This global issue has unfortunately continued, and will continue unless comprehensive measures are taken to address it.

For a long time, the United States (and the rest of the world) had not developed nor implemented a policy or law that could effectively protect victims of human trafficking, and combat the growing concern of this form of modern day slavery. In an effort to respond realistically to the protection of victims of human trafficking, The United States Congress created and passed the Victims of Trafficking and Violence Protection Act (TVPA) in 2000.[2]

The TVPA constitutes the first comprehensive federal law that attempts to protect victims of trafficking and prosecute their traffickers.[3] The enactment of the

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1. "Statistics from the National Human Trafficking Hotline and Polaris" *Polaris Project*. https://polarisproject.org/human-trafficking/facts

2. Victims of Trafficking and Violence Protection Act of 2000. *U.S. Department of State*.https://www.state.gov/j/tip/laws/61124.html, Fall 2000. [Accessed 15 March 2019].

3. Ibid

TVPA ensures the protection of victims from severe forms of human trafficking, the penalization of criminals responsible for conducting these acts and the establishment of multilateral cooperation domestically, as well as internationally to combat human trafficking.[4] This particular act allows victims in the U.S to obtain protection under the T-Visa, which provides victims with visas and financial government assistance if they qualify under a set of requirements.

Although the enactment of the TVPA is a huge victory for human rights and is a crucial stride for the protection of victims of human trafficking in the United States, it is evident that the TVPA has, in its current stage, failed to protect human trafficking victims. In retrospect, while it is equally important to recognize Congress' intent, there lie crucial flaws in the TVPA. One of the main flaws is the ambiguity of the T-Visa criteria and its focus on prosecution over protection and prevention. The focus on prosecution over protection and prevention is particularly problematic for several reasons. First, due to the governmental and law enforcement prerequisites in obtaining protection and second due to the ideas pertaining to criminalization and securitization that surround victims of human trafficking. These factors diminish the effectiveness of the act as a whole.

It is crucial to change the discourse surrounding how the state and law enforcement view, approach, and solve the issue of human trafficking. This can take place via proper law enforcement training and strategies to decriminalize acts that are considered to be criminal by nature in human trafficking. One example of this is a model policy that calls upon countries to decriminalize sex trade in order to better protect the human rights of sex workers. This policy has transformed catchall offences that criminalize sex trade to laws and policies that provide protection for sex workers from exploitation and abuse.[5] Without proper changes in the discourse surrounding human trafficking, the issue will continue to lie awry and individuals will continue to be victims of these crimes.

The following paper will address the issues in the current plan in combating human trafficking. This paper argues that the current migration control policy (i.e. the TVPA) fails to protect victims from human trafficking. To crystallize my findings, I have incorporated case studies that examine the relationship between the United States and Mexico. Mexico is the hub of human trafficking activity; hence, an abundance of migrants as well as victims of forced labor and sexual exploitation utilize Mexico as a transit center in the effort to reach the U.S.[6]

Background

Definitions for human trafficking vary and should not be confused with other terms such as human smuggling. When discussing human trafficking, it is important to demarcate the differences between human trafficking and human smuggling. Human trafficking is forced and or coerced, whereas human smuggling is consensual. The most agreed upon definition comes from the US Department of State, which defines human trafficking as "the recruitment, transportation, transfer, harboring, or receipt of persons by improper means (such as force, abduction, fraud, or coercion) for an improper

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4. Ibid

5. Erin Albright. "Decreasing Human Trafficking through Sex Work Decriminalization" A*MA Journal Ethics.* 19.1 (2017) 122-126. Jan. 2017. 122-124.

6. Salvador Cicero-Dominguez. "Assessing the U.S.-Mexico Fight Against Human Trafficking and Smuggling: Unintended Results of U.S. Immigration Policy." *Northwestern Journal of International Human Right*s4.2 (2005): 303-30.

purpose including forced labor or sexual exploitation."[7] Today, it is estimated that at least 700,000 persons annually—primarily women and children—are trafficked within or across international borders.[8]

