

Report to the Norwegian Ministry of Foreign Affairs

The Elephant in the Room

An Overview of How Sexual Violence came to be Seen as a Weapon of War

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Preface

This overview of sexual violence in war from World War II until the present comprises four main chapters focusing on what we know about occurrences of war rape up until 1990; the turning points during the 1990s; the first generation of systematic documentation of sexual violence in war 1990-1998; and, finally, the new momentum and new challenges since 2000. Each chapter is followed by a summary of the main points.

The final chapter should be read as a state-of-the-art document outlining new areas of concern for both research and policy development. The report is accompanied by a policy brief prepared by Suk Chun and Inger Skjelsbæk (2010) presenting the main policy-relevant points and should thus serve as a reference for busy policy-makers and others who might have some time to spare while on a plane, or a train, on their way to important meetings, and who would like to understand more about the complexity of crimes of sexual violence in war.

The report has been written with the generous help of many colleagues and research assistants. In alphabetical order, I extend my thanks to Kaja Borchgrevink, Suk Chun, Ane Sydnes Egeland, Helga Hernes, Torunn Tryggestad and Hilde Wallacher. The increasing interest and enthusiasm of all my colleagues at PRIO gave me the inspiration to carry out this work on the gender dimensions of conflict despite its grim theme. The excellent cooperation of, and communication with, several people at the Norwegian Ministry of Foreign Affairs (MFA) should also be mentioned. In particular, Guro Vikør and Fredrik Arthur helped me understand how the MFA thinks and deals with the issue of sexual violence, and what knowledge gaps need to be filled. In addition, I thank those at the Peace and Reconciliation unit of the MFA for generous funding and for their patience in waiting for this report.

Sexual violence in war is being theorized and conceptualized more than ever before and, as I argue in the report, the taboo against speaking about it seems to have been lifted. Now, there are more and more arenas for talking about, discussing and trying to understand this form of violence. My hope is that this wealth of studies and knowledge will benefit those who deserve and need our support, i.e. the courageous survivors who dare to speak not only for themselves but also on behalf of those who remain silent.

Inger Skjelsbæk
5 May, 2010

Executive Summary

This report outlines how our understanding of the political significance of the use of sexual violence in war has changed over time, and what challenges and implications these changes might pose. It draws on several different kinds of documentation and thereby different kinds of knowledge of the impact sexual violence has had in wars since World War II up until today. To summarize, it is obvious that the understanding of sexual violence in war has gone from being under-documented, under-analysed and misunderstood as a private affair, to being documented and analysed more than ever before, and is now part of the discourse and conceptualizations of international peace and security. This is nothing less than a minor revolution, but the renewed focus brings multiple dilemmas and concerns to the fore which policy-makers and researchers need to address.

First, the new conceptualizations have raised questions about *what* exactly is being documented and discussed when sexual violence in war is addressed. Are we talking about sexual violence only during the war years, or also after? Are we only interested in sexual violence where the perpetrator is armed and in uniform and the victims are civilians? And what about domestic violence: Is this part of the research and policy agenda?

Second, it is not self-evident *how* we should study and understand sexual violence in war. Nor is it not just a question of methodologies, but also of ethics. While policy-makers and researchers alike agree that it is important to document sexual violence, how to do so is not as straightforward as we might like. How do we ask possible victims whether they have had this experience and, equally important, who should ask and in which setting? Can aid workers ask in refugee settlements? Can we set up facilities in war settings where rape victims can get help and thereby also be documented? Can we carry out surveys, and, if so, how? There are no straightforward answers to these questions, but there is a clear need for careful consideration in order to get the numbers right, and in the right way by the right means.

Finally, it is clear that we need carefully to consider *why* we need more information about sexual violence in war. We all agree that we need more information about sexual violence if we are to implement the best measures possible to help the victims. This is by no means a controversial claim, but sexual violence needs to be addressed in all its complexity, which brings two new groups to centre stage: the perpetrators and the children conceived through sexual violence. How do we document this form of violence in order to be able to implement measures which will prevent ordinary men from becoming perpetrators? How do we legally prosecute perpetrators in a way that will deter potential future perpetrators? How do we deal with children conceived through rape? What is their social status in post-conflict societies, and what are their legal rights vis-à-vis war compensation?

It is a huge challenge for the Norwegian Ministry of Foreign Affairs (MFA) to decide where to start grappling with the complexities of sexual violence in war. Some areas can be singled out for immediate follow-up, however, and concrete steps can include:

- **Initiating a dialogue between different organizations in the field on how to (a) document sexual violence in war, and (b) develop standardized questionnaires or documentation procedures that are methodologically and ethically sound.**
- **Ensuring that the following themes receive more explicit political and scholarly attention:**

- **War children**
- **Health issues linked to sexual violence (i.e. the spreading of HIV/AIDS and sexually transmitted diseases)**
- **Sexualizing of political discourse**
- **Ways of counteracting stigmatization of victims**
- **Sexual violence against men (in addition to women)**
- **Perpetrators of sexual violence**

With the international reputation it has gained in the field of gender equality and peace-building efforts, Norway should be well placed to raise and initiate discussions on these themes in multilateral settings such as the United Nations and in bilateral relations. This report helps push forward the policy and research agenda by providing useful background information for understanding how our conceptions of this particular form of violence have developed over time.

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What do we know about war-rape before the 1990s?

Sexual violence in war is as old as war itself. History has shown that the female body is treated as an extension of the battlefield, where victories and defeats can be manifest in different modes of sexual gratification by the male soldier. Enloe (2000, p. 108) writes that 'rape evokes the nightmarishness of war, but it becomes just an indistinguishable part of a poisonous wartime stew called "lootpillagelandrape"'. Any attempt to untangle the 'lootpillagelandrape' nexus to make the impact of rape clearer and more visible is a political endeavour, warns Enloe, who continues by saying that such efforts are both difficult and complex, but urges us to try anyway. And so we will.

If we look at how war has been depicted in the world of fine arts, literature and poetry, rape in battle has been a *leitmotif*. The famous painting by the classicist painter Nicolas Poussin is a case in point: entitled "Rape of the Sabine Women", it depicts a battle in which all the women in the picture are seen attempting to escape the men, who are holding and grappling with them. There are two children lying on the ground in the foreground of the picture and two elder women holding their heads in an attempt to protect themselves and the children from the madness surrounding them.

Nicolas Poussin has depicted a mythologized episode from the early days in the history of Rome. It is said that criminals and people less law-abiding than one would have liked were granted citizenship in Rome at an early stage because they were thought to be fearless enough to win battles to expand the territory of Rome. There was a slight problem, however: there were so few women that the city would face a serious problem after a couple of generations because far too few children would be born, particularly boys. On one occasion, it is said that the neighbouring people, the Sabines, were invited to Rome for a religious celebration of Neptune, and in the midst of the proceedings the Romans stormed the scene kidnapping and raping the Sabine women, who in turn were forced to marry their captors. When the Sabine men returned some time later to reclaim their women, the women had become accustomed to the situation and got between the warring men to stop the kidnapping. The Sabines and Romans were united in the end and continued their struggle for an empire. According to legend, this is how Rome was established (Brownmiller 1975/1991, p. 34).

In her seminal work entitled *Men, Women and Rape*, Brownmiller ([1975] 1991) writes that rape has always accompanied wars of religion and revolution; it has been a weapon of terror and revenge, as well as a way of relieving boredom. Unquestionably there will be raping, says Brownmiller in the introduction to her outline of rape in war, quoting General George S. Patton (Brownmiller [1975] 1991, p. 31). Her analysis shows that the function of rape in war is multifaceted, but in all its forms a definitive characteristic is that it generally takes place unanswered: war creates opportunities for rape to be carried out with impunity by the majority of its perpetrators. The power of the perpetrators lies not just in the fact that the likelihood of conviction for these crimes is lower in times of war than in times of peace, but also in the fact that the victims tend to remain silent about the ordeals they have suffered. Sexual taboos, feelings of shame and guilt and fear of being ostracized by the local community and immediate family members all contribute to keeping the victims of rape silent both in war and peace. The fact that women who have experienced rape will most likely admit having suffered these crimes only long after the events have taken place has made it difficult to study the impact rape has on the sufferers and their surroundings other than from a historical vantage point.

War and rape, and rape in war, are concepts strongly interconnected historically, mythologically and culturally. War is a setting in which looting and rape are two sides of the same coin. Rape in war is a metaphor for the barbarism of war, and a direct manifestation of the misuse of power and violence unleashed by war. Rape is a metaphor for political acts. The attack of the city of Nanking in 1937 is often referred to as the Rape of Nanking, but as an act in itself it is often described using metaphors such as the biblical formulation that 'you may enjoy the spoil of your enemies'. Rape as a metaphor and metaphors of rape have been part of historic accounts and other forms of war documentation and depiction for centuries, yet the way in which rape in war is analysed and understood as a political weapon in conflict settings has been characterized by reformulations and dismissal. Marginalizing this phenomenon as a women's problem, a private problem and/or too shameful to address has kept the victims and their stories and experiences at arm's length from policy and research analysis. As a consequence, we know very little about the ways in which rape is used in different wars; why this is the preferred form of violence in certain settings; how the victims and their societies live with these experiences after the war has ended; and what the political impact these acts of violence might have during and after a conflict. It is impossible to answer all these questions, and in any case this is not the aim of the report; instead, mapping out what we know and how we can find out more are our aims in the chapters to follow.

Rape during World War II

Documentation about war rape and sexual violence during World War II is difficult to find. Systematic study of this particular form of violence has been difficult because of the silence of the victims, the unwillingness of military, political and legal authorities to prosecute offenders, and a general lack of understanding of the political impact of this form of violence. Yet, World War II did represent some significant changes.

Prior to this war, there had been a movement in the development of international law that changed the view of rape as a reward for the victors of war to a crime against women (De Brouwer 2005, p. 5). The changes made it possible at least to attempt international criminal prosecution of these crimes, and the Nuremberg and Tokyo trials established in 1946 were the first. While there was evidence that sexual violence crimes had taken place, and it would have been possible to prosecute sexual violence as a war crime and crimes against humanity, the will to do so was not very strong (De Brouwer 2005, p. 7). One reason, argues Askin (1997, p. 163), might have been that the Allies' charges against German soldiers (who were known to have raped both Jewish and Russian girls in particular) could have turned in on themselves, and they would have risked being charged with similar accusations. A comprehensive study by Lilly (2007) on the use of **rape by American GIs** in Europe during World War II suggests that the Allies' fear was well founded. In studying the record of the Judge Advocate General Branch of the European Theater and personal letters, Lilly (ibid., p. 14) estimates that American GIs committed more than 17,000 rapes in Germany, France and the UK in the period 1942-1945 (ibid., p. 12). The circumstances, punishments and reasons for committing these crimes varied greatly. Lilly notes that black GIs ran a greater risk of criminal prosecution than white, thereby suggesting that there could have been a racist element in the reporting regime (ibid., pp. 35-36).

Rapes by German forces were also part of the German attack repertoire according to Brownmiller ([1975] 1991, p. 50). When villages were invaded, men would be separated from the women and the German soldiers would "have their way" with the women, i.e. rape and/or sexually assault them. It is interesting to note that despite the German prohibition of having intimate relations with the *Judenrat*, or people in conquered territories in general, brothels with Jewish women were set up in many of the German-occupied areas. The women had been kidnapped and were kept captive for the sexual pleasure of the German soldiers. Similarly, brothels with Russian and Polish women appear to have been common as well. Gertejeanssen (2004, p. 220, cited in Wood 2006, p. 310) estimates that 50,000 women and girls were kept in brothels throughout the German-occupied territories. Goldstein (2001, p. 368) notes that the German army would punish soldiers who committed rape on the Western front, but failed to

punish soldiers committing rape on the Eastern front, presumably because both enemy civilians and soldiers were considered to be genetically inferior.

Rape by the Russian army is also well documented in the literature. When renowned historian Beevor (2002) published his book *Berlin: The Downfall 1945*, one aspect that received most attention was his documentation of the rape committed by Russian soldiers in Berlin during the final days of the war. The Russian ambassador to the UK in 2002, Mr. Grigory Karasin, called Beevor's descriptions "acts of blasphemy",¹ regarding them as an affront to the troops that saved Europe from Nazism. In his book, Beevor estimates that the Russian soldiers raped as many as two million German women, half of whom were gang-raped. The Berlin rapes are thought to have been perpetrated against about 130,000 women, 10,000 of whom believed to have committed suicide. Beevor bases his findings on research in German and Soviet archives and was surprised by what he found. Wood (2006, pp. 309–310) argues that the rapes of German women in Berlin are among the best documented cases that exist. Many historians have written about this and have had access to a wide variety of sources – from archives to interviews with victims and former military officials. Perhaps the most reliable documentation, however, seems to have been the two main hospitals in Berlin, which give the same numbers as Beevor presents in his book and suggest a prevalence of about 6%, i.e. that 6% of the female population in Berlin were raped. The book *Eine Frau in Berlin – Tagebuchaufzeichnungen vom 20. April bis 22. Juni 1945* is based on the anonymous diary entries of a woman in her thirties who writes with poignant and insightful precision about the Russian takeover and mass rape, which she, too, suffered. Her book confirms that in her apartment building alone at least 12 women were raped. Beevor, who has written the Foreword to the Norwegian translation of the book, claims that based on the unique characteristics of this manuscript he has no reason to doubt the woman's accounts of these events. Wood (2006, p. 310) wonders whether the Russian troops committed these acts in retaliation for rapes committed by German troops, or as a form of reward. It is not unlikely that it could very well have been for both reasons: the Germans did rape women, including Russian women, on the Eastern front as a way of affirming the victor's triumph over the Third Reich.

The most documented case of sexual violence during World War II is what has become known as the "**rape of Nanking**". The term refers to the Japanese soldiers' takeover of the Chinese city of Nanking in December 1937 and the brutality with which they moved forward. The rape term is not just a metaphor for the takeover, it is also an accurate description of what actually happened. Based on the numbers available from a vast array of sources, Wood (2006, p. 311) estimates that between 8% and 32% of the women (i.e. 20,000 to 80,000) were raped and then executed during this attack, which lasted for a few weeks. An American missionary, James M. McCullen, was an eyewitness to the cruelties from the Nanking Drum Tower Hospital where he worked. In his diary on 19 December 1937 he writes:

Never have I heard or read of such brutality. Rape! Rape! Rape! – we estimate at least 1,000 cases a night, and many by day. In case of resistance or anything that seems like disapproval there is a bayonet stab or a bullet ... people are hysterical. ... Women are being carried off every morning and evening. The whole Japanese army seems to be free to go and come anywhere it pleases, and to do what it pleases (Hu, 1992, p. 20).

What followed was an even more intricate system of sexual slavery. The Japanese military leadership were concerned with the reputation of their soldiers' brutality and decided to develop a system through which they would have better control over the needs and whereabouts of their men. The solution was a system of "comfort stations", where the soldiers could be taken care of by "comfort women". A more precise description of this system would have been abduction of women into sexual slavery (Chung 1994; Sancho 1997; Soh 1996) and/or forced prostitution (Hicks 1994). According to Chung's (1994) figures, 200,000 women were drafted as sex slaves by Japanese soldiers during World War II. The great majority were

¹ Available at <http://news.bbc.co.uk/1/hi/world/europe/1939174.stm> Accessed 18 September 2008.

Korean – between 80% and 90% – but also among the coerced were women from the territories of Manchuria, Sakhalin, Guangdong, Myanmar, the Philippines, Indonesia, Malaysia, Sumatra and Papua New Guinea (Chai 1993, p. 70). Women from the Japanese islands of Honshu and Hondo, Hokkaido and Okinawa were also “recruited” as well as Dutch women (The Executive Committee International Public Hearing, 1993). Sancho (1997) explains that the system was initiated by Japanese military personnel not just to prevent rape by Japanese soldiers, but also to provide them with free sexual favours and prevent the spread of venereal disease. As such, the use, and indeed misuse, of these women was considered a ‘military necessity’ (Blakesley, 1997, pp. 201–202). Indeed, the Japanese military records list these women under the heading ‘military supplies’ (Chai 1993). This makes it extremely difficult to know how many women were coerced, where they were during the conflict and where they came from. The military records did not even list them individually.

Sancho (1997, p. 147) argues that the Japanese military had a hidden political agenda, i.e. to crush the spirit of the occupied population and to subjugate and annihilate other Asian peoples who the Japanese felt were racially inferior. The ‘comfort women’ were kidnapped from their families, sometimes under promises of a better future, but were then detained in brothels where they experienced consecutive rape, lack of food, disease, grave humiliation and physical injury, all of which are described in the testimonies from the Executive Committee International Public Hearing, 1993. This booklet contains all the reports of the International Public Hearing Concerning the Post War Compensation of Japan, which was held in Tokyo on 9 December 1992. It was not until the early 1990s that the ‘comfort-woman’ phenomenon became a public issue. The half-century of silence was due to factors such as shame, guilt and suicide of the victims, as well as the patriarchal and elitist attitudes of the South Korean government, explains Soh (1996). In turn, the Japanese authorities responded that they had paid for their misdemeanors through the Tokyo Trials, and had no intention of apologizing for anything beyond that. Some authors on this theme have attempted to come to an understanding of how such a system of sexual slavery could come into being – and, furthermore, how so many people who knew about it never raised an eyebrow. Chung (1994) explains that it might have been the heritage of the Japanese Imperial system, coupled with a patriarchal social structure that made it easy for Japanese soldiers to draft vast numbers of lower-class Korean women into sexual slavery. Ueno (1994) claims that Confucian patriarchy, which urges women not to go public with stories of rape, must take some blame for the 50-year-long silence. To date, women who are still alive have not received an official apology or monetary compensation for their suffering.

War-related rape during the 1970s

The 1950s and 1960s passed without much known documentation on war-related rapes, but as soon as we hit the 1970s new documentation emerged.

The nine-month **Bangladesh** (former East Pakistan) war of independence from (West) Pakistan in 1971 was brutal and violent, and it is estimated that between 200,000 and 400,000 women were raped before Indian forces put down the rebellion (Sharlach 2000, p. 94). The majority of these women were Muslim, Bengali women living traditional lives where the family’s honour was vested in the sexual honour of their women. The mass use of rape was therefore not only brutal and humiliating on an individual level, but had grave social costs for the women and their families. Prime Minister Mujibur Rahman attempted to counteract the consequences by officially declaring the raped women as heroines who needed to be protected and reintegrated within their families and communities. Some men responded positively, but the majority did not, and required dowry from the Bengali authorities should they decide to comply with the wishes of the Prime Minister (Brownmiller [1975] 1991, p. 83; Sharlach 2000, p. 95). With such a high number of raped women, an added problem was the spread of venereal disease and pregnancies. It is assumed that about 25,000 children were born through rape, and that many babies were killed or rejected by their birth-mothers. In addition, many of the women who became pregnant risked their health and lives by having primitive abortions. What was new about the situation in Bangladesh, according to Brownmiller ([1975] 1991, p. 86), was the fact that the rapes received

international attention and were seen as having a political military strategic function. Sharlach (2000, p. 95) even claims that these events can be seen as constituting genocide because:

[...], the rape forever damages the social standing of the survivor. Bengali girls and women who endured the genocidal rape had to cope not only with their physical injuries and trauma, but with a society hostile to violated women. The blame for loss of honor falls not upon the rapist, but upon the raped.

