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Patriarchal society: oppression and gender inequality in post-Dayton  
Bosnia and Herzegovina

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## To the Ladies

*Wife and servant are the same,  
But only differ in the name:  
For when that fatal knot is tied,  
Which nothing, nothing can divide:  
When she the word obey has said,  
And by law supreme has made,  
Then all that's kind is laid aside,  
And nothing left but state and pride:  
Fierce as an Eastern prince he grows,  
And all his innate right shows:  
Then but to look, to laugh, or speak;  
Will the nuptial contract break.  
Like mutes she signs alone must make,  
And never any freedom take:  
But still be governed by a nod,  
And fear her husband as a God:  
Him still must serve, him still obey,  
And nothing act, and nothing say;  
But when her haughty lord thinks fit,  
Who with the power, has all the wit.  
Then shun, oh! shun that wretched state,  
And all the fawning flatt' rers hate:  
Value your selves, and men despise,  
You must be proud, if you'll be wise.*

**Lady Mary Chudleigh<sup>1</sup>**

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<sup>1</sup> Chudleigh, Lady Mary. „To the Ladies.“ A poem.

## 1. Introduction

Discrimination against women could and should be considered as one of the most common forms of human rights violations. It is even more striking since women represent approximately half of the world population. This discrimination does not exist in a vacuum and results from systematic disadvantaging women throughout history. The historical developments and support towards 'the traditional' have managed to conserve patriarchy and gender inequality. The inequalities between women and men have become so common and self-evident over time that they have not been challenged and questioned as often as desired to disrupt the status quo. They have instead become the standard or norm of an arrangement of social relations. From a formal point of view, many world states, Bosnia and Herzegovina included, prohibit discrimination based on sex and gender, but also a distinctively high number of those states fails at providing women with material justice and substantive equality.

Perhaps the most striking and definitely the most threatening example of discrimination against women and gender inequality is violence against women. Globally, the estimation is that 35% of women have experienced physical or sexual intimate partner violence or sexual violence by non-partner in their lives. In the year 2017, 87.000 women around the globe were killed intentionally, while more than half of them were killed by their intimate partners or other family members. It means that 137 women are killed by a family member daily.<sup>2</sup> In the same year, 26.000 persons globally died as a consequence of terrorist acts.<sup>3</sup> It means that the number of women killed intentionally was more than three times higher than the number of persons killed as a result of terrorist acts. Despite this fact, numerous states declared "war on terrorism" several years ago and terrorism has remained until nowadays hot and closely observed topic in security agencies; as well as a substantive threat to national security. While simultaneously, the same actors mostly ignore femicide, gender-based violence and gender inequality. Moreover, they have not declared war against gender-based violence. One might argue that the security agencies are simply not interested in providing security for half of the population. Not only that, for instance, the Slovak Information Agency in its annual report of 2018 strangely labelled the "representatives of the left-extremist scene"<sup>4</sup> as focusing on gender equality<sup>5</sup>. Though the statement above is not further explained, a reader may comprehend it in a way that anybody dedicated to advancing gender equality is an extremist, excluded from the mainstream in Slovakia.

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<sup>2</sup> UN Women. „Facts and figures: Ending violence against women.“

<sup>3</sup> Ritchie, Hannah et al. „Terrorism.“

<sup>4</sup> Slovenská informačná služba. „Správa o činnosti SIS za rok 2018.“ Bratislava, 2019.

<sup>5</sup> Together with other topics such as protection of rights of foreign citizens and LGBTIQ+ persons.

In international politics, violence against women used to be overlooked because it was not considered to intersect with the political, even the international. Traditionally, international relations, and more precisely realism, used to distinguish between personal and international issues clearly. Consequently, issues happening on a domestic field were not taken into consideration when discussing international politics and/or security in a global area. In this way, states differentiated between domestic violence and wars. This thesis challenges such assumptions and negligence. It suggests that gender equality is necessary for building secure and peaceful societies, and it should be ignored neither in the security studies nor by the relevant state institutions in the security field.

The overall objective of the thesis is to explore the connection between religious structures, patriarchy and gender inequality in the post-Dayton Bosnia and Herzegovina with the focus on women's perceptions. I am interested in three main questions: How does the relation between patriarchy and religions in the post-Dayton Bosnia and Herzegovina manifest? How do women perceive their supposedly unequal position within the religious structures? How do women attempt to change such a position? My central hypothesis is that the religious establishments and religious manifestations strengthen the patriarchy in the post-Dayton Bosnia and Herzegovina. Furthermore, I presuppose that women are to some extent, aware of their unequal position in religious structures, but their actions towards the change within these structures are limited.

I have decided to research gender inequality by focusing primarily on religious structures in the thesis because of the extensive influence of religions on the public, but also because of religious uniqueness of the country in Europe. In Bosnia and Herzegovina, three monotheistic religions intersect, and all of them might be considerably called traditional. Furthermore, religions played a significant role in the division of the country into dominant and still conflicting ethnicities. Bosnia and Herzegovina as a country which includes three monotheistic religions, made me intrigued to research how they influence gender equality and patriarchy. One could assume that their influence crumbles because they compete against each other, but also that patriarchy is actually stronger in Bosnia and Herzegovina because monotheistic religions resemble each other in their education on women and gender equality.

To answer the research questions, I have developed a theoretical framework introducing and analysing the concepts of patriarchy and gender equality. I will firstly link these concepts to peace and security studies. Afterwards, it should be clear to the reader that questions related to gender inequality belong to the security studies, even though they are often overlooked. Indeed, there are more femicide murders than deaths resulting from terrorist acts every year. The theoretical framework was developed stemming from ideas of Johan Galtung and his theory

of structural and cultural violence followed by the applications of his theory to gender inequality and patriarchy. The discussion will be followed by the exploration of the concept of gender and gender stereotypes. Furthermore, the second part of the theoretical framework will focus on the concepts of secularisation and desecularisation, as well as the representation of women in selected religions. Such a theoretical framework will be used as a baseline for the analysis of primary and secondary data related to the context of Bosnia and Herzegovina in the consequent empirical part of the thesis. In the empirical part, I analyse the semi-structured interviews with women whom I identified as authorities related to the topic of interest. To contextualise primary data, I will also use secondary data from available reports, relevant research and statistics.

## 1.1 Methodology

The overall objective of the thesis is to analyse manifestations of patriarchy in contemporary Bosnia and Herzegovina, explore women's perceptions of their position within societal structures and their actions to resist the subordinate position within the society under the influence of three dominant monotheistic religions. Throughout the thesis; I have focused explicitly on religion structures and religious manifestations with an assumption that religions in Bosnia and Herzegovina play a significant role in shaping societal attitudes. To achieve the overall objective, I combined several types of methods and data sources which will be presented in the following subsections. Furthermore, I added a part on positionality to stress my own potential prejudices related to the topic which might have shaped the research process as well as results.

### 1.1.1 Methods

To explore relations between religious structures, patriarchy and gender inequalities in Bosnia and Herzegovina, I used a combination of quantitative and qualitative research methods. However, the latter plays a crucial role and are stressed throughout the study.

Except for analysis of available quantitative and qualitative secondary data related to gender inequalities and patriarchy with the focus on religious structures and religious manifestations, I also designed a short questionnaire which has been dispersed through my networks in the country. As the dissemination has been influenced by the contacts I have in Bosnia and Herzegovina, the results of the survey are limited. Still, it can shed light on the

perceptions and opinions of young educated persons in Bosnia and Herzegovina as my networks consist mostly of university students and persons involved in the non-governmental sector within the country. Because of its limits related to the dissemination as well as a smaller number of survey participants who belong to similar social groups, the results of the survey could not be used as a reliable source of opinions of the whole population. The survey is compared to the broader research of Spahić-Šiljak.<sup>6</sup> The survey was designed to reflect participants' perceptions of gender equality and equal/unequal position of women and men in Bosnia and Herzegovina, and the role of religious institutions shaping the status of men and women in the country. Moreover, questions related to the normativity of gender equality were incorporated into the survey, thus indicating whether participants understand gender equality/inequality and equal/unequal position of women and men in society as good/right or bad/wrong.

As another qualitative method, I used semi-structured interviews with theoreticians and practitioners of faith, feminists, academics and journalists involved in questions of gender equality within society and religions in the context of Bosnia and Herzegovina. The analysis of the semi-structured interviews embodies the most crucial part of the thesis containing insights of female professionals belonging to three monotheistic religions. The participants were selected because of their activities in the field of gender equality and their religious affiliation. The semi-structured interviews consisted of questions focusing on the existence and manifestations of patriarchy in Bosnia and Herzegovina, the role of religions in the BiH society, the role of religion in women's lives, the role of religions in shaping women's rights and influencing potential dangers and security issues within society, the role of women in religious institutions and actions of women towards a change of their position in religious structures. The design of semi-structured interviews aims at answering all three research questions: How is patriarchy manifested in Bosnia and Herzegovina? How do women perceive their unequal position within religious structures? And how are women active in changing their unequal position?

### 1.1.2 Data sources

The primary data sources stem from the information, perceptions and opinions given by interviewees through semi-structured interviews. I have asked thirteen women – theoreticians

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<sup>6</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*. Sarajevo: Internacionalni multireligijski i interkulturni centar IMIC Zajedno, Centar za interdisciplinarne postdiplomske studije – CIPS, Transkulturalna psihosocijalna obrazovna fondacija TPO, 2007.

and practitioners of faith, feminists, academics and a journalist - for an interview. They have been identified as potential informants because of their involvement in questions related to gender equality in the context of religions and Bosnia and Herzegovina and their different religious affiliations. Due to time restrictions, I have managed to interview six of them. It is worth noting that I was researching in the time of the pandemic, which has partially limited my access to potential informants. Therefore, I am especially thankful to all participants willing to meet me and state their knowledge and opinions. In five cases, I met with the interviewees; personally, one interview was done online per e-mail. The interviewees for the thesis were: Zilka Spahić-Šiljak, Amra Pandžo, Fahira Fejzić-Čengić, Tea Vuglec Mijović, Olivera Jovanović, and a journalist Nermina Kuloglija.

Another source of primary data were participants of the survey. Forty-four persons answered the questions in the survey, thirty-six were women and predominantly under 40 years of age.

For the secondary data, I investigated the statistics and reports on gender equality and data about religions in Bosnia and Herzegovina, and books and relevant research from Bosnia and Herzegovina. In a few instances, I included data and sources from other political and geographical contexts to initiate fresh ideas and contribute with comparisons.

### 1.1.3 Positionality

In the feminist research, positionality or reflexivity of a researcher's social location has been valued in recent years in order to provide a more sincere and less distorted view of the reality during a scientific endeavour. Feminist epistemologists and feminist standpoint theorists developing ideas of positionality and reflexivity stand in opposition to classic positivist approaches to research dominant until the last century. In the positivist view, the reality is objective, and the task of the researcher is to discover this reality in a detached and impartial way. The researcher must stay neutral when doing research and is presupposed capable of doing so; anything personal becomes a threat to the objectivity of the study. In contrast, according to the feminist standpoint theorists such as Sandra Harding<sup>7</sup>, assumed neutrality is a barrier to the objectivity of the research because it ignores that the knowledge is always situated, limited and acquired from a specific standpoint. Admitting the situatedness and limitations of knowledge and acknowledging the researcher's own social position, which influences the research in every

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<sup>7</sup> Harding, Sandra. "“Strong Objectivity”: A Response to the New Objectivity Question." *Synthese*. 1995: 331-349.



stage of the process leads to “stronger” objectivity. In other words, the neutrality of the research presupposed in positivist approaches is a myth. Such a critique, however, does not necessarily implicate ontological and epistemological relativity as it might seem at first sight. Instead, standpoint theorists offer a guide for acquiring less distorted and more objective knowledge – by including of the personal into research via reflexivity of one’s social position. Sincerity and self-reflexivity are keys.<sup>8</sup>

I would like to build on the ideas of standpoint theorists and reflect my positionality related to the researched topic. Although I am examining Bosnia and Herzegovina, I am usually perceived as an outsider, even though I am fluent in the local language and often feel at home in the country. Originally, I was born in Czechoslovakia, but grew up in Slovakia which means that I was growing up in a society where most of the population declare as Catholic and where patriarchal structures are still prevalent. Furthermore, recently the anti-gender movement has gained momentum, and gender stereotypes are being strengthened and supported not only by religious authorities but also by other leaders and persons in the power position. Although I was brought up as a Catholic; I do not consider myself a Catholic or a practitioner of any religion or faith.

Additionally, I am a woman, though a privileged woman because of the colour of my skin and the EU passport. During my life, I have had access to formal education, have been supported in learning, and I have studied and lived in several European countries. On the other hand, I have also got some experiences of disadvantage – for instance, as a child of a single mother - which brings socio-economic vulnerabilities into the game. In regards to the topic of the thesis, it is crucial to mention that I have undergone several gender equality trainings, and I consider myself a feminist. Therefore positions stemming from the feminist tradition and women’s rights movement are much more natural to me while some religious positions are more incomprehensible for my understanding.

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<sup>8</sup> For the whole paragraph, see Grasswick, Heidi. „Feminist Social Epistemology.“ *The Stanford Encyclopedia of Philosophy*. Fall Edition, 2018. See also Howell, Tracy. „Feminist Standpoint Theory.“ *Internet Encyclopedia of Philosophy*.

## 2. Theoretical framework

In the theoretical framework, I will introduce and analyse the concepts of patriarchy and gender equality. I will firstly link these concepts to peace and security studies with a special focus on Galtung's famous concepts of personal, structural and cultural violence. I will apply his theory to gender inequality and patriarchy. The theoretical framework will explore the concepts of patriarchy, gender equality and gender stereotypes. The theoretical framework will reflect the link between patriarchy, gender equality and three main monotheistic religions.

### 2.1 *Gender and peace and security studies*

#### 2.1.1 Galtung through the feminist lenses

Wars have accompanied humankind since its origin, and many individual thinkers have contemplated not only violence and wars, but also peace and living in one. However, it was the 20<sup>th</sup> century which reflected the growing interest in peace studies from an academic point of view. Peace studies as an academic discipline began to appear predominantly in the 1950s and 1960s. Johan Galtung founded the Peace Research Institute Oslo (PRIO) and many regard Galtung as the founder of peace and conflict studies in general. Galtung and his definition of structural violence, as well as concepts of positive and negative peace, are well-known to students and academics of peace studies which is a reason why I have chosen his theory. Moreover, Nerzuk Ćurak takes Galtung's concept of negative peace to fit it into the Bosnian context, saying that Bosnia and Herzegovina lives in negative peace.<sup>9</sup>

Back in 1969, Johan Galtung divided violence into three main streams: personal (direct), structural (indirect) and cultural; all three intertwined and supporting each other. In his understanding, personal violence means violence of a subject towards an object, while structural violence lacks the subject. Structural violence refers to a form of violence that is purported by existing structures which harm people or prevent them from living in peace. It "shows up as unequal power and consequently unequal life chances."<sup>10</sup> Galtung explains that "cultural violence makes direct and structural violence look, even feel, right – or at least not wrong."<sup>11</sup> In other words, cultural violence legitimises personal and structural violence using various parts of culture, such as ideology, language, religion, etc. In his infamous theory of

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<sup>9</sup> Ćurak, Nerzuk. "Nauka o miru." Lectures. Sarajevo, 2019.

<sup>10</sup> Galtung, Johan. "Violence, Peace, and Peace Research." *Journal of Peace Research*. Vol. 6, No. 3, 1969. 171.

<sup>11</sup> Galtung, Johan. "Cultural Violence." *Journal of Peace Research*. Vol. 27, No. 3, 1990. 291.

violence, Galtung has recognised patriarchy and gender inequality as an inner part of structural violence.

Catia C. Confortini, in her article on Galtung, violence and gender<sup>12</sup> contests Galtung's theory and places it into a broader spectre of feminist studies. She takes Galtung's theory of violence as an initial point, saying that it has remained rather uncontested in peace studies so far. She acknowledges Galtung's focus on patriarchy and gender inequality demonstrated predominantly in structural violence, but also in cultural and direct forms. However, Confortini assumes that Galtung tends to comprehend gender in terms of sex, not as a social construct.<sup>13</sup> Nowadays, there is a growing distinction between gender and sex. Confortini continues that by using the terms gender and sex as synonyms, Galtung has established dubious causal links between male sexuality and male aggressiveness. "Whether by biology or socialisation, Galtung concludes that men tend to be more violent and women tend to be more peaceful. With gender understood as sex, Galtung identifies the male sex with aggressiveness and violence and locates the source of violence in male sexuality and socialisation. He hypothesises that male sexuality and violence are neurological neighbours, thus might be mutually triggered."<sup>14</sup> The above mentioned presupposed Galtung's arguing is in line with certain feminist theories from the 1970s and 1980s which "proposed that women were, by nature, upbringing, and/or by virtue of being mothers and caretakers, morally superior to and more peaceful than men."<sup>15</sup> Similarly, Senad Džanović reasons that "women hold a different system of values, act in a more considerate manner, and are always willing to cooperate and favour a holistic approach to epistemological criticism, meaning to say that they are more interested in identifying an alternative security system than exploring, controlling or using weapons. In short, women are more peaceful than men."<sup>16</sup> These views, according to other feminists, further reproduce "a world based on gendered dichotomies and power hierarchies."<sup>17</sup> As explained later in the work, sex and gender are two different concepts. If we take the essentialist approach which is in line with Galtung's reasoning, that men tend to be more violent and women more peaceful because of their sex, then we are actually saying that those characteristics are inherent to certain sex and cannot be changed. Betty Rosoff<sup>18</sup> claimed that linking male aggressiveness and dominance had resulted in support of the national agenda of wars, further male dominance and women's

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<sup>12</sup> Confortini, C. Catia. „Galtung, Violence, and Gender: The Case for a Peace Studies/Feminism Alliance.“ *Peace & Change*. Vol. 31, No.3. 2006: 333-367.

<sup>13</sup> Confortini, C. Catia. „Galtung, Violence, and Gender: The Case for a Peace Studies/Feminism Alliance,“ 340.