The Trafficking Victims Protection Act (TVPA) was enacted to offer protection to victims of serious crimes without the immediate risk of being removed from the country.[9] The TVPA tries to combat human trafficking comprehensively through a three-pronged approach. Under this three pronged framework, *prosecution*, protection, and prevention play an instrumental role in the fight against "modern day slavery." First, under the prosecution prong, the just and effective punishment of traffickers is ensured.[10] Second, the *protection* prong ensures that victims are provided with referrals and connections to an array of services. These include the ability to remain in the country, without fear or deportation due to lack of legal status.[11] Third, the prevention prong guarantees efforts ensure that accurate and targeted information is published and disbursed to the community to raise awareness on the issue. This information is spread to respond effectively to threats of human trafficking.[12]

Under the protection and prevention prongs, the T-Visa was created to provide long-term visas and governmental support to those who have fallen as victims of trafficking in the United States if they meet all of the requirements. This is a major shift in the immigration law policy because, in the past, many of these victims were deported based on their inability to produce legal documentation. Currently, to meet the criteria for the T-Visa, individuals who apply must first be able to prove that they have arrived in the United States illegally and that they have been forced to engage in involuntary servitude, coerced to come to the United States based on fraud, or coercion, and demonstrate that they will suffer extreme hardship if they were to be deported.[13] Next, they must participate in investigations, prosecutions, and include an endorsement from a law enforcement agency for their application to be valid.[14]

After reading the above qualifications for obtaining the T-Visa, it is clear that the entire act is subject to the discretion of either law enforcement or federal authorities on whether an individual is a "victim" of human trafficking or not. The criteria for obtaining the T-Visa is extremely problematic because it is very difficult and almost impossible to prove that victims arrived in the United States illegally to engage in involuntary servitude or sex.

The TVPA of 2000 authorizes issuing up to 5000 T-Visas for victims of trafficking every year to receive permanent residence, and assistance from the government. Unfortunately, the cap has not been met since the enactment of TVPA in 2000. According to the State Department's 2018 Trafficking in Persons report, the United States only granted T-Visas to 672 victims in 2018—a decrease from 750 and 986 grantees in 2017 and 2016.[15] Although the exact number of applications received

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7. Victims of Trafficking and Violence Protection Act of 2000.U.S. *Department of State*.https://www.state.gov/j/tip/laws/61124.html, Fall 2000. [Accessed 15 March 2019].

8. Ibid

9. Ibid

10. Ibid

11. Ibid

12. Ibid

13. Ibid

14. Ibid

15. "Trafficking in Persons Report." *U.S. Department of State*, June 2018, https://www.state.gov/documents/

has not been released, it is important to note that according to the National Human Trafficking Hotline in 2017, 8,524 cases of human trafficking were reported in the United States in 2017.[16] Based on these statistics and the criteria of the T-Visa, it becomes clear that whether or not an individual qualifies for the T-Visa, depends upon cooperation with law enforcement.

Although it is possible to obtain a T-Visa without obtaining approval from law enforcement, it becomes extremely difficult for applicants to prove their status as being trafficked since they will need to submit documentation of secondary sources such as police reports and news articles.[17] This eligibility requirement and process although in well intent for the purpose of prosecution, is just another barrier to prevent the eradication of human trafficking.

Literature Review:

Law enforcement in the United States fails to identify and assist victims of human trafficking because the United States emphasizes a criminal justice approach to human trafficking, and as a result, victims are identified as criminals instead of being recognized as victims of crimes. *In The War on Human Trafficking: U.S. Policy*, Anthony DeStafano explores the inconsistencies and ineffectiveness of human trafficking policies, specifically the TVPA.[18] According to DeStafano, neither the state department nor law enforcement enforces the TVPA. As a result, women and children continue to suffer from human rights violations such as forced labor and prostitution[19]

This demonstrates that even though the United States has made crucial strides in the fight against human trafficking, accurate enforcement and aid remains weak. Since there is an emphasis on the law enforcement component of the TVPA's anti trafficking initiatives, the actual protection and humanitarian goals of aiding trafficking victims is vastly undermined. Individuals in law enforcement are clouded with preconceived notions of what a criminal looks like, and what type of crimes criminals are involved in. Due to the criminal nature of human trafficking, many victims are viewed as criminals rather than as victims of crimes. This reversal is important to underscore. States focus on punishing traffickers rather than on providing resources such as housing, health, and financial assistance to help victims reclaim their lives.