It appears, however, that the Bengali leadership has learned that rape and sexual violence can be an effective means of terror against other groups and minorities in Bangladesh. It is particularly in the southeast region, i.e. the *Chittagong Hill Tracts (CHT)* bordering India and Burma/Myanmar, where this has been the case over several decades. The region is home to more than 13 indigenous tribes whose way of life differs from that of the rest of Bangladesh. In the mid-1970s an armed rebellion began. A peace accord signed in 1997 between the groups ended the armed conflict, but the human rights violations that triggered the conflict continued (Amnesty International 2004). Numerous sources tell of the use of rape and sexual violence since the 1970s, including Grech 1993; Amnesty International 2004; and UNHCR 2005. Guhathakurta (2001, p. 262) lets us know that information from one refugee camp in India in 1990 indicated that one in every 10 women had been a victim of rape in the CHT, and the Jumma² women constituted over 94% of the victims of these rapes. Furthermore, the study showed that most rapes were committed by Bengali security forces. The example of Bangladesh shows that rape and sexual violence breed more of the same.

While the war in Bangladesh was fierce and brutal, it was mainly the horrors of the **Vietnam** wars that formed the collective memory of wars in the 1970s. To prevent the spread of communism, the United States, under Lyndon B. Johnson, sent U.S. combat forces to South Vietnam in 1965. Direct U.S. involvement led the already on-going war into a new and more intense phase which lasted until U.S. military withdrawal in 1973.³ The Socialist Republic of Vietnam (SRV) was created in 1975, with the capital established in Hanoi. Women played a central role in the Vietnam wars, but information about their participation is mostly limited to the war of 1965-73 against the Americans. The levels of participation of women were different between the North and South. In the South, women were not conscripted into the militia, yet in some groups the participation of women was high. In the Peoples' Liberation Forces (PLAF), a subgroup of the NLF, 40% of the regimental commanders were women (Bergman 1975). In the local guerrilla forces, the participation of women was even higher. The situation in the North was different, with nearly all North Vietnamese women part of the militia and forming the core of self-defence teams (ibid., p. 171). They operated and managed cooperatives and factories, and did repair work on the Ho Chi Minh Trail.⁴ Legislation was also passed to ensure that where women formed the majority of the work-force they must be represented at top management

² The collective term for the indigenous peoples of the CHT.

³ War erupted in late 1946, when a customs dispute led the French to take full control of Haiphong in late November; the militia forces of the Democratic Republic of Vietnam (DRV) attacked the French in Hanoi one month later (Tønnesson, 2009). The war continued until after the fall of the French fortress at Dien Bien Phu in May 1954 when, in June, a settlement was agreed upon at an international conference in Geneva. The agreement divided Vietnam preliminarily at the 17th Parallel and provided for general elections in all of Vietnam before July 1956. These elections were never held. Instead, Vietnam remained divided between the DRV in the North and a US-supported Republic of Vietnam in the South, with Ngo Dinh Diem, a Catholic, as its leader. He established control over Saigon and severely repressed communists, gangsters as well as Buddhist and other religious groups. In 1959, the communists took up arms again in the South, with support and guidance from the North, and a National Liberation Front of South Vietnam (NLF) was founded in 1960. Diem's regime was undermined, and fell in a military coup in 1962 when Diem himself was murdered. The ensuing political crisis, with a rapid succession of governments, formed the backdrop to an escalation in the US advisory role, to US bombing of the North, and the landing of US combat troops in 1965. The US involvement lasted until the Paris agreement in 1973, and the subsequent withdrawal of US troops. Soon after, the war broke out once again, ending in the conquest of South Vietnam by the DRV and NLF armies in 1975.

⁴The communication trail from North to South Vietnam used by the North Vietnamese.

level. During the war, women even had senior management positions, but after the demobilization of a large number of troops, women returned to the more traditional female jobs.

Documentation about the use of rape during the war, however, is limited to actions taken by American and South Vietnamese forces. Brownmiller ([1975] 1991, pp. 86–113) refers to a lengthy conversation with Peter Arnett, Associated Press correspondent in Vietnam for eight years, in Paris in 1972 where he stated that it was commonly understood the Vietcong and the North Vietnamese Army rarely committed rape. According to Arnett, the soldiers in the north were severely reprimanded if they were caught raping and/or looting (beheading, however, was permissible!). Furthermore, North Vietnamese women who had been raped by enemy soldiers were seen as heroines, and the rape was held up as an example of enemy atrocity. In the South, however, the situation was different. The use of rape and sexual violence and torture was widely used in interrogation settings. Brownmiller notes ([1975] 1991, p. 89), however, that the ways in which these acts were carried out varied greatly; the South Vietnamese would rape in silence, while the Americans were more likely to orchestrate gang rape visible to a larger audience. This observation is vividly, and chillingly, depicted in the Oliver Stone movie *Platoon* from 1986, where the main character played by Charlie Sheen rescues a young Vietnamese girl from a group of American soldiers raping her on the bare ground under the supervision of their military commander. There are few, if any, statistics about the use of rape by the South Vietnamese and/or American forces. But numerous stories, including documentation from the My Lai massacre on 16 March 1968, show that rape and sexual violence appear to have accompanied other forms of violence committed during the war years. Paradoxically, one reason for its underreporting might have been the sheer magnitude of the instances of rape and sexual violence: “that’s an everyday affair [...] you can nail just about everybody on that – at least once. The guys are human, man”⁵. According to this former soldier, men will be men, and the many, yet unassembled, stories, from Vietnam, do not, however, prove him wrong. Still, rape in war was not considered serious enough to be part of political debates.

Rape during the wars in the 1980s

Rape was first taken more seriously during the 1980s. There is an emergence of conflict-related rape and sexual violence documentation which is more geographically clustered, and there are more overviews and fewer anecdotal stories. In this section I therefore attempt to reflect this development by presenting the literature on sexual violence in war geographically by looking at the Americas, Asia and Africa, respectively.

Starting with the *Americas*, it can quickly be established that there are a number of countries in which rape connected with political conflict has been documented. According to Seager (1997, p. 56), the systematic rape of women and children by soldiers has taken place in Chile, El Salvador, Haiti, Honduras, Peru and Suriname. Bunster-Burotto (1986) attempts to provide a general overview of how various forms of sexual torture have been experienced by women in the region, and makes a distinction between the conflict-ridden countries in Central America and the Southern Cone. She argues that women in Central American countries have been victims of many forms of violence, including sexual violence, as part of generalized violence in the various countries, whereas women in the Southern Cone have been targeted specifically, and systematically identified for political interrogation by security/military forces. These women have suffered sexual and other forms of torture as a result. Examples of conflict-ridden countries in Central America are Guatemala, El Salvador and Nicaragua. In the case of **Guatemala**, the longest civil war in Latin-American history, which lasted from 1960 to 1996, the early 1980s was marked by intensified violence due to more counter-insurgency campaigns against an increasing number of guerrilla groups (Hauge 2008, p. 300). The period 1978–1985 has therefore been known as *La Violencia*, and the Commission for Historical Clarification has estimated that 93% of the violence (more than 200,000 people are thought to have been killed during the war years) and human rights abuses were committed by state security forces

⁵ Quote from a squadron leader in the 3rd Platoon interrogated by Seymour Hersh about the My Lai massacre (quoted in Brownmiller notes ([1975] 1991, pp. 8104-105).

during those years. The use of sexual violence was part of the pattern of violence used by the state forces against counter-insurgency groups. Sexual violence was used against men and women in detention centres and in community settings (Comisión de Clarificación Histórica (1999)).⁶

In **El Salvador**, however, there are relatively few reports of the systematic use of rape and sexual violence during the war from 1980 to 1991. Reports that do exist, however, document a pattern similar to the one seen in Guatemala: rape used by government security forces against guerrilla groups (Bastic et al. 2007, p. 75), but this appears to have been less widespread than was the case in Guatemala. During her 26-month fieldwork stay in El Salvador, Wood (2006) heard of no sexual violence attacks by FMLN against civilians researching sexual violence abuse – a finding compatible with what Bastic et al. (2007) discovered in their studies documenting sexual violence around the globe.

Sexual violence during the **Nicaraguan** war took on a similar pattern as in the two previous cases. Ward (2002)⁷ reports that sexual violence was an inherent part of the conflict, and among indigenous women particularly. In all three countries, women were important in the guerrilla forces; they constituted about 30% of the FMLN combatants and about 40% of the leadership in El Salvador; and women constituted 30% of the Sandinistas in Nicaragua. This might be one reason why these groups are not reported to have committed sexual violence on a large scale (some documentation of certain instances does exist, however).

If we now turn to the countries in the Southern Cone, we can see much clearer patterns of politically targeted forms of sexual violence abuse. The ‘dirty war’ in **Argentina** (1976–1983), where between 10,000 and 30,000 people are thought to have been killed, is a case in point. Argentina’s National Commission on Disappeared People (1986), commissioned by President Raul Alfonsín shortly after he took office in 1983, is an investigation into the fate of the thousands of people who disappeared during the military dictatorship 1976–83. The most heinous forms of torture and other crimes are described at length in the words of those who experienced them and survived. Sexual torture and rape are integral parts of these accounts. Several male victims reveal how their genitals were mutilated and/or tortured during interrogation. The same was true of the female victims, but in addition they experienced rape to a seemingly greater extent than their fellow male *desaparecidos*. This report clearly demonstrates that rape and sexual violence go together; they cannot be viewed in isolation from other types of torture.

Reports from the conflict in **Peru** are no more uplifting. Amnesty International (1989) and Human Rights Watch (1992) both document sexual violence in Peru, albeit in different ways. Amnesty International provides detailed accounts of human rights abuses in the areas in Peru where a state of emergency had been declared in 1988. A substantial part of the report devoted to the situation of women in these areas clearly defines rape as torture, and argues that women of all ages and social classes were vulnerable to sexual abuse in the emergency zones. Rape took place after women and children had been separated from their men, when they were being held in detention, or when they simply happened to be in the wrong place at the wrong time. Human Rights Watch, on the other hand, sees rape as a possible weapon of war. Their Peru report investigates how sexual violence was used by the security forces as well as by the Shining Path. They seem to have detected a pattern where the security forces employed rape as a means of weakening what they considered to be oppositional persons in the conflict. ‘Information collected [...] suggests that rape by the security forces threatens all women equally, but that four elements characterize women who are at greater risk of actual attack: race, social class, occupation, and the explosive mix of gender and armed insurgency particular to the Shining Path and its female cadre’ (HRW 1992, p. 16). In other words, women were targeted for strategic reasons. The common denominator is that sexual torture was carried out by military personnel during interrogation or in detention cells. The vast majority of victims were women who had become politically active or were related to men who were involved politically, or both (Bunster-Burotto 1986, pp. 302–303). Sexual torture is intended to instigate fear and humiliation. In an article giving considerable detail on the various means of torture and sexual mutilation, Bunster-Burotto offers elaborate analyses of how this particular kind of torture plays upon the traditional gender roles in Latin American cultures. She argues that the use of sexual violence in patriarchal, macho-dominated

⁶ Comisión de Clarificación Histórica (1999) *Guatemala: Memory of Silence*. Final Report English Version. Conclusions.

⁷ Ward, J. (2002) *If Not Now, When? Addressing Gender-based Violence in Refugee, Internally Displaced, and Post-Conflict Settings: A Global Overview*. New York, RHRC, 117.

societies reinforces the ideological subordination of women in the family and society at large (ibid., p. 307). She goes on to argue that this was one of the main goals, in addition to the political goals, because it would humiliate independent and intellectual women who could challenge men. Gang rape, repeated rapes, and rape simultaneously with other forms of cruel and inhumane torture appear to have been common.

Turning our attention to *Asia*, Seager (1997, p. 56) reports the systematic rape of women and children by soldiers in Afghanistan, Bangladesh, Burma, Cambodia, India, Iraq, Papua New Guinea and in the Philippines during the 1980s and 1990s. DCAF (2007, p. 89) reports that sexual violence was part of the immediate post-Soviet rule of the Mujahideen in **Afghanistan** and was used to expel and oppress communities. The Taliban rule which followed, however, is thought to have decreased the level of sexual violence in the mid-1990s.

Looking to **Cambodia**, we can see patterns of rape dating back to the “reign of terror” between 1975 and 1979, when the Khmer Rouge did not hold back on any kind of violence and human rights abuses in their war effort. It was particularly in interrogation settings with women captives that sexual violence appears to have been committed frequently by Khmer Rouge officials. Throughout the 1980s, the guerrilla warfare also brought reports about rape being committed by the Royal Cambodian Armed Forces in addition to the violence patterns already established by the Khmer Rouge.

Another example of how rape has been employed as a strategic weapon in making people flee their homes can be found in two reports focusing on the situation in **Kashmir** in the late 1980s and early 1990s (Asia Watch 1993, 1994). This territory, which covers the northern part of India and Pakistan, is inhabited by a predominantly Muslim population and has been the site of Indian/Pakistan controversy ever since Pakistan’s independence. According to an Asia Watch report from 1993, rape by the Indian security forces has been used as a tactical weapon to humiliate and punish the entire community to which the individual woman belongs (Asia Watch 1993, p. 1). In addition to identifying in detail where most rape has taken place since 1990, the report includes several personal testimonies from victims. The recommendations of the report strongly urge that the pattern of impunity be stopped; even though rape is punishable under Indian law, no police officers or members of the security forces have been convicted of rape (Asia Watch 1993, pp. 5–6). It is also suggested that female officers be encouraged to assist during search operations because this makes it easier to obtain testimonies from rape victims. In its 1994 report, Asia Watch (1994, p. 1) describes how the first reports of rape emerged soon after the government’s crackdown on rising violence by armed militant groups began in 1990. Incidents of rape follow a pattern seen in many other conflicts: soldiers enter the homes of civilians, order the men to leave or be killed and then rape the women. The report relates numerous case stories exemplifying this pattern. Most are presented together with the comments/reactions of the Indian authorities, who systematically deny that rape has taken place. Occasionally, rape has been investigated, but also this report confirms that no one has been sentenced. Impunity seems to be the norm.

Nor was the *African* continent spared sexual violence abuses during the 1980s. According to Seager (1997, p. 56), systematic rape occurred in the conflicts in Angola, Liberia, Malawi, Mozambique, Somalia, Sudan and Uganda in the 1980s and 1990s. In **Angola**, the conflict leading up to the signing of the ceasefire in 1989 brought an end to the fighting between the Cuban supported MPLA⁸ and UNITA⁹. Human Rights Watch (2003)¹⁰ has reported that in the process leading up to the cease-fire in 1989 (and in the conflicts that have followed) abduction, sexual slavery, forced recruitment and forced marriages of women and girls to combatants on all sides were common.

⁸ Movimento Popular de Liberacao de Angola.

⁹ Uniao Nacional para a idenpenencia Total de Angola.

¹⁰ Human Rights Watch (2003). *Angola: Struggling Through Peace: Return and Resettlement in Angola*, August 23.

In **Mozambique**, after independence in 1975, war erupted between the Frelimo¹¹ and Renamo¹² in 1977 and lasted until 1992. It was particularly brutal, and all parties to the conflict are reported to have used various forms of sexual violence against civilians. It has been reported in areas held by Renamo, that women and girls as young as 8 years of age were raped in front of their family or community, fathers were forced to commit incest, and women were forcibly impregnated, abducted and held as sex slaves (Bastic et al., 2007, p. 51). The high number of child soldiers in the conflict also meant that girl soldiers were particularly vulnerable to rape. Another detrimental misconception was that if infected with HIV/AIDS one could rid oneself of the disease by raping a woman who would then “take over” the disease. These notions led to the spread of HIV/AIDS in alarmingly high numbers. Finally, the concept of “survival sex” emerged in the immediate aftermath of the ceasefire and led to an increase in prostitution, which, not incidentally, coincided with the arrival of UN peacekeepers, i.e. a market to which sex could be sold.

The situation is no less grim in **Uganda**, where a report from 1991 states that 70% of women in the Luwero District reported having been raped by soldiers, and a large proportion gang-raped by groups of up to 10 soldiers (Bastic et al. 2007, p. 65). Africa Watch (1993) has documented the use of rape in a *refugee camp situation* in northeastern Kenya, where an estimated 200,000 **Somali** refugees live. Refugee camps are known to be particularly unsafe places for women, many of whom live alone with their children because their husbands have been killed or have disappeared. In societies where a woman’s safety is dependent on having a male protector, refugee camps are far from safe retreats from the conflict zone, as this report vividly shows. For half of the women in this particular refugee camp who reported being raped in the camp, rape was a factor that had caused them to flee in the first place (Africa Watch 1993, p. 8). Most rape reported within the camp was gang rape, and often repeated rape, although it was not always the same people committing it (ibid., p. 12). The perpetrators were usually described as *Shiftas* – Somali Kenyan or Somali bandits who enter the compound and threaten the refugees with looting, beating and killings in addition to rape. But also Kenyan police, security officials and fellow refugees were among the rapists (ibid., p. 7). Allegedly, a common occurrence is being raped during the night, when herding goats or collecting firewood outside the camp or, sometimes, although this is said to be relatively rare, during Kenyan police interrogation (ibid., pp. 10-16). Some of the women have reported how their ethnicity – clan identity – became significant for the perpetrators. Some of the women who have given testimony say that they were first questioned about their ethnicity before being raped. If a woman was from the same clan as the perpetrator, she might be spared. The widespread practice of genital mutilation in Somali culture adds to the physical injuries caused by the rape. For many of these women, being raped has destroyed the possibility of having children.

Summary

This overview has shown that rape in war is by no means a new phenomenon. Rape has been documented in many different conflicts, but the documentation is diverse and incomparable from one case to the next. It is therefore impossible to determine exactly when the wars of the 1990s broke out and whether these new wars represented an increase in sexual violence, or whether we were witnessing new patterns of sexual violence. It will be long into the new century before we can argue for or against increasing numbers or new patterns in sexual violence in war with numeric certainty.

What this chapter has also shown is that the phenomenon of sexual violence before the 1990s was perhaps not as hidden as one might have thought. Rather, it is the political analysis of these events which has been largely absent. Commentators and analysts have not looked into the ways in which sexual violence has impacted on security situations beyond the obvious threat to the individual victim’s security. What these acts of violence have come to mean for the larger conflict patterns, and how they affect international peace and stability, were largely unacknowledged questions.

¹¹ Frente de Libertacao de Mocambique.

¹² Mozambican National Resistance.

Turning points in the 1990s: Towards a new understanding of rape in war

The 1990s started with a feeling of enthusiasm and optimism for the future. The Cold War was over, new democracies were booming and some of the long-lasting conflicts in Latin America and Africa had come to an end. Were we so blinded by these changes that we did not see the contours of a new kind of conflict pattern emerging? Displays of national pride and symbols in, for example, post-communist countries were regarded as positive changes. Little did we know in 1990 that it would be precisely these national signs and symbols that would give rise to a new kind of war – war within states, and between people in organized groups often with religious or ethnic characteristics (Tønnesson 2008, p. 127). These were wars of identity, where friends and family could turn against each other simply with the recognition that the Other was a Serb, Bosniak, Hutu or Tutsi. These were wars in which civilians were the prime target, and in which the weapons of war were not the latest in military technology, but knives, Kalashnikovs and rape.