<sup>14</sup> Confortini, C. Catia. „Galtung, Violence, and Gender: The Case for a Peace Studies/Feminism Alliance,“ 342.

<sup>15</sup> Confortini, C. Catia. „Galtung, Violence, and Gender: The Case for a Peace Studies/Feminism Alliance,“ 333.

<sup>16</sup> Džanović, Senad. "The Gender Dimension of Security." In *What is the gender of security?* Eds. Damir Arsenijevic and Tobias Flessenkamper. Sarajevo: Sarajevo Open Centre, 2013. 39.

<sup>17</sup> Confortini, C. Catia. „Galtung, Violence, and Gender: The Case for a Peace Studies/Feminism Alliance,“ 334.

<sup>18</sup> Confortini, C. Catia. „Galtung, Violence, and Gender: The Case for a Peace Studies/Feminism Alliance,“ 335.

exclusion from military and international politics. Such opposition has led to explaining gender as a social construct. Confrontini continues that gender is only marginally related to the sex one was born into and “[gender] is instead a social construct, ‘socially learner behaviour and expectations’ that distinguish between masculinity and femininity.”<sup>19</sup> This allows for gender to be seen as an analytical category, enabling human beings to organise the way they think about the world.

As a result, people will more likely perceive social reality as a set of mutually exclusive dichotomous categories which are in super/ subordinate positions.<sup>20</sup> For instance, in many societies, there is a clear distinction between strength and weakness; rationality and emotionality; activity and passivity; while the first characteristics are ascribed to men and latter to women. Women are usually meant to be quiet, modest, humble, well-behaved, polite and to stay within their zone. Gender as a social construct better addresses male aggressiveness, male dominance, more extensive spatial occupation and dominance of men, etc. Although Džanović acknowledges that “the concept of patriarchy defines the man as the protector, the head of patriarchal society,”<sup>21</sup> continuing that few women such as Margaret Thatcher, Hillary Clinton or Angela Merkel have succeeded in shaping the world security, they imitated male behavioural patterns.<sup>22</sup> That again leads to the comprehension of gender as a social construct because what is and is not female/ male is defined by society.

### 2.1.2 Why gender equality belongs to peace and security studies

Where Galtung and modern feminist theories intersect is linking personal with political and later also with international. Traditionally, international relations, and more precisely realism, used to distinguish between personal and international issues clearly. Consequently, issues happening on a domestic field were not taken into consideration when discussing international politics and security in a global area. In this way, states differentiated between domestic violence and wars. Galtung explained that “when one husband beats his wife, there is a clear case of personal violence, but when 1 million husbands keep 1 million wives in ignorance there is structural violence”<sup>23</sup>. Ann Jones illustrates the connection between international and domestic with an example of Ahmad who had been severely tortured in Syria:

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<sup>19</sup> Confortini, C. Catia. „Galtung, Violence, and Gender: The Case for a Peace Studies/Feminism Alliance,” 341.

<sup>20</sup> Confortini, C. Catia. „Galtung, Violence, and Gender: The Case for a Peace Studies/Feminism Alliance,” 341.

<sup>21</sup> Džanović, Senad. “The Gender Dimension of Security,” 39.

<sup>22</sup> Džanović, Senad. “The Gender Dimension of Security,” 44.

<sup>23</sup> Confortini, C. Catia. „Galtung, Violence, and Gender: The Case for a Peace Studies/Feminism Alliance,” 336.

“And he [Ahmad] beats his wife as he was beaten. He was tortured. He tortures her.”<sup>24</sup> Although Ahmad confesses that he loves his wife and would die without her, he finds it difficult not to repeat the pattern inflicted on him. Similarly, Jones remembers her own childhood with an abusive father:

My father used to say that wars were made by men who had never been to war, men who didn't know that once started it never ends. The Great War ended with the Armistice in 1918, but my father lived another sixty years; and during all that time the war never left his memory or his nightmares. Nor is it ever far from mine, because the violence my father brought home fell on me and shattered whatever small childish trust I may once have had in the simplicity of love. The violence of war does not end when peace is declared. Often it merely recedes from public to private life. I am here in Beirut talking about war, writing about war, because my father fought bravely in a brutal one. And that changed everything for him, and consequently for me.<sup>25</sup>

Joan Smith in her book *Home Grown: How Domestic Violence Turns Men into Terrorists*, offers a link between private and public violence. She noticed a pattern in terrorist attacks in the UK before 2017 and the US as well: “the perpetrators of some of the most notorious terrorist attacks in Europe and the US had first been violent towards their wives and girlfriends.”<sup>26</sup> She emphasises that “male violence doesn't stay in neat categories”<sup>27</sup> and that “men who are used to beating, kicking, choking and stabbing women at home are considerably further along the road towards committing *public* acts of violence.”<sup>28</sup> According to Smith, some senior police officers have recognised “a striking similarity between boys who join gangs and those who are radicalised by propagandists for terrorist organisations.”<sup>29</sup> However, many of them tend to overlook misogyny and a history of domestic violence as “key indicators of dehumanisation [...], which is a necessary first step towards becoming a terrorist.”<sup>30</sup>

Similarly, the discussion on gender on par with sex, gender as a social construct, and connection between personal, political and international has been reflected in rapes during the conflicts. M. E. Baaz and M. Stern introduce two most common explanatory frameworks of sexual violence in wars – *the Sexed Story* and *the Gendered Story*.<sup>31</sup> These frameworks might be assumed as two different ways of thinking about wartime sexual violence and its causes.

According to *the Sexed Story*, sexual violence is present in conflicts due to a biological

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<sup>24</sup>Jones, Ann. *War Is Not Over When It's Over: Women Speak Out From the Ruins of War*. New York: Metropolitan Books, 2010. Kindle Edition. 2-3.

<sup>25</sup> Jones, Ann. *War Is Not Over When It's Over: Women Speak Out From the Ruins of War*, 5.

<sup>26</sup> Smith, Joan. *Home Grown: How Domestic Violence Turns Men into Terrorists*. Riverrun, 2020. Kindle Edition. Location 118.

<sup>27</sup> Smith, Joan. *Home Grown: How Domestic Violence Turns Men into Terrorists*, location 118.

<sup>28</sup> Smith, Joan. *Home Grown: How Domestic Violence Turns Men into Terrorists*, location 118.

<sup>29</sup> Smith, Joan. *Home Grown: How Domestic Violence Turns Men into Terrorists*, location 132.

<sup>30</sup> Smith, Joan. *Home Grown: How Domestic Violence Turns Men into Terrorists*, location 161.

<sup>31</sup> Eriksson Baaz, Maria and Maria Stern. *Sexual violence as a weapon of war?: Perceptions, prescriptions, problems in the Congo and beyond*. Uppsala: Zed Books, 2013. 17-19.

urge of men in extreme environments such as war where rules, norms and laws cease to exist. In this framework, rape is seen “as integral to warring because war is (supposedly) enacted by men and men are subject to their biologically driven heterosexual needs; hence men rape.”<sup>32</sup> Simply said, men have the biological urge to sexual relationships. During a war conflict, they do not have regular access to women (e.g. a wife, a girlfriend, prostitutes). Therefore, they search for other options such as rape. Maxwell continues saying that “this racist ‘boys will be boys’ attitude is a common response to militarised sexual violence and it continues to shape our tolerance for rape by military personnel.”<sup>33</sup>

Another line of argumentation is focused on the suspension of social constraints during the war, thus transforming men into sexual animals. In other words, where social constraints given by society fail, a natural biological urge of men leads to sexual violence committed by them. “The subjects allotted through this discourse are then subordinate to the forces of nature: women appear as silent victims of the expression of men’s biology, and men as subjected to the drives of their bodies.”<sup>34</sup> Although this understanding of sexual violence is still prevalent among military personnel or laypeople, it is not accepted by scholars and policy-makers any more. Briefly, this account casts a negative view of men, understood in terms of sex. It also considers the presence of sexual violence in conflicts as deterministic, essentialising and too pessimistic. Well, if sexual violence is a biological urge that appears in circumstances when societal rules and norms do not function, there is not much policy-makers can do to protect potential survivors of the sexual violence during the conflict. In *the Sexed Story*, rape is implicitly accepted as an inevitable by-product of war, and a layer of silence is spread over this phenomenon.<sup>35</sup>

*The Gendered Story*, on the other hand, offers a more optimistic forward look. This framework works with the concept of gender, including the concept of masculinity. Masculinity is “produced within the military [which] celebrates violence, order, masculine-coded obedience and domination. It serves to form soldiers according to strictly disciplined codes of behaviour that designate any deviance from the norm as inferior, feminine, effeminate and dangerous. Boys/men undergo a form of indoctrination, which includes humiliation and breaking down of the civilian (feminised) boyish identity, and then the building up of the

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<sup>32</sup> Eriksson Baaz, Maria and Maria Stern. *Sexual violence as a weapon of war?: Perceptions, prescriptions, problems in the Congo and beyond*, 17.

<sup>33</sup> Maxwell, Caitlin. “Moving beyond rape as a weapon of war.” *Canadian Woman Studies*. Fall 2009/Winter 2010. 109.

<sup>34</sup> Eriksson Baaz, Maria and Maria Stern. *Sexual violence as a weapon of war?: Perceptions, prescriptions, problems in the Congo and beyond*, 19.

<sup>35</sup> Eriksson Baaz, Maria and Maria Stern. *Sexual violence as a weapon of war?: Perceptions, prescriptions, problems in the Congo and beyond*, 17-19.

macho soldier.”<sup>36</sup> Sexual violence through the lenses of *the Gendered Story* is then often understood as a useful tool of humiliation and intimidation of nations, ethnicities, communities or females through female bodies; it is a strategy, tactic or weapon of war. Masculinities and femininities are created not only within the military but also in society in general. Whereas in many cultures, the ideal masculinity is considered as superior to the ideal femininity, and this inequality and different forms of (mainly) masculinities and femininities lead to sexual violence during conflicts. Wartime violence as “[a] ‘weapon’ is made possible in part because of the unequal gendered relations that reign in society, and through the violent militarisation of masculinities.”<sup>37</sup> In comparison to the *Sexed Story*, *the Gendered Story* gives us hope. If devious masculinity is something learned, we could change the type of masculinity produced within the military and the society, e.g. we could train soldiers and civilians on gender-based violence. If unequal societies in terms of gender lead to wartime rapes, we could cultivate more equal societies and communities. Consequently, this might lead to a decrease in sexual violence during conflicts.<sup>38</sup> This explanatory framework is nowadays widely accepted, and the concept of rape as a weapon, tactic or a strategy of war used by the UN is part of *the Gendered Story*.

Stemming from its essence, gender inequality excludes a peaceful society because a significant part of people in such a society is marginalised and another part executes power over the first mentioned. Theoretically, such a society can be peaceful; however, it would require from the disadvantaged part to accept their impairment without further questioning, or not be even aware of it. Still, also if women agreed with their subordinate position or if they were not aware of it, it could be argued that structural violence is present in the society because of unequal distribution of power among two groups. Therefore, the presence of gender inequality is not consistent with the existence of a peaceful society. This kind of thinking might create a full bucket of pessimism in our imagination. If gender inequality is deeply rooted in modern societies and gender equality is the necessary condition of peaceful societies, what could be done to create more peaceful societies? Is there anything at all? What if patriarchy were so rooted in structures of modern society, that gender equality would mean disruption of these structures and modern societies as we know nowadays? What if radical thinking is needed and we will have to imagine a completely different world? With the significant amount

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<sup>36</sup> Eriksson Baaz, Maria and Maria Stern. *Sexual violence as a weapon of war?: Perceptions, prescriptions, problems in the Congo and beyond*, 20.

<sup>37</sup> Eriksson Baaz, Maria and Maria Stern. *Sexual violence as a weapon of war?: Perceptions, prescriptions, problems in the Congo and beyond*, 24.

<sup>38</sup> Eriksson Baaz, Maria and Maria Stern. *Sexual violence as a weapon of war?: Perceptions, prescriptions, problems in the Congo and beyond*, 19-32.

of violence present in modern societies both nowadays and in the past, isn't the idea of a peaceful society radical too? On the other hand, there do exist some societies or communities that are considered peaceful.<sup>39</sup> Therefore they are possible.

## 2.2 Patriarchy

Simply said, patriarchy is a form of political power which men execute over women.<sup>40</sup> Patriarchy could be considered an ideology in which men have a dominant position, and the male perspective is taken as a universal value. Patriarchy is closely linked to discrimination based on sex, pay gap, unequal rights, different power status, oppression, etc.<sup>41</sup>

Patriarchy is a term of numerous meanings and understandings. For instance, Kate Millet understands patriarchy as an institution thanks to which the male half of the population controls women while respecting the double patriarchy in which a man controls a woman, and an elder man a younger one.<sup>42</sup> Patriarchy is a power system that disadvantages women through social, political and economic institutions.<sup>43</sup> Marxist feminists link patriarchy with the capitalist form of oppression. The core of patriarchy, according to them, is labour division, its management and control in private and public spheres. Humm, on the other hand, claims that patriarchy is primarily based on the sex division regardless of the system (capitalism, socialism, feudalism) and it includes economic discrimination of women. Patriarchy relies on men's better access to material and mental satisfaction. Simultaneously, patriarchy functions as a mediator which disables other groups from accessing power.<sup>44</sup> Renzetti comprehends patriarchy as "sex-gendered system in which men take precedence over women, and masculine qualities and activities are valued higher than feminine."<sup>45</sup> For Sylvia Walby, Patriarchy is a "system of social structures and practices in which men control, oppress and exploit women."<sup>46</sup> Walby defines six structures through which patriarchy operates. The six structures could be an answer to many feminist theories that try to identify the most prominent reason for women's

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<sup>39</sup> "Encyclopedia of Peaceful Societies." In *The Website of Peaceful Societies: Alternatives to Violence and War*.

<sup>40</sup> Aspekt. "Patriarchát."

<sup>41</sup> Freedon, Michael; Lyman Tower and Marc Stears (eds.). *The Oxford Handbook of Political Ideologies*. Oxford: Oxford University Press, 2013. 562, 574 and 576.

<sup>42</sup> Millett, Kate. "Sexuální politika." In *Dívčí válka s ideologií: Klasické texty angloamerického feministického myšlení*, ed. Libora Oates-Indruchová. Praha: Slon, 1998. 69 – 88.

<sup>43</sup> Oates-Indruchová, Libora. *Dívčí válka s ideologií: Klasické texty angloamerického feministického myšlení*. Praha: Slon, 1998. 9.

<sup>44</sup> Humm, Maggie. *Słownik teorii feminizmu*. Warszawa: Semper, 1993. 158.

<sup>45</sup> Renzetti, Claire M. and Daniel J. Curran. *Ženy, muži a společnost*. Praha: Karolinum, 2003. 58.

<sup>46</sup> Aspekt. "Patriarchát." See also Giddens, Anthony. *Sociologie*. První vydání. Praha: Argo, 2013. 570.



oppression. However, according to Walby patriarchy mingles through all six structures: housework (husbands exploit unpaid work in households); paid work (women are segregated into certain professions which tend to be less paid); patriarchal state ( a state with its policies and priorities continuously supports patriarchal interests); male violence (although this may be viewed as individual acts, it is systematic, and the state tends to overlook it); patriarchal relations in sexuality (represented by compulsory heterosexuality and double standards for sexuality for women and men) and lastly patriarchal cultural institutions (diverse institutions such as media, religions, education systems represent women through patriarchal lenses which influences female identities).<sup>47</sup>

Patriarchy is not enshrined to the private sphere, and since women have stepped into public life, patriarchy has moved with them. In the past, the public area, comprised of work, politics, culture belonged exclusively to men. Women occupied the private sphere where they functioned as mothers and housewives. Women primarily took care of family and household.<sup>48</sup> The society emphasised differences between men and women, which deepened the division of roles into a ‘public man’ and a ‘private woman’.

Similarly, Walby distinguishes two primary forms of patriarchy: private and public. Private patriarchy keeps women isolated in households, whereas the public one allows them to work and participate in political processes; however, they remain excluded from power, status and wealth. She continues that “women have liberated themselves from households, but now they have the whole society to exploit them.”<sup>49</sup>

Patriarchy is responsible for constructing a social system which ascribes a particular sexual status, role and temperament for each gender, hence ensuring that sex/gender hierarchy. As a result, “‘masculine’ traits are attributed to dominant social roles, while ‘feminine’ is associated with submission and dependence.”<sup>50</sup>

### 2.3 *Sex and gender as biological and social categories*

When a child is born, first people ask about the baby’s sex and health of her and the mother. In many societies, girls and boys are welcome in this world with identical joy, but there are still societies in which giving birth to a boy grants a woman a special status in her

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<sup>47</sup> Giddens, Anthony. *Sociologie*, 570.

<sup>48</sup> For the whole paragraph see Heywood, Andrew. *Politické ideologie*. 4. vydání. Plzeň: Aleš Čeněk, 2008. 249-250.

<sup>49</sup> Giddens, Anthony. *Sociologie*, 570.

<sup>50</sup> Jenainati, Cathia and Judy Groves. *Feminism: A Graphic Guide*. Icon Books, 2019. 122.

community. Parents do their best to bring up ethical, moral, successful, educated and independent persons regardless of sex. Educational institutions attempt the same. Parents put their kids into schools in the reasonable belief that their girls and boys will be treated and graded equally. After some time, a majority of us will claim that girls and boys actually differ, as do their interests and ambitions. We tend to use it as an excuse for the unequal position of women and men in society. Girls and boys are utterly different, as are women and men, it is natural.