Many prosecutors are reluctant to bring charges against traffickers due to the fear and stigma associated with prostitution, that is, the assumption that trafficking is done voluntarily.[20] Thus, it is extremely difficult to achieve protection or let alone prevention when individuals are unable to even surpass the first stage of prosecution under the TVPA. When the T-Visa is contingent on the victim's ability to acquire aid from either law enforcement or the state, victims are forced to cooperate with "every reasonable" request. Therefore, prosecution not protection appears to be the main goal of the TVPA.

organization/282798.pdf, Summer 2008. [accessed 15 March 2019].

16. The Polaris Project, Hotline Statistics, https://humantraffickinghotline.org/sites/default/files/2017NHTHStats%20%281%29.pdf, 2017 [accessed 22 March 2019].

17. Victims of Trafficking and Violence Protection Act of 2000. *U.S. Department of State*.https://www.state.gov/j/tip/laws/61124.html, Fall 2000. [Accessed 15 March 2019].

18. Anthony DeStefano, The War on Human Trafficking: U.S. Policy Assessed (New Brunswick, New Jersey: Rutgers, 2008)

19. Ibid

20. Jessica Aycock. "Criminalizing the Victim: Ending Prosecution of Human Trafficking Victims."*Research Gate* (2019): 4-7.SSRN [SSRN]. Web. Jan 2019. 4-7

The policies to combat human trafficking are treating victims as criminals. Professors Hale and Gelsthorpe from the Institute of Criminology at the University of Cambridge, comment on the criminalization of migrant women. Through their 18-month-long research project, Hales and Gelsthorpe gathered information about the numbers of migrant women being processed through the criminal justice and immigration system, and whether or not these women were victims of human trafficking, smuggling or work under the Convention of Human Rights. Out of the 103 women in this research target group, an alarming number of 58 were coerced into crimes at the hands of traffickers. 5 had entered independently but had experienced work under labor trafficking. 10 had entered the country through smugglers who abused of them. 7 of these victims were children; two aged 14, two aged 15; one aged 16; and two aged 17.[21]

Hale and Gelsthorpe's research concluded and identified recurring themes across all individuals who were arrested. All women from the target group who were arrested shared similar experiences. First, law enforcement viewed them in a negative light because they were foreign nationals. Second, law enforcement deemed all of the women's statements to be automatically false. Third, law enforcement failed to pick up any indication that these women were victims of human trafficking. Fourth, not only were these migrant women denied interpreters, they were immediately reprimanded from the initial arrest without the opportunity to post bail, and they were all immediately placed into custody following the arrest.[22]

This shows that from the initial encounter between law enforcement and victims, law enforcement had already deemed these women to be criminals and guilty of committing a crime. This study exemplifies how law enforcement lacks the proper training regarding the identification of victims of human trafficking. Law enforcement holds a preconception of these vulnerable women being criminals.

For many individuals who are victims of human trafficking, arrest, detention, and even deportation are common realities. Many victims appear as criminals because of the criminal nature and stigma associated with human trafficking and sex work, and thus, are arrested due to multiple factors. These include but are not limited to not having a visa, participating in criminal activities, such as prostitution related charges, theft, and drugs. These accusations often mask the reality, which is that individuals were forced and coerced. In developing effective support for victims, policy makers need to ensure that victims are treated in a humane and just way. This entails not viewing victims as illegal migrants who willingly engage in criminal activities. Protection must not be sacrificed for the purpose of prosecution.

Not only are victims of human trafficking criminalized, they become re-victimized again at the hands of law enforcement after being victims to their traffickers. The justice system continues to charge victims with crimes of prostitution, theft, drug sales, drug use, fraud, or truancy. Dual victimization happens when law enforcement treats a victim as a criminal and charges them with their perpetrators (i.e. trafficker's) crimes.[23] Since victims are treated like criminals by law enforcement, a common thread among human trafficking victims is lying to law enforcement officers, albeit with good

21. Liz Hales."The Criminalization and Imprisonment of Migrant Victims of Trafficking."(University of Cambridge, Institute of Criminology, 2012)

22. Ibid

23. Isabella Blizard. " Chapter 636: Catching Those Who Fall An Affirmative Defense for Human Trafficking Victims" University of Pacific, McGeorge School of Law 48.3 (2017) 635-636.

reason—that is, their fear of law enforcement.[24]

This vicious cycle continues to perpetuate and explains why it is difficult for the TVPA to be effective. Since human trafficking victims are forced into roles that are criminal in nature, once they are rescued by law enforcement, they are treated as criminals all over again instead of being protected as victims. It appears impossible to have law enforcement believe victims of human trafficking in the first place, let alone assist them in qualifying for the T-Visa under the TVPA. Thus, it is almost impossible for victims to assist in any form in the investigation process and to obtain state assistance or meet the TVPA's requirements because they are judged as criminals before the start of the investigation process.