In his reflections on ethnic cleansing in Bosnia, Sells writes (1996, p. 11) “[t]he more obscene the crime, the less visible it is”, emphasizing that sexual violence in war is an example of such an obscene crime. Culturally imposed taboos contribute to keeping the victims of this crime silent, and there is not much analysis on how these crimes affect the victims. Few professionals have looked into the mechanisms that create perpetrators, perhaps out of fear that the possibility of committing the same crime is potentially within us all. The wars of the 1990s do seem to have changed this pattern of ignorance. Tompkins (1995, p. 852) elegantly summarized the potential effect of this change as follows:

Rape, like genocide, will not be deterred unless and until the stories are heard. People must hear the horrifying, think the unthinkable and speak the unspeakable.

It was hearing of the horrifying, thinking of the unthinkable and speaking of the unspeakable that changed the ways in which sexual violence came to be understood as a weapon of war in the 1990s, and several events contributed.

The War in Bosnia-Herzegovina (1992-1995): Mass documentation

The most lethal conflicts in Europe since World War II took place in the territories of the former Yugoslavia. After the secession of Croatia and Slovenia in 1991, and of Bosnia and Herzegovina in 1992, Europe witnessed atrocities which many thought had ended with the Holocaust. The exact number of casualties, refugees and internally displaced persons will never be known, but the pattern of ‘ethnic cleansing’, which many critics have called a euphemism for genocide, has left wounds and scars which will take generations to heal. An integral part of ethnic cleansing was the use of sexual violence.

It was only when Roy Gutman of *Newsday* reported (as early as July 1992) that he had visited a concentration camp in Manjaca in northwestern Bosnia that the use of sexual violence became known internationally. Gutman had witnessed Muslim prisoners being terrorized by Serb captors (Silber and Little 1995, p. 249). When he later learned about other concentration camps, among them the notorious death camp at Brocko Luka, he discovered that women were being held as prisoners -- witnesses telling him that these women were routinely raped. A new term was born, *rape camps*, which were seen as versions of a concentration camp. The same was true of the camps in Vogosca, Omarska and Tronopolje (Gutman 1993, p. xi). The literature is not

consistent on how many, or indeed where, rape camps existed in Bosnia. Smith (1997, p. 34) identifies six: in Brcko, Doboj, Foca, Gorazde, Kalinovik and Visegrad, i.e. mostly in the eastern part of Bosnia. Vranic (1996, p. 7), on the other hand, also identifies six rape/death camps, but mostly in the northern part: in Camp, Keraterm, Luka, Manjaca, Omarska and Tronopolje. Allen (1996, p. 65) explains that restaurants, hotels, hospitals, schools, factories, peacetime brothels and other buildings served as rape camps and that the aggressors were mostly Serb personnel from the Yugoslav Army, irregular Serb soldiers, Chetnics¹³ and even civilians. Allen's description captures only part of the picture, because *rape occurred on all sides of the conflicts*. Stiglmayer (1994, p. 115) emphasizes that documentation can be found of rape camps on the Bosnian, Croatian and Serbian sides alike. Common to most of the reports and documents she has reviewed concerning the rape camps is that they are undocumented and vague. As soon as any camp was identified, it was dissolved and a new one established in an area inaccessible to outsiders like the International Red Cross (ibid., p. 115). This may help explain some of the variation in the documentation of rape camps in Bosnia. As shown in the previous chapter, rape and other sexual violence in prison settings are nothing new to violent conflict. Sexual forms of torture have been all too common during interrogation, imprisonment and raids. Yet, Bosnian stories of rape appeared different from what had been seen in previous conflicts; sexual violence was reported to be *systematic* and *targeted* against members of different ethnic groups on a larger scale than had previously been documented in other wars.

Salzman (1998, p. 356) refers to the so-called RAM plan, which, it is alleged, was written by Serb army officers in late August 1991. RAM means "loom" and is said to characterize the Serb military policy of weaving its way from many angles across Bosnia-Herzegovina and Croatia (Allen, 1996, p. 58). The plan mentions raping women and children as an efficient and integral tool in the process of ethnic cleansing of Muslims in Bosnia and Herzegovina. It was the Yugoslav National Army (JNA) Psychological Operations Department that had made the following observation about Muslim behaviour: '[t]heir morale, desire for battle, and will could be crushed more easily by raping women, especially minors and even children' (Salzman, 1998, p. 356). Salzman therefore concludes that the organized structure of the mass rapes and rape camps was planned as early as August 1991. This might well be the case, but it explains only part of the picture, because it was not just Serbs who raped Muslims during the 4-year war.

There are at least three features about war-rape reporting from the Bosnian conflict which set these events apart from rape stories from other conflicts and suggest a change in the way in which sexual violence in war came to be understood.

First, the fact that the term 'rape-camp' was introduced in international reporting and documentation suggests that these acts were seen as something different from random acts of violence. It suggests that the intention behind holding women in detention/prison settings was not primarily to get information about male members of their families or other kinds of information which could advance the rebel group's cause, as was the case in many Latin American conflicts. The men and women who were held in detention and suffered various forms of sexual torture were picked out because of their ethnic identities, not to provide information. In other words, rape and sexual violence were seen as an integral part of ethnic cleansing. These stories were uncovered by both local and international journalists only months after the fighting broke out in April 1992.

Second, as a consequence of the organizational and targeted structure mentioned above, the notion of rape being used as a weapon of war in this conflict caught on, both domestically and in the international community. In order to document that rape was being used systematically, several fact-finding missions were organized in late 1992 and early 1993, i.e. within one year of the beginning of the violence. Amnesty International was one of the first organizations to document sexual violence in an "organized or systematic way, with the deliberate detention of women for the purpose of rape and sexual abuse" as early as 21 January

¹³ Serb monarchists.

1993 (Amnesty International 1993). In February 1993, the European Community¹⁴ delivered its report to European Community Foreign Ministers (and to the United Nations Security Council at the same time), who estimated that the number of women raped was between 10,000 and 60,000, but later settled on 20,000.¹⁵ Alongside these efforts, the United Nations set up its own commission led by Special Rapporteur of the Commission on Human Rights Tadeusz Maszowiecki, who presented several reports on the human rights situation in the former Yugoslavia. He concluded that rape and sexual violence clearly were being used to "humiliate, shame, degrade and terrify the entire ethnic group" (Maszowiecki 1993, para. 85).¹⁶ In this report, Maszowiecki is hesitant to put a number to how many women were thought to have been raped, but as the quote shows he confirms that it was seen as systematic, widespread and intentional. He expressed great concern in February 1993 that there were too many organizations engaged in too many fact-finding missions, thus creating documentation fatigue among victims. He was in the initial stages of his work for the United Nations, the Europeans had already delivered their report alongside Amnesty and Human Rights Watch, and there were groups such as the Coordinative Group of Women's Organizations of Bosnia and Herzegovina claiming that the figure could be as high as 50,000;¹⁷ individual researchers and NGO networks estimate that as many as 60,000 women had been raped.¹⁸ The collection and publication of such figures sparked off a chain reaction of hatred and hostility in which Muslims, Croats and Serbs all took part, and which, in turn, most likely led to more rape being committed.¹⁹ The true numbers will never be known.

Third, the conflict took place in Europe between white Europeans, and while this last point has not been discussed thoroughly in the scholarly literature, nor can it be proved scientifically, it is highly likely that reports of rape were taken more seriously because the (white) Western world identified with the victims they were seeing and hearing about. It was not possible just to disregard the stories as being part of distant cultural traditions or unfamiliar gender relations. Rather, the massive documentation and the public exposure of the stories in the international media were told to us by white Europeans, and this made us listen and analyse these events in ways that had not been done in the past.

The Genocide in Rwanda (1994)

In the midst of the Bosnian war, a human catastrophe was taking place in one of Africa's smallest countries, Rwanda. Here the horrors of Bosnia were being relived, only this time in the space of an unimaginable few months in 1994.

¹⁴ "The European Community Investigative Mission into the Treatment of Muslim Women in the former Yugoslavia - Report to European Community Foreign Ministers", United Nations Security Council Document S/25240 Annex I (3 February 1993) p. 5.

¹⁵ It is worth noting that these numbers are still the numbers referred to by most writers on this theme. If this is a good estimate then it would suggest that most of the rapes occurred at the beginning of the war, since these numbers are from only the first year of the conflict.

¹⁶ *SITUATION OF HUMAN RIGHTS IN THE TERRITORY OF THE FORMER YUGOSLAVIA*. Report on the situation of human rights in the territory of the former Yugoslavia submitted by Mr. Tadeusz Mazowiecki, Special Rapporteur of the Commission on Human Rights, pursuant to Commission resolution 1992/S-1/1 of 14 August 1992 (Report from 10 February 1993).

¹⁷ Figures presented by Silva Meznaric (1994) in her article 'Gender as an Ethno-Marker: Rape, War and Identity Politics in the former Yugoslavia'. She does not comment on the ethnic composition of these totals, however.

¹⁸ These figures were presented by Elenor Richter-Lyonette, who works for the Geneva-based NGO Women's Advocacy. She was one of the key speakers at the FOKUS seminar held in Oslo on 17 June 1996. Neither Meznaric nor Richter-Lyonette comments on the ethnic composition of these figures.

¹⁹ The information in this paragraph is based on Dr. Vesna Nikolic-Ristanovic's paper 'From Sisterhood to Non-Recognition: Instrumentalization of Women's Suffering in the War in the Former Yugoslavia', presented at the conference *Women's Discourses, War Discourses*, at the Ljubljana Graduate School of the Humanities, 2-6 December 1997.

Extreme violence between the Hutu and Tutsi populations erupted in April 1994 after the death of Rwandan president Juvénal Habyarimana, whose plane had been shot down on 6 April by militant forces. The conflict between the Hutu and Tutsi populations was rooted in a long history of unequal power sharing between two major ethnic groups. Hutus had accounted for 90% of the population in the past, while the Tutsi minority was considered the aristocracy of Rwanda. For decades while Rwanda was under Belgian rule, the Tutsis dominated the Hutus. Rwanda gained independence from Belgium in 1962, and has since been led by Hutu leaders, president Juvénal Habyarimana the longest ruling among them. During these years, as well as during the riots leading up to the end of Belgian rule in which more than 20,000 Tutsis were killed, many Tutsis fled the country to neighbouring Burundi, Tanzania and Uganda. Under Hutu rule, the Tutsis were portrayed as the scapegoats of many different crises, and their response was to organize what became known as the Rwandan Patriotic Front (RPF), led by Mr. Kagame. It was mostly Tutsi refugees in Uganda, supported by some moderate Hutus, who formed the core of this group and whose aim was to overthrow Habyarimana and secure the right to return to their homeland. Civil unrest and violence followed, and the final straw was the killing of president Juvénal Habyarimana. Exactly who shot down the plane (the president of Burundi was among the passengers) has never been established, but the Tutsi-led RPF was blamed. Very soon after the incident, indeed within hours, the presidential guard initiated a campaign of retribution targeting Tutsi and moderate Hutus. An unofficial militia group called the Interahamwe, which means “those who attack together”, was mobilized. Soldiers and police officers, in addition to a strong radio and media campaign, encouraged ordinary citizens to take part in the mayhem. The BBC reported²⁰ that in some cases Hutu civilians were being forced by military personnel to murder their Tutsi neighbours. Participants were often given incentives, such as money or food; some were even told they could appropriate the land of the Tutsis they killed. The 100-day genocide, which came to an end in June 1994, had produced a death toll of over 800,000, in addition to widespread rape and sexual violence.

The international presence and intervention, or rather lack thereof, during the 100-day genocide, also contributed to the disaster. As the name suggests, the United Nations Assistance Mission for Rwanda (UNAMIR) was a supporting mission whose primary aim was implementation of the Arusha Accords²¹ (signed on 4 August 1993) meant to end the Rwandan Civil War. The mission lasted from October 1993 to March 1996, but was severely hampered by its mandate (to support but not to intervene in direct fighting) and by the fact that violence was directed at the soldiers in the mission itself. The lack of intervention on the part of the international community was, and still is, a catastrophic blemish on the United Nations system, its responsibilities and capabilities.

The Special Rapporteur on Rwanda, René Degni-Segui, concluded in his first report to the UN Commission on Human Rights in January 1996 that it was likely between 250,000 and 500,000 women and girls had suffered from rape and sexual violence. The report concludes that ‘rape was the rule and its absence the exception’.²² Human Rights Watch (1996)²³ also presented a report on the use of sexual violence in the same year emphasizing that in the buildup to the genocide political propaganda played on sexual stereotypes of Tutsi women. These women were said to be more beautiful than Hutu women, and could therefore infiltrate Hutu ranks by flirting with Hutu men. Tutsi women were also portrayed as being more sexually desirable and daring than Hutu women (HRW 1996, pp. 16-19). The authors of the report conclude that these stereotypes, coupled with the view of woman as man’s possession, rendered Tutsi women

²⁰ Available at <http://news.bbc.co.uk/2/hi/africa/1288230.stm> (accessed on 22 April 2009).

²¹ The Arusha Accords were a set of five accords (or protocols) signed by the government of Rwanda and the rebel Rwandan Patriotic Front (RPF), under mediation, to the three-year long Rwandan Civil War.

²² Quoted in De Brouwer (2005) p. 11 from UN Commission on Human Rights, *Report on the Situation of Human Rights in Rwanda Submitted by Mr, René Degni-Segui*, Special Rapporteur of the Commission on Human Rights, under Paragraph 20 of Resolution S-3/1 of 25 May 1994, E/CN.4/1996/68, 29 January 1996, para. 16.

²³ Human Rights Watch (1996) *Shattered Lives: Sexual Violence during the Rwandan Genocide and its Aftermath*.

particularly vulnerable to sexual violence. De Brouwer (2005, pp. 11-14) confirms this pattern. The political propaganda – predominantly through the printed media and radio broadcasts – preceding the genocide was highly gendered, i.e. in degrading ways portraying Tutsi women as sexual objects. The so-called Hutu ten commandments²⁴ show this all too clearly, the first three speaking directly to the stereotype of Tutsi women as subversive temptresses to be avoided at all costs. The Organization of African Unity (2000, para. 16.2) quotes these points in full in their report on atrocities during the Rwandan genocide:

1. Each Hutu man must know that the Tutsi woman, no matter whom, works in solidarity with her Tutsi ethnicity. In consequence, every Hutu man is a traitor:

*-who marries a Tutsi woman

*-who makes a Tutsi woman his concubine

* who makes a Tutsi woman his secretary or protégée.

2. Every Hutu man must know that our Hutu girls are more dignified and more conscientious in their roles as woman, wife, and mother. Aren't they pretty, good secretaries, and more honest!

3. Hutu women, be vigilant and bring your husbands, and sons to reason!

While these paragraphs are not an instruction to rape Tutsi women, the language suggests that the Hutu cause would be served by the sexual violation of Tutsi women. Furthermore, Hutu women linked to Tutsi men were seen as treacherous and thereby targets of sexual violence. De Brouwer (2005, p. 13) points out that while there was a clear pattern in the ways in which sexual violence was used, all women were at risk because of the general chaotic nature of the conflict. No one woman was safer than another during these terrifying months.

The ways in which rape and sexual violence were carried out appear to have been particularly violent and public. Rape, gang rape and so-called forced marriage (i.e. sexual slavery) were prevalent, along with sexual mutilation. Acid was used, and the degree of morbidity appears unlimited. Details that have been documented are of such a nature that the Organization of African Unity (2000, para. 16.4) suggests: "To understand Rwanda after the genocide, it is important to have no illusions about the sadism of the perpetrators on the one hand, and the excruciating suffering of the victims on the other". Repeated rape and gang rape by the Interhamwe appear to have been the norm, while military and civilian authorities did nothing to bring an end to it, indeed taking part themselves (HRW 1996, p. 48). There were exceptions, as the motion picture *Hotel Rwanda* from 2004 has shown the world. The story of Paul Rusesabagina, a hotel manager who housed over a thousand Tutsi refugees, moved the entire world. The film stands in stark contrast to the general assumption that so many men and women were implicated in the violence.

The Rwandan rapes and sexual violence reflect a pattern documented and observed in the Bosnian situation, namely that these acts were clearly seen as an integral part of the genocide. The evidence was overwhelming and the strategic use of violence could lead to no other conclusion. It is therefore fitting that the first historical verdict of a perpetrator being sentenced for genocidal rape was in Rwanda. It was the Mayor of Taba commune, Jean Paul Akayesu, who was convicted on charges of genocide and crimes against humanity. According to the press statement:

²⁴ The "Hutu Ten Commandments" (also "Ten Commandments of the Bahutu") was a document published in the December 1990 edition of *Kangura*, an anti-Tutsi, pro-Hutu, Kinyarwanda-language newspaper in Kigali, Rwanda. The Hutu Ten Commandments are often cited as a prime example of anti-Tutsi propaganda that was promoted by extremists in Rwanda following the 1990 invasion by the Rwandan Patriotic Front and prior to the 1994 Rwandan Genocide (this entire text is from www.wikipedia.org, accessed on 23 April 2009).

[T]he Trial Chamber underscored the fact that rape and sexual violence also constitute genocide in the same way as any other act, as long as they were committed with intent to destroy a particular group targeted as such. The court held that sexual violence was an ‘integral’ part of the process of destruction of the Tutsi ethnic group. ‘The rape of Tutsi women was systematic and was perpetrated against all Tutsi women and solely against them’, the Chamber concluded. Furthermore, these rapes were accompanied by a proven intent to kill their victims.²⁵

Immediately after the genocide and killings, Rwanda was left with a population of 70% women. This figure is given in many different documented sources, but the Organization for African Unity (2000, para. 16.7) warns that it might be a slightly inflated estimate. By the year 2000, 57% of the population was female. In addition, many men were in jail, impaired or unable to take care of their families, leaving the major burden of reconstruction to Rwandese women. Not surprisingly, therefore, the Rwandese parliament has the highest number of women members in the world. The Interparliamentary Union (2009) reports that there is a 56.3% representation of women following the parliamentary elections in 2008. President Paul Kagame passed a law in 2003 requiring that parliament comprise at least 30% women, and there was a strong mobilization among women prior to the parliamentary elections in September 2008.

The situation in Rwanda, however, is at odds with that of its neighbouring countries, both in terms of women’s political representation and increasingly progressive approaches to women’s political, legal and social concerns. In Kenya and in the Democratic Republic of the Congo (DRC), rape and sexual violence have been, and still are, ways of terrorizing opposing groups. The DRC, or rather the eastern part of this vast country, has emerged as a new conflict where rape and sexual violence can be construed as genocide, and the Interahamwe composed of many Hutu refugees from Rwanda are again implicated. I return to this conflict in chapter 4, where I discuss rape and sexual violence in armed conflicts since 2000.

The War in Kosovo (1998-1999): A prepared international community

In late March 1999, NATO air-forces bombed military targets within the Federal Republic of Yugoslavia (FRY), namely the territories of Serbia, Kosovo and Montenegro. The bombing came as a response to a Serbian refusal to sign a peace deal with the Albanian population living in Kosovo. About one year prior to these events, the Kosovo Liberation Army (KLA/UCK) had declared its will to achieve its separatist goal by whatever means were necessary. Mass violence erupted, including massacres and systematic use of sexual violence, and thousands of Albanians fled to neighbouring countries. The NATO bombing lasted until June 1999, after which UN forces took over the administration of Kosovo.