Council of Europe Convention on preventing and combating violence against women and domestic violence – Istanbul Convention is a candid illustration of mystifying terms ‘sex’ and ‘gender’. Central and Eastern Europe blame it for introducing, and promotion of so-called gender ideology as the Istanbul Convention distinguishes between sex and gender. Numerous groups, movements and even governments refuse the Istanbul Convention as non-scientific and condemn it for spreading ideas that erase natural differences between women and men. What the Istanbul Convention does is that in Article 1 it states that its purpose, among others, is to “contribute to the elimination of all forms of discrimination against women and promote substantive equality between women and men, including by empowering women.”<sup>51</sup> In Article 3, the Istanbul Convention defines gender as follows: “gender shall mean the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men.”<sup>52</sup> Article 3 continues explaining that gender-based violence against women “shall mean violence that is directed against a woman because she is a woman or that affects women disproportionately.”<sup>53</sup>

So, both sex and gender divide human beings into two groups: female and male. Simply said, sex relates to biological characteristics, while gender refers to socially constructed roles assigned to women and men. In other words, sex and gender are two distinct categories. They can differ in one person: sex describes anatomical and physiological characteristics between women and men (primarily genitalia but not exclusively as the term sex also includes chromosomes, hormonal activity, etc.), whereas gender refers to the socially constructed understanding of femininity and masculinity with one’s personal, psychological, social and cultural perceptions of sexuality. Although in ordinary speech, sex and gender may often be used interchangeably, they are two different categories. Giddens states that sex generally describes anatomical and physiological characteristics which define a female and a male body.

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<sup>51</sup> Council of Europe. “Convention on preventing and combating violence against women and domestic violence.” Istanbul, 2011. Article 1.

<sup>52</sup> Council of Europe. “Convention on preventing and combating violence against women and domestic violence,” Article 3.

<sup>53</sup> Council of Europe. “Convention on preventing and combating violence against women and domestic violence,” Article 3.

In contrast, gender deals with psychological, social and cultural differences among women and men. Gender relates to socially constructed notions of femininity and masculinity, not necessarily to one's biological sex.<sup>54</sup> From a biological point of view, women have two X chromosomes. Men possess one X chromosome and one Y chromosome (with Y being dominant) which may lead some people to believe that it is natural to abolish the difference between sex and gender because even nature clearly distinguishes between women and men. However, some women are born with a Y chromosome, and men can have two or even three X chromosomes. In these cases, we are talking about intersex people – human beings with characteristics of both women and men. Sex defined strictly in terms of anatomical differences between women and men invokes the idea of biology as one's destiny. Being born a woman or a man will determine one's life, her/ his options and limitations in life. Consequently, the sex is set, unchangeable category and such perception leads to biological determinism.

Furthermore, women's and men's behaviours are influenced by their sex, not gender and are caused by biological differences between them, such as hormones, chromosomes, size of brain, genetics, etc. The biological differences exist in various cultures and societies. As a consequence, gender inequality results from set biological differences. Supporters of these opinions often argue that historically men fought in wars more than women across many cultures. This explains why men incline to aggression, and women lack it. This approach is strictly based on biological determinants which in the times of hunters caused labour division amongst women and men due to their different physiological possibilities. Women were not able to dedicate themselves to hunting as they had to give births, take care of children and households. Men were automatically granted a higher status in the community as their work was more important – they brought food. Women's job was considered of less importance, thus giving women lower status. Even though one may think that this approach is well beyond the horizon, that is not the case. The biologicistic approach was used by fascists and Nazis who aimed at reducing women to their fertility. Currently, we are witnessing the rise of far-right groups which leaders also tend to place women in a household. In a subtle form, we can find the biologicistic approach present in stereotypes when it is still widely assumed that women are not fit for specific jobs and works, such as carrying or moving heavy objects for example.

Critics of the arguments as mentioned earlier emphasise that aggression has differed among men and that the theory of 'natural differences' relies to a great extent on the animal world, rather than anthropological or historical proofs of human behaviour. Giddens assumes that this theory should not be forgotten entirely, but one should acknowledge its shortcomings.<sup>55</sup>

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<sup>54</sup> For the whole paragraph see Giddens, Anthony. *Sociologie*, 554.

<sup>55</sup> For the whole paragraph see Giddens, Anthony. *Sociologie*, 555.

Grabruker<sup>56</sup> refutes biologicistic approach with the following arguments: (1) *historical perspective*: patriarchy, as well as matriarchy, were typical for ancient societies. At the beginning of humankind, plant consumption dominated and hunting developed centuries later. Moreover, even at those times, hunting of bigger animals demanded full community participation, women included. (2) *contemporary view*: as nowadays not that many professions require physical strength and the majority of jobs actually requires sitting. Therefore, it is illogical to base the labour division on different physical characteristics of women and men.

The second relevant theory, which attempts to explain the roots of gender differences, is gender socialisation. Jarkovská<sup>57</sup> defines socialisation as the process by which a child (or an adult) becomes a social person through interaction and communication with other people within her/ his community. Socialisation enables us to become members of a community. Gender socialisation basically means that a human being learns her prescribed gender role through social actors such as family, media, educational institutions, etc. Gender socialisation is the process through which every individual is informed/ taught about the norms and behaviours associated with her assigned sex, usually during childhood development. Parents, schools, media, educational and religious institution all influence children from early childhood. In interaction with them, children learn about their gender assigned roles – about cultural and societal expectations of being a woman or a man. Therefore, gender differences are not biologically set, instead determined by society. In other words, a baby is born with some sex, and she develops gender later in life.

Following this theory, gender differences are not biologically determined but are cultural products. Gender inequality stems from the fact that men and women socialise to specific roles,<sup>58</sup> therefore coming exclusively from socially conditional causes. The theory of gender socialisations does not deny biological differences between women and men. Still, it emphasises that all actions and types of behaviours presumably belonging to one gender are interchangeable, and any gender can execute them. Grabruker<sup>59</sup> mentions Margaret Mead, who in the 1920s and 1930s led anthropological research of various native tribes in New Zealand and which proved that the Western understanding of women's role is not natural and supreme. Another important person is Simone de Beauvoir and her book *The Second Sex*. Grabruker describes numerous empirical researches and their results which could be summed up into three main theories of gender socialisation:

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<sup>56</sup> Grabruker, Marianne. *Typické dievča? Denník o prvých troch rokoch života*. Bratislava: Aspekt, 2006. 225-227.

<sup>57</sup> Jarkovská in Grabruker, Marianne. *Typické dievča? Denník o prvých troch rokoch života*, 14.

<sup>58</sup> Giddens, Anthony. *Sociologie*, 555.

<sup>59</sup> Grabruker, Marianne. *Typické dievča? Denník o prvých troch rokoch života*, 249.

### 1. Social learning based on awards and punishment

Based on the research of babies and children and parents' (mostly mothers') attitude towards them, it was discovered that boys tended to be given more care, more breastfeeding time, more sleeping time, more toys stimulating their cognitive development. Girls were better at obeying, independence (they knew how to get dressed and eat by themselves earlier than boys). Moreover, boys were given more space to explore their autonomy while girls were restricted in their movements.

### 2. Cognitive socialisation

Gender socialisation occurs at the margins of individual psychological development. Putting oneself into gender roles is not biologically determinant, but it starts as soon as children learn words 'boy' and 'girl'. Kohlberg, the author of this theory, basically says that 'I am a girl and is why I want to do the same things as girls, which is also why the option of doing girls' things (getting self-validation) good for me.'<sup>60</sup>

### 3. Gender determination by adults

Carol Hagemann-White<sup>61</sup> researched children's behaviour and skills until the age of 15 and found little difference in results as suggested by numerous theories that boys are better at mathematics, sports, etc. The body of this theory relies on the attitude and stickers given to kids by adults. When a child behaves in a certain way, adults tend to interpret it differently according to sex and gender.

Grabrucker, in her book, values most the latter approach but thinks that it needs more than one path and theory to explain gender differences and change them. She assumes that what is wrong with the theories mentioned above is thinking that girls need to adjust, change, realise their identity, whereas boys do not have to do the same. Boys should be brought up to challenge their socially assigned gender role as well. As it is widely known, the world will witness gender equality not because women are allowed to wear trousers, but just when men will be allowed to wear skirts without any shaming.

Neither gender socialisation has avoided criticism. Firstly, several actors affect the process of gender socialisation, and they operate contradictory. For instance, parents could allow their children to behave in any gender they wish, while in school, the girls have to play volleyball and boys football. Raewyn Connell<sup>62</sup> questions the assumed inability of individuals to refute or react to the process of gender socialisation. She thinks that even though children may be forced into their gender-prescribed roles, children can and do act independently. For

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<sup>60</sup> Grabrucker, Marianne. *Typické dievča? Denník o prvých troch rokoch života*, 249.

<sup>61</sup> Grabrucker, Marianne. *Typické dievča? Denník o prvých troch rokoch života*, 250.

<sup>62</sup> Giddens, Anthony. *Sociologie*, 555.

instance, boys will prefer pink colour, or very often they imagine a life which differs from the real one – in the imaginary life, boys could wear dresses or skirts.

Similarly, many girls pick up ‘boy’ sports, are ‘more aggressive’ and ‘competitive’. Although humans’ activity, instead of passivity, may have undermined the theory of gender socialisation, many types of research have proved that gender identities are formed under social influences. According to Statham<sup>63</sup>, even parents bringing up their children in a non-sexist way, realise how challenging it is to get rid of gender education. Furthermore, the studies on parenting have confirmed that also parents who thought of themselves as non-discriminatory towards their daughters and sons showed different treatment of girls and boys.

When we take into account the perceived and established gender categories with their connotations, we could advocate for a female upbringing as a temporary arrangement, a tool of positive discrimination. If a person acknowledges that there are established differences and patterns of behaviour within a society, leading to the conclusion that women are more peaceful than men; that they seek for non-violent and inclusive solutions without violence, then we could argue for temporarily switching to bringing up and educating all men as women while accepting that gender is also a social construct. This idea might seem too radical: to put it into less controversial words we might say that in peaceful societies, both men and women should be brought up and educated in a way that encourages behaviour traditionally stereotyped as feminines such as cooperation, compassion or kindness. Such an approach could take us to more peaceful societies and step by step to gender-equal societies. However, this approach ought to be of a temporary character because it still operates with gender stereotypes. As hinted, gender socialisation and gender-sensitive education would be necessary. To remedy this problem, societies in times of peace should work on building gender equality and equalising differences between women and men. Education on gender stereotypes and (in)equality, gender analysis of politics and policies, language, media, destruction of a beauty myth are all vital. Concerning the sexual violence, I would like to stress the importance to deconstruct a stereotype of man and manhood. While growing up, boys are taught to be tough and strong, their physical strength and penis are admired, and fights are tolerated.

On the other hand, they are led to suppress their emotions in order to be tough – indeed, boys do not cry.<sup>64</sup> This suppression later seems to lead to more aggressive behaviour in later years. According to Tony Porter, boys are taught that “men are superior, women are inferior; men are strong, women are weak”<sup>65</sup>, and with these assumptions, they enter any relationship,

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<sup>63</sup> Giddens, Anthony. *Sociologie*, 555.

<sup>64</sup> Grabrucker, Marianne. *Typické dievča? Denník o prvých troch rokoch života..*

<sup>65</sup> Porter, Tony. “A Call to Men.” In *TED Talks*.

including those with women.

#### 2.4 Equality and equity

It is widespread to scrutinise equality in two forms: formal and material. Formal equality or *de iure* is equality as established in laws and legal systems when everybody is treated in the same way – equally. Material equality, on the other hand, takes people and the context into consideration. To achieve material equality, states and institutions may and should use positive actions measures which belong to positive discrimination.

To understand material equality better, one should discern the equality of opportunities and equality of results. Individuals in any given society are very different from each other, and they have unlike starting lines. Equality of possibilities is a state when all human beings possess the same starting line, and when the previous differences are abolished. Equality of opportunities should not be mistaken for the existence of equal conditions. “The right to vote does not guarantee women that they will be considered as politically competent and welcome on voting lists of political parties; in many aspects, even the labour system creates gender differences, inequality or discrimination which attest to the fact that equality between men and women is just abstract in practice.”<sup>66</sup> Equality of results is a state when the conditions are set in a way that all people can achieve the same results. It takes into account individual circumstances, as well as the societal context. Equality of results does not guarantee measures of positive discrimination, but according to Bobek, it offers moral reasoning of its introduction.<sup>67</sup> According to Bitterova, neither equality of opportunities, nor equality of results lead to structural changes in society. To reach structural reforms, some authors have introduced the concept of transformative equality.<sup>68</sup> Sandra Friedman, based on her critique of formal equality, has formulated the idea of material equality with transformative potential.<sup>69</sup>

Positive discrimination is usually defined as prioritising one group, often the one that used to be marginalised or disadvantaged, over others. Positive discrimination includes positive actions and positive measures. Because of its discriminatory nature, positive discrimination

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<sup>66</sup> Věšíňová-Kalivodová, Eva et al. *Společnost žen a mužů z aspektu gender: sborník studií*. Praha: Open Society Fund, 1999. 52.

<sup>67</sup> Bobek, Michal et al. *Rovnost a diskriminace*. Praha: C. H. Beck, 2007. 20.

<sup>68</sup> Bitterová, Nikoleta. “Právna interpretácia rodovej rovnosti (filozoficko-právna analýza problému).” Dissertation Thesis. Brno: Masaryk University, 2019. 37.

<sup>69</sup> For more, see Fredman, Sandra. “Substantive Equality Revisited.” *International Journal of Constitutional Law*. Vol. 14, Issue 3. 2016: 712-738.

could have adverse effects on perceiving equality in a society or community.<sup>70</sup> Furthermore, positive actions are a concept that is used to achieve material equality, e.g. to achieve the same presence of women and men in a parliament. Positive actions are widely used to eliminate discrimination based on gender or race.<sup>71</sup> Positive measures are concrete steps of positive actions to remedy specific inequality. In the example of the same presence in parliament, setting the quota to 50% would be a real positive measure.

#### 2.4.1 Gender equality and gender equity

Many international and regional documents define and insist on equality between women and men, some even on gender equality – Universal Declaration of Human Rights, Charter of Fundamental Rights of the European Union, Convention for the Protection of Human Rights and Fundamental Freedoms Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), UN General Assembly Resolution 58/147 Elimination of domestic violence against women, Declaration on the Elimination of Violence against Women, or the Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention). Moreover, individual states incorporate gender equality into their laws and constitutions (it could be labour code, anti-discriminatory law, etc.). Gender equality means that every person, regardless of her gender, ought to have equal rights and access to opportunities, resources, responsibilities and participation in the private and public sphere. However, having equal chances does not necessarily result in equal outcomes for women and men. Gender equity goes one step further than gender equality as it entails recognising the differences between genders, and acknowledging their different needs, aspirations and constraints. Gender equity relies on fair treatment. Visually, gender equality could be illustrated as men and women of different heights try to look over a fence, and they are all given two books each to get higher. This results that all women and men are taller; however, the differences in their height have not diminished. Gender equity, on the other hand, gives one book to the taller person and more books to the shorter ones, so in the end, they are all of the same height being able to peep over the fence. A Slovak sociologist Porubánová explains that gender equality does not demand the same treatment of women and men. Just the

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<sup>70</sup> Koldinská, Kristina. *Gender a sociální právo: rovnost mezi muži a ženami v sociálněprávních souvislostech*. Praha: C. H. Beck, 2010. 13.

<sup>71</sup> Koldinská, Kristina. *Gender a sociální právo: rovnost mezi muži a ženami v sociálněprávních souvislostech*, 13.



contrary, gender equality allows for different treatment of individual human beings because it considers their individual differences.<sup>72</sup> Council of Europe provides an extensive definition of gender equality:

Gender equality means an equal visibility, empowerment and participation of both sexes in all spheres of public and private life. Gender equality is the opposite of gender inequality, not of gender difference, and aims to promote the full participation of women and men in society. It means accepting and valuing equally the differences between women and men and the diverse roles they play in society. Gender equality includes the right to be different. This means taking into account the existing differences among women and men, which are related to class, political opinion, religion, ethnicity, race or sexual orientation. Gender equality means discussing how it is possible to go further, to change the structures in society which contribute to maintaining the unequal power relationships between women and men, and to reach a better balance in the various female and male values and priorities.<sup>73</sup>

As we can see, the Council of Europe definition of gender equality focuses on women and men exclusively; however, I differentiate between gender equality and equality between women and men, or equality between sexes. The former includes all possible genders, whereas the latter is a narrower concept of it focusing only on two dominant genders: female and male. On the other hand, the idea of gender equality is widely used to denominate equality between women and men, regardless of their sex at birth. European Court for Human Rights has repeatedly stated that “equality of sexes is one of the main targets of Council of Europe member states.”<sup>74</sup>

UN Committee on the Elimination of Discrimination against Women (based on CEDAW) in its General recommendation No. 25<sup>75</sup> on temporary special measures emphasised that formal equality does not suffice and it is essential to reach genuine material equality between women and men. Individual states ought to take into consideration biologically, socially and culturally constructed differences and under the circumstances, they should treat women and men differently to eliminate the differences as mentioned earlier. In paragraph 10, the Committee states that “the position of women will not be improved as long as the underlying causes of discrimination against women and of their inequality are not effectively addressed. The lives of women and men must be considered contextually, and measures adopted towards

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<sup>72</sup> Porubánová, Sylvia. *Slovenská republika a rovnosť príležitostí mužov a žien (stav, problémy, výzvy)*. Bratislava: Nadácia za toleranciu a proti diskriminácii, 2006. 8.

<sup>73</sup> Gender Equality Commission. „Gender Mainstreaming Conceptual.“ Council of Europe. 11.

<sup>74</sup> European Court of Human Rights. “Case Leyla Sahin v. Turkey.” Application no. 44774/98. Strasbourg, 2005.

