Intersectionality and the United Nations World Conference Against Racism

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Abstract

This article analyzes the 2001 World Conference Against Racism (WCAR) held in Durban, South Africa. Utilizing original interviews with civil society delegates in the United States and Canada, government documents and media and academic accounts, we challenge prevailing interpretations of the WCAR to show that it was an important space for expressions of an explicit feminist intersectionality approach, especially the intersection of racism with gender. Our findings demonstrate how intersectionality was relevant to the discussions of both state and civil society delegates and served to highlight racialized, gendered, and other discriminatory patterns. Based on this evidence, we argue that the WCAR process played a significant role in advancing a global conversation about intersectionality and therefore carried potential for advancing an anti-racist agenda for the twenty-first century. That this is not widely understood or highlighted has to do with challenges to the WCAR, particularly the withdrawal of key states from the process and a negative discourse concerning discussions and scholarly analysis of the WCAR process. We suggest that acknowledging the presence of intersectionality in the WCAR process gestures towards a more accurate historical record. It also suggests both the opportunities and constraints afforded by intersectional analysis in moments of transition and mainstreaming. As such, the "Durban moment," and the WCAR more broadly, are highly relevant for the study of women, politics, and human rights over the first decade of the twenty-first century.

Résumé

Cet article analyse la Conférence mondiale contre le racisme (CMCR) de 2001 qui s'est tenue à Durban, en Afrique du Sud. À l'aide d'entretiens originaux avec des délégués de la société civile aux États-Unis et au Canada, ainsi que de documents gouvernementaux et de rapports médiatiques et universitaires, nous contestons les interprétations dominantes de la CMCR pour montrer qu'elle a été une plate-forme importante pour les expressions d'une approche féministe intersectionnelle explicite, en particulier l'intersection entre la race et le genre. Nos résultats démontrent comment l'intersectionnalité était pertinente aux discussions des délégués des gouvernements et de la société civile et a permis de mettre en évidence des schémas racialisés, axés sur le genre et autres schémas discriminatoires. Sur la base de ces preuves, nous soutenons que le processus de la CMCR a joué un rôle important pour faire progresser la conversation mondiale sur l'intersectionnalité et a donc eu un potentiel important pour faire progresser la cause antiraciste au 21e siècle. Le fait que cela ne soit pas largement compris ou mis en évidence est dû aux contestations de la CMCR, en particulier au retrait d'états clés du processus et à un discours négatif concernant les discussions et l'analyse scientifique du processus de la CMCR. Nous suggérons que le fait de reconnaître la présence de l'intersectionnalité dans le processus de la CMCR va en direction d'un compte-rendu historique plus correct. Cela évoque également à la fois les possibilités fournies et les contraintes imposées par l'analyse intersectionnelle dans les périodes de transition et d'intégration. En tant que tel, le « moment Durban », et la CMCR de manière plus générale, sont très pertinents aux études sur les femmes, les politiques et les droits de la personne au cours de la première décennie du 21e siècle.

Introduction: Anti-Racism, Gender and "Related Intolerance"[1]

In 1948, the General Assembly of the United Nations (UN) passed the Universal Declaration of Human Rights (UDHR). The Declaration not only framed an international vision of global equality, but also "gave women a powerful tool to use in their campaign for equal political and economic rights, social status, and full citizenship" (Black 2012, 133). The UN Decade for Women (1975-1985) saw continued attention to women's rights in the global arena. Arguably, however, it was the fourth United Nations World Conference on Women held in 1995 that marked a qualitative advance, producing a substantive Platform for Action and the Beijing Declaration.

Sustained scholarly consideration of the role of the UN regarding women's rights has followed, including attention to the relationship of UN policies to social movements, non-governmental organizations (NGOs), global governance, violence, security, gender mainstreaming, the rights of the girl child, and human rights (Dutt 1996; Baden and Goetz 1997; Chappell 2008; Gaer 2009; Bunch 2012; Black 2012; Qureshi 2013). Much less scholarly attention, however, has traced the influence of the 2001 World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR) held in Durban, South Africa. This conference, we maintain, could also be understood as a milestone in marking global attention to women's rights, specifically in close connection to anti-racism. While there has been scant scholarly attention to this event, the WCAR explicitly referred to "intersectionality" and centred the intersection of gender and race in the multifarious events that surrounded what we refer to as the "Durban moment."

The incusion of intersectionality reflects on the wider impact, including widespread global events and controversies that described the jagged parameters of a world conference against racism taking place in post-apartheid South Africa. This context included the timing of the event, within days of September 11, 2001, and the related opening of the "war on terror." It marked the beginning of the new millennium with a broad range of rising issues. These issues included neoliberal austerity, environmental crisis, the rights of stateless peoples such as the Roma and the Palestinians, the politics of apartheid in South Africa, and global human rights associated with racialized and Indigenous peoples internationally.

The impact of the WCAR, specifically in relation to intersectional feminist theory and policy, are, of course, difficult to measure. Indeed, ongoing research is needed on the effect of UN conferences on state policy and practice and the challenge of assessing impact (Schechter 2005). What is clear, however, is that the conversation significantly changed in Durban in 2001 and, relatedly, that there has been a notable lack of attention to its significance. This lack of attention, we maintain, has come at some cost, including neglect of the specific and contested ways in which the WCAR adapted the feminist notion of intersectionality to the global scene. Addressing this lacuna provides the focus of this article.