This conflict erupted within 3 years of the end of the Bosnian war, and some of the people and groups implicated in the violence found themselves again involved in violent action in Kosovo. It was therefore not surprising that there was great expectation that sexual violence would be used between ethnic warring groups once again. This time, however, international organizations and NGOs were prepared to help and address issues of sexual violence. Some experts in this field who had learned from the Bosnia conflict were sent anew to the Balkans to build up centres providing rape victims with medical and psychosocial help. One of them was Medica Mondiale, a German based organization that had gained a reputation as a resource and therapy centre for war-raped women in central Bosnia. In 1998 it brought both staff and expertise from Bosnia to Kosovo.

The political implications of sexual violence in the Balkans predate not just the 1998/1999 conflict in Kosovo, but also the Bosnian conflict. In the late 1980s, stories emerging of Albanian men raping Serbian women brought a massive response from Serbian women, who took to the streets demonstrating under the slogans “we are mothers of Serbia” and “we are mothers not whores”. The trigger for this response was a joke by Fadil Hoxha, one of the highest ranking politicians in Kosovo, during a speech at a semi-official lunch for the reserve military

²⁵ Press statement. <http://www.un.org/ictt/english/pressrel/PR138.htm> (accessed 28 January 2010).

commanders of Kosovo, Serbia and Montenegro in October 1987 (Zarkov 2007, p. 21). Hoxha had said that “the problem of rapes of Serb women by Albanian men in Kosovo would be solved if more non-Albanian women worked as prostitutes in Kosovo’s taverns” (ibid., p. 21). Zarkov noted that these events showed how ethnicity and gender had become interlinked in ways that further polarized ethnic differences in the region. Meznaric (1994, p. 86) has noted, as does Zarkov, that rape has been used as a means of sharpening the edges between ethnic groups in the former Yugoslavia. He points, in particular, to the fact that the stories of rape against Serbian women led to the republic of Serbia modifying its penal code: ‘Sexual assault on citizens of different nationalities and ethnicities was considered more aggravating than “regular” rape’, concludes Meznaric (1994, p. 86).

As can be seen, the history of inter-ethnic rape in Kosovo, along with knowledge and experience from the Bosnian conflict, alerted an international audience to political rape in the conflict. But Kosovo was different from Bosnia, because it turned out that it was even more difficult to document and report rape in Kosovo than it was in Bosnia. Both the Human Rights Watch and the United Nations Population Fund (UNFPA) report having had many difficulties in documenting the rape. The Albanian population in Kosovo is seen as more traditional than in the other post-Yugoslav republics, and this affected women’s possibilities, and perhaps also the courage, to come forward and talk about the ordeals they had been through. Many of the mistakes made during the Bosnian conflict – such as having a male NGO worker using a loudspeaker in a refugee settlement asking whether any raped victims would like to report their stories (UNFPA 1999, p. 9) – did not improve the chances of reaching the women who needed help. When taking into account the traditional gender roles in the Kosovo region, these and other mistakes might have aggravated the situation and made it even harder to reach the women.

Despite the difficulties, many organizations attempted, more or less successfully, to get the numbers right. A Human Rights Watch Report from March 2000 documents 96 rapes on Albanian women by Serb gangs:

Human Rights Watch documented 96 cases of rape by Serbian and Yugoslav forces against Kosovar Albanian women immediately before and during the 1999 bombing campaign, and believes that many more incidents of rape have gone unreported. The report said that rapes were not rare and isolated acts committed by individuals, but rather were used deliberately as an instrument to terrorize the civilian population, extort money from families, and push people to flee their homes. Virtually all of the sexual assaults Human Rights Watch has documented were gang rapes involving at least two perpetrators.²⁶

In the same report, it is described how rape can be subdivided into three categories: rape in women’s homes, rape during fighting and rape while in detention. In addition, the report comments on findings that KLA soldiers had committed rape against Serbian, Albanian and Roma women in Kosovo after the bombing ended. On the other hand, no rape camps were found, and the authors of the report are critical of the fact that the international media had been claiming that such camps existed without having proof. A final, but important, concern voiced in the report is that the rape was presented in the media, in reports and elsewhere, in a sensational manner, which undermined the rights of victims to dignity and privacy. This is reiterated in Ward (2002, p. 93) and in a report from the Swedish NGO *Kvinna til Kvinna* from 2001 (p. 19) on the situation of women in Kosovo.²⁷ In conducting a survey of 1358 Kosovar Albanians who had been internally displaced in August and September 1999, the Center for Disease Control and Prevention found that the prevalence of rape was about 4.3%, i.e. that 4.3% of the population had been raped and 6.1% had either been raped or had witnessed rape. Based on these

²⁶ Available at <http://www.hrw.org/en/news/2000/03/20/serb-gang-rapes-kosovo-exposed> (accessed 13 October 2009).

²⁷ *Kvinna til Kvinna* (2001) *Getting it right? A Gender Approach to UNMIK Administration in Kosovo*, Sweden, 19.

numbers, they suggest that between 23,000 and 45,600 women were raped between August 1998 and August 1999 (DCAF report 2007, p. 125).

A conspicuous interpretation of the Kosovo rape stories is that, after Bosnia and Rwanda, a large number of international agencies, reporters, NGOs and others involved in documenting and mapping atrocities in conflict were over-eager in their attempts to “get it right this time”. There was an almost exclusive focus on rape and sexual violence which resulted in failure to see that the situation in Kosovo was different from the Bosnian setting in regard to both the actual conflict and gender patterns. Furthermore, the Kosovo situation was nothing like the situation in Rwanda, where rape and sexual violence were integral parts of the genocide. Rather, the Kosovo situation showed us a new pattern in the documentation of violence in war zones: sexual violence had become something that those reporting on war naturally included in their records, and although the ways in which this was done were at times sensational, insensitive and unethical, the issue was clearly put on the agenda.

War and Violence in East Timor (1975-2002): Peacekeepers with a mandate

Far from Europe and Africa, towards the very end of the millennium a new conflict (re)emerged, one in which gender-based violence played a central role, and in which we were to see a new set of responses. It was the violence connected with the independence struggle in East Timor, the fight against the Indonesian strong-hold and ultimate creation of the new state of Timor-Leste in which women’s bodies were vested in political struggles.

The Indonesian occupation of East Timor since 1975 (when the Portuguese colonizers withdrew) was put to the test with a referendum on independence in 1999, the outcome of which was an overwhelming vote for independence. Voter turnout was 98.6%, of which 78.5% voted for independence (Olsson 2007, p. 74). The outcome was not viewed favourably by pro-Indonesian militia groups backed by the Indonesian authorities, who launched a campaign of violence and terror against the pro-independence groups, killing and displacing thousands of people. Violence was nothing new to the East-Timorese population, who had lived through numerous attacks and terror during the 1975-1999 occupation. Violence against women and sexual slavery are reported to have been orchestrated by the Indonesian army to such an extent that women’s rights, particularly to protection from violence, became a debated issue within Timor, notes Olsson (2007, p. 66). The Commission for Reception, Truth and Reconciliation in East Timor, established in 2002 in order to focus on crimes committed between 25 April 1974 and 25 October 1999, documented widespread use of sexual violence (Bastic et al. 2007, p. 95). Rape was reported to have occurred during attacks or in military compounds, and particularly women who were suspected of supporting independence were targeted (Bastic et al., p. 95).

The 1999 crisis reflected a pattern of violence similar to that of the 1975–1999 conflict, but according to Olsson (2007, p. 67) it was more intense. Men in particular were targeted by the militia forces, and fled in great numbers, leaving the women and children behind more vulnerable and susceptible to attacks. UNHCR (2000) described the situation like this:

Because the men fled to the mountains, the women were targeted for sexual assault in a cruel and systematic way ... While in general, the militia refrained from killing women, they were subjected to humiliation and different forms of harassment that included stripping and sexual slavery. Women and children were also victims of forced displacement into exile (General Assembly 2000).²⁸

The work of the Truth and Reconciliation Commission confirms this with documentation of new waves of violence, including sexual violence, both before and immediately after the 1999 referendum. The organization East Timorese Women Against Violence identified and worked with 232 survivors of sexual abuse perpetrated by the military and the militia before and during the siege of 1999 (Bastic et al. 2007, p. 95). Exact numbers of how many women were raped during the violence in 1999 is hard to determine, but of all the human rights violations

²⁸ Quoted in Olsson, 2007, p. 67.

documented by the Truth and Reconciliation Committee, 863 were cases of sexual violation (ibid.).

Against this background, and with the situations in Bosnia, Rwanda and Kosovo in mind, it was clear from the very outset that UN troops to this area would need to implement measures that addressed women's security needs in particular. The UN monitored the situation in East Timor at the time of the referendum, and the United National Transitional Administration in East Timor (UNTAET) was in place by the end of October 1999. It was succeeded by the United Nations Mission of Support in East Timor (UNMISSET) on 17 May 2002 after the declaration of independence of Timor Leste.²⁹

The UNTAET operation was the first of its kind to have a designated Gender Unit, which unfortunately was not part of the regular UNTAET until November 2000, because it had no budget and had not been included by the General Assembly in the approved structure of the UNTAET (Olsson 2007, p. 80). Once in place, the work of the Gender Unit was twofold, its primary task being to inform all peacekeeping components of the gender aspects of the mission and gender sensitivity (ibid.). Its secondary task was to ensure gender mainstreaming of the entire work of the operation in accordance with CEDAW³⁰ and other internationally established conventions. In addition:

The key objectives and strategies of the Gender Unit were to mainstream issues raised by East Timorese women, reflecting the ideas, experiences and priorities of women at the national level in the design, implementation, monitoring and evaluation of all UNTAET programs, policies and activities. The Unit focused on five core functions: capacity building and awareness raising; gender situational analysis and data collection; policy analysis, implementation and evaluation; rule of law and legislative analysis; networking, and outreach (Whittington 2002, p. 4).³¹

The work was overwhelming and slow, with less than enthusiastic people placed in charge of the Gender Unit. As time passed, however, and more money and prestige were invested, the work of the Unit began to bear fruit. In a comprehensive study on the different United Nations peace operations in Timor-Leste, Olsson (2007) notes impacted power relations between men and women in the region, and that the awareness of unequal security needs, as well as power distribution between men and women, led to an unprecedented focus on domestic violence. While violence against women in the public sphere decreased, domestic violence seemed to increase, although concerted efforts by UNTAET along with local initiatives helped women feel secure in their homes.

The efforts of the Gender Unit, however, were severely hampered by the behaviour of UN mission staff, both civilian and military. In 2001, stories were emerging that sexual abuse and child molestation by the international staff had taken place. The Department of Peacekeeping Operations (DPKO) had to draw up a list of "no go" zones barring visits by blue-helmeted soldiers and civilian staff.³² Olsson (2007, p. 107) notes that there was a certain discrepancy between the behaviour of international staff while on duty as opposed to off duty, and that this created an impression of double standards where UN personnel were not obliged by the same norms and rules that they preached to the Timorese population. A policy of zero-tolerance for these kinds of crimes and misbehaviour has since been implemented for all UN missions.

²⁹ UNMISSET was later replaced by the UN Office in Timor-Leste (UNOTIL) on 20 May 2005 (to 25 August 2006).

³⁰ Conventions on the Elimination of Discrimination against Women.

³¹ Paper entitled: PEACE-KEEPING OPERATIONS AND GENDER EQUALITY IN POST-CONFLICT RECONSTRUCTION, by Sherrill Whittington, M. Litt, M.A., Project Manager, Gender and Peacekeeping, Department of Peacekeeping Operations, United Nations Headquarters, New York, EU-LAC Conference on the "Role of Women in Peace-keeping Operations", Chile 4-5 November 2002.

³² *Inter Press Service News Agency*, IPS, 4 April 2005, <http://ipsnews.net/interna.asp?idnews=28153> (accessed 13 January 2010).

In Timor-Leste, the post of Gender Ombudsman has newly been established (as of 2010) and one of the mandates is to prosecute perpetrators of sexual violence since 1974. An Amnesty International Report from August 2009, however, suggests that an International Criminal Tribunal is needed owing to the lack of criminal prosecutions from the Dilli government.

The situation in East Timor/Timor-Leste reflects yet another important change regarding crimes of sexual violence in conflicts during the 1990s, namely how peacekeeping efforts integrated women's security concerns and protection needs within new missions. Olsson (2007) has shown how difficult it was to set this up, and describes the mistakes and catastrophes that followed, but a new pattern was *de facto* established. Women in conflict zones should be, and had the right to be, protected from violence in public by fellow-countrymen, in their homes by male family members and by international peacekeepers present on their soil. This was a responsibility which had to be given priority within a peacekeeping mission, i.e. personnel with senior status, resources and money.

International Criminal Prosecution

One of the most important responses to the massive amount of documentation on rape and sexual violence in the conflicts in Bosnia and Rwanda, but also in Kosovo and East Timor, was that these acts of violence could not be committed with impunity. The perpetrators had to be brought to justice. The track record for prosecuting rape and sexual violence offenders in armed conflicts up until the early 1990s was, to put it mildly, unimpressive. It was therefore imperative that the international response to these events would not just be in the form of help and assistance to the victims, but also criminal prosecution of the perpetrators at international level. The response from the international community was therefore an unprecedented, concerted, effort to establish an international criminal prosecution system.

The path to justice, however, can be difficult at times. Early discussions in legal texts during the Bosnian war addressed some of the difficulties by asking how crimes of sexual violence would be treated in international criminal law when this law could be seen as gender-biased? For example, should sexual violence be analysed as a crime of gender, i.e. women targeted because they are women? While some authors argue that sexual violence in times of war should be seen as a gender or sex crime (Green et al. 1994), others say that it should be regarded as a crime of ethnicity, i.e. women targeted because they belong to specific ethnic groups (Cleiren and Tijssen 1994). Another problem pointed out was the archaic language of the legal texts themselves, and several authors have mentioned the difficulty in associating crimes of sexual violence with the victim's (the woman's) honour. Copelon (1995, p. 201) explains:

The Geneva Conventions characterize rape as a crime against the honor and dignity of women. [...] Women's 'honor' has traditionally been equated with virginity or chastity. Loss of honor implies the loss of station or respect, reinforcing the social view – often internalized by women – that the raped woman is dishonorable.

The argument is that such a conceptualization shifts the focus away from the violent acts themselves to the chastity of the women. And, similarly: who 'owns' the woman's honour? Who defines what an 'honourable woman' is?

While acknowledging these difficulties, the UN Security Council passed resolution 827 (on 25 May 1993), which formally established the International Criminal Tribunal for the former Yugoslavia (ICTY). The resolution contained the Statute of the ICTY, which determined the Tribunal's jurisdiction and organizational structure, as well as the criminal procedure in general terms. This date marked the beginning of the end of impunity for war crimes in the former Yugoslavia. It was the first war crimes court established by the UN and the first international war crimes tribunal since the Nuremberg and Tokyo tribunals. A year later, on 8 November 1994, the UN Security Council passed yet another resolution, UNSCR 955, which established the International Criminal Tribunal for Rwanda (ICTR). Both tribunals are temporary, *ad hoc*, and

have limited jurisdiction. The ICTY covers the entire territories of the former Yugoslavia (Croatia, Bosnia-Herzegovina, Kosovo and Macedonia) and the ICTR Rwanda and neighbouring states. The overall aim of both tribunals is to hold the major perpetrators accountable for the most serious crimes committed in the former Yugoslavia and Rwanda, although low-level and mid-level perpetrators have also been prosecuted (de Brouwer 2005, p. 15). The courts were established in order to address all atrocities committed in these two countries/regions, but the massive amount of documentation on rape and sexual violence served as an additional impetus. The ICTY has indicted 162 people, 58 of whom were *inter alia* charged with sexual violence. The ICTR, on the other hand, is assumed to have prosecuted between 65 and 70, of which 35 *inter alia* will be charged with sexual violence by the end of its mandate in 2010 (ibid., p. 18). When these *ad hoc* tribunals terminate their work, the criminal prosecution will be carried out in national courts in the respective countries that the Tribunals have covered. The transition from international criminal prosecution to national level has been going on since 2004 in the case of Bosnia and is underway for Rwanda. Judges and other legal personnel in the countries in question have undergone training on how to prosecute these crimes, how to prosecute war crimes, how to provide sufficient witness protection and how to apportion priority in certain cases.

Some years after the two aforementioned *ad hoc* tribunals were established in 1998, the creation of an international criminal court (ICC) became a reality, its aim to prosecute cases that national courts were unable or unwilling to prosecute. Article 5 of the ICC statute lists the crimes that fall within the jurisdiction of the ICC. These are only the most serious crimes which are of concern to the international community as a whole; in other words, genocide, crimes against humanity and crimes of aggression (de Brouwer 2005, p. 19). With the noteworthy exception of the USA and China, 66 countries have ratified the ICC, which became a permanent international body on 1 July 2002.

With the ICC up and running, a long legal journey of integrating gender concerns within international criminal law has reached a peak. According to the Coalition of the ICC, i.e. a coalition of over 2500 organizations aiming to strengthen international cooperation with the ICC, the ways in which gender is integrated into the work of the ICC can be seen on different levels. First, on the level of witness protection the ICC ensures that victims of sexual and gender-based violence will be safe both physically and psychologically, and that their dignity will be safeguarded from non-harassing and intimidating questioning in court. In addition, a Trust Fund for victims and their families has been set up. Second, on the level of rules of evidence, the court cannot take into account the prior sexual history of the victim as part of the case, or speculate about the consent of the victim due to the coercive circumstances of the acts. Third, ICC staff comprise legal advisers who specialize in gender-based crimes in addition to ensuring that there is a fair balance between men and women among judges, prosecutors and registrars. Lastly, the ICC allows women to come forward with their stories without necessarily being witnesses, their voices being heard and regular legal proceedings taking place.³³

The ICC statute lists particular forms of gender-based crimes within supranational criminal law in ways that have never been done before. Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization or any other form of sexual violence of comparable gravity can now be prosecuted as a war crime or crime against humanity; in a footnote to the 1948 Genocide Conventions it is stated that rape and sexual violence can be part of genocide (de Brouwer, 2005, pp. 20-21). To date, the Prosecutor is looking into four different situations – the first is the situation in Uganda, with an arrest warrant for the top five leaders of the Lord's Resistance Army (LRA) and charges covering sexual violence. The second is the situation in the Democratic Republic of the Congo (DRC), where two out of three cases are for sexual violence crimes. The third is Sudan and involves three cases, two of which are for sexual violence crimes, including against children, and one against the President himself, Mr. Omar al

³³ This entire section is based on information from the *Coalition of the ICC* web page: available at <http://www.iccnw.org/?mod=gender> (accessed on 16 September 2009).

Bashir. The fourth is the situation in the Central African Republic and involves only one case in which rape charges have been made.

The work carried out in these tribunals shows that the legal conceptualization of sexual violence crimes in war is evolving and becoming more nuanced with every new verdict. Chun (2010) has produced an overview of the major changes:

The legal definition of rape and other forms of sexual violence in conflict has been evolving. However, **the ICTY Trial Chamber Judgment Prosecutor v. Anto Furundžija (Case No. IT-95-17/1-T)** established listed elements below as the objective element of rape in war:

- (i) the sexual penetration, however slight:
 - (a) of the vagina or anus of the victim by the penis of the perpetrator or any other object used by the perpetrator; or
 - (b) of the mouth of the victim by the penis of the perpetrator;
- (ii) by coercion or force or threat of force against the victim or a third person.