<sup>75</sup> UN Committee on the Elimination of Discrimination Against Women. “General recommendation No. 25, on article 4, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, on temporary special measures.” 2004.

a real transformation of opportunities, institutions and systems so that they are no longer grounded in a historically determined male paradigm of power and life patterns.”<sup>76</sup>

Bitterova says that one of the crucial problems in gender equality is essentially human rights definitions in many international agreements, conventions, declarations, etc. Human rights are constructed as gender-neutral, which is a reason why the documents above remain silent about women’s rights. They focus their attention on an abstract subject of law which actually does not exist, or which is represented by a man.<sup>77</sup> A Croatian law theorist Ivana Radačić assumes gender neutrality can even worsen women’s situations.<sup>78</sup>

Bitterova argues that in order to achieve greater gender equality in a society, it is necessary to overstep the formal framework of equality. The first step lies in acknowledging the former handicaps that women face. To eliminate inequalities between women and men, a society has to trace the sources of inequality which are in the majority of cases of gender character. Similarly, to Galtung’s structural violence, Bitterova claims that we have to treat women’s disadvantaged position as structural discrimination.<sup>79</sup>

Giddens, in his book *Sociology*,<sup>80</sup> sums up various theoretical directions which have contemplated theory of gender inequality. He says that in all societies, gender is “an important form of social stratification”<sup>81</sup> and rarely neutral. Gender represents a critical determinant which decides the structure of opportunities and individual life roles. There is hardly any society where women have generally higher status than men and where women are not the primary bearers of households. The dominant labour division has led to unequal status between women and men when it comes to power, prestige and wealth.<sup>82</sup> Even though women have achieved substantial changes, gender differences still limit social mobility and give men better positions. Giddens introduces several theoretical directions to explain those as mentioned above: functionalist approaches, liberal feminism, socialist and Marxist feminism, radical feminism, black feminism, postmodern feminism and women movements in general.<sup>83</sup>

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<sup>76</sup> UN Committee on the Elimination of Discrimination Against Women. “General recommendation No. 25, on article 4, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, on temporary special measures,” Article 10.

<sup>77</sup> Bitterová, Nikoleta. “Právna interpretácia rodovej rovnosti (filozoficko-právna analýza problému).” Dissertation Thesis. Brno: Masaryk University, 2019. 45.

<sup>78</sup> Radačić, Ivana. “Critical Review of Jurisprudence: An Occasional Series: Gender Equality Jurisprudence of the European Court of Human Rights.” *The European Journal of International Law*. Vol. 19, No. 4. 2008. 841-857.

<sup>79</sup> Bitterová, Nikoleta. “Právna interpretácia rodovej rovnosti (filozoficko-právna analýza problému),” 45-46.

<sup>80</sup> Giddens, Anthony. *Sociologie*, 565-573.

<sup>81</sup> Giddens, Anthony. *Sociologie*, 565.

<sup>82</sup> Giddens, Anthony. *Sociologie*, 565.

<sup>83</sup> For more, see Giddens, Anthony. *Sociologie*.

## 2.4.2 Stereotypes

To better comprehend gender inequality and its roots in society, stereotypes should be discussed. Bitterova<sup>84</sup> explains that stereotypes are the necessary mechanisms which facilitate one's orientation in the world. They enter the mental process once we categorise happenings around us. Stereotypes simplify the next encounters so that we do not have to go through all the process of categorisation when we encounter a similar situation or a group of people. For example, when a person of colour spots another person looking like a skinhead, she becomes alert. Racial and gender stereotypes belong to the most common group. Cook defines gender stereotypes as "structural set of persuasions about personal characteristics of men and women."<sup>85</sup> Gender stereotypes provide us with images of how 'right women' and 'right men' look. Bitterova refers to Cook and Cusack enumerating a few categories of categories: sex stereotypes, sexual stereotypes and sex-role stereotypes. Sex stereotypes focus on physical and biological differences between women and men, such as strength, cognitive or emotional differences. Sexual stereotypes cause that women are considered physically weak, passive, empathetic, whereas men are competitive and aggressive. Sex stereotypes can be mirrored in laws, for example, when women are excluded from specific jobs, such as mining. Secondly, sexual stereotypes touch upon sexual interactions between women and men. They include sexual life, sexual harassment and rape. These stereotypes stem from the assumptions of a male dominant and female passive role.<sup>86</sup> At the extreme end of sexual stereotypes, we find objectification of women.<sup>87</sup> Women are viewed as men's sexual possession. If this sounds too harsh and outdated, it is not. Objectification of women presents itself in marital rape which in many countries does not belong to the category of criminal offences as the society assumes that sexual intercourse in marriage is always consensual. Another example is doubt and not prosecuting rapes, or not prosecuting them vigorously enough if the victim does not fulfil set images of a raped woman. Sex-role stereotypes prescribe some behaviour and roles to women and men as a result of their physical, social and cultural constructs.<sup>88</sup> These stereotypes use both sex and gender. Labour division is probably the most prominent example of sex-role stereotypes. Women have to take care of households and children, while men bear the financial

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<sup>84</sup> Bitterová, Nikoleta. "Právna interpretácia rodovej rovnosti (filozoficko-právna analýza problému)," 155.

<sup>85</sup> Cook, Rebecca and Simone Cusack. *Gender Stereotyping: Transnational Legal Perspectives*. Philadelphia: University of Pennsylvania Press, 2010. 21.

<sup>86</sup> Cook, Rebecca and Simone Cusack. *Gender Stereotyping: Transnational Legal Perspectives*, 18.

<sup>87</sup> Cusack, Simone. "Eliminating Judicial Stereotyping. Equal Access to Justice for Women in Gender-Based Violence Cases Final Paper." Submitted to the Office of the High Commissioner for Human Rights, 2014. 17.

<sup>88</sup> Cusack, Simone. "Eliminating Judicial Stereotyping. Equal Access to Justice for Women in Gender-Based Violence Cases Final Paper," 18.

responsibility for their families. Sexual role stereotypes are visible in laws dealing with sexual reproduction or social help.

Although stereotypes might be useful, Cook and Cusack show us their malicious and damaging face.<sup>89</sup> Due to negative stereotypes based on sex and gender, women and men are limited in their life choices. Cook and Cusack continue describing negative gender stereotypes as “ascribing certain characteristics or roles only because of membership in a social group of men and women which result in one or constant violation of human rights and fundamental freedoms.”<sup>90</sup> Bitterova explains that there is a relation between negative gender stereotypes and discrimination based on gender.<sup>91</sup> She mentions several myths related to discrimination based on gender, gender prejudices and stereotypes and sexism. Firstly, the myth that sexism is not that harmful. Pursuing the same logic, sexual harassment is, in many cases, explained as flirting only. Furthermore, a woman’s no to man’s invitations and a proposal is thought more like ‘yes’ because it is part of flirting. Another popular myth is that women are satisfied with their positions and voluntarily adjust to gender restrictive roles such as make-up, pay gap, working double shifts, etc. Or that women could change their status if only they wanted or worked harder.

Some gender stereotypes have negative consequences because not only they are embedded in people’s minds, but they are repeated by the legal system and courts.

#### 2.4.2.1 Women as mothers and taking care of households and men as breadwinners

Consciously or not, this stereotype is supported by parents and educational institutions. For instance, when a girl wants to pursue an academic career and cannot because she should prefer household, or when a woman wishes to move out of a city but cannot because she is supposed to take care of parents. Although today women and men study at universities, there are still places with lack of women. One does not have to go far away; security politics has been thought to belong to men because it is closely associated with defence, army and politics. Recently, the concept of security is shifting more towards human security. Even though there may be an equal number of female and male students in my graduation year, there is only one female assistant at the Department of Security and Peace Studies at Faculty of Political Science

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<sup>89</sup> Cook, Rebecca and Simone Cusack. *Gender Stereotyping: Transnational Legal Perspectives*, 29-30.

<sup>90</sup> Cook, Rebecca and Simone Cusack. *Gender Stereotyping: Transnational Legal Perspectives*, 21.

<sup>91</sup> Bitterová, Nikoleta. “Právna interpretácia rodovej rovnosti (filozoficko-právna analýza problému),” 166.

in Sarajevo, and no female professor.<sup>92</sup> More women than men (if any) are asked about children or planning to have them during job interviews. There is a joke between female lawyers that when asked about children at job interviews, they do not know whether they are being tested since these questions are legally forbidden. Gender stereotypes, in this case, assume that even though men could and would have children, their wives and partners would stay with them. Glass ceiling can serve as another illustration of discrimination based on gender stemming from gender stereotypes: Renzetti and Curran say that a glass ceiling represents “invisible barriers in companies, institutions, communities and other organisations. It is a set of unwritten rules, norms, behaviours, management, organising, planning and reward system within a corporate culture of individual companies that does not allow women or indirectly disable them to reach higher managerial and leadership positions.”<sup>93</sup>

#### 2.4.2.2 Violence against women as a violation of human rights

As illustrated in the chapter on Galtung’s violence, if one husband beats his wife, it is direct violence, if one million of them do it, then it is structural violence. The first issue with domestic violence is its presupposed intimacy and situating into the private sphere. The institution of marriage forces women to stay in violent relationships as many of them are taught in religious institutions and families that marriage is sacred and should be cultivated. Many women remain in these relations for the sake of children who need to see a paternal figure in their lives. In 2012, the European Union Agency for Fundamental Rights did European-wide comparative research on violence against women.<sup>94</sup> According to the research results, 20% of women agreed with the statement that a victim provoked domestic violence and around the same number of respondents believe that women tend to make up or exaggerate domestic violence. It is no wonder because women are thought to be emotional and less rational than men.

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<sup>92</sup> Fakultet političkih nauka. “Nastavno osoblje: Sigurnosne i mirovne studije.”

<sup>93</sup> Renzetti, Claire M. and Daniel J. Curran. *Ženy, muži a společnost*. Praha: Karolinum, 2003. 282.

<sup>94</sup> European Union Agency for Fundamental Rights. „Violence against women: an EU-wide survey. Results at a glance.“ Luxembourg: Publications Office of the European Union, 2014.

### 2.4.2.3 Women's reproductive and sexual rights

Motherhood myth is probably one of the most severe myths. Numerous cultures and religions give a woman the highest value once she becomes a mother. How many times have women heard that the essential thing in their lives is to become mothers? How many times have they heard how beautiful they are as pregnant? Motherhood and a myth surrounding it is a great tool to re-establish patriarchy. Women are confined into households, taking care of children and even persuaded that those are the best times of their lives. If they decide to pursue a career outside of their homes, they are blamed for being bad mothers. During the breastfeeding period, some people, societies and communities consider women less rational and unfit for work. Those myths can and do translate into laws. If women are labelled as hormonal, emotional, not enough rational, weak, etc., how can they decide about abortions? These thoughts are not in the dim and distant past; they live every day in Slovakia or Poland with numerous attempts to further restrict women's access to abortions. Only rarely are girls and boys educated on reproductive and sexual rights, even less in patriarchal and religious societies because, as will be illustrated later, religions emphasize the role of mothers as the highest and most prestigious position for women to achieve.

### 2.4.2.4 Rape

Rape is associated with various gendered stereotypes and myths. When a woman is raped, her sexual behaviour and dressing style are questioned. Women are thought to be fighting the aggressor until their physical limits. Only recently the campaigns and movements such as "No means no" and "Me too" have stressed out that women are entitled to refuse sexual intercourse with men and are sexually harassed, even raped more often by people close to them than strangers. Another popular myth is that a raped woman must have provoked the men. Women are called on to dress decently; religions support these views as well. It would be shameful if a woman walked the streets topless, whereas men usually do so, especially in summer. I assume that very little people, if any, think of topless men as provoking women; however, women doing so are trying to get men's attention. Way too many times, women have heard that they have asked for it. 'No is actually yes' because female sexual passivity is just another myth. In many countries, victims have to prove that they have been raped, while perpetrators cast doubts on women due to their sexual history, way of talking, walking, dressing.

Marital rapes belong to the edges of rapes. Many religions force women to have sexual intercourse with their partners because it is their duty.

Rape as an individual act was harshly challenged during the conflict in the 1990s in ex-Yugoslavia, more precisely in Bosnia and Herzegovina. Lene Hansen<sup>95</sup> asks a question whether “one should conceptualise security in individual or in collective terms, and second, whether to understand security as a matter of national security or to open up the concept to gender-based insecurity.”<sup>96</sup> She continues that the international community did not deny the mass rapes in Bosnia and Herzegovina, but divided over a dispute if they were a security problem or not. Hansen presents three dominant representations of the mass rapes: rape as normal/ Balkan warfare, rape as exceptional/ Serbian warfare and rape as part of Balkan patriarchy.

The storyline of rape as a weapon, strategy or tactic of war is now widely accepted by the research community, the global political arena and the media. After a long silence on sexual violence in conflicts, this being understood as their by-products, sexual violence has become a global security issue with policy-makers’, media and public attention. Fitzpatrick mentions that to an inevitable extent rape was considered as a war by-product during the conflict in Yugoslavia when female refugees from Bosnia reported their experiences in refugee camps in Croatia, and even the international aid workers shrugged them off saying ‘that’s war’.<sup>97</sup> Sexual violence was viewed as something regrettable, though happening. Yet, the EU investigators only in 1992 estimated that around 20.000 women had been raped and the number after the conflict is thought between 30 and 50.000<sup>98</sup> (the same number is provided by Cerretti<sup>99</sup>; Roth<sup>100</sup> goes up to 60.000). These numbers contradict the definition of rape as a by-product in conflicts.

On the other hand, precisely the conflict in Yugoslavia, alongside with the Rwandan one, have vastly contributed to the shift in comprehension as it is now widely assumed that sexual violence in Bosnia and Rwanda was systematic, planned and a part of ethnic cleansing. One of the essential steps in recognition of sexual violence as a tactic of war is the UNSC Resolution 1820 which in the article 1 states the following: “the sexual violence, when used or commissioned as a tactic of war to target civilians deliberately or as a part of a widespread or systematic attack against the civilian population, can significantly exacerbate situations of

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<sup>95</sup> Hansen, Lene. „Gender, Nation, Rape. Bosnia and the construction of security.“ *International Feminist Journal of Politics*. 2001. 55-75.

<sup>96</sup> Hansen, Lene. „Gender, Nation, Rape. Bosnia and the construction of security.“ 56.

<sup>97</sup>Fitzpatrick, Brenda. “Tactical Rape as a Threat to International Security: Significant Progress; Ongoing Challenges.” *International Journal of Arts and Sciences*. 2014. 202.

<sup>98</sup> Hromadzic, Azra. „Challenging the Discourse of Bosnian War Rapes.“ In *Living Gender after Communism*, eds. Janet Elise Johnson and Jean C. Robinson, 169-184. Indiana University Press, 2007. 171.

<sup>99</sup> Cerretti, Josh. „Rape as a Weapon of War(riars): The Militarisation of Sexual Violence in the United States, 1990-2000.“ *Gender & History*. 2016. 794-812.

<sup>100</sup> Roth, John K. and Carol Rittner. *Rape: Weapon of War and Genocide*. Paragon House, 2012. Kindle Edition. Location 516.

armed conflict and may impede the restoration of international peace and security.”<sup>101</sup> Rape endangers world security, even in its realistic comprehension.

Furthermore, Buss argues that rapes within nationalist ideology portray women as a symbolic representation of the political body and a nation-state. She continues that international and local observers in Bosnia observed rape as a targeted policy to force or coerce civilians from one group out of a region. Women from particular ethnic or national communities were often publicly raped as a means to terrorise local populations.<sup>102</sup>

How to combat rape? From a legal point of view, it is crucial to establish enforceable laws both at the domestic and international level, so that perpetrators are aware of consequences. Under no circumstances should impunity be considered as an option because and local courts should be able and free to prosecute these crimes without fear. Furthermore, perpetrators should know that victims will testify and they need to be enabled do so in an as painless way as possible. Hromadzic talks about the Bosnian women who went to testify for ICTY (some in Hague, some did so from Bosnia) and in addition to reliving the trauma, “they risked being ostracised by their society for speaking out about something that is taboo.”<sup>103</sup> Making rapes in war a criminal act, as well continuing explaining that in wars women were targeted simply because they belonged to a certain ethnic group, could help alleviate stigma from women that they must have provoked them and that they are not guilty at all.

Another strategy would be granting women and all beings who have survived sexual violence in wars and conflicts the same status as a war veteran, usually men. As explained below, women did not represent a homogeneous group passively waiting to be violated. They fought back. Secondly, when we accept that rape is a weapon of war and women, and their bodies are used as a tool to humiliate another nation, we should also acknowledge their special status once the war is over. Rahmanovic and Omanovic said that at the beginning, six women received social compensation in Bosnia and Herzegovina, now they assume there are still not many receiving it.<sup>104</sup>

Additionally, children born as a result of rape should not be discriminated against but not exclusively in legal aspects – they and their mothers should be entitled to the same compensation and help as children living in families with war veterans or a deceased parent. Fitzpatrick argues that rapes resulting in pregnancies are more problematic in patriarchal societies in which children bear fathers’ name, ethnicity and are thought to belong to their fathers which is to a great extent the case of Bosnia wherein any formal document a person is

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<sup>101</sup> United Nations Security Council. „Resolution 1820 on women, peace and security.“ 2008.

<sup>102</sup> Buss, Doris. “Rethinking “Rape as a Weapon of War”.” *Feminist Legal Studies*. Vol. 17. 2009. 148-149.

<sup>103</sup> Hromadzic, Azra. „Challenging the Discourse of Bosnian War Rapes,” 176.

<sup>104</sup> Interview with Mevludin Rahmanovic and Vahidin Omanovic. Sanski Most: December, 2018.



asked to provide a name of her father, only in exceptional circumstances a name of her parent leaving to the person to decide whether to put a mother's or a father's name.<sup>105</sup> Ajna Jusić, a Bosnian activist and a public face of the organisation Zaboravljena djeca rata, serves a vivid example of her fight to be Ajna Jusić, not Ajna - Jusić, where – stands for a missing father.

Simultaneously, it is of vital importance to attempt to deny the created discourse of powerless women subjected to sexual violence. Women tend to be thought as the weaker sex or in Simone de Beauvoir's words as *The Second Sex*. Women who have experienced sexual violence tend to be called “violated”, “raped women” or “powerless women”. “The Bosnian women victims of violence became only secondarily 'women': the term 'raped' became their label and their identity.”<sup>106</sup> Hromadzic continues quoting Nusreta, a lawyer from Prijedor who had been repeatedly raped at Omarska: “We cannot divide women into two categories: raped and not raped, as if they are some exhibits in the window ... as if their only identity and characteristics are that they were raped...that sounds terrible “raped women”... we need to look for some other term, not so exclusive and limiting, maybe “women victims of war”, or “tortured women”, but not raped.”<sup>107</sup> However, such a label does not help in overcoming trauma or rape experience. When a person is called powerless, it becomes more challenging to search for help because her surroundings, media and public discourse persuade her of her illusory powerlessness.