The argument presented here is both simple and complex. In terms of the former, we emphasize that something important occurred in the context of this global arena in the continuing mainstreaming of feminist intersectionality. The WCAR signaled a transition from the local to the global, reflecting wider processes and in turn advancing the potential of transformation in varied national contexts. The moment bears significantly in the current and expanding scholarly attention on intersectionality and also in considering the impact of UN human rights discourse on state policy and social movements. We do not, however, suggest that this moment was unhindered by the limitations of liberal anti-discrimination politics, which is also relevant in terms of ongoing discourse surrounding intersectionality (for a critique, see, for example, Crenshaw 2011).

A more complex set of circumstances backgrounds the significance of this transitional moment. We maintain that the unusual level of controversy that surrounded the WCAR process, including the withdrawal of key state delegates amidst escalated charges and considerable "politics of emotion" (Ahmed 2004), has inhibited recognition of the role of the WCAR in advancing feminist intersectionality. We place the claims and actions of state withdrawal in a different light, suggesting that such action was in fact damaging and misplaced. Specifically, the claims of the US and Israel (states that withdrew from the WCAR in 2001) that the WCAR was not a conference opposing racism, but one advancing it in the form of anti-Semitism (or

anti-Jewish racism) is not substantiated by our findings. While the Canadian state delegates participated in the WCAR in 2001, under subsequent Conservative administrations led by then Prime Minister Stephen Harper (2005-2015), Canada led in a global movement to condemn the impact and ongoing efforts of the WCAR process. Noting the significance of gender in this UN sponsored event may serve to signal a repositioning of this negative discourse. Such a reframing may allow for a more nuanced contextualization of this important 2001 world conference taking place in an age of transition, notably situated in post-apartheid South Africa, and support further research on race, gender, and human rights.

This argument is part of a wider research agenda, which suggests that the WCAR in 2001 both reflected and contributed to an expanding conversation regarding racism and anti-racism on the global stage (Abu-Laban and Bakan forthcoming). In this article, we focus on the place of feminist intersectionality in this transitional moment. In fact, the conference could be seen to mark a turning point, when intersectionality moved from an approach in feminist theory to a more overtly political analytic, when we witness intersectionality "going global." We demonstrate that gender and intersectionality had a substantial presence. We further argue that the full potential of the presence of gender and intersectionality has yet to be realized. Attending to this unrealized potential provides clues into the opportunities and constraints afforded by intersectional analysis in moments of crisis and transition.

In the following discussion, we address specifically the relationship of gender to anti-racism in the UN context, as it has emerged in the WCAR process in Durban in 2001, and the impact in subsequent WCAR events in Geneva (UN Durban Review Conference, 2009) to New York (UN Tenth Anniversary Commemoration high level meeting 2011) over the first decade of the twenty-first century. This article is based on document analysis and field interviews with civil society actors involved in the WCAR process. Interviews with twenty stakeholders (UN officials and leaders in NGOs participating in and supporting the WCAR process between 2001 and 2011) were conducted jointly by the authors in face-to-face interviews in Ottawa, Toronto, and New York, as well as by Skype or telephone in Europe and the Middle East, between March 2012 and August 2013. Interview subjects were selected following a search of pivotal NGO representation at the conference, followed by a snowball method of generating no more than two interview leads for further interview recruitment. The authors adopted an arms-length approach to the interview subjects, noting that our interest was scholarly and that we were not ourselves present at the WCAR events. Data from these NGO interviews, combined with original UN documentary and archival analysis, indicates that the WCAR process was far more complex, and more positive, than simplistic narratives supporting the withdrawal of state delegates would suggest (see, for example, Bayefsky 2002).

The discussion proceeds in four parts. First, we revisit the concept of intersectionality and situate our understanding of the term in relation to its relevance to the Durban moment of the WCAR. Second, we demonstrate the significant presence of gender and intersectionality in the Durban WCAR process based on a close study of the Durban Declaration and Program of Action (DDPA) and the NGO Forum final declaration. Third, the experiences of civil society participants are considered, drawing largely on original interview material. And fourth, we consider the impact of state withdrawal from the 2001 WCAR and into the decade following, noting discernable frustrations among those who attended, specifically regarding the potential for intersectional analysis. We conclude with a brief revisiting of the conflicted context in which the WCAR occurred and suggest that a more positive perspective on these events could inspire constructive research and policy conversations about race, gender, and human rights.

1. The Presence of Gender and Intersectionality: The Durban Moment

The WCAR events at Durban were surrounded by enthusiasm with a sense of great potential. The conference was actually a twofold event, running parallel to another UN conference dedicated to advancing participation of non-governmental organizations internationally. The state delegates attended the WCAR, which took place over the period August 31 to September 8, 2001. The UN Non-Governmental Organization (NGO) Forum, also taking place in Durban, South Africa, but in a different venue, was held from August 28 to September 1, 2001.

The UN WCAR conference was responsible for the production of the Durban Declaration and Program of Action (DDPA), a document produced by a consensus process of the participant states (UN WCAR 2001a). The DDPA is a sustaining statement of the events at the WCAR and includes considerable recognition of the intersection between gender-based and race-based forms of discrimination and oppression. Though the United States and Israel withdrew from the 2001 Durban conference, the remaining states (including Canada) concluded unanimous agreement on the wording of the DDPA (UN WCAR 2001a). The NGO Forum also produced a declaration, which similarly recognized the role of gender and an intersectional analysis (UN WCAR 2001c). The NGO Forum was comprised of diverse civil society delegates, representing a broad array of interests internationally. While more representative of activists from countries around the world who were deeply engaged in social movements advancing anti-racist politics, the event and its declaration were viewed quite differently by state officials than the officially delegated WCAR. The Durban moment, *inter alia,* reflected these simultaneous discussions at the formal UN conference as well as the NGO Forum, both of which featured heightened awareness of the intersections of racial discrimination with other forms of oppression, specifically gender-based oppression.