Whilst accepting the elements set out by the *Furundžija* case to constitute the *actus reus* of the crime of rape in International law, **the ICTY Trial Chamber Judgment Prosecutor v. Kunarac et al (Case No. IT-96-23-T&IT-96-23/1-T)** recognized the *Furundžija* definition was 'more narrowly defined in the international law'. It further elaborated the definition 'does not refer to other factors which would render an act of sexual penetration non-consensual or non-voluntary on the part of the victim'.

Based on domestic statutes and judicial decisions, *the Kunarac et al* identified three broad categories which would classify the relevant sexual acts as the crime of rape as:

- (i) the sexual activity is accompanied by force or threat of force to the victim or a third party;
- (ii) the sexual activity is accompanied by *force* or a variety of other specified circumstances which made the victim particularly vulnerable or negated her ability to make an informed refusal; or
- (iii) the sexual activity occurs without the consent of the victim.

Under the Rome Statute of the International Criminal Court (ICC), rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization or any other forms of sexual violence of comparable gravity are recognized as crimes against humanity and war crime.

Future criminal prosecution of sexual violence offenders in war will have an ever more elaborate base of verdicts and trials to look to, and hopefully this will ensure that more perpetrators will be prosecuted for these crimes.

Sexual violence conceptualized as a weapon of war

The most important conceptual change during the 1990s was that sexual violence came to be seen as a weapon of war. Within the scholarly literature, however, it is far from clear what sexual violence is, and whether or not, or how, it is a weapon of war. There is no consensus as to whether sexual violence is a question of sex with a violent manifestation, or, whether it is the reverse, i.e. violence with a sexual manifestation. The definition of rape and sexual crimes has changed over time. In colonial periods, rape was defined as non-consensual relations with a married woman when the man was someone other than, or inferior to, the husband of the victim (Donat and d'Emilio 1998, p. 36). Psychoanalytical theory, on the other hand, pathologized the perpetrator of this kind of violence and regarded rape exclusively as deviant and abnormal

behaviour. Finally, feminist scholarship has brought an understanding of rape and sexual violence as instances of violence, dominance and control aimed at maintaining patriarchy and women's subordinate position within this social order (see *ibid.*, pp. 36-41). To complicate things even further, sexual violence manifests in many forms, and is not just a question of rape; forced prostitution/marriage, genital mutilation and forced nakedness are examples in addition to rape.³⁴

If sexual violence is to be regarded as a weapon of war, it has to have certain characteristics that distinguish it from other kinds of violence and weapons of war. The term "weapon of war" has not been made an explicit theme in political philosophical discourse, and it has no agreed-upon definition. The common use of the term, however, demonstrates a practice of shared beliefs and ideas.³⁵ Webster's Encyclopedic Unabridged Dictionary of the English Language defines a weapon as: (1) any instrument or device for use in attack or defence in combat, fighting or war, as a sword, rifle, cannon, etc., (2) anything used against an opponent, adversary or victim; or (3) any part or organ serving for attack or defence, such as claws, horn, teeth, stings, etc. But not all weapons in the conventional sense will be weapons of war, and not all weapons of war will be conventional weapons. The determining features for both conventional and non-conventional weapons to be characterized as weapons of war are that they are used as part of a systematic political campaign that has strategic military purposes. It is not easy to explain why aggressors in a conflict situation resort to the use of sexual violence. Intuitively, it all seems so wrong. With advanced military technology, one would think that aggressors preferred to use weapons which increased the distance between perpetrator and victim. And yet, what Tønnesson (2008) has called the "new wars" demonstrates patterns of increased intimacy between aggressors and victims. How can we explain this surprising tendency of aggressors to involve themselves and their own bodies as part of the aggression? What do they expect to achieve by this kind of violence?

Taking the documentation described in the two previous chapters as a starting point, we can assume the following; namely, that aggressors are not aberrant individuals, but normal people who find themselves in abnormal situations where common norms of behaviour no longer apply. In other words, theories about pathological behaviours would not help us much in understanding the perpetrators. Also, the use of systematic rape in a war situation seems more prevalent in the conflict patterns of the 1990s (Hernes 2008). It may be concluded from this that use of sexual violence is aimed at targeting the victim's identity – whether gender, ethnicity, religion or other. Lastly, sexual violence appears to be an effective way of removing groups of people from a given territory, and as such is effective deterrence. In addition, it is important to realize that sexual violence does not occur in a vacuum; usually, it is followed by other forms of violence, such as torture or killings, which makes it hard to isolate the consequences of sexual violence itself. What we can establish, however, is that use of sexual violence in addition to other kinds of violence accelerates the effects intended by the perpetrators. But then, what might the intentions of the perpetrators be?

Seifert (1994, pp. 57–66) has attempted to map this out by formulating five hypotheses about sexual violence in war. First, she argues that sexual violence can be seen as an *integral part of warfare*. Throughout history, Seifert says, there has always been violence against women of the conquered territory. Sexual violence becomes part of a repertoire of actions and behaviours which male soldiers are socialized to perform. It does not mean that all male soldiers will do this, but it is part of a general conceptualization of warfare.

³⁴ The Korean comfort women are a case in point. In Uganda, women have been forced to marry men in the rebel forces in order to provide sexual favours for free (Bennett et al., 1995, p. 96). Palestinian women in Israeli occupied territories have related how they have been sexually humiliated by Israeli security guards who have fondled them and threatened with sexual violence (Amnesty, 1991, p. 23). In Somalia, female prisoners have been stripped naked in front of male guards as a means of punishment (Amnesty, 1991, p. 22). In Bosnia, men have been ordered to bite off the testicles of fellow male prisoners. This was one of the points in the verdict against Dusan Tadic (see Walsh, 1997, p. 21).

³⁵ I thank my colleague philosopher Henrik Syse for having enlightened me on this subject.

Second, sexual violence can be seen as an *element of male communication*, i.e. as the symbolic humiliation of a male opponent. This is based on the understanding that men protect women and that a woman is a man's possession. When, in a conflict situation, a man rapes a woman of the 'other side', this act communicates that the husband/father of the woman is unable to protect not only the individual woman, but also his property, his country, his nation, etc.

Third, sexual violence can be seen as a way of *reaffirming masculinity*. Military conduct is dependent on loyalty to the cause and loyalty among soldiers. Furthermore, militarism is based on the reduction of individual identity. The military has always felt threatened by idiosyncratic sexual expression (gays/lesbians) deviating from the accepted norm. Enloe (1993, p. 52) explains that 'the glue [of militarism] is camaraderie, the base of that glue is masculinity'; and here one might add heterosexual masculinity. One way of ensuring masculine solidarity among soldiers is to exclude women and homosexuals from the military. In most countries where women have been accepted in the military, this process has been preceded by intense debate. Militaries need 'real' men, and being a real man in this context means being able to suppress feelings of insecurity, gentleness and other characteristics commonly considered feminine. A combination of these processes might make it easier for men to commit sexual violence in war situations. As an example, the majority of testimonies of raped women in Bosnia reveal that they were subjected to gang rape (Bennett et al. 1995, pp. 231—251; Stiglmayer 1994, pp. 86–147). Group pressure makes it difficult for an individual soldier to refuse to rape, because this reveals 'weakness'. He would deviate from the militaristic heterosexual norm.

Fourth, sexual violence can be seen as a way of *destroying the culture of the opponent*. In the war in Bosnia, the goal was to destroy, or at least deport, members of other ethnic groups. Rape, for instance by Serbs on Muslim and Croatian women, was a catalyst in this forced migration process. Women are often seen as the biological bearers of a given culture and/or ethnic group (Sofos 1996, p. 64). When their procreative abilities have been manipulated, either by forced pregnancy or by making it impossible for girls to have children in the future, the biological basis for a given nation is destroyed. Allen (1996) characterizes this as genocidal rape. She says that the identity of the individual woman is reduced to her procreative abilities (p. 100); the cultural identity of the woman is ignored. For the individual woman, however, the situation may be different. For her, not only having to bear the enemy's child (i.e. attributing the ethnicity of the rapist to the child), but also nurturing it for years to come, may be life-long torture.

Fifth, sexual violence can be seen as an outcome of *misogyny*. Although sexual violence in the war in Bosnia has been systematically aimed at non-Serb groups, Serbian women, too, have been raped. Seifert (1994, p. 65) explains that 'women are raped not because they are enemies, but because they are the objects of fundamental hatred that characterizes the cultural unconscious and is actualized in times of crisis'. Studies of refugees support Seifert's claim: the use of sexual violence increases among refugees, both domestic violence and 'public' violence (Byrne 1996; Comas-Díaz and Jansen 1995), because there is an increase in the level of frustration which is taken out on the weak.

Seifert's theses demonstrate that understandings of sexual violence as a weapon of war should not be regarded as deviations from the heterosexual hegemony in which we all live, but rather as strategic manipulations of that same hegemony. The rest of this chapter focuses on a set of scholarly texts arguing how sexual violence is used in war, and sheds new light on the hypotheses presented in this section.

Summary

This chapter has shown that the ways in which sexual violence in war became understood, analysed and recognized changed markedly during the 1990s. The first change was the sheer amount of attention given to, and documentation arising from, the Bosnia and Rwandan wars. While it was difficult for many to believe that sexual violence in war could be used systematically, as the cases of Bosnia and Rwanda suggested, it quickly became seen as a

weapon of war with clear political and deliberate aims in the struggles. When the Kosovo conflict erupted, this perception had become so well established that reporters and others who documented war crimes almost went head over heels to register this particular form of violence. The conflict in East Timor took this new-found recognition even a step further by institutionalizing responsibility for women's security and protection needed within peacekeeping missions. On top of all these changes related to particular conflicts, a new international judicial regime was in the works with the ICTY and the ICT leading up to the establishment of the permanent ICC.

New attention, understanding and the implications of sexual violence in war at the end of the last millennium paved the way for even greater changes after 2000, and these are discussed in more detail in chapter 4. But, before doing so, the next chapter is an analysis of the first generation of scholarly publications on sexual violence in war; the fields of science that got involved, the questions they asked and the answers provided.

The first generation of systematic documentation of sexual violence in war 1990 – 1998; naming the unnamable and understanding the incomprehensible

As the previous chapter has shown, the 1990s marked a shift in the way in which sexual violence in war was understood. The change was in large part due to widespread documentation of this particular form of violence in a number of conflicts in the 1990s, resulting, in turn, in numerous scholarly and academic publications within many different social science and law disciplines analysing why sexual violence in war could be such a powerful weapon? Who were the main targets, why and for what purpose? This chapter looks at the different approaches that emerged in the literature in the 1990s.

Scholarly publications in the 1990s

The basis of this chapter is a literature survey carried out in 1998,³⁶ the goal of which was to gather scholarly literature and other forms of publication based on systematic research dealing specifically with the issue of sexual violence in times of war.³⁷ The focus here is the three different epistemological conceptualizations of the inter-relationship between sexual violence and war – the essentialist, the structuralist and the social constructionist³⁸ approaches – based on an analysis of 140 scholarly texts published mainly in the 1990s. The majority of these texts, at least the ‘canonized’ ones,³⁹ focus on the use of sexual violence in the wars in the Balkans and in the 1994 genocide in Rwanda. Although very different in terms of academic discipline, analysis and goals, together they reinforce certain important points. First, the sheer number of scholarly texts focusing on this issue clearly tells us that the taboo which had made it impossible to make this war-time phenomenon a subject of social scientific study had, at least to some extent, been lifted. Second, there is strong consensus that sexual violence is being used as a weapon of war, the argument being that if sexual violence in the war zone was carried out only by abnormal people, then there would simply be too many psychiatric patients being recruited into regular and paramilitary units. The use of sexual violence in the war zone is too widespread,

³⁶ This chapter is based on an article published by the author. Skjelsbæk, Inger, 2001. ‘Sexual Violence and War: Mapping Out a Complex Relationship’, *European Journal of International Relations* 7(2): 211–237.

³⁷ The articles and publications have been compiled in an annotated bibliography; Skjelsbæk, 1999 *Sexual Violence in Times of War: An Annotated Bibliography*, PRIO Report 4/1999.

³⁸ The term ‘constructionism’ is often used interchangeably with the term ‘constructivism’. However, in psychology the term constructivist is often used to denote a set of cognitive theories that emphasize the individual’s psychological construction of the experienced world. Both constructivism and constructionism unite in their emphasis on knowledge and perception as constructed and in their challenge of the traditional view that the individual mind is a device for reflecting the character and conditions of an independent world (Gergen, 1994, p. 67). Since I am a psychologist by training, I use the term social constructionism, rather than constructivism.

³⁹ The ‘canon’, as I see it, consists of Brownmiller, 1975; Allen, 1996; Copelon, 1995; Drakulic, 1993; Gutman, 1993; MacKinnon, 1993; Niarchos, 1995; Nordstrom, 1996 and Stiglmyer, 1994. In addition, reference is frequently made to certain human rights reports, such as Amnesty International, 1991 ‘Women in the Front Line’; 1995 ‘Human Rights are Women’s Rights’; Human Rights Watch, 1995 ‘The Human Rights Watch Global Report on Women’s Human Rights’; 1996 ‘Shattered Lives: Sexual Violence During the Rwandan Genocide’ and the United Nations document *Final Report of the Commission of experts established Pursuant to Security Council 780*, U.N. Doc. S/1994/674 (1994).

too frequent and, it seems, too calculated and effective for it not to be part of a larger political scheme and hence a weapon of war. Third, a majority of authors argue that any convincing analysis of this phenomenon must have a clear gendered understanding of the war zone as its basis, which means that attempting to analyse sexual violence without simultaneously analysing how the course of conflicts is also an enactment of male and female relations is incomplete.

Overview of the 140 texts

In the initial stages of the search, finding appropriate literature was complicated. In 1998 there were no fields of science specializing in this aspect of warfare. There were no major scientific journals to turn to, and an attempt to systematically search the literature ended with very few, if any, hits. The most fruitful approach was therefore the “snowball”; references in one article leading to the discovery of new articles, and these in turn leading to new articles, and so on. This is how the project proceeded throughout 1998, ending with a mass of books, articles and publications. When acquisition of a new article did not lead to new references, this was an indication that the study had reached saturation point. Because the overall goal was to gather as much information as possible on how sexual violence has been used in times of war, and how it has been described, it was necessary not to have too strict criteria in the selection of publications.

The articles and publications can be divided into four main categories. The largest group comprises *social science books and articles*; 27% of these publications are interdisciplinary, while the rest are in fields such as psychology and psychiatry (17%), political science (15%), feminist studies (14%), history (12%) and anthropology (10%). The remaining articles are in sociology, theology and social medicine (in total 5%). The articles in this category address questions concerning what sexual violence actually is and how it can be understood in times of war. The second largest group comprises *international law and legal studies articles*, their main theme being how rape and sexual violence in war can be prosecuted within the framework of international law. The third group of publications is *human rights reports*, where the main aim has been to document systematic use of sexual violence in various conflict settings. The majority of these reports are different publications from Human Rights Watch (39%). Amnesty International has also published on this theme (17%), as have different United Nations agencies (22%). The remaining reports (22%) are not by any of these big organizations but instead special publications by governments and independent NGOs. The final category comprises *journalistic publications*. These are longer than articles in the daily press, and address an audience that is more interested in in-depth journalistic analysis. They appear in weekly and monthly journals published by human rights organizations, research communities and governmental bodies. Table 1 shows the distribution of the various articles and publications.

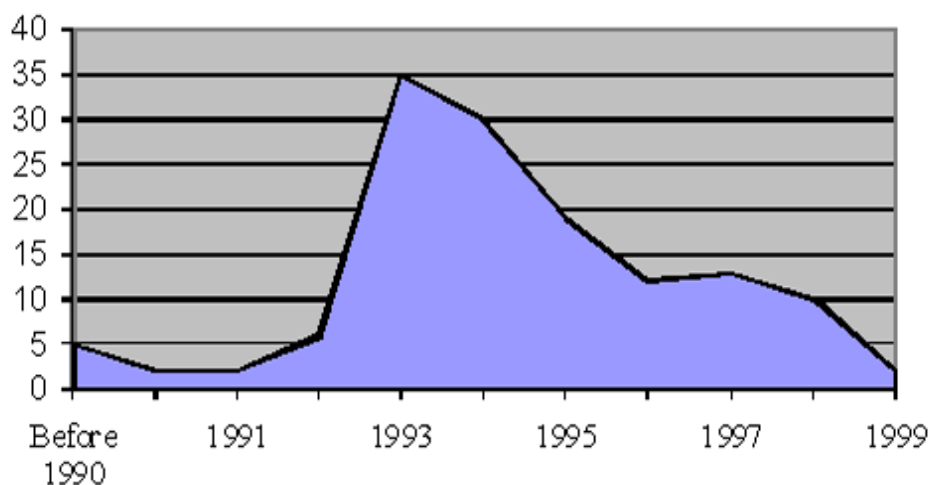
Figure 1: Literature Profile

Type of publication	Percentage
Social Science Books and Articles	37%
International Law and Legal Studies Books and Articles	29%
Human Rights Reports	17%
Journalistic Publications	17%

n=140

The initial aim of the project was to focus on articles and publications from the 1990s, but I soon discovered that some areas could only be covered if publications from the end of the 1980s were included. This was particularly true for Latin America. The outline of the articles and publications per year looks like the following:

Figure 2: Number of publications per year



As can be seen, there was a peak in the number of publications in 1993 and 1994, when the war in Bosnia-Herzegovina and the genocide in Rwanda took place.

The gender distribution of the authors of the articles and publications is striking. The vast majority are by women, reinforcing the notion that the theme of sexual violence is now permanently on the international agenda as a result of the women's voice speaking out.

Figure 3: Gender of Authors

Gender	Percentage
Women	58%
Men	14%
Men and Women	4%
Unknown	24%

n=140

As the table shows, there is a large group under Unknown. These are articles where the author's gender cannot be deduced from the name, either because only initials are given, or because I simply do not know whether the surname signals a man or a woman. Some publications do not have named authors, but have an organization listed as the author.

Conceptualizations I, II and III

The following conceptualizations are different ways of understanding war-time sexual violence as part of gender analysis.⁴⁰ My mode of analysis has been to group the arguments⁴¹ in the texts in

⁴⁰ In this endeavour, it has been helpful to read Sandra Harding's definitions of feminist epistemology (see Harding 1986; 1991). She makes the distinction between feminist empiricism, standpoint feminism and postmodern feminism. The latter two epistemologies depart from the grand theory of universal patriarchy and argue that there are differences and nuances between masculinity and femininity. In her definition of standpoint feminism, Harding says that there are differences between "feminine and masculine personality structure [...] in different classes, races and cultures" (Harding, 1991, p. 121). Standpoint feminism still maintains that there are patriarchal power relations between men and women, but that the content of these differences will vary according to class, race and culture. Postmodern feminism, on the other hand, is based on an inherent scepticism of universal theories (Harding, 1986, p. 27). Within this line of thought and argument, gender relations are questions of how acts, beliefs and behaviours become

accordance with whatever group of victims the arguments relate to. This gave me three different empirical foci: namely, how sexual violence was related to all women in the war zone, to targeted women in the war zone, and finally to targeted men and women in the war zone. The different empirical foci correspond to three different epistemologies, which in content and outlook resemble Harding’s tripartite system of feminist epistemologies. One group of arguments, what I have called the essentialist, focused mainly on women in general as victims in the war zone and attempted to conceptualize this empirical observation within an essentialist understanding of gender differences. The second conceptualization has at its starting point that there is a difference between the female victims in the war zone. When issues of ethnicity, religion and political affiliations are integrated into the analysis of war-time sexual violence, new patterns of power and dominance occur. Although this conceptualization resembles Harding's standpoint epistemology, I have chosen to call it structuralist in order to emphasize that although "standpoint" is still to focus on women, structural differences such as ethnic, religious, political (and other) explain which women are targeted. The last line of arguments focuses on targeted men and women as victims in the war zone. The conceptualization is so-called postmodern in the sense that the hierarchical power relationship between the genders is not perceived as fixed and universal. I have chosen to label this conceptualization “social constructionist” to emphasize that the hierarchies of power and dominance are constructed through social interaction and transaction between gender, ethnic, religious, political and other identities. This way of reading the 140 texts has given me the following conceptualizations:

Figure 4: Three conceptualizations of the relationship between sexual violence and war.