Another powerful factor in the perseverance of human trafficking is the construction of the term human trafficking itself: first as a security threat and second as a humanitarian problem. Claudia Aradau explains the double identification of women as illegal migrants and victims, prostitutes, and suffering bodies. Illegal migration, organized crime, and human trafficking by nature pose a threat to the state.[25] The link between human trafficking and securitization has slowly, albeit surely emerged in the post-Cold war era as this new threat and discourse continues to be linked with the need to reinvent a multitude of other enemies and dangers.[26] Aradau's approach illustrates how a humanitarian discourse has emerged to become a discourse where migrants and asylum seekers are associated with danger.

Furthermore, security has played an enormous role in how societies view undocumented immigrants. Mae Ngai describes how the "undocumented immigrant" has forged the divide between "us" and "them". Ngai describes the historical creation of the undocumented immigrant and shows how illegal immigrants have become a dominant issue in the United States. In other words, a narrative has been increasingly curated which urges for the regulation of "illegals".[27] This is one reason why the victims of human trafficking, who are usually undocumented immigrants, are coerced into partaking in second-class, low-skill, subservient "jobs" in the United States.

It is important to remark that the low numbers of individuals who obtain the T-Visa are not a consequence of flaws in the administrative process, or due to the lack of resources and assistance. In fact, what is central to this issue is the association and preconceived notions of migrant individuals as security threats and as criminals. It is imperative to acknowledge and reevaluate the TVPA to change this conception. These shortcomings enable the recycling of victims as criminalized, re-victimized, prosecuted and detained individuals. Additionally, they continue to perpetuate human trafficking due to the failure of both law enforcement's and the United States' policies regarding prostitution, drugs and labor. The TVPA will continue failing unless the root cause of the problem is addressed.

Case Study - Mexico

In Prostitution and Trafficking of Women and Children from Mexico to the United States, Farr argues that the TVPA and other U.S. policies need to be reformed. Some

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24. Ibid

25. Claudia Aradau,. "The Perverse Politics of Four-Letter Words: Risk and Pity in the Securitisation of Human Trafficking." *Millennium* 33.2 (2004): 77-251. SAGE Journals. 1 March 2004

26. Ibid

27. Mae. M. Ngai,"Impossible Subjects: Illegal Aliens and the Making of Modern America."(Princeton New Jersey : Princeton University Press, 2005)

reform suggestions highlighted are: 1) amending the requirement that the burden of proof falls on the victims to show evidence of force, fraud, or coercion; and 2) amending the requirement or the prevalence of prosecution in the human trafficking policy. [28]

In *Hidden Victims: Evaluating Protections for Undocumented Victims of Human Trafficking*, Alexandra Webber and David Shirk discuss human rights abuses along the U.S-Mexico Border. In Webber and Shrink's book, there is a focus on undocumented migrants because they are more susceptible to exploitation than other populations.[29] Approximately 600,000 to 800,000 thousand migrants cross international borders as victims of human trafficking each year.[30] Due to the high number of individuals trafficked in the Americas each year; there is more of an emphasis placed on the role of the United States and its policies.

Human trafficking in this light appears to be one of many unfortunate outgrowths of the current wave of global migration. Like many, Webber and Shirk argue for reforms to the U.S. immigration policies, juxtaposed to the tightening of immigration and border control policies. If more individuals came to the United States on a "legal" and safe basis, rather than turning to smugglers, then the number of victims of human trafficking would decrease significantly.

Approximately 50,000 women and children are trafficked into the United States each year.[31] The below case studies are individuals who have fallen as victims to human trafficking in the United States. The case studies below are just a few common scenarios that victims experience through human trafficking in the United States.