The concept of "intersectionality" deserves brief review in this context. It has generated extensive discussions and carries multiple meanings (McCall 2005; Farris 2015; Siltanen and Doucet 2008). In this discussion, we understand the term as one which insists upon the inherent interdependence of difference based on race and gender and on the integral role of such interdependence in the social relations of global political economy. The term itself is traceable to the work of Kimberlé Crenshaw (1989), drawing on the concept of the "intersection" to describe particularly the experiences of black women in the US legal system and grounding the approach in the scholarly contexts of critical race legal theory and feminist perspectives on social justice. Crenshaw is widely seen to have originated and popularized the term in her 1989 article "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics" (Yuval-Davis 2006). There are, of course, many contexts that have both pre-dated and followed Crenshaw's identification and naming of intersectionality. The insistence on the interdependence of race, gender, and political economy is not uniquely or distinctly traceable to the term. These relations have been variously identified experientially, historically, theoretically, and methodologically (Combahee River Collective 1977; Bannerji 1995, 2014; Davis [1981] 1983; Hill Collins 1986), sometimes termed as "interlocking" (Razack 1998), "linked" (Guillaumin [1995] 2003), or in "connection" (Stasiulis 1990).

Arguably, however, intersectionality has struck a resounding chord, dominant in contemporary feminist theory (Puar 2012), addressing "the most pressing problem facing contemporary feminism–the long and painful legacy of its exclusions" (Davis 2011, 45). The specific inspiration and newly energized debates in feminist theory and discourse continue to be traced to "the specific socio-economic situation of Black women…[and] the simultaneity and mutual co-constitution of different categories of social differentiation" that foreground Crenshaw's original framing (Lutz, Vivar, and Supik 2011, 2). The substantive presence of "intersectionality," as a notion emphasizing gender as an elemental feature of racism and anti-racism globally and specifically as an identified concept, is, therefore, significant. The presence of intersectionality in the WCAR is explicit, even forwarded as part of the understanding of "related intolerance" that was addressed in the full title of the 2001 conference. This specific linking of racism to gender-based discrimination in United Nations (UN) human rights discourse was the product of years of organizing among civil society delegations and its inclusion merits scholarly attention.

During the Durban moment, "22 parallel events" that comprised the UN WCAR activities in Durban were organized (UN WCAR 2001b, 178, para. 5). Among these was a UN workshop on "The Intersectionality of Gender and Race Discrimination" sponsored by the UN Office of the High Commissioner for Human Rights (OHCHR); also notable was a panel "Gender, Race and Ethnicity: Women at the Intersection of Peace, Justice and Human Rights" organized by the UN Development Fund for Women (UNIFEM). Significantly, Columbia Law Professor and anti-racist feminist scholar Kimberlé Crenshaw served as rapporteur for the Expert Group on Race and Gender at the WCAR held in Durban (Columbia Law School 2011) and was

a high profile participant at both the UN WCAR main conference and the NGO Forum. Also notable is the fact that Crenshaw (2000) authored the background paper on "Gender-Related Aspects of Race Discrimination" for the UN world conference. Sherene Razack, then Professor at the University of Toronto and now at the University of California, Los Angeles, attended the 2001 Durban conference as a result of her work as a board member for Across Boundaries (a mental health center for people of colour) as well as her work with the Riverdale Immigrant Women's Center in Toronto. She specifically stressed the importance of the presence of "Kim Crenshaw who did a workshop on intersectionality" at the 2001 meeting in South Africa (Authors' Interview, July 3, 2012).

Crenshaw herself has noted the significance of the WCAR process in advancing recognition of an intersectional analysis of race and gender oppression. As she aptly emphasized, the preparatory conferences that addressed the centrality of gendered relationships in explaining the experience of racism laid a strong basis not only for impacting the Durban moment, but also for enduring the challenges that followed. Without minimizing the impact of returning to the United States (US) and facing a negative context where NGO "discursive communities were potentially fractured," Crenshaw noted:

> The fact that the potential was even there is remarkable, in and of itself. That is something that might not have been predicted in the years leading up to this particular conference. In various disaggregated places [intersectional analysis] was taken up…At least getting a toehold as an articulable set of observations has allowed us, in the aftermath, to maintain this aggregated effort for a broader understanding of the dialogue. (Authors' interview, August 16, 2013)

The inclusion of intersectionality in the WCAR process offers, we suggest, promise, but at the same time indicates cautionary attention, characteristic of gender mainstreaming in other contexts. Discussions of intersectionality have importantly advanced the conversations regarding race and gender from the margins to the centre, with all the potential opportunities in terms of power and policy, as well as the risks and obstacles, this involves (Dhamoon 2011). As feminist anti-racist scholars have noted for some time, an analysis that attends to the realities of race and gender in the experiences of women of colour is not simply a matter of advancing a "list" of various forms of discrimination, but demands reframing our understanding of state processes and social relations (Bakan and Kobayashi 2000; Stasiulis and Bakan 2005; Abu-Laban and Gabriel 2002; Abu-Laban 2008).