Conceptualization	I	II	III
Epistemologies	Essentialism	Structuralism	Social Constructionism
Empirical focus	All women	Targeted women	Targeted men and women
Argument	Women in the war zone are victims of sexual violence in order to assert militaristic masculinity.	Women in the war zone are victims of sexual violence in order to attack the ethnic, religious, political group.	Women and men in the war zone are victims of sexual violence in order to masculinize the identity of perpetrator and feminize the identity of the victim.

Essentialism

It is a known fact that using and threatening sexual violence overshadows the lives of *all women* world-wide. This is true of women in times of war and in times of peace. The effects of sexual violence in the war zone are recognizable because we have become accustomed to them through times of peace. Recognizing this, however, potentially entails a danger. In a discussion about genocidal rape, Nordstrom (1996, p. 156) warns that “by distinguishing qualitatively between ‘genocidal’ rape in war and ‘everyday’ rape, the latter is both ‘normalized’ and made less significant than wartime rape”, whereas Copelon (1995, p. 207) says that placing “[e]mphasis on

gendered, i.e. seen as appropriate to men and women. The relationship between masculinity and femininity is a matter of constant negotiation and re-negotiation.
⁴¹Quotes, examples and references are intended as exemplars of discourses, rather than a classification of the publication as a whole.

the gender dimension of rape in war is critical not only to surfacing women as full subjects of sexual violence in war but also to recognizing the atrocity of rape in so-called times of peace”.

The essentialist discourse is appealing because it attempts to explain why it was in the war in Bosnia Herzegovina that Serb, Croat and Bosnian⁴² women were raped as well as Hutu and Tutsi women during the genocide in Rwanda.⁴³ This conceptualization asks: Were all these women raped simply because many women (i.e. in times of war and peace) are raped? Or, is it possible that the war zone is a place where women in general are at greater risk of being victimized through crimes of sexual violence than in the non-war zone?

Before exploring possible answers to this question, an understanding of ‘war zone’ has to be established. First, it is important to recognize that the war zone is a place where distinct rules of behaviour apply. Through for instance the Geneva Convention, soldiers are taught that certain acts normally non-permissible in times of peace may be allowed, given that a set of criteria are met. In reality, however, the war zone is a place where abhorrent modes of conduct can flourish – not all of which in accordance with the Geneva Convention. Second, the war zone is a place of increased polarization between the genders. “In general [...] gender roles have become more polarized by nationalism and war”, says Benderly (1997, p. 60) in her description of the war in Bosnia-Herzegovina. Men are called to fight and/or be killed, whereas, in the words of Enloe (1983, p. 46), women are set to keep the home fires burning.⁴⁴ In the war zone, men are set not only to be men, but to be *militaristic* men (for a discussion about this, see Enloe 1983, 1990, 1993). An understanding of militaristic culture is key to understanding the gender dimension of the war zone. Sexual violence in times of war can therefore be perceived as a way of men and women reaffirming patriarchal hierarchies. The strategic purpose of the use of sexual violence is to manifest the militaristic masculine identity of the male perpetrator. The question is: *How* can sexual violence be perceived as a masculinity reaffirming act?

In attempting to answer this question it is useful to return to an analysis of the non-war zone. Feminist scholarship has argued that the relationship between men and women is far from equal, and instead patriarchal and hierarchical. Within this social order it is common to regard women as men’s possession. As explained above, the war zone is where pre-existing gender relations become accentuated, such that if a woman is perceived as men’s possession in times of peace, this will be even more the case in times of war. Brownmiller’s description of the war zone may illustrate: “[T]he soldier becomes an adrenaline-rushed young man with permission to kick in the door, to grab, to steal, to give vent to his submerged rage against *all women who belong to other men*” (1994, p. 181, italics added). Seifert (1994, p. 65) has argued that a certain psychology develops from a patriarchal society. Masculinity is associated with power and worth, and femininity with the opposite. MacKinnon (1994) argues along the same lines in her analysis of the pornography industry and mass rape in Bosnia-Herzegovina. Through interviews with former rape-camp prisoners, she draws a picture of the camps as places where the perpetrators can live out their sexual fantasies. According to MacKinnon, rapes have been filmed and shown on evening news bulletins on TV in Banja Luka and Belgrade (1994, p. 76), and according to Allen (1995, p. 34) some of these films have been distributed on the international pornmarket. MacKinnon (1994, p. 77) describes pre-conflict Yugoslav society as “the freest country in the world” when it comes to pornography. She continues: “[w]hen pornography is this normal, a whole population of men is primed to dehumanize women and to enjoy inflicting assault sexually” (1994, p. 77). Card, too, attempts to explain how rape reinforces patriarchal relations between men and women. She claims that the ultimate goal of rape in war and peace is “[t]o

⁴² See, for instance, *Amnesty International*, 1993, p. 1; Bassiouni, 1994, p. 312; Fletcher et Al., Jones, 1994, p. 117; 1994, p. 94; Salzman, 1998, p. 349. In these articles, it is stated that rape occurred on all sides in the conflict, but it was predominantly Serbs who were the rapists and Muslims who were the victims. Zarkov, 1997, pp. 140-141 discusses how the rape victim identity in Bosnia has become synonymous with Muslim victim identity and is critical to this. *Helsinki Watch*, 1993 and *Human Rights Watch* 1995 provide a systematic outline of crimes committed in different areas of Bosnia by the different ethnic groups.

⁴³ See *Human Rights Watch*, 1996.

⁴⁴ There are many exceptions to this rule (see, for instance, Skjelsbæk 1998 on the roles of women in the wars in El Salvador and Vietnam), but in general this division is the norm.

display, communicate, and produce or maintain dominance, which is both enjoyed for its own sake and used for such ulterior ends as exploitation, expulsion, dispersion, murder” (Card, 1997, p. 7). Rape is used, she argues, because women in patriarchal societies are such easy targets both physically and socially (1997, p. 11).

With this conceptualization, all women in the war zone are regarded as potential targets for sexual violence, because the goal appears to be the manifestation of notions of militaristic masculinity, rather than the targeting of the individual woman. In patriarchal societies, crimes of sexual violence are ascribed meaning because they manifest the hierarchical power relationship between men and women. However, there are serious shortcomings with this way of interpreting the strategic use of sexual violence in the war zone. First, sexual violence, often affecting some women more than others in times of war, cannot be explained. In other words, the gender component, i.e. the role of militarized masculinity within patriarchal societies, cannot alone explain which women are subject to sexual violence. This problem is interconnected with the conceptualization of patriarchy which is regarded only as supremacy of men over women. This does not evaluate how ethnic, religious and political power relations interact with gender relations in an understanding of patriarchy. Second, the conceptualization does not allow for an understanding that men can also be victimized and violated within a patriarchal system. Third, the conceptualization suggests an essentialist understanding of masculinity. The exponents of this theory propose that men are essentially sexually aggressive and that the social situation of war makes it possible for them to release their suppressed masculine drive. Brownmiller simply states that when given the possibility to rape, men will do it, while MacKinnon seems to argue that men are conditioned to rape through pornography. In both cases, they present masculine nature as static and unchangeable -- a deterministic view that gives little hope for change. These shortcomings give rise to an alternative conception, one I call structuralism.

Structuralism

How can one explain not only that women in the war zone, in general, are at greater risk of being victims of sexual violence than in the non-war zone, but that some groups of women are at greater risk than others? The epistemological standpoint of this conceptualization is that identities such as ethnicity, religious belonging and political affiliation will interact with the gender identity of the individual victims and thereby put some women at greater risk than others. The understanding of patriarchy is thus rendered more complex because it is no longer seen as simply men having power over women, but as men belonging to the most powerful ethnic, religious or political groups having power over “their” women (in order to protect them) and over the women of the “other” (by potentially attacking them). This conceptualization is therefore critical of the notion that all women in the war zone are equally subject to this particular kind of violence and maintains that other identities differentiate the “rape-victim-potential” of women in the war zone.

The Human Rights Watch Global Report on Women’s Human Rights 1995 states that:

[r]ape in conflict under repressive regimes is neither incidental nor private. It routinely serves a strategic function and acts as a tool for achieving specific military or political objectives. (HRW, 1995, p. 2)

The Human Rights Watch report demonstrates the different ways in which rape has functioned as a strategic weapon against targeted groups of women in the conflicts in Bosnia-Herzegovina, Somalia, Haiti, Kashmir and Peru. In her analysis of the status of rape in the Balkan conflicts, Meznaric (1994, p. 86) summarizes: “Sexual assault on citizens of different nationalities and ethnicities was considered more aggravating than ‘regular’ rape”. According to Meznaric, this indicates that rape has become a political act.

If we follow Meznaric’s line of argument, i.e. that inter-ethnic rape is more political than other kinds of rape in the war zone, we must also ask why the perpetrators chose this particular form of violence. Does the use of sexual violence entail political effects that are different from those from the use of other forms of violence? Before exploring this question further, it is

important to state that much of the literature struggles to define the strategic use of sexual violence in the war zone. Some authors have used the term *political rape* (Lusby 1994; Sharlach 1998) to denote rape that has a purpose connected with political agendas other than exclusively the subordination of women (Sharlach 1998, p. 3). Cleiren and Tijssen (1994, p. 474), on the other hand, stress that rape and other forms of sexual violence must be regarded as *crimes of violence with a sexual nature* and thus be prosecuted within existing international law. Copelon (1995) and Green et al. (1994), however, would like to see sexual violence classified as *gendered crimes*, but also as violent acts which ought to be considered as grave breaches of the Geneva Convention. Agger (1989) defines war-time sexual violence as *sexual torture*, while Blatt (1992) emphasized that it is simply *torture* and should be recognized as such. As regards the effects of sexual violence there is a clearer consensus, and Agger and Jensen's distinction between 'regular' torture and sexual torture serves as an adequate explanation:

The victim's as well as the torturer's sexual structures are involved in the psychodynamics of this interaction, and the victim experiences the torture as directed against his or her sexual body image and identity with the aim to destroy it. Thus, the essential part of sexual torture's traumatic and identity-damaging effect is the feeling of being an accomplice in an ambiguous situation which contains both aggressive and libidinal elements of a confusing nature (Agger & Jensen, 1993, p. 687).

Agger and Jensen stress that the effects of sexual violence are related to notions of *identity*, which brings us even closer to an understanding of war-time sexual violence when coupled with Elshtain's definition of war. She defines war as: "the cultural property of peoples, a system of signs that we read without much effort because they have become so familiar to us" (1995 [1987], p. 167). Within this system of signs there are certain myths about male and female identities that become accentuated: female identity is seen as life-giving and male identity as life-taking.⁴⁵ If we accept that this is a myth many people of the war zone live by, then the use of sexual violence against women may be seen as a way of targeting women's life-giving capacities: 'Because women bear the next generation of a collectivity they are put uniquely at risk' (Lentin 1997, p. 2). Forced impregnation in rape camps, most notably in Bosnia-Herzegovina (see Allen 1996; Fisher 1996; Goldstein 1993), is perhaps the clearest example of this. Allen (1996, p. 96) explains that use of rape in the conflict in Bosnia-Herzegovina can be seen as genocide: "Any rape threatens reproduction because it makes survivors damaged goods in a patriarchal system that defines woman as man's possession and virgin woman as his most valuable asset". Elsewhere she says:

It is aimed at the destruction of people; it determines that this aim will best be served by attacking women and children in particular; it considers the violent crime of rape to be an ideal means to this destruction; it utilizes rape as one form of torture preceding death; in this case, rape is used against male and female adults and male and female children; it utilizes rape as a means of enforcing pregnancy and eventual birth; in this case, rape is used against persons capable of gestating pregnancy. In the case of enforced pregnancy, its illogical reasoning is founded on the negation of all cultural identities of its victims, reducing those victims to mere sexual containers. Although it may occur anywhere, it generally occurs in three locales: (1) towns and villages, where it is often performed publicly, most often on female women and children; (2) concentration camps, where it is generally performed sporadically on prisoners regardless of age or sex; (3) rape/death camps, where it is performed systematically on female women and children. (Allen, 1996, pp. 100-101).

The view that rape can be seen as an element of genocide has also clearly been affirmed by the verdict in the International Criminal Tribunal for Rwanda (ICTR), which was the first verdict

⁴⁵ Elshtain's work (1995 [1987]) is mostly focused on nuancing these myths. She makes the elegant distinction between men and women by calling women 'the ferocious few/the noncombatant many' and men 'the militant many/the pacific few'.

delivered in an international court where rape was included as part of genocide. According to the press statement:

[T]he Trial Chamber underscored the fact that rape and sexual violence also constitute genocide in the same way as any other act, as long as they were committed with intent to destroy a particular group targeted as such. The court held that sexual violence was an ‘integral’ part of the process of destruction of the Tutsi ethnic group. ‘The rape of Tutsi women was systematic and was perpetrated against all Tutsi women and solely against them’, the Chamber concluded. Furthermore, these rapes were accompanied by a proven intent to kill their victims. (Press statement, Internet version, <http://www.un.org/News/Press>)

The pattern appears to be that in an attempt to ethnically cleanse, or get rid of, the entire population, manipulating the procreative abilities of the women in the target ethnic group has proved to be an effective weapon.

The socio-cultural identity of a woman, however, is not linked exclusively with her procreative ability. Since a strict division of men and women is often characteristic of the war zone, the majority of the civilian population left when men have gone off to battle will necessarily be women, children and the elderly. If the purpose of the warfare is to target the civilian population, then women will constitute the prime target. Much of the literature suggests that sexual violence is effective in disseminating fear and demonstrating control over the civilian population. Examples can be taken from the war in Bosnia, where several accounts emphasize how women were raped in front of their family members and friends and/or publicly in towns and villages (Allen 1996, p. 101; Benderly 1997, p. 65; Bennett et al. 1995, p. 8; Meznaric 1994, p. 92; Stiglmayer 1994, p. 82). Direct experience and/or rumours of various kinds of sexual violence may serve as a trigger for flight from the area. This has been the case in Kashmir. An Asia Watch Report (1993) states that: “[t]he fear of rape has reportedly been a factor in the flight of Muslim families from Kashmir”. Another related example is Japanese use of so-called “comfort women” during the Pacific War (see Chai 1993; Chung 1994; Hicks 1994; Hsu 1993; Hu 1992; Sancho 1997; Soh 1996; Ueno 1994, for descriptions of the lives of the so-called “comfort women”). Both the Chai (1993) and Soh (1996) articles stress how, by luring “comfort women” from Japanese colonized territories and bringing them to occupied territories the Japanese forces demonstrated complete control in the occupied region. Examples from Latin America reflect a slightly different pattern. In an attempt to crush oppositional elements of the civilian population, women were singled out on the basis of their male affiliation and their individual political activities. Bunster-Burotto (1986, p. 297) explains: “[m]ilitary regimes in Latin America have developed patterns of punishments specifically designed for women who are perceived as actively fighting against or in any way resisting the oppression and exploitation visited upon their peoples by dictatorial governments”. Human rights reports have shown that being a wife, daughter or even cousin of a male opponent to the regime may be seen as a way of ‘resisting the oppression’ (see *ibid.*, p. 303; on the situation in Peru, see *Amnesty International* 1989, p. 10; *Human Rights Watch* 1995, pp. 92-93; *Human Rights Watch* 1992; on the situation in El Salvador and Guatemala, see Aron et al. 1991, p. 44). It appears from this literature that it is when the symbolic identity of women is coupled with their ethnic, religious or political identity that certain groups of women are singled out. Bernard (1994, pp. 35-39) has outlined different political purposes that sexual violence can have: first, it facilitates ethnic cleansing by increasing the incentive to flee; second, it demoralizes the opponent; third, it signals an intention to break up society; fourth, it inflicts trauma and contributes to psychological damage by the opposing side; fifth, it gives psychological benefits to the perpetrators; and finally sixth, it inflicts a blow against the collective enemy by striking at a group with high symbolic value.

The crucial point emphasized in the scholarly literature cited above is that particular women are targeted for sexual violence for two main reasons: first, because they are women who find themselves in a situation where patriarchal gender relations are accentuated and, second, because they are female embodiments of other socio-cultural identities. This conceptualization challenges the notion that all women of the war zone are equally prone to

sexual violence because of their gender, and argues that we have to critically analyse gender and other socio-cultural structures together if we are to explain why it is that certain groups of women in the war zone are more targeted than others.

The main advantage of the structuralist conceptualization is that it sets the focus on the female victim herself. In other words, moving away from the notion regarding sexual violence against the woman as being a result of militarized masculinity to investigating how this particular kind of violence targets female cultural identity. Although positive in outlook, this point has been of grave concern in international law literature, where it is argued that the law has been much too preoccupied with the sanctity of women's *honour*, and less with her human rights. In the Geneva Convention (IV, art. 27), rape is perceived as a violation of female honour and has therefore not been regarded as violence. A further critique has been that a woman's honour traditionally has been defined in male terms, i.e. that it is men who give or take her honour (for discussion on this point, see Aolain 1997; Askin 1997; Blatt 1992; Cleiren and Tijssen 1994; Copelon 1995; Healey 1995; Meron 1993; Niarchos 1995). The structuralist conceptualization also sets out to explain why certain women are targeted more than others, and thereby how the use of sexual violence in the war zone can be intertwined with the political purpose of the conflict. The fact that men, too, can be victims of this kind of violence, however, cannot be explained by this conceptualization, which is a shortcoming that is addressed by the social constructivist conceptualization.

Social constructionism

This conceptualization is an attempt to understand the thinking behind targeting both men and women with sexual violence in the war zone. Epistemologically, it is a departure from the two previous conceptualizations in that gender relations are regarded not as given through patriarchy, but as constructed through "transactions that are understood to be appropriate to one sex" (Bohan 1997, p. 33). Gender relations are perceived as something we do⁴⁶ rather than something we are. Bohan (1997, p. 39) explains further that "the factors defining a particular transaction as feminine or masculine are not the sex of the actors but the situational parameters within which the performance occurs". Social constructionist thought is inherently sceptical of generalized theories of male/female relations and thereby opens up for a way of thinking about sexual violence in war where, potentially, men and women can be both perpetrators and victims.