Moreover, it refutes women's efforts in fighting sexual violence in the time of its happening. Hromadzic praises several women fighting rape: Enisa who, while held in a concentration camp, was singing all the time so that the Serb perpetrators thought of her as mentally ill. She relied on their superstitious beliefs that suggested that demons would haunt a killer of a crazy person - Senda, who physically fought with an old Serb trying to rape her. Or a sister saving her sister despite being attacked with a knife. Another woman, Fatima, described a technique of having her own Serb to avoid gang rapes. Or Berina who despite knowing that she would be killed if she executed her plan to bite her perpetrator's penis off.<sup>108</sup> Here, I would suggest that precisely these stories were taught at schools and spread in public to initiate discussions on war heroine. This goes hand in hand with the gender equality paragraph, but it would help if for example, in Bosnia, women war heroines and heroines, in general, were publicly acknowledged. Nowadays, in the ex-Yugoslav reality, we hear about war heroes, yet heroines seem to be omitted as if they had not existed. Positively, the central Islam authorities

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<sup>105</sup> Fitzpatrick, Brenda. “Tactical Rape as a Threat to International Security: Significant Progress; Ongoing Challenges.” *International Journal of Arts and Sciences*. 2014. 201-225.

<sup>106</sup> Hromadzic, Azra. „Challenging the Discourse of Bosnian War Rapes,” 177.

<sup>107</sup> Hromadzic, Azra. „Challenging the Discourse of Bosnian War Rapes,” 177.

<sup>108</sup> Hromadzic, Azra. „Challenging the Discourse of Bosnian War Rapes,” 177-180.

in Bosnia issued a fatwa well in 1992, calling women who have survived rapes' martyrs', elevating their perceived social status.

## 2.5 Religion

Bosnia and Herzegovina is a post-conflict country with aspirations to join the EU. Berger and Luckmann say that everyday social reality which individual perceive and live in it is a world with roots in ideas and actions and precisely they keep that world alive.<sup>109</sup> So, if formal equality between women and men exist, however, reality does not reflect it, or women and men live according to the gender stereotypes, then formal gender equality can never truly reach genuine gender equality in the society.

Religion and religious structures have become influential social actors. Katzenstein<sup>110</sup> claims that the internal structures of the Catholic Church have significantly participated in forming certain social movements. She adds that social movements that can make use of already running structures of well-established organisations (such as churches) are usually more successful than those attempting to create new organisational links. As a result, any social movement, that relies on church and religious structures or function in the direct link to it, actively operates and participates in shaping public discourse on a variety of topics, in our case on gender equality. Another important factor that influences the possibilities of religions and their impact on society are privileges the state gives them. Practically, this may be manifested by space in public televisions, radio, inviting religious leaders to secular events, etc.

Spahić-Šiljak elaborates potential definition of religion. She divides definitions of religion into three basic groups: substantial, functional and symbolic. Substantive definitions try to specify the essence of religion, functional contemplate what religion does and should do, and the symbolic emphasises the importance and role of symbols in religious experiences.<sup>111</sup>

Sociology of religion is a science that explores multiple relations between religion and society. Undoubtedly, religion plays a crucial role in the lives of millions of people. Halík sums it up “A man is an incurably religious person.”<sup>112</sup> Renzetti and Curran summarise the

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<sup>109</sup> Berger, Peter L. and Thomas Luckmann. *Sociální konstrukce reality: pojednání o sociologii vědění*. Praha. 1999. 25.

<sup>110</sup> Katzenstein, Mary Fainsod. *Faithful and Fearless: Moving Feminist Protest Inside the Church and Military*. Princeton: Princeton University Press, 1998.

<sup>111</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*. Sarajevo: Internacionalni multireligijski i interkulturni centar IMIC Zajedno, Centar za interdisciplinarne postdiplomske studije – CIPS, Transkulturna psihosocijalna obrazovna fondacija TPO, 2007.

<sup>112</sup> Halík, Tomáš. *Prolínání světů*. Praha: Lidové noviny, 2006. 229.

importance of religions followingly: any religion answer to certain human needs. Firstly, almost every human being tries to grasp the purpose of her existence, as well as happenings around her. Secondly, religions offer a feeling of community, of belonging somewhere. Lastly, religions give believers order and guide them in numerous situations in life.<sup>113</sup> Moreover, religions usually prescribe different rules for women and men. Renzetti and Curran continue saying that although many religious practices are patriarchal, privilege men, exclude women and legitimise their subordinate positions, religious practices have also inspired women to make the step to the outside world and work for their community. Moreover, they rely on numerous researches that have proved that in the US, women and even more non-white women tend to be more religious than men and white men.<sup>114</sup> They offer two basic theories explaining female deeper religiosity: the first one tells that women are more submissive, passive, obedient and caring than men. Submission, passivity, obedience and caring are associated with higher levels of religiosity. The subscribers of this theory cannot agree whether the characteristics mentioned above are natural, or result from education and upbringing. The second theory explains that religiosity belongs to the household and spiritual upbringing of children which is a field naturally assigned to women. Being religious and frequenting church is, therefore, a part of housework. Alternatively, the labour division theory argues that women do not work and stay at home, taking care of children. Therefore, they simply have more time for religious activities, while men are breadwinners and spend a lot of time busy outside homes.<sup>115</sup>

Feminist criticism of religion as harmful to women was extended to Christianity, Judaism and Islam as well, arguing that religion is foundational to the ideology of women's inferiority in all patriarchal systems.<sup>116</sup> Sheila Jeffreys continues that

traditional patriarchal beliefs about the essentially subordinate nature of women and their naturally separate roles, that is, that women should be confined to the private world of the home and family, that women should be obedient to their husbands, that women's sexuality should be modest and under the control of their menfolk, and that women should not use contraception or abortion to limit their childbearing. These views are common to the world's organised religions, such as Judaism, Christianity and Islam, which were created by men in historical contexts where women were completely subordinate.<sup>117</sup>

She briefly outlines researches of Norris and Inglehart, Seguino and Lovinsky who concluded that “people who adhere to religions are likely to hold views that are hostile to the

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<sup>113</sup> Renzetti, Claire M. and Daniel J. Curran. *Ženy, muži a společnost*, 418-419.

<sup>114</sup> Renzetti, Claire M. and Daniel J. Curran. *Ženy, muži a společnost*, 418-420.

<sup>115</sup> Renzetti, Claire M. and Daniel J. Curran. *Ženy, muži a společnost*, 418-422.

<sup>116</sup> Saadawi, Naval El. *The Hidden Face of Eve: Women in the Arab World*. 2<sup>nd</sup> edition. London: Zed Books, 2007.

<sup>117</sup> Jeffreys, Sheila. “Desecularisation and Sexual Equality.” *The British Journal of Politics and International Relations*. Vol. 13. 2011. 367.

interests of women's equality.”<sup>118</sup> In her article, Jeffreys points out that the majority of religious organisations still do not allow women to preach or administer the sacraments. Only a tiny portion of religious institutions and communities allow women (and non-heterosexual persons) to the positions of authority. She explains why desecularisation is potentially dangerous and can cause women's exclusion. When the governments (she talks about Australia and the UK) invite religious communities to consult, discuss certain topics, the problem arises immediately as the majority of religious communities' representatives are simply male. A similar view was expressed at the promotion of book *Žena u džamiji: Prilozi za razumijevanje njene pozicije, uloge i doprinosa* when one of the male speakers - the imam - did not see a problem in women's under-representation in his community because men come to the meetings. He was persuaded that the men also spoke on behalf of their wives.<sup>119</sup>

### 2.5.1 Secularisation and desecularisation

The French writer André Malraux predicted that the 21<sup>st</sup> century would be religious.<sup>120</sup> Fiebigerová argues that the number of believers does not decrease, just the contrary which may have been influenced by the fall of communism when people desired to replace one ideology with another.<sup>121</sup>

Secularisation is a suppression of religious influence in society. Lužný explains that secularisation is an integral part of social changes and transformation from traditional into a modern society. Secularisation is a process during which religious institutions, behaviour and consciousness lose their social importance. It usually includes expropriation of property.<sup>122</sup> Furthermore, Peter L. Berger relies on the assumption that secularisation relates to change of place of religion in social reality. He claims that secularisation does not occur identically in all societies and stems from modernisation. In this situation, when no religious group can enforce its universalist demands, however, grows not only tolerance, often accompanied by relativism, but also bigotry. This situation elicits a reaction – origin of fundamentalism. So, according to Berger, contemporary religious life is a mixture of tolerance and fanaticism.<sup>123</sup>

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<sup>118</sup> Jeffreys, Sheila. “Desecularisation and Sexual Equality,” 367.

<sup>119</sup> Presentation of the book *Žene u džamiji*. Sarajevo, 2018.

<sup>120</sup> Müller, Zdeněk. *Svaté války a civilizační tolerance*. Praha: Academia, 2004. 12.

<sup>121</sup> Fiebigerová, Martina. “Pojetí války z hlediska křesťanství a islámu.” Diploma thesis. Brno: Masaryk University, 2009. 27.

<sup>122</sup> Lužný, Dušan. *Náboženství a moderní společnost: sociologické teorie modernizace a sekularizace*. Brno: Masarykova univerzita, 1999.

<sup>123</sup> Berger, Peter L. *Kapitalistická revoluce*. Bratislava: Archa, 1993.

Even though fundamentalism is usually associated with Islam, Gilles Kepel has concluded that religious comeback to public and political life is accompanied by fundamentalism in Islam, Judaism and Christianity as well.<sup>124</sup> Berger argues that religion has not been moved to the side or been depoliticised. On the contrary, it has come back. He thinks that the most perspective religious forms of the 21<sup>st</sup> century are classic Islam and orthodox Catholicism.<sup>125</sup> Berger admitted that 20-25 years ago, he assumed that modernisation and secularisation would go hand in hand, but that has not been the case: “The world today is massively religious, and is anything but the secularised world that had been predicted.”<sup>126</sup> Feminist political theorist Anne Phillips<sup>127</sup> raises awareness about desecularisation: “I shall simply assert – without argument – that a fusion of state and religion is not favourable to gender equality.” Sheila Jeffreys defines desecularisation as “the increasing visibility and influence of religion in public life, from the pronouncements of politicians and government agencies to the recruitment of 'faith groups' to give the government advice and deliver services.”<sup>128</sup>

## 2.5.2 Traditional religious representation of women

Religion and religious practices differ not only from one religion to another but also within the same faith. Believers do not represent a homogenous group, and their knowledge about their religion also varies. Virginia Sapiro says that the very same Bible is for some people a proof that women and men are equal. In contrast, for another group, it clearly describes women as subordinate to men, dangerous, less than men, etc.<sup>129</sup> To offer an insight into religious depictions of women, I would rely predominantly on the work of Zilka Spahić-Šiljak *Žene, religija i politika* where she vastly presents her own research not only on general positions of women within Judaism, Christianity and Islam, but more interestingly she puts it into the context of Bosnia and Herzegovina. For the purposes of this thesis, I will describe Christianity and Islam and exclude Judaism because, in my research, I have focused on Christianity and Islam in Bosnia and Herzegovina.

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<sup>124</sup> Kepel, Gilles. *Válka v srdci islámu*. Praha: Karolinum, 2006.

<sup>125</sup> Berger, Peter L. *Kapitalistická revoluce*.

<sup>126</sup> Berger, Peter L. “The Desecularization of the world: A global overview.” In *The Desecularization of the World: Resurgent Religion and World Politics*, ed. Peter L. Berger. Washington DC: Ethics and Policy Center and Wm B. Erdmans Publishing, 1999. 8.

<sup>127</sup> Jeffreys, Sheila. “Desecularisation and Sexual Equality,” 366.

<sup>128</sup> Jeffreys, Sheila. “Desecularisation and Sexual Equality,” 366.

<sup>129</sup> Renzetti, Claire M. and Daniel J. Curran. *Ženy, muži a společnost*, 429.

## Christianity

Renzetti and Curran indicate a quote from a Letter to Ephesians 5 as one of the most quoted parts of Bible to describe the women's position: "22Wives, submit yourself to your own husbands as you do to the Lord. 23For the husband is the head of the wife as Christ is the head of the church, his body, of which he is the Savior. 24Now as the church submits to Christ, so also wives should submit to their husbands in everything."<sup>130</sup> Although the letter continues saying that husbands should love of their wives as if they were their own bodies, the verse 33 ends "However, each one of you also must love his wife as he loves himself, and the wife must respect her husband"<sup>131</sup>, which still leaves a flavour of female subordinate position since husbands are not required to respect their wives.

Spahić-Šiljak talks about two narratives within Christianity: hierarchical and egalitarian and both rely on Christian sources. The proponents of the egalitarian theory often quote verses 27 and 28 from the Letter to Galatians: "27for all of you who were baptised into Christ have clothed yourself with Christ. 28 There is neither Jew, nor Gentile, neither slave nor free, nor is there male and female, for you are all one in Christ Jesus."<sup>132</sup> But she continues that there are still many messages of hierarchical character that have shaped gender relations.<sup>133</sup> One of the reasons may be emphasising Eve's original sin and her responsibility. In contemporary Christian narratives, Spahić-Šiljak describes a theory of complementarity.<sup>134</sup> This theory claims that women and men are equal but not identical; they have different characteristics. Women and men complement each other in their diversity. R.J.Anić says that female and male roles are defined and fixed in the same way as persons' roles are defined and set in God.<sup>135</sup> Spahić-Šiljak assumes that the theory of complementarity makes use of gender stereotypes and further supports patriarchy. She mentions feminists who have criticised the theory of complementarity because it reduces women to mothers and motherhood is of the highest value. According to this theory, women are destined to be mothers, men breadwinners, and in this way, they complement each other. Only women can give birth to children. Spahić-Šiljak concludes that "complementarity which religious communities promote does not entail two equal sexes, but a hierarchical relation which shapes the family, as well as the religious and public life in

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<sup>130</sup> *The Bible*. Ephesians 5. <https://www.biblegateway.com/passage/?search=Ephesians%205&version=NIV> (accessed 31 August 2020)

<sup>131</sup> *The Bible*. Ephesians 5. <https://www.biblegateway.com/passage/?search=Ephesians%205&version=NIV> (accessed 31 August 2020)

<sup>132</sup> *The Bible*. Galathians 3. <https://www.biblegateway.com/passage/?search=Galatians%203&version=NIV> (accessed 31 August 2020)

<sup>133</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 55-56.

<sup>134</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 61-64.

<sup>135</sup> Anić in Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 62.

whole.”<sup>136</sup> Spahić-Šiljak also outlines the egalitarian concept of creating Eve and Adam, which has advanced women's position and upgraded it out of motherhood.<sup>137</sup> Spahić-Šiljak dedicates a whole chapter to relations between women and men according to the Christian tradition. She discusses women's education, economic status, clergy and participation at ceremonial life. Women were allowed an education, but in the past, they learnt different subjects than men due to their different destiny in life. However, such differentiation is in line with female education in general. For more, see Spahić-Šiljak.<sup>138</sup>

## Islam

Unlike Christianity, Islam does not stem from the original sin and its consequences for the whole humankind.<sup>139</sup> However, Eve was created from Adam's rib, which some theologians interpret that a woman is less than a man; she is weaker and not enough.

Renzetti and Curran explain that Islam has gone through various gender spheres: in the past, there were patriarchal relations between women and men in which men could have more wives without asking for the first wife's permission. However, there were also groups when women practised polyandry. They continue saying that the Prophet Muhammad granted women extensive rights: the dowry should have been paid to the woman, not to her father; women could divorce, own jewellery, etc. On the other hand, men were the sole custodians of children (girls over seven years and boys over two); men were thought to be at a level higher than women and their guardians; women should have been obedient to their husband, etc.<sup>140</sup>

Islam too includes the theory of complementarity. Higgins<sup>141</sup> explains that women and men are equal in front of God, but this equality does not mean that they are the same. They have different physical, mental and emotional characteristics which enable them to execute various roles in family and society. Therefore, they have different rights and privileges.

Spahić-Šiljak introduces several Muslim feminists and authors that have tried to challenge the interpretation that Eve originated from Adam's rib. For instance, Riffat Hassan<sup>142</sup> attempts to prove that the hadiths talking about Eve coming from Adam's rib do not fulfil the criteria of authenticity, so they should not be considered as relevant. Had Hassan succeeded, it would have taken guilt from Eve's shoulders and from women for the bad in the world. It

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<sup>136</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 64.

<sup>137</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 64-67.

<sup>138</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 67-96.

<sup>139</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 96.

<sup>140</sup> Renzetti, Claire M. and Daniel J. Curran. *Ženy, muži a společnost*, 442-443.

<sup>141</sup> Renzetti, Claire M. and Daniel J. Curran. *Ženy, muži a společnost*, 443.

<sup>142</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 105.

would have also made women and men equal. Asma Barlas<sup>143</sup> explains that the Quran teaches gender equality as an ontological fact; therefore, it cannot promote inequality between them.

### **A challenge to religious patriarchy: a feminist spirituality**

Renzetti and Curran talk about a plurality of feminist spirituality which shares a few common characteristics. First, they refuse dualism of religious patriarchy. According to the feminists, the dual model is dominant because it divides reality into two areas, one of which is dominant and another subordinate. They challenge the division into God and the world and ask for unity of spirit and nature.<sup>144</sup> Many religious feminists leave the monotheist traditions because they consider them too patriarchal and sexist and are searching for new spiritual paths.<sup>145</sup> Some of the newly emerged spiritual ways exclude men completely, while others allow men to enter because their leaders assume that patriarchy oppresses both women and men. Ecofeminism came from searching for new spiritual ways and is probably the most famous.<sup>146</sup>

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<sup>143</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 106.

<sup>144</sup> Renzetti, Claire M. and Daniel J. Curran. *Ženy, muži a společnost*, 450.