These challenges are notable in the WCAR process. As we note in the following section, the DDPA final language insisted on defining gender narrowly, according to a male/female binary. In so doing, the document resisted association with same-sex, transgender, or queer gendered connotations. The NGO Forum supported a wider understanding of "gender," which is important in signifying the array of conversations present as the work of the conference was conducted. The DDPA could be seen to be operating within a broadly "anti-discrimination" frame, pivoting around the principle axis of race and racism. While the NGO Forum Declaration was far more comprehensive, the event was also a distinct, civil society site, a locus of less legitimacy in terms of state commitments. In this sense, the Durban moment was an important entry point into intersectional analysis, but only an entry point. The theoretical work of advancing a consistent "multidimensional" analysis, rather than one resting on "single-axis" notions of discrimination based on either race or gender (Crenshaw 2011, 25), could arguably not be accomplished through a single UN event, even one including two parallel global conferences, multiple panels and workshops, and a wide array of international representatives.

2. The Durban Declaration and Program of Action and the Non-Governmental Organization Forum Declaration

A close look at the DDPA and the NGO Forum declaration reveal substantive presence of gender and intersectionality. Intersectionality was clearly integrated in the 2001 Durban Declaration and Program of Action (DDPA), the principal and sustaining product of the Durban WCAR. The DDPA remains as a significant document, with the potential to impact states and civil society actors in important ways. For example, the UN Committee on the Elimination of Racial Discrimination (CERD), which monitors the implementation of

the 1969 UN International Convention on the Elimination of All Forms of Racial Discrimination by requiring states to submit regular reports, specifically calls on countries to attend to the DDPA in its responses to these reports (Authors' Interview, UN Official, April 18, 2013). While implementation continues to be voluntary and challenging to measure in terms of impact, the DDPA can be seen to be a central part of UN communications with governments.

In the DDPA, gender is specifically highlighted as an elemental feature of anti-racism. The DDPA preamble reaffirms that states:

> …have the duty to protect and promote the human rights and fundamental freedoms of all victims, and that they should apply a gender perspective, recognizing the multiple forms of discrimination which women can face, and that the enjoyment of their civil, political, economic, social and cultural rights is essential for the development of societies throughout the world… (UN WCAR, 2001b, 8)

The DDPA defines "gender," however, very specifically, stating in a footnote at the outset of the document that:

> For the purpose of this Declaration and Programme of Action, it was understood that the term 'gender' refers to the two sexes, male and female, within the context of society. The term 'gender' does not indicate any meaning different from the above. (UN WCAR 2001b, 75, n.1)

We learned in our field interviews that, in the views of several state delegates, this footnote was considered an important proviso, specifically included to avoid references to matters relevant to the broad panoply of LGBTQ rights issues. "Gender" was not to be read outside "the two sexes" described as either male or female.

With recognition of what appears to be a deliberate avoidance of the human rights dimensions of LGBTQ issues, the attention to gender issues in the DDPA applies to women and girls and it is in the context of racialized women's rights that "intersectionality" is employed. For example, in addressing sexual violence, the term "intersection" is explicitly adopted. The DDPA urges states:

> To recognize that sexual violence which has been systematically used as a weapon of war, sometimes with the acquiescence or at the instigation of the State, is a serious violation of international humanitarian law that, in defined circumstances, constitutes a crime against humanity and/or a war crime, and that the intersection of discrimination on grounds of race and gender makes women and girls particularly vulnerable to this type of violence, which is often related to racism, racial discrimination, xenophobia and related intolerance. (UN WCAR 2001b, 37, para. 54a)

Further, the DDPA addresses the sexual exploitation and racial discrimination that arises from certain forms of migration and affirms:

> The urgent need to prevent, combat and eliminate all forms of trafficking in persons, in particular women and children, and recognize that victims of trafficking are particularly exposed to racism, racial discrimination, xenophobia and related intolerance. (UN WCAR 2001b, 14, para. 30)

Additionally, the DDPA acknowledges a broad range of inequalities that may arise from the intersection of gender, race/ethnicity, and socioeconomic status. The DDPA holds that state delegates:

> …are convinced that racism, racial discrimination, xenophobia and related intolerance reveal themselves in a differentiated manner for women and girls, and can be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination, and the limitation or denial of their human rights. We recognize the need to integrate a gender perspective into relevant policies, strategies and programmes of action against racism, racial discrimination, xenophobia and related intolerance in order to address multiple forms of discrimination. (UN WCAR 2001b, 18-19, para. 69)

Turning to the NGO Forum declaration, the notion of intersectionality is similarly widely recognized. Here, however, "gender" was addressed in a much more comprehensive manner than in the DDPA, attending not only to discrimination against women and girls, but also to those who face discrimination based on sexual orientation and gender identity. The NGO Forum declaration reflects a broad approach to racism and gender oppression both in the context of many forms of discrimination (including issues related to LGBTQ

oppression) and as a distinct experiential category. The preamble reaffirms that:

> …all human rights are universal, indivisible, interdependent and inalienable, and that all human beings are entitled to all these rights irrespective of distinction of any kind such as race, class, colour, sex, citizenship, gender, age, disability, sexual orientation, gender identity, language, nationality, ethnicity, culture, religion, caste, descent, occupation, social/economic status or origin, health, including HIV/AIDS status, or any other status. (UN WCAR 2001c, 2, para. 6)

The preamble further notes that:

> …racism, racial discrimination, xenophobia and related intolerance create serious obstacles to the full enjoyment of human rights and result in aggravated discrimination against communities who already face discrimination on the basis of class, colour, sex, gender, age, disability, sexual orientation, gender identity, language, nationality, ethnicity, culture, religion or caste, descent, work, socio-economic status or origin, health, including HIV/AIDS status, or any other status. (UN WCAR 2001c, 6, para. 37)

In the body of the NGO Forum declaration, a section titled "Gender" explicitly highlights intersectionality. To quote:

> An intersectional approach to discrimination acknowledges that every person be it man or woman exists in a framework of multiple identities, with [sic.] factors such as race, class, ethnicity, religion, sexual orientation, gender identity, age, disability, citizenship, national identity, geo-political context, health, including HIV/AIDS status and any other status are all determinants in one's experiences of racism, racial discrimination, xenophobia and related intolerances. An intersectional approach highlights the way in which there is a simultaneous interaction of discrimination as a result of multiple identities. (UN WCAR 2001c, 21, para 119)

The concept of intersectionality also arises in the context of "refugees, asylum seekers, stateless and internally displaced persons," where it is stressed that "[w]omen constitute 80% of the world's refugees…[and] are victimized due to the intersectionality of gender and disability and other forms of discrimination" (UN WCAR 2001c, 32, para. 169). It is also referred to with respect to trafficking, where it is noted that "[w]omen and children are especially vulnerable," resulting from the "intersectionality of gender, disability, race and other forms of discrimination" (UN WCAR 2001c, 36, para. 193).

The NGO Forum declaration includes its own "Programme of Action" that calls for member states to adopt and implement comprehensive legislation that "should integrate a full gender dimension, taking into consideration intersectional discrimination faced by marginalized communities and vulnerable groups" (UN WCAR 2001c, 43, para. 220). The action plan also calls for the establishment of "programs of affirmative action" that attend particularly to those impacted by the effects of intersectional forms of discrimination (UN WCAR 2001c, 43, para. 226) and makes similar calls regarding the judicial system (para. 258), disability (para. 282), religious intolerance (para. 428), and in regard to discrimination against young people and the girl child (para. 469).

3. Gendering the Durban Moment: Civil Society in North America and Beyond

As suggested by both the DDPA and the NGO Forum declaration, the UN WCAR process at Durban, South Africa in 2001 marked a significant moment in advancing a global agenda against racism that was attentive to the specific ways in ways racialized and gendered forms of discrimination affect and amplify each other in intersecting ways in the global political economy. What is equally significant is that this attention to intersectionality was seen to be integral to the WCAR experience for many civil society representatives who often participated as delegates for both of these conferences. For example, David Gespass, Past President of the US-based National Lawyers' Guild, attended the 2001 Durban conference as part of the International Association of Democratic Lawyers. He highlighted the relevance of gender to NGO discussions in 2001. As he recalled, "That was always emphasized…Everybody is an amalgam…you face different forms of oppression, or you come from different positions of power as a consequence of how that's made up" (Authors' Interview, April 13, 2013).

A number of prominent NGOs, particularly in the US and Canada, attended to the voices of an emer-

gent alliance of Africans and African descendants in forwarding global attention to the legacy of Atlantic slavery and the need to address reparations and redress. Importantly, African and African-American women were pivotal in this movement. Another participant, Sarah White of the Mississippi Workers Center for Human Rights, singled out the relevance of gender in the African-American delegation's contribution in Durban. White, a union activist and leader in the largest strike of African-American women in Mississippi history, spoke to officials at both of the 2001 WCAR events in Durban (Authors' Interview, July 16, 2013). As she recalled:

> When we went to Africa women talked about different violations as women. A lot of those issues were brought up in different functions I went to…Here [in Mississippi], on the jobs we had mostly women…but the men dominated us, the bosses dominated us, and tried to have us feeling that we were less fitting, less capable as women, that our voices didn't matter as women. And these are issues crossing countries–paid less on jobs, not given positions because men feel we are not capable to carry these positions out…So a lot of this did arise during the conference and women voiced their opinion, and talked about the domination and not being violated, and this is even in the [DDPA] guidelines. (Authors' Interview, July 16 2013)

In fact, further corroborating what White noted, it is significant to consider that the majority of the delegates that gathered at the NGO Forum in Durban were women (Blackwell and Naber 2002, 238). This demographic representation of women may be seen to be related to the fact that the Durban conference marked a moment when the United Nations, for the first time, offered an avenue to potentially consider the intersection of racism with gender, class, sexuality, and other forms of social divisions (240).

Further suggesting the complexity of issues on the agenda of the WCAR, Margaret Parsons, Executive Director of the African-Canadian Legal Clinic, which was organizationally involved in the 2001 conferences and supportive of reparations for slavery, noted the relevance of the Durban moment for both Indigenous and African-origin groups:

> At the first prepcom [WCAR Preparatory Committee meeting] the two groups that really emerged and coalesced, in terms of their voices being heard, were the Aboriginal/Indigenous peoples, and Africans and African descended. This was the first time there was a gathering of people of African descent from around the world, that we got to meet each other as a family. After centuries, we touched African soil, many of us being the first in our families to have that privilege...This was a historical moment for me and a lot of African descendants. So we created the two largest and probably most powerful coalitions, or caucuses as we call them, the Indigenous peoples and the African and African descended. And yes, our voice was loud and yes our voice was strong. And African and African descendants came together strongly asking for reparations, and the Indigenous peoples for their land rights, and we were not going to compromise on that. (Authors' Interview, July 27, 2012)

Among the events that comprised the Durban moment was a Special Forum at the official venue of the 2001 World Conference Against Racism entitled "Voices," convened jointly by Gay McDougall and Nozipho January-Bardill, members of the United Nations Committee for the Elimination of Racial Discrimination, and Ambassador N. Barney Pityana, Chair of the South African Human Rights Commission. The Voices Forum at Durban featured twenty-one speakers from different countries and world regions who offered personal testimonies about their experiences with racism and racial discrimination. As explained by Mary Robinson (2001), then UN High Commissioner for Human Rights, the Durban moment created a space "to hear the personal stories of a wide variety of individuals," noting "the voices of victims are calls to action" (n.p.).