A closer look at the social constructionist understanding of sexual violence committed by men against other men further clarifies this perspective. The *Final Report of the Commission of Experts established Pursuant to Security Council 780*, U.N. Doc. S/1994/674 documents several incidents of male victims of sexual violence in the war in Bosnia. Hague (1997), Meznaric (1994), Nordstrom (1996), Spyros (1996), Thomas and Regan (1994), Zarkov (1997) all stress that in order fully to understand the empirical reality that both men and women can be victims, one must investigate how sexual violence both in peace and war is founded on assumptions of power domination combined with gender identity construction. This concern is also reflected in Jones' article (1994), where he says that men are the 'absent subjects' in feminist gender analyses of the conflict in the former Yugoslavia. This view is supported by Zarkov, who states that:

[T]here is no wonder that international legal institutions never acknowledged male victims of sexual violence, there was no wonder, until very recently, that the female victim of sexual violence was hardly ever a subject of international legal concerns. Association of femininity and victimization is so natural -- wars or no wars -- that few laws had anything to say about it (Zarkov 1997, p. 146).

⁴⁶ 'Doing gender' is a term introduced by West and Zimmerman (1991, p. 24) reflecting an understanding that differences between girls and boys and women and men are not natural, essential or biological, but socially constructed. Male and female identities are negotiated and agreed-upon interpretations of what it means to be a man or a woman. These interpretations determine male and female actions, behaviour, perceptions and rationality.

Furthermore, Jones points to the fact that men have been the majority of concentration camp victims (1994, p. 126), and we know from times of both war and peace that sexual violence is not uncommon in all-male settings. Jones asks for a broader and more nuanced approach to an understanding of how the gender dimension works in the war zone, implying that it must include a conceptualization of men as victims and not just women.⁴⁷ So what does the victimization of men through sexual violence symbolize? Can sexual violence against men in the war zone only be committed by homosexuals? The social constructionist conceptualization refutes such an understanding. In his analysis of heterosexual men raping other heterosexual men in a USA peacetime context, Scarce (1997, p. 78) claims that this kind of rape is “largely an exertion of power and control through feminizing the other by forcing a man into the sexually submissive role of the female”. We can conclude from this that a man who is victimized through sexual violence in the war zone is also feminized. So what happens to the perpetrator? If the victim is feminized, is the perpetrator masculinized? Hague (1997) argues that this is the case:

In the crime of [...] rape in Bosnia-Herzegovina, traditional gender assumptions of which persons are ‘masculine’ and which ‘feminine’ came under attack, and in many cases were asserted, through ascriptions of national identity. The qualities of power, domination and violent subjugation often associated with a hegemonic masculinity accrued, in this context, to the national identities known as ‘Serb’ and ‘Bosnian Serb’ (Hague 1997, p. 53).

In the same article, Hague (1997, p. 52) argues against the notion that “all that is female is feminine and all that is male is masculine”. An analysis of these two quotes suggests that it is not only “all that is male” that can be masculinized (or feminized), but that the same is true of national identities (by suggesting that (Bosnian) Serb identities became masculinized during the conflict in Bosnia). What does masculinization entail? Zarkov explains that this can only be understood within a heterosexual paradigm:

[I]t is crucial to stress that sexuality, as much as gender, is an organizing principle, on which all of the cultures that we live in [...] are based, simply because men and women are presumed to be heterosexual. Heterosexuality is the norm we live with, whatever our sexual orientation. Construction of masculinity is thus inseparable from the construction of heterosexuality (Zarkov 1997, p. 144).

Zarkov goes on to argue that the key element of masculinity is power. “The base of violence against both men and women is not in hetero- or homo-sexuality of an individual male actor but in an inseparable construction of masculine=heterosexual=power” (1997, p. 144). Meznaric (1994) argues “that in a situation of ethnic conflict [g]ender becomes an ethno-marker in the boundary maintenance and in conflict groups”. Gendering the ethnic groups thus becomes a way of ascribing power to the warring parties in the war zone. Combining these two claims gives us the following line of reasoning: the victim of sexual violence in the war zone is victimized by feminization of both the sex and the ethnic/religious/political identity to which the victim belongs; likewise, the perpetrator’s sex and ethnic/religious/political identity is empowered by masculinization.

This conceptualization combines and expands the essentialist and structuralist conceptualizations. First, it acknowledges that women, irrespective of ethnic, religious or political belonging, are more susceptible to sexual violence in war than men, and thus seems to agree with the essentialist conceptualization. Second, it also acknowledges that, within the war zone, targeted groups of women, depending on their ethnic/religious/political belonging, are at greater risk than other groups of women, and this seems to agree with the structuralist conceptualization. The explanation this conceptualization offers, however, is very different from the explanations in the other two, mainly because it does not claim the world to be as static as these others inherently suggest. Rather, the explanation for why women in general, and targeted

⁴⁷ Jones also argues (1994, p. 123) that the fact that men of combat age were denied the right to flee the war zone and claim refugee status was another form of victimization of men.

women in particular, are victimized through sexual violence is that these actions feminize the women through victimization. It is precisely this line of thought that allows the conceptualization to include the victimization of men, and which makes the empirical focus more complete than the two previous conceptualizations. The direction of this analysis is more complex than for the two previous conceptualizations. While the essentialist conceptualization explains war-time sexual violence from the perspective of the perpetrator, and the structuralist conceptualization from the perspective of the victims, the social constructionist conceptualization focuses on how war-time sexual violence can be regarded as a transaction of identities between the perpetrator and the victims, i.e. how their social identities become situated. The line of thought can be summarized as follows: the perpetrator and his (potentially also her) ethnic/religious/political identity becomes masculinized, while the victim's becomes feminized. Furthermore, the masculinized and feminized identities are situated in a hierarchical power relationship where masculinized identities are ascribed power and feminized identities are not.

Summary

The above conceptualizations all focus in different ways on the perception of sexual violence as a weapon of war. It has been argued that sexual violence is a weapon directed against: (a) women in the war zone, (b) targeted women in the war zone, and (c) targeted men and women in the war zone. The strategic effect of this weapon has been defined as: (a) reaffirming militaristic masculinity, and thereby focusing on the perpetrator, (b) attacking the ethnic/religious/political identity that the woman is seen to embody, thereby turning the focus on to the victim, and (c) masculinizing the perpetrators by empowering his identity, and feminizing the victim by victimizing his/her identity, thereby focusing on the symbolic interaction between the perpetrator and the victim. Based on these analyses, we can see that it is only the last conceptualization which helps us understand the most comprehensive empirical reality (the victimization of men and women) and explains why it is that sexual violence is the "preferred" form of violence (because this most clearly communicates masculinization and feminization). So, why are these insights important? Does it really matter whether we conceptualize sexual violence in essentialist, structuralist or social constructionist terms? The premise of future research in this field must be that the consequences of acts of sexual violence are not given. The effects and consequences will vary in accordance with time, culture and the nature of the conflict. It is only through interaction with the victims/perpetrators, as well as an understanding of the nature of the conflict and culture in which the acts of sexual violence take place, that the researcher can explain the effects of war-time sexual violence. Can it be claimed that sexual violence is a weapon of war if the effects are so dependent on time and circumstance? I believe so, but the challenge of research is to show how multifaceted the effects are, and this calls on the researcher to be sensitive to nuances: Is war-time rape experienced in the same way by all victims? When the victim perceives sexual violence as a weapon of war, does the perpetrator wear a uniform, speak a different language, or part of a group? When does the perpetrator perceive sexual violence as a weapon of war? When is sexual violence in the war zone *not* perceived as a weapon of war, and what characterizes this understanding? Such an approach calls for dialectical methodology and hermeneutic interpretation.

The pragmatic implications of the social constructivist conceptualization are more difficult to map out than the others. Had war-time sexual violence been a result solely of the masculine drive, we could have transformed military training and rid ourselves of the problem. In addition, had war-time sexual violence been committed only against women representing the "other" identities in the given conflict, we could have directed all our policy and aid work at these groups. But, as has been shown, the picture is more complex. While we have to be sensitive to the issue of war-time sexual violence in our military training, as well as in our aid/human-relief policies, far from straight-forward is how best to deal with the issue in these contexts. My belief

is, and support can be found in the literature,⁴⁸ that the best ‘coping strategy’ is to speak out about the issue. It is only by making policymakers, journalists, lawyers and other analysts aware of the issue that the tradition of impunity and silence can be ended. The social constructionist conceptualization, however, urges us to analyse the situational parameters that shape the symbolic effect of sexual violence, and any act of speaking out must therefore be sensitive to the differences in the victim’s experiences and the intention behind the crime. Clear examples of the ‘speaking-out’ strategy are those expounded by the ICTY and the ICTR. The ICTY and ICTR show us that war-time sexual violence is multifaceted (it has been regarded as torture, genocide and a war crime) and that getting the facts on the table is difficult. Shame, guilt, fear and taboos keep victims and perpetrators silent, and pose a major challenge to outside analysts; it is precisely these same feelings of shame, guilt, fear and taboos that make sexual violence such an effective weapon.

⁴⁸ See, for instance, Cameron (1994, p. 121), who defines rape in war as a secret “time bomb”; Chinkin (1992, p. 284), where she says that rape is being used to render women invisible in both war and peace; Nordstrom (1996, p. 147) defines rape in war as a public secret; Shana & Giller (1993, p. 614) define rape as a secret which can lead to social isolation. In the literature on international law, one of the major concerns is to stop the tradition of impunity (see, for instance, Askin, 1997; Aydelott, 1993; Healey, 1995; Thomas & Regan, 1994; Wilbers 1994), an argument that can be read as a wish to stop the secrecy and the making invisible of crimes of sexual violence.

A new momentum and new challenges since 2000; from accounting to accountability

In the Brahimi report of August 2000,⁴⁹ which evaluated the status of United Nations peacekeeping operations, former UN Secretary-General Kofi Annan emphasized the UN failure to prevent the genocide in Rwanda in 1994 and to protect the inhabitants of Srebrenica in Bosnia Herzegovina in 1995. The report specifically drew attention to the failure of the UN to protect thousands of civilian women from being raped and otherwise sexually abused by the perpetrators in these same conflicts. It is perhaps not therefore surprising that, only two months after the Brahimi report was presented, the Security Council for the first time addressed security concerns and their gendered implications and preconditions by the unanimous adoption of Resolution 1325 (hereafter: UNSCR 1325). This marked a turning point in international commitment and engagement for women's participation in peacemaking and protection needs.

From UNSCR 1325 to UNSCR 1889; women, peace and security

In order fully to appreciate the enormous changes that have taken place on the international scene regarding international commitment to combating sexual violence in war, it is important to contextualize both UNSCR 1325 and other follow-up Security Council Resolutions. Tryggestad (2009, p. 539) helps us understand the major achievements of the resolution when emphasizing that it deserves to be celebrated as a "major breakthrough for women's rights in the peace and security arena". The ground-breaking aspect of the resolution is its systematic insistence on the interconnectedness between gender and peace and security concerns, or, as Tryggestad puts it (2009, p. 541), between "women's rights and international peace and security – between traditional soft sociopolitical issues and hard security". More specifically, Tryggestad (2009, pp. 540-541) continues, the resolution asks for changes in three distinctly different ways.

First, it asks member states to increase the *representation* and active participation of women at all decision-making levels in national, regional and international institutions and mechanisms for conflict prevention, conflict management, conflict resolution and peacebuilding.

Second, it emphasizes that a *gender perspective* should be adopted in the planning and implementation of peace operations and peace negotiations. These should include gender-sensitive training of personnel to enable them to better understand and appreciate local women's peace initiatives, needs and interests in mission areas. This could also mean that the roles for women as peacekeepers would/will need to be expanded.

Third, increasing gender awareness would presumably lead to increased attention being given to *protection* of and respect for women's rights, including protection from gender-based violence in situations of armed conflict, and initiatives to put an end to impunity for such crimes.

The resolution held such great promise, and disappointment in the lack of follow-up mirrored the enthusiasm with which adoption of the resolution was received. For many years, the most visible impact of the resolution was annual celebrations in New York and elsewhere on the day of adoption – Halloween – but not much more. Launched on 8 March 2006, six years after adoption of the resolution, Norway was one of the first member states to adopt a 1325 National Plan of Action. Tryggestad (2009, p. 541) has reviewed the scholarly literature, which points to the lack of implementation and voices the aforementioned disappointment. She emphasizes that there are a number of issues reiterated across these publications. First of all, it is assumed that there is a lack of political will by many member states to follow up. Linked to this is a complete lack of accountability mechanisms by which personnel in peacekeeping

⁴⁹ Report of the Panel on United Nations Peace Operations A/55/305-S/2000/809.

missions, policymakers and member states are asked to report on 1325 follow-up. Finally, there is a suspicion among many of the scholars in this field that organizational inertia and discriminatory attitudes toward women strongly hinder implementation. Against this background, 2008 and 2009 marked a noteworthy shift, with no fewer than three follow-up resolutions linked to the women, peace and security agenda of 1325. One of these resolutions, UNSCR 1889 (adopted on 5 October 2009) addresses some of the criticisms directly. On the issue of accountability, for instance, UNSCR 1889 states that it is:

Welcoming the United Nations initiative to develop a system similar to that pioneered by the United Nations Development Programme to allow decision-makers to track gender-related allocations in United Nations Development Group Multi-Donor Trust Funds

Furthermore, in strong UN language, the UNSCR asks for more and committed documentation:

Requests the Secretary-General to ensure that all country reports to the Security Council provide information on the impact of situations of armed conflict on women and girls, their particular needs in post-conflict situations and obstacles to attaining those needs;

Requests the Secretary-General to ensure that relevant United Nations bodies, in cooperation with Member States and civil society, collect data on, analyze and systematically assess particular needs of women and girls in post-conflict situations, including, inter alia, information on their needs for physical security and participation in decision-making and post-conflict planning, in order to improve system-wide response to those needs

Discussions about a new entity within the United Nations System are now under way, and this could be in the form of an entire new body or of consolidating existing bodies. All these efforts must be seen as direct outcomes of UNSCR1325, and perhaps in the next 10 years more progress will be made in terms of implementation and changes than in the previous 10 years.

What about the issue of sexual violence in this myriad of Security Council Resolutions? As shown above, gender-based violence was mentioned in UNSCR1325 under the issue of protection and, as will be shown, in many ways this theme has overshadowed the more comprehensive approaches to gender and security expressed in UNSCR 1325 and 1889.

From UNSCR 1820 to 1888; Sexual violence and protection

The frustration for many politicians and military personnel mandated to implement UNSCR 1325 was that it was seen as too broad and too vague. It was hard to understand how to operationalize the intentions behind it, and this could be part of the reason for the lack of implementation; it was simply too difficult to implement. Protection of women, on the other hand, is much easier to conceptualize and understand; this is about implementing security measures ensuring that vulnerable groups of people are less vulnerable in given situations. The groups in need of protection are easy to define (women, children and the elderly), and the forms of protection are often practical and hands-on: lights in dark places in refugee settlements, military presence in areas of tension between rival groups, safe houses for women, and more. Lack of protection perpetuates vulnerability, which in turn may be detrimental to international peace and security. This line of thinking lies behind two new resolutions, one adopted in June 2008 (UNSCR 1820) and one in September 2009 (UNSCR 1888), both focusing on the protection of women and vulnerable groups against sexual violence.

UNSCR 1820 (2008) was the first Security Council resolution exclusively to address sexual violence in armed conflict. Its adoption can be attributed to three different sets of developments. First, new conflicts generated new documentation about the systematic use of sexual violence against civilians. At the time it was adopted, it was the situation in the Democratic Republic of the Congo (DRC) that made headlines in the international press with

stories of sexual violence. Baaz and Stern (2008)⁵⁰ studied the perpetrators of sexual violence in the DRC and found, quite disturbingly, that individuals who commit these acts have two major motivations: lust and evil-doing. “Lust rapes” were seen as the inevitable result of men with no possibility of having sex while in combat units: no money and no leave. “Evil rape”, on the other hand, was seen as the result of basic frustration over the craziness of war, hunger, poverty and neglect by the military leadership. Documentary filmmaker Lisa F. Jackson, who went to the DRC and talked to victims and perpetrators of sexual violence, confirms the findings of Baaz and Stern (2008). Her film, *The Greatest Silence*, won the Sundance Special Jury Prize in Documentary in 2008 and contributed to the general raising of awareness of the issue. Second, the difficulties and slowness in implementing UNSCR 1325 created a need to narrow down the scope of the resolution and define a more focused area to follow up. As mentioned above, protection emerged as more manageable to work with and made it easier to define benchmarks for success. Documentation, criminal prosecution and protection mechanisms were singled out as areas to focus on, and a particular responsibility for follow-up was put on the Secretary-General:

[the resolution] *requests* the Secretary-General to submit a report to the Council by 30 June 2009 on the implementation of this resolution in the context of situations which are on the agenda of the Council, utilizing information from available United Nations sources, including country teams, peacekeeping operations, and other United Nations personnel, which would include, inter alia, information on situations of armed conflict in which sexual violence has been widely or systematically employed against civilians; analysis of the prevalence and trends of sexual violence in situations of armed conflict; proposals for strategies to minimize the susceptibility of women and girls to such violence; benchmarks for measuring progress in preventing and addressing sexual violence; appropriate input from United Nations implementing partners in the field; information on his plans for facilitating the collection of timely, objective, accurate, and reliable information on the use of sexual violence in situations of armed conflict, including through improved coordination of UN activities on the ground and at Headquarters; and information on actions taken by parties to armed conflict to implement their responsibilities as described in this resolution, in particular by immediately and completely ceasing all acts of sexual violence and in taking appropriate measures to protect women and girls from all forms of sexual violence

Third, as can be seen from the above quotation, the resolution makes follow-up, as well as protection, the responsibility of new organizations and groups within the UN. This is perhaps the most important achievement of the UNSCR 1820, namely that it lifts sexual violence out of the sphere of private, and hence invisible, suffering and makes it a concern for international peace and security. As a result of this conceptual shift, sexual violence becomes an area of responsibility for states, governments and their militaries. This means that not only are militaries, states and governments not allowed to commit these acts of violence, they are also obliged to protect vulnerable groups from this violence, and to include analyses of sexual violence in overall security assessments. Women’s groups and organizations that focus on the situation for women in conflict areas must therefore be routinely consulted if we are to get a better understanding of the security situation of *all* groups in a conflict area.

The report presented on 20 August 2009 by the Secretary-General reveals how difficult it is to meet the intentions in UNSCR 1820. For example, how can the UN ensure that relevant institutions have timely, objective, accurate and reliable data on the use of sexual violence in conflicts? The report states that the Secretary-General has entrusted the Department of Peacekeeping Operations (DPKO) with the responsibility of coordinating follow-up. In addition, in 2008 Secretary-General Ban Ki-Moon launched “UNiTE to End Violence”, a global campaign coordinated by all UN agencies to put an end to violence against women. The campaign also initiated “the Secretary-General’s Network of Men Leaders” to raise greater awareness among

⁵⁰ Baaz, Maria Eriksson & Maria Stern (2008) ‘Making sense of violence. Voice of soldiers in the Congo (DRC). In *The Journal of Modern African Studies*, vol. 46, pp. 57–86.

the male population about the impact of sexual violence, particularly on women and girls. The most committed follow-up, however, came only one month later with UNSCR 1888.

This last resolution emphasizes the importance of addressing sexual violence issues right from the outset of a peace process and of bringing perpetrators to justice. The resolution calls for the inclusion of specific provisions protecting women and children from rape and other sexual violence in the mandates of the UN peacekeeping operations and all UN sponsored peace negotiation. Moreover, it requests that the UN Secretary-General develop a proposal to ensure monitoring and reporting of sexual violence in conflict and post-conflict situations and also to appoint a special representative (SRSG) for sexual violence. Margot Wallström was appointed to the post in March 2010 and will lead this work for two years. In addition, there are a number of UN agencies on women, including OSAGI, UNIFEM and UN INSTRAW, raising awareness about sexual violence and providing policy research on conflict-related sexual violence.