<sup>145</sup> Renzetti, Claire M. and Daniel J. Curran. *Ženy, muži a společnost*, 451.

<sup>146</sup> For more about ecofeminism, see Renzetti, Claire M. and Daniel J. Curran. *Ženy, muži a společnost*, 451-455.



### 3. Empirical part

The following part will predominantly analyse the semi-structured interviews with theoreticians and practitioners of faith, feminists, academics and a journalist involved in questions of gender equality within society and religions in the Bosnian and Herzegovinian context. I have deliberately chosen women as my interviewees because when discussing women's rights, I desired to hear their opinions. Bosnia and Herzegovina does not lack female experts, theoreticians and practitioners of faith, feminists, academics, journalists or other professionals involved in the question of gender equality. Women's voices possess the same authority as men's and should be treated accordingly. The interviews contained the below-mentioned questions, and the chapter structure will revolve around the interview questions. To obtain a broader picture, the interviewees' answers will be complemented by relevant literature, studies and reports. The last section of the empirical part will present the results of the questionnaire; however, this has not reached enough participants to be considered relevant for research purposes. The questionnaire can serve as an indicator of mostly young and educated women's attitudes towards religion and patriarchy. In the empirical part, I will use the following coding for the interviewees to sustain the anonymity of their statements.

<b>Name</b>	<b>Religion</b>	<b>Professional Affiliation</b>
O.	Muslim	Academia
P.	Muslim	Non-governmental sector
Q.	Catholic	Academia
R.	Orthodox	Non-governmental sector
S.	Undeclared	Media
T.	Muslim	Academia

#### *3.1 Patriarchy exists in Bosnia and Herzegovina: What are its elements and development trends?*

As explained above in the theoretical framework, 'patriarchy' is a word with numerous significations for different women and men as well. There is no universal definition of patriarchy, only a simplified description, which attempts to include the fundamental common

factors. The multiplicity of patriarchal meaning has also been demonstrated in the interviews. The majority of the interviewees consider Bosnia and Herzegovina a patriarchal society. Some even claim that it is “a deeply patriarchal and deeply religious society”.<sup>147</sup> However, the T. interviewee expressed her opinion that nowadays, women have many opportunities and except for few jobs, they are allowed to do whatever they desire; therefore, it would be difficult to talk about patriarchy. Another woman was hesitant about picking Bosnia and Herzegovina as patriarchal because patriarchy exists across countless cultures.<sup>148</sup> When contemplating the development trends, many women referred to socialism as a better period. They did not deny that patriarchy was widely present in socialist Yugoslavia but was enshrined to the private sphere. In public life, they thought that it would have been challenging to exclude women from education, work, civic participation, etc. If nothing better, socialism promoted women’s rights further than before. Some interviewees even judged that women’s rights were more advanced back then when compared with the contemporary situation.<sup>149</sup> O. said that the private patriarchy from socialism was revived in the 1990s for ethno-nationalist purposes.<sup>150</sup> Zilka Spahić-Šiljak uses an example of women participation in the election: during the Socialist Federal Republic of Yugoslavia, around 20% women participated in the politics, whereas this number dropped to 2% with the first democratic elections in Bosnia and Herzegovina. She states that in her research the younger generation, born during and after the war in the 1990s and up brought vastly under the revival of religious tradition in symbiosis with nationalistic ideologies, expressed more conservative opinions on the female place in society. However, in previous questions, they supported equality between women and men.<sup>151</sup> It suggests that the younger generation support formal equality between women and men. Lastly, the interviewees took into account globalisation and the growing influence of anti-gender movements in Europe and the world in general. Bosnia and Herzegovina does not live in a vacuum and happenings on the European and international scene have an impact on the country.

The interviews have emphasized double standards: formally, Bosnia and Herzegovina has taken significant legal steps to ensure equality between women and men and to address gender-based discrimination, e.g. the Constitution of Bosnia and Herzegovina, as well as the Constitution of Federation of Bosnia and Herzegovina and the Constitution of Republika Srpska guarantee equal opportunities to all citizens regardless of their sex. All constitutions, alongside with the Statute of Brčko District of Bosnia and Herzegovina, prohibit gender-based violence

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<sup>147</sup> Semi-structured interviews with O. and Q. July, 2020.

<sup>148</sup> Semi-structured interview with T. July, 2020.

<sup>149</sup> Semi-structured interviews with O., P., Q. July, 2020.

<sup>150</sup> Semi-structured interview with O. July, 2020.

<sup>151</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 270.

and domestic violence.<sup>152</sup> The Bosnia and Herzegovina Report on Legislative and Other Measures Giving Effect to the Provisions of the Council of Europe's Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) submitted to GREVIO summarizes the legislative framework that tackles gender equality:

The Constitution of Bosnia and Herzegovina incorporates key international standards on gender equality, primarily the Convention on the Elimination of All Forms of Discrimination against Women (1979). Because to its legal nature, the latter is directly applicable in BIH. Other international treaties that are directly applicable in BIH as integral parts of the country's Constitution are as follows: 1948 Convention on the Prevention and Punishment of the Crime of Genocide; 1949 Geneva Conventions I-IV on the Protection of the Victims of War and the 1977 Geneva Protocols I-II thereto; 1951 Convention relating to the Status of Refugees and the 1966 Protocol thereto; 1957 Convention on the Nationality of Married Women; 1961 Convention on the Reduction of Statelessness; 1965 International Convention on the Elimination of All Forms of Racial Discrimination; 1966 International Covenant on Civil and Political Rights and the 1966 and 1989 Optional Protocols thereto; 1966 International Covenant on Civil and Political Rights and the 1966 and 1989 Optional Protocols thereto; 1966 Covenant on Economic, Social and Cultural Rights; 1979 Convention on the Elimination of All Forms of Discrimination against Women; 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; 1987 European Convention on the Prevention of Torture and Inhuman or Degrading Treatment or Punishment; 1989 Convention on the Rights of the Child; 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; 1992 European Charter for Regional or Minority Languages and the 1994 Framework Convention for the Protection of National Minorities.<sup>153</sup>

From a legal point of view, Bosnia and Herzegovina guarantees equal access to positions, possibilities and opportunities for women and men, prohibits discrimination and violence, even violence on women due to their sex and/or gender. However, the interviews and reports analysis has shown that formal equality, as described in the theoretical framework, has not entirely or to a great extent, transformed into the material equality yet. For instance, Zilka Spahić-Šiljak explains that the laws assure women's inheritance, but the practice mostly in rural areas excludes women from inheritance and prefers husbands and sons. She further discusses the inheritance rights in her book *Women, religion and politics*<sup>154</sup>. She provides a quote from one research participant:

The father has left everything to my brothers, and for me, they bought me equipment (furniture for one room) and that was it. However, in the war, I lost everything and had to rebuild my life. My brothers started selling my father's land because it was suitable for building houses, and I had nothing. They offered me to buy one 'milac' (place).<sup>155</sup>

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<sup>152</sup> "Report submitted by Bosnia and Herzegovina pursuant to Article 68, paragraph 1 of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Baseline Report)." Received by GREVIO on 6 February 2020. Council of Europe, 2020. 4.

<sup>153</sup> "Report submitted by Bosnia and Herzegovina pursuant to Article 68, paragraph 1 of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Baseline Report)." Received by GREVIO on 6 February 2020. Council of Europe, 2020. 4-5.

<sup>154</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 208-217.

<sup>155</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 217.

Spahić-Šiljak presents an impressive view on decision-making processes in households: the majority of the female research participants admitted that they participated in decision-making; however, in the end, the husbands made the final call. One Catholic woman from the Brčko District said: “Everything is common, but he can sell both the field and the cow if he wants, and I can’t because I don’t own it.”<sup>156</sup> This view is supported in the World Bank Report *Bosnia and Herzegovina: Gender Disparities in Endowments, Access to Economic Opportunities and Agency*<sup>157</sup> which states that the land ownership favours men. The report says that “while on a national level 15% of all homes are owned by women, 76% of female-headed households are owned by women, whereas a mere 3% of male-headed households are owned by women.”<sup>158</sup> Not owning a property has several consequences, and one of them is the lower ability to take out a loan. As the World Bank Report from 2015 states, “the global economic crisis’ impact on banks in BiH has led to stricter rules when applying for loans, making it increasingly hard for women to access credit as they rarely own property or assets to provide as collateral.”<sup>159</sup> The report further claims that female-headed households “are more vulnerable to economic instability and are less able to cope with sudden changes in their financial situation.”<sup>160</sup>

Secondly, when we look at the women representation in the public sphere, it remains relatively low. The 2010 Shadow Report on the Implementation of CEDAW stated that until 2010, there had been no woman within the three-member Presidency at the position of the head of the state, or in the position of BiH Prime Minister.<sup>161</sup> The underrepresentation of women in political and economic positions of power is emphasized in the Orange Report 5<sup>162</sup> which reminds the reader of obligations stemming from CEDAW convention which is ensuring the equal participation of women and men in public and political life<sup>163</sup>. The Orange Report criticizes Bosnia and Herzegovina for not having taken the commitment seriously and finds evidence in the conclusions of the UN Committee for Elimination of All Forms of

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<sup>156</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 217.

<sup>157</sup> “Bosnia and Herzegovina: Gender Disparities in Endowments, Access to Economic Opportunities and Agency.” The World Bank, 2015.

<sup>158</sup> “Bosnia and Herzegovina: Gender Disparities in Endowments, Access to Economic Opportunities and Agency,” 34.

<sup>159</sup> “Bosnia and Herzegovina: Gender Disparities in Endowments, Access to Economic Opportunities and Agency,” 33.

<sup>160</sup> “Bosnia and Herzegovina: Gender Disparities in Endowments, Access to Economic Opportunities and Agency,” 34.

<sup>161</sup> “Alternative Report On the Implementation of CEDAW and Women’s Human Rights in Bosnia and Herzegovina.” Sarajevo and Banja Luka: Rights for All and Helsinki Citizens Assembly, 2010. 29.

<sup>162</sup> “Orange Report 5: Report on the State of the Human Rights of Women in Bosnia and Herzegovina for the period 2016-2019.” Sarajevo: Sarajevo Open Centre, 2019.

<sup>163</sup> “Orange Report 5: Report on the State of the Human Rights of Women in Bosnia and Herzegovina for the period 2016-2019,” 73.

Discrimination Against Women published in November 2019, which recommends to increase the quota for women candidates in the lists to 50% (instead of current 40%), as well as amending the Law on the Council of Ministers of BiH which should guarantee minimal female representation at 40%.<sup>164</sup> The Orange Report also analyses the representation of women in political parties and states that although it has increased since the previous Orange Report, it still has not surpassed 40%. Even more, “there is not a single woman as a party leader in parliamentary parties on the entity and state level.”<sup>165</sup> The Orange Report claims that in the local elections of 2016, only 26 out of 418 elected candidates for mayors and town heads were women.<sup>166</sup> When it comes to the General election in 2018, 41,60% of candidates were women; however, only 14,67% “were listed as first on the lists.”<sup>167</sup> Ivana Godulova confirmed this quoting a Roma female politician:

I can say definitely that say that I am disappointed, as a woman, as a mother and as a politician. I have definitely seen here in Bosnia that they only make sure that on paper there is those 40% which is written in the law that says that women have to be respected. It is only on the paper but the reality is different. Women are discriminated in all aspects.<sup>168</sup>

Seven women or 16,66% were elected to the House of Representatives of the Parliamentary Assembly of BiH and out of 223 mandates “directly elected by citizens into entity and state executive bodies, in the general election held in 2018 women got 44 (20%) which is 6% less than in 2014-2018 mandate period.”<sup>169</sup> According to the Orange Report, the cantonal governments have achieved particular progress as the female representation varies from 0% to 25%, but the average remains relatively low at 14,49%.

Moreover, women tend to occupy those positions that are traditionally assigned to them, such as education, healthcare, ecology, family and social politics.<sup>170</sup> The Orange Report also looks into women representation in judiciary and security agencies. It concludes that “it is difficult for women to get highly ranked positions although the ratio of their representation in the judiciary is higher than men’s.”<sup>171</sup> The Orange Report cautiously but rather positively

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<sup>164</sup> “Orange Report 5: Report on the State of the Human Rights of Women in Bosnia and Herzegovina for the period 2016-2019,” 73.

<sup>165</sup> “Orange Report 5: Report on the State of the Human Rights of Women in Bosnia and Herzegovina for the period 2016-2019,” 76.

<sup>166</sup> “Orange Report 5: Report on the State of the Human Rights of Women in Bosnia and Herzegovina for the period 2016-2019,” 77.

<sup>167</sup> “Orange Report 5: Report on the State of the Human Rights of Women in Bosnia and Herzegovina for the period 2016-2019,” 77.

<sup>168</sup> Interview with Ivana Godulova. Quote of a Roma female politician. September, 2020.

<sup>169</sup> “Orange Report 5: Report on the State of the Human Rights of Women in Bosnia and Herzegovina for the period 2016-2019,” 77.

<sup>170</sup> “Orange Report 5: Report on the State of the Human Rights of Women in Bosnia and Herzegovina for the period 2016-2019,” 78.

<sup>171</sup> “Orange Report 5: Report on the State of the Human Rights of Women in Bosnia and Herzegovina for the period 2016-2019,” 79.

assesses the female presence in the police, army and other security agencies. It states that even though “there is 7% of women in Armed forces of BiH ... it is likely that systematic approach and institutional preconditions will lead to bigger progress and more sustainable gender balance.”<sup>172</sup> In Bosnia and Herzegovina, we can observe that the number of women in security agencies is growing. Yet, their representation has not paired the men’s. Based on the trend, one could assume that it would take decades for women to be equally represented in security institutions, which are the places generally assigned to them.

<b>Institution</b>	<b>2010</b>	<b>2013</b>	<b>2018</b>
Ministry of Defence		36%	38%
Armed Forces of BiH	5%	6,6%	6,8%
State investigation and protection agency		13%	14,64%
Federal Police	7,8%	7,8%	7,8%
Police Republika Srpska			7,8%
Police District Brčko			4,8%
Peacekeeping missions Ministry of Security BiH	16%	24%	30%
Peacekeeping mission Ministry of Defence BiH		3,5%	6,7%

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Spahić-Šiljak in her research identified the reasons of lower representation of women in politics according to the research participants: lack of trust of society that women are capable of decision making; unequal opportunities for women and men; the value system which places women to homes; women’s overload with other duties; religious regulations and interpretations of women’s place in society; and difficult economic situation.<sup>174</sup> She concludes that “patriarchal tradition, intertwined with the religious image of woman, its nature and place in society does not accept women in places of decision-making and political life.”<sup>175</sup>

Thirdly, economic opportunities for women is a phenomenon also associated with a patriarchal pattern and gender inequality. According to Lejla Somun-Krupalija and her working paper ‘Gender and Employment in Bosnia and Herzegovina’ under the International Labour Office, “more men are employed in salaried employment and self-employment; fewer men are

<sup>172</sup> “Orange Report 5: Report on the State of the Human Rights of Women in Bosnia and Herzegovina for the period 2016-2019,” 80.

<sup>173</sup> Gavrić, Saša and Amila Ždralović. *Rodna ravnopravnost: Teorija, pravo, politike. Uvod u rodne studije za studentice i student društvenih nauka u BiH*. Sarajevo: Sarajevski otvoreni centar, 2019. 211.

<sup>174</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 267-268.

<sup>175</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 270.

unemployed, and more men are able to find and retain a job.”<sup>176</sup> The World Bank Report relies on BiH’s Gender Action Plan (GAP), which “identified several conditions limiting women’s full participation in the area of employment and income generation.”<sup>177</sup> The GAP research indicates that certain circumstances cause inequality between women and men in the labour market, such as the prevalence of traditional understanding of women’s role in society; preferential hiring of men; access to information among women from rural areas; and a lack of collateral that limits women to access credit. Furthermore, women report that employers tend to inquire about their marital situation and the number of children during the recruitment process.<sup>178</sup>

The Orange Report<sup>179</sup> mentions three examples of misogynistic violence which relies on gender stereotypes. The first one is a video from 2017, in which Amir Hadžić comments pejoratively on uncovered women and girls stating that they call on men to do with them whatever they please. The right woman is covered and therefore, moral. In this way, Hadžić justifies rape as per classic gender stereotypes 'She was asking for it'. The second example is a Facebook post by an official from the Presidency of BiH, calling two female journalists 'slags'. The last case talks about a campaign 'Celebrate responsibly – do not drive if you're planning on drinking' that portrays women as almost incapable of driving, thus „the commercial puts into focus sexist stereotype about women as less worthy and less capable than men.“<sup>180</sup> We have recently witnessed another example of misogyny in case of Ivana Marić, whose viral picture spread over social networks questioning Ivana Marić's work since she was not married. O. commented on misogyny regardless of her personal opinion of Marić, because she considered it essential that such acts should be publicly condemned and labelled as unacceptable. After all, tomorrow it can happen to any woman.<sup>181</sup>

The examples mentioned above are just a tiny bit to illustrate that patriarchy and gender equality in Bosnia and Herzegovina do exist in the material form, despite guarantees of formal equality between women and men which could lead to diminishing patriarchy and oppression of women.

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<sup>176</sup> Somun-Krupalija, Lejla. “Gender and Employment in Bosnia and Herzegovina – A Country Study.” Working Paper 4/2011. Geneva: Bureau for Gender Equality, International Labour Office, 2011. VII.

<sup>177</sup> “Bosnia and Herzegovina: Gender Disparities in Endowments, Access to Economic Opportunities and Agency,” 36.

<sup>178</sup> “Bosnia and Herzegovina: Gender Disparities in Endowments, Access to Economic Opportunities and Agency,” 45.

<sup>179</sup> “Orange Report 5: Report on the State of the Human Rights of Women in Bosnia and Herzegovina for the period 2016-2019,” 89-92.

<sup>180</sup> “Orange Report 5: Report on the State of the Human Rights of Women in Bosnia and Herzegovina for the period 2016-2019,” 91.

<sup>181</sup> Semi-structured interview with O. July, 2020.