4. Challenges and Frustrations in the World Conference Against Racism Process: 2001-2011

Such a space, however, was also highly contentious. While the WCAR allowed for the participation of NGOs and civil society delegates, as well as state officials from every nation in the world, it is relevant to recall that the Durban moment was also a locus where considerable trauma associated with racism was front and centre. The focus on racism invited by the 2001 Durban conference, significantly held in post-apartheid South Africa, was a vivid reminder that racism brings with it what Sara Ahmed (2004) has called the "politics of emotion." This is because trauma is not simply borne

by individuals, but collectivities. In opening the space for greater NGO participation in the WCAR process, as well as in the personal accounts of victims, it was almost inevitable that the politics of emotion would be unleashed. Indeed, in the varied foci and discussions that have been held in the name of the WCAR, it has become evident that racism is deep and widespread–not only as an historical episode, but in the continuing contemporary experiences of and impacts on people and politics in every country in the world. Margaret Parsons observed that it was only a "wise group from the US" that "actually held counselling sessions and healing sessions, every morning at 6:00 a.m., packed to the rafters. Because people are coming with centuries-long, inter-generational oppression and hurt, and just came to unload" (Authors' Interview, July 27, 2012). Of the United Nations, Parsons stated:

> They just weren't prepared for that; they weren't ready for how politically charged it became. And everyone was fighting for space and fighting for their issues, you know. And so, I don't think that they really understood that fully. I don't think the High Commissioner's office really understood that. I think they thought it was going to just be a nice Kumbaya, and they were likely completely taken aback, and they compared it to other world conferences… like Beijing, like Vienna Human Rights…No, you're talking about oppression, you're talking about racism, you're talking about centuries of this, and people came there with their hurt on their sleeve, and it was put on the table. Really, it was put there in a raw open way. (Authors' Interview, July 27, 2012)

In the WCAR process, issues that had festered for decades in terms of race and racism were, importantly, given space for expression, dialogue, and debate. Among the contentious issues were reparations for slavery, the rights of silenced minorities such as the Dalit, and the claims of stateless peoples such as the Roma and the Palestinians. In the case of the latter, the long unresolved "question of Palestine" (Said 1992), which remains highly contested despite recurrent efforts on the part of the United Nations in the Middle East, proved to be a site of notably heightened emotion. It also alone became a focal point for the withdrawal of the delegates of key countries, notably the United States and Israel.

The states that withdrew from the WCAR in Durban were later joined by other countries (such as Canada), boycotting the 2009 Durban review conference in Geneva and the 2011 DDPA tenth anniversary high level meeting in New York. The withdrawal from the WCAR process accompanied a highly negative narrative, which viewed the WCAR as a process that, while promising to address anti-racism, instead became one for asserting racism in the form of anti-Semitism or anti-Jewish racism. State actors representing the Canadian government, headed by Conservative Prime Minister Stephen Harper (2006-2015), became notably public on the global stage, taking the lead among states refusing to participate in the 2009 WCAR Durban review in Geneva. Jason Kenney, Canada's then Conservative Minister of Immigration and Multiculturalism, boycotted the September 22, 2011 one-day New York commemoration of the Durban Declaration on grounds that "the original Durban conference and its declaration, as well as the non-governmental activities associated with it, proved to be a dangerous platform for racism, including anti-Semitism" (cited in *The Toronto Star* 2010). Moreover, he participated in and spoke at a "Durban counter-conference" organized by Anne Bayefsky through the Hudson Institute on the same day in New York. In this regard, Bayefsky (2002), a self-named human rights analyst, has articulated what became a hegemonic view of the 2001 Durban conference, seeing it as an example of a longstanding pattern where human rights rhetoric belies a "grossly distorted" focus on Israel's particular violations.

An alternative analysis has been forwarded by Canadian journalist Naomi Klein (2009). According to Klein, while anti-Semitic comments arose during the course of the Durban NGO conference, these were challenged and resoundingly renounced. The clear consensus which emerged was, in her view, consistent anti-racism, not racism. In Klein's analysis, the key issue was the call for reparations for the impact of slavery on Africans and those of African descent. Regarding the official delegated WCAR, the DDPA was developed by the vast majority of representative states that did not withdraw, including Canada. There is explicit opposition to anti-Semitism in this document (DDPA, 12, s. 61; 48, s. 150 at UN WCAR 2001b). In fact, the Durban moment indicated optimism and a sense of hopeful progress. This was summarized in a statement made by

presiding officer Mary Robinson, then UN High Commissioner and Secretary-General, which placed gender securely at the centre of a global agenda against racism. In Robinson's estimation, in 2001, "Durban has put the gender dimension of racism on the map. The linkages between gender, racism and poverty were clearly shown and the urgent need to tackle this dimension emphasized" (UN WCAR 2001b, 175). Reflecting years later on the WCAR in Durban, Robinson (2016) acknowledged that this was a "very difficult conference," recalling not least the US withdrawal and the charges of anti-Semitism. She details the negotiations associated with the specific language in a draft version of the DDPA, which was seen to be anti-Semitic, but was bracketed and then removed and notes that the US withdrew before the deliberations were finalized (Robinson 2016; Robinson 2012, 233-248).