Case #1 – Ana

Ana was a victim of human trafficking living in a posh Miami neighborhood. She worked for a family that paid her about $3 an hour for working up to 13 hours.[32] Her employers denied her access to healthcare, monitored her communications, and warned her that if she complained about her living and working conditions, she would be reported and hence deported back to Mexico, where she would also subsequently lose her temporary U.S. visa status previously obtained by her family.[33] When Ana finally overcame her fear and gathered up her identification documents, she filed a complaint and cooperated with federal officials, however, customs and immigrant agents later arrested her.[34] The Immigration and Customs Enforcement (ICE) has had Ana locked up for months because of an immigration judge who has repeatedly denied her bond immediately after arrest, and accused her of stealing from the family that once employed her.[35]

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28. Marissa Ugarte. "Prostitution and Trafficking of Women and Children From Mexico to the United States" *Journal of Trauma Practice* 2.3 NCJRS. 147-165.

29. Alexandra Webber. "Hidden Victims: Evaluating Protections for Undocumented Victims of Human Trafficking." https://childhub.org/en/child-protection-online-library/webber-shirk-d-2005-hidden-victims-evaluating-protections, Winter 2005. [Accessed 29 March 2019].

30. Ibid

31. Deborah G. Wilson , William F. Walsh & Sherilyn Kleuber (2006) Trafficking in Human Beings: Training and Services among US Law Enforcement Agencies, Police Practice and Research, *An International Journal* 7.2 (2006) 149-160. Taylor & Francis. Web. 18 Aug. 2006. 149-152.

32. Medina, Brenda, This immigrant was certified as a victim of human trafficking. But she could still be deported, https://www.miamiherald.com/news/local/immigration/article181143796.html, Fall 2017. [Accessed 15 March

33. Ibid

34. Ibid

35. Ibid

This example leads individuals to question whether judges and ICE view the TVPA act and visa policies as crucial for obtaining victim rights, or if it is simply a policy that continues to be ignored 20 years after the law says that it protects victims of human trafficking. Even today, Ana is viewed as a criminal in the eyes of the United States justice system and not as a victim. This case, like many others, only highlights the contradictions within U.S policy and shows how the TVPA visa policy has continuously failed.

Case #2 - Tina

Another similar outcome and story is that of Tina who became friends with a man who later became her predator. He convinced her to run away with him to the United States. This individual trafficked her all throughout different cities in the United States.[36] One day when she was in Chicago engaging in forced prostitution, instead of being identified as a human trafficking victim, law enforcement arrested her, charged her with prostitution and sent her to a juvenile detention facility.[37] As formerly noted, unsurprisingly and unfortunately so, across much of United States and other parts of the world, sex trafficking victims are treated as criminals rather than victims. Furthermore, because law enforcement lacks the necessary resources and human trafficking identification training, they often send these victims to juvenile detention facilities. Law enforcement views these acts and individuals through a criminalizing and dehumanizing lens. Individuals are perceived to be "voluntarily" agreeing to commercial sex acts, rather than being victims of coerced sex acts.

Conclusion

The current TVPA must be revised immediately if its initial intent was to protect victims of human trafficking. Of the many flaws with the TVPA, it is crucial to address its emphasis on persecution over protection. It is vital that law enforcement be given adequate training. Victims must no longer be stigmatized or criminalized. Since human trafficking crimes are low profile, it has become increasingly difficult to differentiate coerced crime and intent. This negates victims the credibility, humanity and agency they deserve.

Victims of this "modern slavery" discourse, whether children or adults, should not be victimized, or be held criminally responsible for their involvement in unlawful activities—ones that they have had no control over. Progress can begin by the modification and enforcement of new laws, policies, and perceptions in order to ensure that human trafficking victims are not prosecuted for crimes that they have been forced to partake in. Additionally, changing the way in which we engage in discussions about human trafficking is crucial. Though the TVPA was originally formulated with good intent, upon closer examination, it is has become clear that we must change the discourse around individuals who are forced into human trafficking.

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36. Juan David Romero. "Why Do We Treat Child Sex-Trafficking Victims Like Criminals?",https://newrepublic.com/article/120418/underage-sex-trafficking-victims-are-treated-criminals-us, Winter 2014.

37. Ibid

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