Almost all interviewees have mentioned women as 'bearers of patriarchy' in the Bosnian society, and they situated patriarchy within a family: „patriarchy starts in a family.“<sup>182</sup> Following gender stereotypes in the Bosnian society, women are responsible for households, families and children upbringing. Some interviewees found women guilty of not escaping the patriarchal system, claiming that nowadays, women have opportunities and could do anything they desire, only if they wanted. Such views take into account the workload women face; however, they place the strategy on how to escape traditional patriarchy on women themselves. Other opinions subscribe to the thesis that women are bearers of patriarchy not only in Bosnia and Herzegovina, but in any patriarchal society, but why this happens stems from numerous and interlinked factors. They see a way out in education and gender sensitivitisation of both women and men because if women behave according to gender stereotypes and follow the patriarchal rules, what could be expected of men?<sup>183</sup> Spahić-Šiljak quotes several women who misled their husbands to make the decision they wanted but making the husbands think it was originally their (the husbands') idea.<sup>184</sup> Women respecting and acting according to gender stereotypes is very well summarised in the following quotes: “Boys are naturally different from girls, so mother unknowingly treats them differently. Boys are less resilient as babies, more susceptible, more often sick. They are physically active, and different from girls.”<sup>185</sup> or “Women, however, are more merciful, they forgive more easily, they endure more, they are more patient, but one must also admit that they are more reckless.”<sup>186</sup>

To sum up, the difference between formal and material equality, as well as gender stereotypes and their translation into public life can be nicely illustrated with the following picture. The picture describes the number of inhabitants according to sex in Bosnia and Herzegovina per 2013 census. The illustration can be found in the Agency for Statistics of Bosnia and Herzegovina report 'Women and Men in Bosnia and Herzegovina'. A man is responsible for the report, but women worked on data collection, graphics, illustrations, proofreading, etc. It is worth mentioning that a state agency presented the report, and it also described basic concepts on gender equality and gender-based discrimination.

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<sup>182</sup> Semi-structured interview with Q. July, 2020.

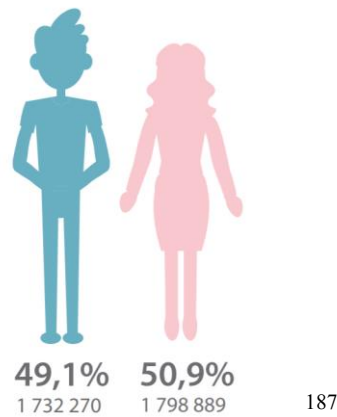
<sup>183</sup> Semi-structured interview with O. July, 2020.

<sup>184</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 217.

<sup>185</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 269.

<sup>186</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 269.





### *3.2 What role does religion play in the lives of society and particularly of women in the Bosnian and Herzegovinian society?*

From an outsider's point of view, it seems that Bosnia and Herzegovina is divided among national and religious lines. When a foreigner looks into the statistics of 2013 census, it appears that almost all Bosniaks identify with Islam, Croats with Catholicism and Serbs with Orthodox. Moreover, tourist leaflets describe Bosnia as a multi-religious country with a high level of mutual tolerance. At first sight, one would be inclined to say that religion occupies an important place in the lives of Bosnians. One interviewee described Bosnia as a beautiful country where Christians know about Ramadan, Orthodox about Bajram baklava and Muslims about the Easter and colouring eggs.<sup>188</sup>

During the interviews, all interviewees agreed that religion and its manifestations in the local context play a unique role in citizens' lives. They further explained that after the socialist Yugoslavia religion lived through an era of revitalization and was misused to reinforce ethno-nationalist identities in the 1990s war. In comparison, the times of the Socialist Federal Republic of Yugoslavia could be viewed through lenses of secularisation. Whereas the period from the 1990s as desecularisation with an increasing role of religion in Bosnian society. Some interviewees situated the beginning of religious comeback to 1970s and 1980s. O. characterised the Bosnian society as profoundly patriarchal and deeply religious but emphasized the difference between religion in a contemplative sense and religion in an emotional sense. According to her, the Bosnian society is saturated with religion. However, the believers, in general, do not think deeply about religion and their faith. She continued that the society is

<sup>187</sup> "Žene i muškarci u Bosni i Hercegovini." Tematski bilten. Sarajevo: Agencija za statistiku Bosne i Hercegovine, 2018. 11.

<sup>188</sup> Semi-structured interview with T. July, 2020.

saturated with religion in a patriarchal way, not in a spiritual path, which has harmful consequences for the society and the perception of religion. It should be every believer's duty to question and seek answers in religion, to discuss, doubt and think about one's faith. "Religion is about emotions," O. said.<sup>189</sup> Dubravka Žarkov asks:

Is it possible to separate religion and faith? Can we separate structures and institutions from personal, affective attachments? Can we analyse these difficulties as a space of struggle, and place them in the present moment without losing sight of their history? What do these difficulties and pitfalls mean for feminism as an epistemological and political project, and for the production of various feminist political subjects?<sup>190</sup>

Another interviewee expressed a thesis that religion has to deal with decreasing spirituality and increasing religious manifestations in the public sphere. However, it seems that nowadays and not exclusively in Bosnia and Herzegovina, people prefer easy guides and a clear distinction between the good and the bad.<sup>191</sup>

Spahić-Šiljak in her *Women, religion and politics* concludes that according to the research, 46,88% persons considered religion very important in their life and 33,27% important. When looking into female and male specifics, 49,49% of women stated that religion was very important in their lives, whereas 30,43% of women that it was important. That means that in lives of more than two-thirds of the female research participants religion and faith play a crucial or very crucial role.<sup>192</sup> The author also examined how many times the participants prayed, and 42,72% of all participants pray at times, while 32,52% daily, 14,37% do not pray and 5,67% weekly. Again, 35,79% of women acknowledged praying daily (28,26%), 40,13% at times (46,08% of men), 14,38% of women do not pray (14,35% of men) and 3,34% of women pray weekly (8,69% of men). The author admits that the results may not be accurate since different religions have different methods of practising the faith. However, she recognises that women "in general, are more attached to rituals as reflections of their own faith."<sup>193</sup> Another interviewee confirmed this view when she stated that many women actually follow the religious rules, even those unwritten and not agreed commonly upon such as the way of dressing. Covering is not exclusive for women in Islam, but she has witnessed her Catholic friends dressing differently to demonstrate the importance of religion in their lives.<sup>194</sup> All interviewees explained that numerous women live religion and faith in different ways: some publicly, some privately, some have to dress accordingly, while others adhere strictly to the rules, etc.

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<sup>189</sup> Semi-structured interview with O. July, 2020.

<sup>190</sup> Popov Momčinović, Zlatiborka. *Žene i procesi pomirenja u Bosni I Hercegovini: Izazov rodnim ulogama, usta(nov)ljenim narativama i performativnim praksama s osvrtom na religiju*. Sarajevo: Fondacija CURE, 2018. 99.

<sup>191</sup> Semi-structured interview with P. July, 2020.

<sup>192</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 220-221.

<sup>193</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 222.

<sup>194</sup> Semi-structured interview with Q. July, 2020.

To conclude, religion is an essential factor in the lives of Bosnians, but one ought to differ between formally subscribing to the religion and its practice. Spahić-Šiljak's research indicates that women and men consider religion equally very important or important in their lives, but women pray daily more often than men. Many interviewees hinted that women might be more religious and religion and faith might play a more prominent role in their lives because religion tends to be kept in families and traditionally women are prescribed to be responsible for family and children.

### *3.3 What is the women's role within religious communities, and how are they educated about their roles and positions in the religious structures? What is the content of that education?*

All interviewees have agreed that education on gender equality within religious structures and communities is rather an exception than reality in Bosnia and Herzegovina. O. said that in no other areas are Islam, Orthodox and Catholic religion similar than in the issues of women and family. They may differ in numerous aspects, but here they concur.<sup>195</sup> She continued that these monotheistic religions are organised hierarchically: first comes the God, then a man, and just then a woman. One interviewee said that in general, the religious communities' activities are more or less limiting for women; however, they could also be liberating.<sup>196</sup> She highlighted the harmful objectification of female bodies in contemporary capitalism where women are taught to achieve 'the perfect body and to display it'. Religion, on the other hand, prefers spirituality over one's physical appearance and with its tools could make women less prone to accept the capitalist view of 'a perfect female body'. She added that also the Muslim covering of women could be interpreted in opposite ways: from a capitalist perspective, it could be regarded as female oppression with a woman being confined to prescribed dress code that does not allow her to be wholly free and herself; from the religious perspective, a woman can focus on her spirituality, does not have to pay attention to superficial issues such as her appearance and therefore, enjoys more freedom.

The interviewees agreed or confirmed that the **theory of complementarity** prevails in Bosnia and Herzegovina. According to Spahić-Šiljak, in a questionnaire, 64,34% of men and 61.20% of women assumed that they had an equal position in society and religious structures. However, when asked to elaborate on their opinions, it protruded that the majority of the participants comprehended equality between women and men through the lenses of

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<sup>195</sup> Semi-structured interview with O. July, 2020.

<sup>196</sup> Semi-structured interview with P. July, 2020.

complementarity of their roles. The majority of the verbalised answers contained the notion that women and men have prescribed role and should act according to them.<sup>197</sup> As one Catholic woman said: “In our faith, we are the same in front of the God, in His picture created, and that we have different roles, that is a different question.”<sup>198</sup> Or, an Orthodox woman who confirmed that men and women are equal in front of the God; however, “women are mothers and are not invited to perform certain acts which doesn’t mean that we aren’t equal.”<sup>199</sup> Similarly, a Muslim woman said that God provided all human beings with different roles with which human beings should not intervene. She emphasized that women are mothers which is their essential task.<sup>200</sup> The complementary role is the most that women can achieve in Bosnia and Herzegovina where the monotheistic religions are organised hierarchically, explained Spahić-Šiljak.<sup>201</sup>

As indicated above, women are usually portrayed as mothers. **Motherhood** is thought to be of distinguished relevance in women’s lives. One participant paraphrased the Quran, explaining that the Prophet Muhammad said that the Paradise was under mother’s feet, not father’s.<sup>202</sup> Accentuation of motherhood leads to women’s exclusion from the public sphere and further confines them to the private, family area. Ultimately, it ends up with conserving patriarchy. It does not imply that women should be less educated than men. On the contrary, women bear the values onto children and are responsible for their upbringing. The motherhood is praised so high that it prevents women from being both professionals and mothers. Many religious messages assert that a woman could pursue a career only when she can harmonize family and career, with the former taking precedence. Almost nobody in Spahić-Šiljak’s research doubted that women were less capable of pursuing a professional career or that they were not educated enough to be politicians. Nevertheless, they questioned women’s ability to make the work and household work - to fit them both in their timetables. They assumed that for a woman to be a mother, a professional and a politician or a social activist would simply be too much, and women should wait till their children are older and independent.<sup>203</sup> As the motherhood is the highest and most honourable value women should seek, their career should come after it.

Besides being mothers, women fulfil the role of **wives** and **housewives**. Religious narratives stress out that a woman should find satisfaction in her role as a mother and a wife. Spahić-Šiljak’s research revealed that although the majority of the participants identified as

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<sup>197</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 228.

<sup>198</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 228.

<sup>199</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 228.

<sup>200</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 228.

<sup>201</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 228.

<sup>202</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 182.

<sup>203</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 187-192.

believers, but did not frequent mosques and churches daily, their verbalised answers in the focus groups often contained references to God and religion. “If a woman dies and her husband is satisfied with her, she will go to the Paradise.”<sup>204</sup> or “A woman should know that a husband is the head of household, as the Christ is the head of every man.”<sup>205</sup> The research showed that the women and men divided housework among themselves more or less rightfully; however, still under the umbrella of gender stereotypes. Many women confessed that although their husbands wanted to ‘help’ at home and share the house chores, they could not allow them to do so and even when they did, they corrected them. “Regardless of everything, I still feel that I have to prepare a lunch for my husband, I will bring him a glass of water,”<sup>206</sup> one woman admitted. On the one hand, behaving in this way, women themselves support the religious narratives which confine them to the private area, and they also support patriarchy. On the other hand, when a person grows up in a particular society, she takes over the behavioural patterns of that society and transmits them further. In an environment when both women and men are not educated towards higher gender equality and gender sensitivity, it would be naïve to expect that all human beings would behave differently.

Religious narratives towards women also include the element of **obedience**. Timothy 2, 11-15 (Bible) says: “A woman should learn in quietness and full submission. I do not permit a woman to teach or to assume authority over a man; she must be quiet. For Adam was formed first, then Eve. And Adam was not the one deceived; it was the woman who was deceived and became a sinner. But women will be saved through childbearing – if they continue in faith, love and holiness with propriety.”<sup>207</sup> 55% of women and 51% of men believed that women and men should discuss things together in marriages, but 13% of women and 14,34% of men advocated for complete obedience of wives, whereas around 13% for partial obedience.<sup>208</sup> Spahić-Šiljak describes elderly women who criticised the younger women due to their emancipation and fight for equal rights in relationships because according to them, wives should be more obedient and silent in marriages.<sup>209</sup> More interestingly, the research participants enumerated two most important reasons why women should obey their husbands and partners: religious education and narratives (28%) and the fact that a man is the head of household (almost 14%). 11% could not tell the reasons, simply stated that it had always been like that. Other reasons which received each less than 10% of support are: Eve’s original sin, maintaining marriage and family, women

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<sup>204</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 196.

<sup>205</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 197.

<sup>206</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 203.

<sup>207</sup> *The Bible*. 1 Timothy 2:11-15. <https://www.biblegateway.com/passage/?search=1%20Timothy%202%3A11-15&version=NIV> (accessed 31 August 2020)

<sup>208</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 192-193.

<sup>209</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 193.

being financially dependent on men, women as the weaker sex and men as more intelligent and capable, love towards a husband, respect, women's personal choice.<sup>210</sup> The first indicated reason is directly related to the religious narratives as perceived per research participants. In contrast, the second as men being the heads of households is incorporated in religious narratives and the explanation of Eve's original sin stems from religions. The issues mentioned above indicate a strong correlation between traditional religious families and patriarchy.

The **absence and lack of women at leader positions** within the religious structures and communities represents a powerful message sent to women. The interviewees agreed that actually women work a lot in and for religious communities, but they are the least visible. "Where is the problem? You have all the opportunities to get an education, to work," is a question that one interviewee encountered a lot in her work. She added that formally no problem exists because except for being imams and priests women have all the options available, nevertheless informally, they hardly achieve the leadership positions.<sup>211</sup> The interviewees hinted that probably the Islamic community of Bosnia and Herzegovina (Islamska zajednica) might be the most democratic and most female inclusive of all three dominant monotheistic religions in Bosnia and Herzegovina. Women are present in its parliament and lead some committees, although numerically men prevail. The interviewees admitted that the majority of women are confined to the committees responsible for education, upbringing or humanitarian aid which corresponds to gender stereotypes and further strengthens patriarchy. This strongly reminds us of non-religious job segregation where women occupy dominantly specific jobs, such as being nurses, kindergarten teachers, care-takers, etc. and are excluded from other types, such as mining, high managerial jobs, etc. The lack of women within religious leadership resembles the lack of women in the public sphere. If children do not see a woman in leadership positions, they could grow up assuming that the authority outside of families belongs exclusively to men. Secondly, women constitute slightly more than half of the Bosnian population, are educated and to ignore their potential is a mistake. Women are not imams or priests in Bosnia and Herzegovina, although the interviewees agreed that from a theological perspective, they could be imams. In Spahić-Šiljak's research, the question of whether women could be imams and priests was left for personal focus groups. The initial reactions were rather negative: the participants rejected the idea of calling on religious regulations and traditions, as well as men's ownership and legitimacy over these positions. Nonetheless, when the participants were provided with options, approximately the half of the participants agreed

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<sup>210</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 194-195.

<sup>211</sup> Semi-structured interview with O. July, 2020.

(58,51% of women and 51,73% of men) that women could occupy such positions but only under the condition of approval of religious structures.<sup>212</sup>

The research continues that 81,60% of women and 71,73% of men do think that women are intellectually able to interpret the faith provided they are educated. Moreover, the research also showed that believers would support women at the position of power within religious structures.<sup>213</sup> 57,85% of women and 44,34% of men saw the explanation of female exclusion from power and leader positions in religious structures in the opposition of religious communities. Around 16% of women and 18% of men marked the religious regulation as the main reason, while approximately 11% of women and men identified lack of women's interest. One of the interviewees confirmed that during their work, the women did not seem very eager and enthusiastic about enhancing gender equality and participate in the work of religious communities. She explained that one woman sent to the meetings her husband instead of her.<sup>214</sup> However, women's apparent lack of interest should be taken into context of the double-work they do at home and outside of the house. Moreover, when women are not led and shown that they are welcome and supported in religious communities, the environment will remain distant to them. If the religious authorities are predominantly men, women would consider religious meetings and decision-making process as belonging to the 'men's world'. The interviewees acknowledged that women are bothered by their inferior status and the messages they perceive, yet many of them opt for the strategy of least resistance. Lastly, I would like to state that it is challenging to be an activist and advocate for women's rights.

When women are not in leadership and positions of authority, it sends a clear signal to women to self-doubt and self-limit themselves, whereas men are supported in high self-esteem.<sup>215</sup> Rebecca Solnit, in her infamous essay *Men explain things to me* talks about damaging consequences of men as authorities when women are totally or partially excluded. According to her, the right to speak and express one's opinion is the essential tools for survival, indignity and freedom.<sup>216</sup> Yet, women have to fight on two battlefields: one is the actual advocacy for a dedicated issue, and another battlefield consists of fighting for her right to speak up, to be acknowledged as an expert. This view was also supported in Bosnia and Herzegovina when few interviewees admitted that at conferences, men are addressed as 'doctors and professors', whereas women as 'Mrs. or Ms.', even though they have the same academic titles

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<sup>212</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 234-236.

<sup>213</sup> Spahić-Šiljak, Zilka. *Žene, religija, i politika*, 232-233.

<sup>214</sup> Semi-structured interview with R. July, 2020.