Our findings, consistent with Klein's and Robinson's, suggest that the WCAR process was not dominated by any form of racism, including anti-Semitism, but instead served as an important step in advancing a global response to racism. Our findings further indicate that the WCAR process was a complex moment in advancing a global conversation against racism in multivariate forms. The experiences of civil society delegates indicate that the withdrawal of major states from the Durban conference in 2001, particularly the US, was damaging to the progress of this anti-racist project. There were multiple consequences of such state withdrawal. One such consequence, our research suggests, is that the important work on the intersections of gender and race was considerably sidelined. As Sherene Razack observed, because the US official delegation eventually withdrew in 2001, American civil society activists (including those such as Kimberlé Crenshaw) "were in a kind of stateless position…kind of like refugees" (Authors' Interview, July 3, 2012). Experiencing Durban as a "moment when our histories come together," Razack further articulated a deeply emotional response to the rationale for the US withdrawal in 2001:

> I just thought, 'We're in this room together and we're looking at each other and we are all thinking, what brought us here?' Slavery was a really big thing about what brought us here, as well as the dispossession of Indigenous peoples. And, I think I felt that in my body, in Durban, in a way that led me to be shocked and angry that this could be about anti-Semitism now. (Authors' Interview, July 3, 2012)

Sarah White reflected on her own feelings of disappointment at the US withdrawal in 2001:

> By pulling out they sent a message to me…that it wasn't important, that they didn't care, that what was going on in your particular country didn't matter. Because we were there speaking about race, and jobs, and people, and education, and children, and so many struggles that were oppressing us. For the country to say 'Not at this moment, we are not going to do it at this time'–it felt like a betrayal to me…It felt like a shutdown, that we're little people and we didn't matter. (Authors' Interview, July 16, 2013)

The withdrawal/boycott of major states from the process was also viewed to have impacted negatively on the tenor of discussions in the aftermath of the Durban moment. Diana Ralph of Independent Jewish Voices was part of a broad coalition of Canadian groups that criticized the Canadian government for withdrawing from the 2009 review conference in Geneva. Ralph was in attendance at the Geneva event and noted that the atmosphere around pro-Israel lobbying made it unattractive both for delegates and, significantly, for heads of state to speak. As a consequence, in 2009, it was only Iran's then President, Mahmoud Ahmadinejad, who had previously and so dangerously denied the reality and experience of the Holocaust, who attended and spoke as a head of state. Describing her experience in Geneva, Ralph noted:

> There were 1400 or so Israel lobby observers who came in, with their way paid by the World Jewish Congress and by a variety of others, such as the Simon Wiesenthal Centre, and other organizations; those were two of the main ones. They came in equipped with information about which UN delegates they were to lobby and harass, and what they were going to do when Ahmadinejad came to speak. Any head of state is allowed to speak to address any UN conference like that. So, as it turned out, there had been this smear campaign against the WCAR, so that no other head of state had asked to speak. The only head of state who asked to speak was Ahmadinejad. (Authors' Interview, March 4, 2012)

The US response was particularly disappointing in terms of the issue of reparations for slavery and the representation of African and African descended delegates. The decision to boycott was made by the first African-American United States President Barack Obama in the first year of his administration. According to Sarah White, "surely he should understand what we need as people of colour" (Authors' Interview, July 16, 2013). As White continued:

> I was very disappointed [when the US did not participate in the review conference]…When you don't want to listen and you turn your back, you are still allowing racism and issues to continue. When you hear the struggle of the people and organizations trying to make a difference you drop everything, and you listen. (Authors' Interview, July 16, 2013)

Overt discussions of intersectionality were among the casualties of these changes in the WCAR events. American journalist and activist Kali Akuno, who attended the Durban 2001 NGO Forum and the main WCAR Conference as well as the Geneva review conference, was active in the Durban+10 Coalition through the Malcolm X Grassroots Movement, which supported the New York commemoration. Akuno similarly noted that a number of issues were sidelined as the WCAR process became more controversial. Significantly, these included the manner in which intersectionality was approached as an issue following Durban. As he stated:

> It largely dropped off the radar screen, to be honest with you–largely dropped off the radar screen. I think there was a certain level in the civil society space, there was a certain level of not just pushback, I'm trying to think of the word–there was a certain level of avoidance of the issue. [Gender intersectionality] was the framing in a lot of the early documentation, and I think what many of us were expecting. But how it played out in the conversations–after a while it really just didn't come up. You know it hardly had any life at all in 2009 and 2011. (Authors' Interview, May 29, 2013)

The potential of the DDPA was seen to have suffered from the withdrawal/boycott of states. New York based Dowoti Désir, founder of the Durban Declaration and Programme of Action Watch Group, noted the failed potential of the DDPA, and the DDPA's intersectional perspective, to serve as a reference point in ongoing discussions in the United States:

> Sometimes it's a quadruple set of problems, other times it's a triple set of problems: you're black and Latina, and you're an immigrant and you're poor; other times, it's that you're Indian, and you're a woman and you're poor. If you're an immigrant in the country, you have to deal with all of that. In this country [US], the issue of immigration reform is really important, but again do you ever hear the DDPA referenced in this dialogue? No, it's not. (Authors' Interview, April 17, 2013)

Context, Potential and Concluding Observations

As this article has suggested, the WCAR process was formative in shaping a significant, but little recognized, expansion of the influence of gender intersectionality in the study of race and racism, and in the politics and human rights, over the first decade of the twenty-first century. Intersectional feminist analysis has been forwarded when addressing and redressing claims regarding oppression where multiple types of grievances are identified. The state actors that agreed to the Durban Declaration and Program of Action, and the civil society groups that signed on to the NGO Forum declaration, were aware of, and, to varying degrees, open to addressing, the ways in which gender, racism, and racial discrimination were interactive and co-constitutive. This was also the case with civil society groups in the United States and Canada committed to the WCAR process. However, as we have noted, the WCAR process was complex and contradictory. While the DDPA held more legitimacy among states than the NGO Forum declaration, the former suggested a narrower view of gender and was reliant on a male/female binary. The more fulsome attention to gender expressed in the NGO Forum deliberations, including support for lesbian/gay/bisexual and transgender rights, was avoided in the UN WCAR conference at Durban.

Such a nuanced view has not found pride of place in the dominant narrative, which has been marked by claims made by the states that have withdrawn or boycotted that the WCAR process is anti-Semitic. The fact that the WCAR conference and the NGO Forum in South Africa took place days before the 9/11 attacks further affected the narrative that followed the

Durban moment. However, an approach that presents the WCAR process as fundamentally and overwhelmingly anti-Semitic is, we maintain, both inaccurate and misleading. Notably, even organizations specifically concerned with issues relating to Israel/Palestine, and the rights of Palestinians, were not solely focused on the WCAR events with only this issue in mind. For example, Sid Shniad, who attended the 2009 WCAR review conference in Geneva representing Independent Jewish Voices (Canada), highlighted the tremendous potential of a global conference on racism:

> I am of the view that ordinary people who are not invested in racism, sexism, homophobia, national privilege, ethnocide, and stuff like that, when they are confronted with the real historical record of crimes that have been committed against the people, (very reparably, or, however reparably one could discuss), ten-to-one they will want to right the wrong. (Authors' Interview, July 5, 2012)

Similarly, Mohammed Boudjenane, who attended the 2009 Geneva review conference representing the Canadian Arab Federation, noted that what he hoped would come out of the WCAR process, in addition to "the Palestinians having another light shine on their plight and for people to realize occupation is unjust," were issues of "Indigenous rights, that we recognize across the planet…And that slavery would finally be dealt with…and the European countries, or the perpetrators of slavery, would say 'yes we did it'" (Authors' Interview, July 6, 2012). An interpretation that reduces the 2001 WCAR to a focus simply on the issue of the Israel/Palestine conflict is therefore misleading. For example, in the Durban NGO Forum, Palestinian refugee women who gave testimonies did so alongside migrant women workers from the Philippines and lesbian feminists from South Africa (Blackwell and Naber 2002, 240).

It is also important to recognize that the WCAR process served as a pivotal, and little recognized, global site for advancing an intersectional perspective that foregrounds the mutually reinforcing effects among gender and race. In this way, the withdrawal/boycott of countries, such as Canada and the United States, from the WCAR process has left a negative legacy–one that weighs on the movement to advance human rights, not least in times of crisis and the politics of austerity. Overcoming this legacy suggests the significance of highlighting the positive, if limited, gains that the WCAR process accomplished, including in the advance of women's rights and human rights policy and advocacy. We suggest that global discussions of anti-racism at the level of the United Nations have developed in wider historical and international contexts, where there is a paradox of simultaneous processes of both inclusion and exclusion (Abu-Laban and Bakan 2013). Women's rights and challenges to gender-based discrimination have gained increasing recognition internationally, as have issues associated with the rights of racialized and Indigenous peoples and challenges to colonialism and racial discrimination. While to date there are few specific examples which indicate this potential,[2] given the expanding influence of intersectionality in feminist theory, there remains room for optimism on this front.

Given the complexity and challenges of this context, a note on our positionality as co-authors is perhaps relevant here. We are cognizant that discussions associated with the WCAR process, particularly in light of attention to the Israel/Palestine conflict, have not been normalized within the academy or academic scholarship. Although we reject essentialism as a basis for analysis, because we are dealing with issues of racism and racialization, in our joint writing together, we have consistently positioned ourselves as scholars who reflect on both the Palestinian (Abu-Laban) and Jewish (Bakan) diasporic and cultural experiences. Elsewhere, we have written extensively on racism and racialization in relation to the United Nations and Palestinian human rights as well as Islamophobia and anti-Semitism. Our focus here, however, is specifically on issues relating to intersectionality in the WCAR process and on research findings, which highlight a glaring need for a more accurate and nuanced understanding of what happened at Durban. The WCAR process has much to tell us about the study of women and politics, and human rights, in the opening decades of the twenty-first century.

Endnotes

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[2] An important exception is demonstrated in the website of the Ontario Human Rights Commission, significant because this is Canada's most populous province. This arms' length government-supported Commission features a document titled, "An Intersectional Approach to Discrimination: Addressing Multiple Grounds in Human Rights Claims," which explicitly highlights the WCAR process as grounds for being able to make claims in relation to the combined impact of race with gender and other forms of discrimination (OHRC n.d.).

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