<sup>215</sup> Solnit, Rebecca. *Muži mi to vysvetlia*. Bratislava: Inaque, 2018. 14.

<sup>216</sup> Solnit, Rebecca. *Muži mi to vysvetlia*, 24.

as their male counterparts<sup>217</sup>. Immediately when addressing a person, the moderator provides men with a higher status and credibility than women. Credibility is an important element of a person's life: a human being should be trusted regardless of her sex and gender. Rebecca Solnit retells an anecdote of a woman who once ran from her house, screaming that her husband wanted to kill her. Solnit asked her company at the dinner table where the story was being told, how they knew that the husband had not intended to kill her wife. The male *storyteller patiently explained* to Rebecca Solnit that such an idea was simply impossible because the couple was distinguished and of a middle-class background. However, the wife might have been crazy.<sup>218</sup> Solnit recalled her own experiences when she was considered subjective, misled, over-worked, insincere, merely a woman and that men were explaining to her even her own book.

### *3.4 How can women change their position towards gender equality within religious communities and structures? What are the positive examples?*

Initially, the interviewees answered that women do not have enough tools to strengthen their position within religious structures. Some interviewees blamed women for being less active and activist, while others hesitated to state that while this may be true, one needs to consider various conditions of women, as well as the local context which influences women and their behaviour. The interviewees agreed that it would be rather challenging than possible to advocate for gender equality in religious structures. They advised proceeding through the channels of the non-governmental sector, which has borne better results. However, civil society has its limits and, in many cases, it fails to attract very pious women and men too. Moreover, they pointed out at the system of financing civil society, which in Bosnia and Herzegovina largely depends on foreign aid. The foreign donors decide about the project focus and in numerous cases, transfer one successful project from one country to another without considering the local context. O illustrated education on women rights in a rural Muslim area: although the donor's approach might centre on CEDAW, this will not bring results in that specific area. Women would attend a workshop and would listen and learn about CEDAW; however, once they left the workshop premises, they would not be able to apply the knowledge about CEDAW in their lives practically and replicate the knowledge at home to their husbands. What she uses in her work are simple messages stemming from the religion itself that portrays various women who were in positions of authority or who advised the Prophet. Such examples

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<sup>217</sup> Semi-structured interviews with O., P. and Q. July, 2020.

<sup>218</sup> Solnit, Rebecca. *Muži mi to vysvetlila*, 15.



reach the audience more quickly. However, the education continues by explaining that if in the past women were capable, intelligent, decision-makers, etc., why should contemporary society move backwards and ignore the Prophet's acts? She said that such simplified examples make women and all participants contemplate about their religion and how peaceful and gender-equal they actually are.<sup>219</sup> The interviewees advised proceeding very carefully because workshops or debates with women can have enlightening moments for female participants which may 'damage' their whole previous life, once they start questioning it in light of feminist ideas.

The interviewees mentioned an attempt to introduce a gender-sensitive constitution at the Islamic community, but this idea was not supported. Nevertheless, even if the first attempts do not succeed, they show the women's interest and priorities.

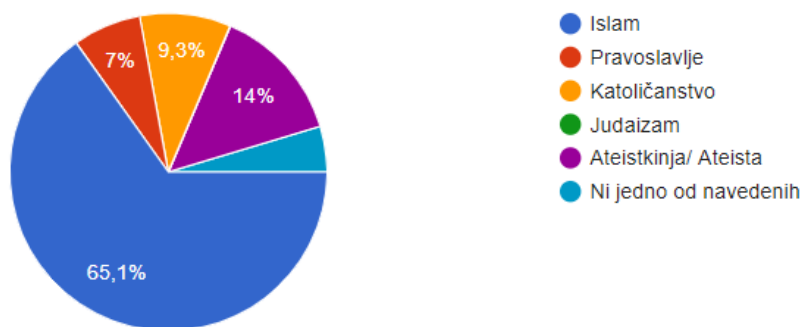
All interviewees acknowledged the urgent need to educate women and men on gender equality, to sensitivize them in this aspect. Education is the key to higher and material gender equality. It ought to start from the very beginning, already at primary schools and ought to continue till universities. Civil society can act as a supportive actor, nonetheless cannot bear all responsibility and burden. Lastly, the interviewees highlighted the common problem in many societies, not only in Bosnia and Herzegovina: to increase critical thinking of the general population, so that this is less prone to easily-acquired knowledge and fake news.

### *3.5 Questionnaire*

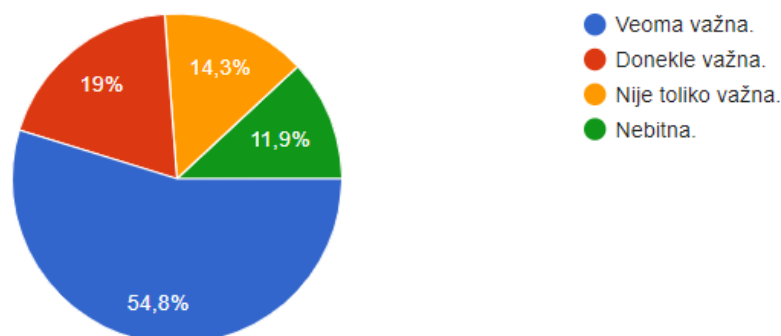
As hinted at the beginning of the work, I have also designed a short questionnaire to reflect participants' perception of gender equality and equal/ unequal position of women and men in Bosnia and Herzegovina, and the role of religion and religious structures. The questionnaire has not managed to reach a wider audience; therefore, it cannot be considered reliable for analysis for this master thesis. The primary group of 50% consisted of people between 20 and 26 years old, thus university students. They were followed by people between 30 and 40 years old with 20%, 17-19 years old with 16% and persons over 40 (predominantly over 50 years old) with 14%. As demonstrated in the graph below, the majority stated Islam as their religion, followed by atheists (14%), Catholics (9,3%) and Orthodox (7%).

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<sup>219</sup> Semi-structured interview with O. July, 2020.

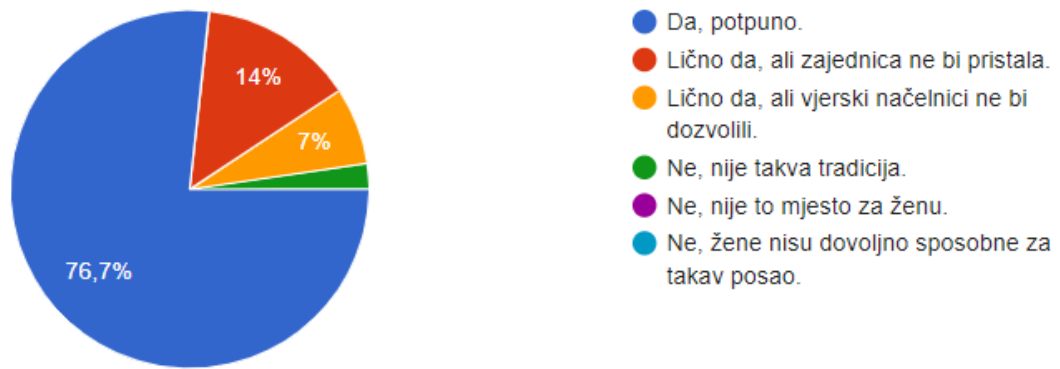


Almost 40% practices the faith, 35% does but not regularly, 21% does not, and 7% does not but wishes to practice it. When it comes to the importance of religion in their lives, from the answers illustrated in the graph, we could conclude that the faith and religion play an important role in the lives of the majority of the participants. Almost 55% declared religion as very important in their lives, while 19% said that it was rather important. For 14% of the participants, religion was not as important and for almost 12% unimportant at all.



About half of the participants (51%) answered that women and men did not have an equal position in the local society. In contrast, almost 47% stated that they had the same positions in certain aspects and in certain no and 2% were of the opinion that women and men have completely equal positions. The following question inquired who had a better or worse position if we assumed that women and do not have an equal position. In their answers, 63% of the participants said that men are in a better position, 33% said that it is difficult to generalise since sometimes it is women and sometimes men. Interestingly, nobody answered that women were in a better position. One of the multiple-choice questions was if according to the participants, religions supports the unequal position of women and men. 33% answered negatively, 26% stated that religion as such does not but the religious communities do; 23% indicated that religion strengthens the dominant male position; 19% answers said that yes because religion

assigns women and men their roles; 16% answered affirmatively since women had a worse position within the religious structures; 12% answered positively but emphasizing the complementary roles, 7% stated that religion supports unequal position but in a positive way and nobody stated that it does support favouring women. Almost 40% answered that women and men have to fight together to achieve any changes, 33% that it is necessary to change the current, unequal status quo but will take a lot of effort and time, whereas 14% assumed that it was possible to bring changes but not in Bosnia and Herzegovina, 5% said that it was impossible at all. The reasons behind the unequal position of women and men in the Bosnian society are as follows: tradition (67%), upbringing (62%), culture (60%), family (43%), public institutions (41%), religious communities (38%), lack of interest of women (38%), education (31%), women not being in leadership positions (29%), religion (24%), natural differences between women and men (7%). The answers navigate us towards a direction that tradition, culture and upbringing and family are the most prominent institutions that support and strengthen gender inequality. Religion and religious communities come after them; however, religion is part of tradition and culture, as well as family and upbringing as demonstrated in the previous chapters. The answers to the question How are women educated in religious structures support the statements in previous chapters as well. The messages are: 68% that women should be good mothers dedicated to their families, 59% that women should be honourable, good and obedient; 37% that women should obey their husbands and suffer for the sake of family; 30% that women are equal to men but assume distinct roles; 23% that women are called upon to be more active in their communities; 16% asked to get involved in the position of power and decision-making; 7% that women are indeed equal to men; and 9% could not answer since they were not believers. The questionnaire also included a question on women as imams and priests and more than 50% supported women as imams, while 14% stated that women could be imams and priests in exceptional circumstances, 9% claimed otherwise due to traditions; 7% said that women should be imams but cannot assume that position, 7% said that they ought to be imams, and we have to work on that; 7% stated that women could not be imams and priests because that place does not belong to them, only 2% said that women could not be priests and imams due to lack of education. If asked whether they would support a woman running for imam or priest, 77% indicated that they would fully support such woman; 14% would, but they assume that the community would not agree with it; 7% would support, but the religious leaders would not, and 2% stated that they would not because the tradition dictates otherwise.



The reason why so many women would support other women running for imams or priests may lie in the fact that the majority of the respondents are young people with experience with civil society and education on activism.

#### 4. Conclusion

Security studies, international politics, alongside with security agencies, tend to approach state security and security in general from a traditionalist point of view, building on realism. They prefer the state, that is to say collective, security over the individual one. Doing so, they ignore recurring violence against half of the population - women, which is regularly committed by the private actors at homes. However, state and public institutions vastly contribute to it. Not only they do not go a step forward to provide women with security and life without violence, they create laws and set societal norms to support violence against women in a structural way. This thesis attempted to challenge the assumption that research on gender inequality does not belong to the peace and security studies. Instead, it claims the opposite. If we want to achieve peaceful and safe communities and societies, we must deal with the questions of gender equality, because gender inequalities lead to extensive violence within and outside the state borders. Such a status quo mostly affects only one part of the population – women. The thesis demonstrated at the beginning that domestic violence, gender stereotypes and gender insensitive education and upbringing have vast consequences for world security also grasped via realism. For instance, the sexual and wartime violence in Bosnia and Herzegovina (but also in Rwanda and other countries) stemmed from female objectification where women were viewed as objects, rather than subjects and dehumanised to be tools of political and war advancement of one side's goals. Had gender equality existed and been practically implemented, it would have been much more difficult, if not impossible, to use rape as a weapon. If security agencies aim at securing safety for all the citizens, but also for the states, they cannot ignore gender inequality anymore.

The thesis is not a pioneer in linking “hard security” with gender and feminism. The topic has been discussed in international relations, sociology, or peace studies. However, it still seems like there is a division between peace and security studies: the former focuses on creating and maintaining peace after a conflict or in general and could make use of presupposed female empathy and peace-making characteristics. In contrast, security studies concentrate on providing citizens with security with the help of weapons, army and security agencies which analyse potential security threats. Ćurak also argues that we need to open an academic debate in this aspect to be able to move hard security to human security and peace studies.<sup>220</sup> He further

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<sup>220</sup> Ćurak, Nerzuk. “Debates about Peace and Security – Feminist Paradigm.” In *What is the gender of security: 20 years of the Security Council Resolution 1325 “Women, Peace and Security” and its implementation in Bosnia and Herzegovina*. Eds. Amila Ždralović et al., 36. Sarajevo: Sarajevo Open Centre, 2020.

explains that “the interpretative field of security studies remains in the area of male dominance, if the peace studies are researched and interpreted through narratives, discourses and codes of security studies, with predominant adherence to the neo-realistic school of international relations, which implies the lack of possibility to constitute the feminist paradigm of security.”<sup>221</sup>

In the theoretical framework, I first analysed the concepts of gender equality and patriarchy and linked them to the field of peace and security studies. This was easily done thanks to the founder of peace studies Johan Galtung and his concepts of personal, structural and cultural violence. Galtung did recognise patriarchy and gender inequality as part of structural violence, highly supported by cultural violence; however, he did not avoid feminist criticism. Galtung, like many others in his times, approached gender in binary terms of female and male and used the terms gender and sex as synonyms. Such an understanding leads to simplification and essentialism because it relies on biological differences between women and men. Moreover, it strengthens the concepts that women are natural caretakers, more peaceful, or passive, whereas men are more aggressive or active. The thesis offered several definitions of patriarchy, but in the most simplified way, patriarchy is a form of political power in which men execute over women and have a dominant position. Indeed, patriarchy can be understood as an embodiment of structural violence. Consequently, gender stereotypes and gender roles that we are forced to learn and obey since childhood belong to the ideologies that justify gender inequality and therefore, they might be considered as cultural violence. The second part of the theoretical framework was devoted to the concept of religion and trends of secularisation and desecularisation. It has been explained that although many thinkers such as Berger assumed that the world would move toward secularisation, the opposite has been happening. In many societies, we are witnessing desecularisation after a period of secularisation. This phenomenon does not have to translate into amendments of particular constitutions but can be occurring in numerous societies by the increasing role of religious structures and representatives. The second part of the theoretical framework offered an essential insight into Muslim and Christian understanding of women’s positions in their respective religions and according to the Holy books. Many pieces of research and theological studies have shown that there are numerous interpretations of women’s position in religions, some about traditional patriarchal streams, while other to more liberal and feminist. The part on religion was incorporated into the theoretical framework as the thesis primarily focuses on the religious structures and assumes

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<sup>221</sup> Ćurak, Nerzuk. “Debates about Peace and Security – Feminist Paradigm,” 38.

their influence in general public and power to strengthen or weaken the patriarchy and gender inequality in Bosnia and Herzegovina.

My main hypothesis was that the religious establishments and religious manifestations strengthen the patriarchy and gender inequality in the post-Dayton Bosnia and Herzegovina. The empirical evidence based on reports and interviews confirmed that patriarchy and gender inequality is present in the country and those religious women are aware of it. The exception to this view was one of my interviewees who claimed that in Bosnia and Herzegovina we could not talk about patriarchy because women are equal to men and if they wanted, they could achieve the same status. The reports used in the research have demonstrated that women are still under-represented in politics and in power and decision-making positions. The research has displayed that Bosnia and Herzegovina has passed all necessary laws and ratified the most important conventions and agreements; however, it has been failing in translating formal equality into the material. Furthermore, the majority of my interviewees agreed that the religious structures and religious manifestations in everyday life play a significant role in conserving the patriarchy and gender inequality in Bosnia and Herzegovina.

When researching the question of how women perceive their unequal position within the religious structures, I found out that the most women are aware of their unequal position, but, they interpret such state in various ways. While some women understand their unequal position as negative, many religious women perceive it as positive. Unequal position of women and men, in their view, is in line with the theory of complementarity. Therefore, it is good and right. Thus, for women who believe in such principle, gender equality is not something we should be trying to achieve because it already exists. They interpret gender equality in different roles, religions prescribe to women and men but without making one or another sex subordinate. The female work is necessary for the male to achieve a common goal and vice versa. On the other hand, there are women who are aware of their unequal position within the religious structures and attempt to challenge it. In Bosnia and Herzegovina, there are women who have tried to make the Constitution of the Islamic Community gender-sensitive or those who are vocal in their respective religious communities.

The research also has shown that the women's efforts to change their unequal position within the structures are very limited not only because they are not in the positions of power, but also because of their passivity and lack of interest. The research has indicated that some women think of other women as passive and lacking interest, whereas others disagree, pointing out at double work-load and societal pressure the women face. Moreover, the presupposed passivity could be a strategy of survival because in many local communities, it is difficult to fight against the set rules and traditions. According to some interviewees, there are some

projects implemented by the non-governmental sector that are working on further advancement of women's rights and debunking patriarchy. Yet, their efforts are not as widespread and financially supported as desired and needed. Despite this, there are female individuals who are motivated to challenge the unequal position within the religious structures – for instance, some of my interviewees.

To conclude, the research showed that the patriarchy exists in Bosnia and Herzegovina, and it is strengthened by the religious structures and manifestations. Opinions of religious women on the unequal position within such structures vary. While some interpret it as a positive state, others conclude it as a negative phenomenon. Based on the research I also claim, that attempts to challenge the unequal position of women and men within the religious structures are more of an exception than reality.

In the study, I did not achieve my initial intention to disseminate the survey among the female believers and practitioners of faith and collect their opinions on gender equality. Because of the pandemic, I considered the dissemination of survey in person as unnecessary risk and therefore, I moved the survey into online space. This move, however, decreased my access to religious believers which I would access if I collected data for survey in person and near the religious spaces such as mosques and churches.



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Predmet: Sigurnosne i mirove studije

### IZJAVA O AUTENTIČNOSTI RADOVA

Ime i prezime: Veronika Kusyova  
Naslov rada: Patriarchal society: oppression and gender inequality in post-Dayton Bosnia and Herzegovina  
Vrsta rada: Magisterski rad  
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