In the 10th year after the adoption of UNSCR 1325, much is happening and many of the aims of the resolution are now coming to fruition. It is worth mentioning that the engagement of the United States is important in this context because it gives necessary weight to a theme that might otherwise have been overlooked. Yet, it is worrisome that so much effort is put into the protection aspect of 1325, while the representation and gender perspective, i.e. the aspects which focus on women’s agency, risk coming in the shadows. This is unfortunate because the two aims – integrating women and women’s perspective in peace processes and protection – are interconnected. The logic of rape in war builds on the socio-political and symbolic inequalities between men and women. Working towards greater equality is therefore important not only in its own right, but also because it might weaken the basis for rape to make sense to male perpetrators in war settings.

Figure 5: Overview of the United Nations Resolutions

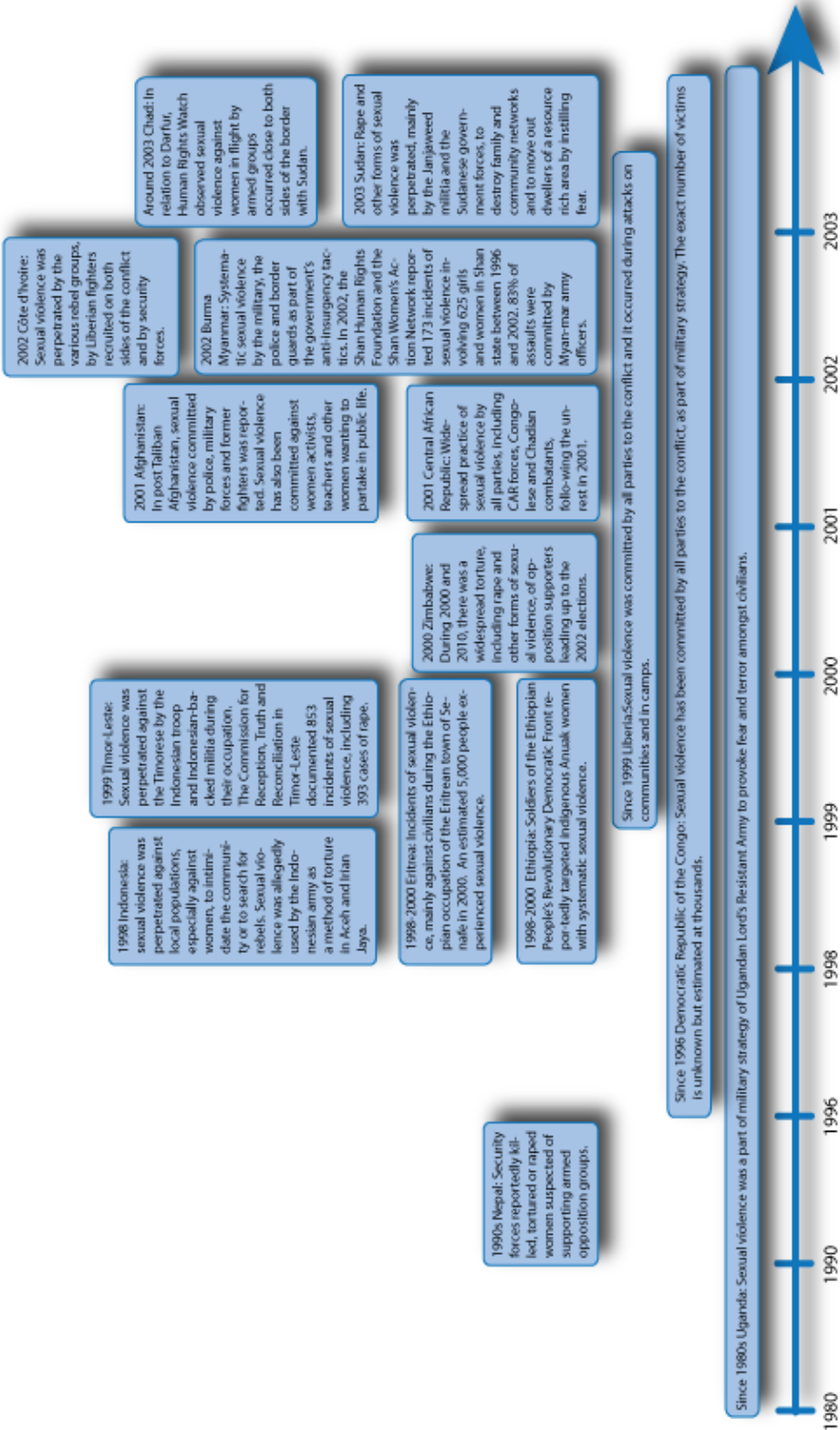
Resolution number	Resolution theme	Date of adoption
1325	Women, peace and security	31 October 200
1820	Sexual violence and protection	19 June 2008
1888	Women, peace and security	30 September 2009
1889	Sexual violence and protection	5 October 2009

New conflicts and new documentation

The call for documentation is not just an issue for the UN, but can be seen in a burst of various forms of systematized data-gathering within many scholarly disciplines and by many organizations and institutions outside the UN family. A quick Google Scholar search on sexual violence in war⁵¹ results in more than 11,000 hits, and is remarkable considering what it was when I started writing about this war phenomenon more than 10 years ago. As described in the previous chapter, in the mid-1990s the documentation focused largely on the war in Bosnia, the genocide in Rwanda, the so-called Korean “comfort women” issue, and a few more. Today, the Google Scholar search gives us numerous analyses of different conflicts and different sexual violence settings. Chun (2010) has provided a timeline of the not so well-known conflicts for which more documentation can now be found:

⁵¹ The Google Scholar search coupled the words “sexual violence” + “war” and was done on 8 November 2007.

Figure 6: Overview of less known cases of sexual violence perpetrated in armed conflict:



(Source: Sexual violence in armed conflict by DECAF 2007, ICG Gender and Conflict 2009, Amnesty International, Human Rights Watch put together by Suk Chun)

In the following, I do not give a complete overview of new documentation, new conflicts and new conceptualization of sexual violence in conflict, as in the previous chapter. This would require a much more comprehensive analysis than there is room for. Rather, I mention some of the new conflicts and the kind of documentation that can be found. The intentions of UNSCR 1820 and 1888 are to gather better data and overviews so that improved policies can be designed and better protection measures created for victims. The following sections therefore focus on the conflicts that have emerged as new areas of concern and from which we have documentation and know the methodological challenges that exist for data collection and which themes are underreported and under-analysed.

As mentioned previously, the situation for women and girls in the **Democratic Republic of Congo (DRC)** is extensively covered in the post-2000 literature (see, for instance, Puechguirbal 2003; Csete and Kippenberg 2002). The numbers are difficult to determine, but in the aforementioned report from 20 August 2009 by the United Nations Secretary-General it is stated that at least 200,000 cases of sexual violence have been recorded in the eastern part of the country since hostilities began in 1996 (UN Security Council 2009, p. 5). In a report by Doctors Without Borders from October 2007, between 50 and 300 patients a month have reported being victims of sexual assault since MSF began offering medical care in Spring 2003 in the district of Ituri in the northeastern part of the country, which has a population of about 4.6 million (MSF 2007, p. 11). In an interview sample of patients in 2005 and 2006, 2% identified their perpetrators as belonging to an armed group, 2–4% of the victims are men or boys, and an increasing number of young girls and women are subject to domestic sexual violence (MSF 2007).

In the **Sudan** and, more specifically, in the Darfur region, Amnesty International issued a report in 2004 documenting systematic use of sexual violence by militia groups, such as the Janjawid militia with direct links to government forces. The rapes have therefore been committed with complete impunity, as no perpetrators have been convicted (Amnesty International 2004). The same patterns and concerns are given in a Human Rights Watch report from 2005 documenting that sexual violence was used as a means of ethnic cleansing by government forces and militias. Women and girls have been sexually abused during processes of forced replacement from their homes and in displacement settlements (HRW 2005, pp. 5-6).

The grim picture reemerges in accounts from **Liberia**, where a WHO study from 2005 suggests that 90% of the female population has suffered physical or sexual violence and that three out of four women were raped (referred in UNFPA, 2006) during the most recent conflict in 1999-2003. The authorities are struggling to bring the many perpetrators to justice for these crimes, and are being criticized by Amnesty for not doing enough (Amnesty International 2007a).

In **Sierra Leone** it is estimated that 250,000 girls (i.e. about 33% of the female population were subjected to sexual violence crimes during the 1991–2002 conflict (ibid., 2007b, p. 4). In March 2007, in an Amnesty International study in the easternmost district of Kailahun, it was found that few had received any form of help; that the social stigma was still very strong for many of these women; that the perpetrators were not brought to justice; and that the victims were still suffering in multiple ways (ibid.).

In Eastern Europe, the conflict in **Chechnya** is often mentioned, and where gang rapes by Russian soldiers are by no means uncommon (Rousseva 2004; MSF 2004), but more comprehensive documentation is hard to come by.

The list could have gone on to include **Burundi, Uganda, the Central African Republic, Haiti, Columbia, Indonesia** and **the Occupied Palestinian Territories**, which are the areas covered in the *International Symposium on Sexual Violence in Conflict and Beyond* organized in Brussels in June 2006 by the UNFPA.⁵² The conference brought together heads of UN agencies and NGOs, human activists and researchers, government ministers, doctors and other field-based humanitarian workers, parliamentarians, representatives from the International Criminal

⁵² The conference report can be downloaded at <http://www.unfpa.org/emergencies/symposium06/>

Court, military and police officers and members of the media to share experiences, strategies and a renewed commitment to end the scourge of sexual violence in countries torn apart by war. The main goal of the symposium was to address the inadequacy of the international response to the protection needs of women in armed conflict; the lack of priority in addressing gender-based violence in general; and the lack of political action and reliable funding to improve effective and appropriate responses to vulnerable populations (Report on the International Symposium on Sexual Violence in Conflict and Beyond 2006, p. 1), i.e. many of the points addressed in UNSCR 1820 and 1888. But in order to identify the best responses, reliable documentation is needed and the gathering of these data can be difficult.

Methodological challenges

Documenting sexual violence in war, i.e. getting the numbers right, identifying the perpetrators, the victims, the contexts in which the violence takes place and identifying the victims' security, medical and psychosocial needs, continues to be an insurmountable challenge. Wood (2006) discusses this in an article attempting to assess the variation in documentation of sexual violence crimes in war: Is the variation a reflection of differences in data gathering, or is there variation in the ways in which sexual violence occurs and is being used politically in armed conflicts? The various UN agencies involved (UNFPA, UNICEF, UNIFEM, and others), as well as the big NGOs such as Amnesty International, Doctors without Borders (MSF) and Human Rights Watch, all discuss these challenges in their various reports and calls for action. In their concerted efforts, however, it can be seen that there are numerous ways of accessing this information and assessing needs, but that big datasets and standardized information-gathering techniques are still beyond reach.

Some institutions, however, have taken up the challenge to formulate guidelines as to how to gather better data in the field. One of them is the Geneva Center for the Democratic Control of Armed Forces (DCAF), which founded the *Alliance for Direct Action Against Rape in Conflicts and Crises (AllianceDARC)* in 2006. The main goal of this organization is to "compile and analyze available data on sexual violence in conflict, build consensus around best practices for data collection and analysis, as well as to publish and publicize existing data for improved advocacy" (DCAF 2006, p. 1). In 2007, DCAF published a global overview of sexual violence in armed conflict and discussed its implications for the security sector (Bastic et al. 2007). In it they document sexual violence crimes across the globe (listed by continent) and discuss implications for policing, justice systems, peacekeeping, DDR processes and civil society responses.

The *AllianceDARC* discussion paper on data collection shows that there are myriad organizations and agencies involved in different forms of documentation. The methods used are population-based, where a representative sample is selected based on the population at large; service-based where data are gathered by service providers of different kinds; and, finally, anecdotal. The information is also gathered by different organizations to cater to different audiences for specific purposes, and there is no agreed upon definition of sexual violence in conflict. One example can illustrate: should data collection be limited merely to the conflict years, or should the post-war setting be part of the picture? The difficulties in data collection are also addressed in a technical consultation paper by the Social Science Research Council in 2005⁵³ emphasizing the need for qualitative and quantitative data to be included if a fuller understanding of the complexity of the issues is to be gleaned. This reflects the fact that the impact of sexual violence in a given cultural and political setting will always differ because gender norms, roles and expectations tend to vary greatly across class, race and culture. The technical consultation paper by the SSRC shows this very clearly in a discussion on how to reach consensus on the mere definition of rape. It is argued that "the definition of rape is not a question of cultural relativism, but one of identifying the specific definitions that are relevant to the community" (SSRC 2005, p. 9).

⁵³ *Methods and Systems for the Assessment and Monitoring of Sexual Violence and Exploitation in Conflict Situations.*

Furthermore, the SSRC (2005) paper discusses what the unit of analysis should be for the documentation of sexual violence crimes in armed conflict. Should it be the victim or the event? It has to be added, as Nordstrom (1996) has done previously, that there is an inherent risk in the documentation of sexual violence crimes in war creating hierarchies where certain kinds of rape are given more attention and attributed higher political significance than others. From a legal perspective it may be crucial to differentiate between different kinds of rape, albeit recognizing that this may not suggest hierarchies of suffering or victimization.

The final point addressed in the SDR paper and in the Bastick et al. (2007) report is the need (1) to collect these data in ways that do not compromise the safety of the victims and (2) to create questionnaires and conduct interviews which do not cause further emotional and psychological stress. It is therefore imperative that (a) data-gathering techniques take into consideration the gender of the person gathering the data; (b) gender-sensitive training/education is provided for those involved in the data-gathering; and (c) safe data collection and storage facilities so that the “data providers” (victims or others) do not risk unwanted disclosure.

New emerging research themes

Any research agenda on gender and violence studies will be constantly changing and new conflicts will bring new gender relations and new forms of violence. And these changes will, again, have different psychological, social, economical and political outcomes and manifestations. Still, I believe that it is possible to sketch out some issues that need further research.

War Children. Returning to the situation in Bosnia 12 years after the Dayton Peace Agreement, it is clear that children conceived through the many rapes that took place are reaching an age when they might be insisting on knowing more about what happened during the war and about their own personal histories. The movie *Grbavica*, which won the Golden Bear at the Berlin film festival in 2005, shows this very clearly. It is the benign question from a daughter to her single-parent mother about money for a school outing that leads to the uncovering of the mother’s war-rape history. Similar stories are emerging⁵⁴ from other sources as well. The status of war children is, at best, under-documented; at worst it is simply ignored. In a book focusing on this theme, the various authors discuss the legal, social and ethnic/racial identities of war children of sexual violence survivors (Carpenter, ed., 2007). In the Introduction (p. 2), Carpenter writes “to date there have been no systematic fact-finding missions at the global level to assess the need and interests of children born of war in different contexts and to establish best practices with respect to advocating for and securing their human rights”.

HIV/AIDS and reproductive health issues are an integral part of many of the reports and papers on sexual violence in contemporary wars, yet it is clear that we need more research on the issue. We need to know more about the extent to which sexual violence in armed conflicts contributes to the spread of the HIV/AIDS virus both directly and indirectly. There are several issues that interconnect with the HIV/AIDS issue: the potential secondary stigmatization of being both a rape victim and having a sexually transmitted disease; the potential ramifications this might have on reproductive health at both symbolic and physical levels; the potential increase in domestic sexual violence following armed conflict; and a potential increase in the sex industry as a result of a difficult economic situation. In other words, HIV/AIDS and reproductive health issues might increase as the use of sexual violence in armed conflict increases.

Sexualized political discourse. It is also critical to investigate the ways in which political discourse prior to as well as after an armed conflict becomes sexualized. Knowledge of this kind helps in our understanding how women within different classes, races and cultures in conflict are socially and politically situated, this again suggesting different levels of vulnerability vis-à-vis sexual violence. One excellent example of this type of study is the recently published book by Zarkov (2007) analysing the conflicts in the former Yugoslavia and how ethnic differences

⁵⁴ CNN *Untold Stories: Children of War*.

became sexualized through a series of events and their coverage in the media in Serbia, Croatia and Bosnia. This form of analysis is important not only for predicting vulnerability, but also for helping us understand how the post-war stigmatization might play out. Encouraging cooperation with local gender expertise to better understand the particularities of the gendered norms, roles and expectations within the given socio-political setting would help ensure the best possible research in this field.

Counteracting stigmatization. Building on the former point, there is also a need for studies focusing on social mechanisms that could counteract the stigma of sexual violence survival. Much of the literature is focused on psychosocial help to individual victims, and very little on the societal mechanisms that can play an important part. One thing often mentioned in the Bosnian setting is the ways in which Muslim leaders have contributed to lifting the stigma normally attached to rape victims by openly discussing war rape and urging Muslim men not to leave their respective wives, daughters or sisters.

Sexual violence against men. In getting more data on men's experiences with sexual violence in armed conflict, many of the same concerns as with the general data-collection challenges apply. If the documentation of sexual violence against women in war suffers from being anecdotal, the data on sexual violence against men even more so. There might be a greater need to involve more men in research on this theme if we are to get better access to data. There is also clearly a need to have psychosocial and medical help organized in a way that caters to male needs for support. In turn, this would make it easier to gather more data. But the most efficient way of reaching female sexual violence survivors is by offering woman-only help. This creates a catch-22 situation in terms of reaching male survivors of the same kind of violence.

Perpetrators of sexual violence crimes in war. Male perpetration of sexual violence is a theme that has been the subject of thorough study in clinical psychology (e.g. Groth 2001), criminology (e.g. Odem and Jody 1997) and gender studies (e.g. Mardorossian 2004). Furthermore, the role of perpetrators in armed conflict is a theme that has been studied extensively in the past. The cruelty of the Nazi regime during World War II, for instance, has resulted in studies of Nazi doctors (Lifton 1986; Kater 1989), and discussions about the root of evil-doing have a prominent place in psychological (Baumeister 1996; Staub, 1989) and philosophical (Vetlesen 2005; Reichberg et al. 2006) research. Yet, few, if any of the studies just mentioned focus on the roles of male perpetrators committing acts of sexual violence against enemy victims in war settings. In order to further our knowledge and theory development, we need to incorporate empirical data that bring the perceptions and voices of the perpetrators into the equation. We need to do this, not to justify the perpetrators' actions, but in order to seek insight to how supranational criminal prosecution affects the perpetrators' views of their actions and punishment. By implication, we will also gain insight into the potential deterrence effect of these legal processes.

Summary

This chapter has shown that there has been a remarkable change in the amount of international attention given to the issue of sexual violence in war. The master vessel sailing in front and promoting these changes is the United Nations Security Council and four crucial Resolutions placing gender concerns centre field in the area of international peace and security. The developments in the Security Council are, of course, the result of many women's groups and NGOs lobbying for these particular forms of change, but as of 2000 and UNSCR 1325 they have succeeded in getting the attention of the most important decision-makers. Now the challenge is to get the job done, i.e. acquire documentation, prosecute perpetrators and secure the needs of victims. As this chapter has shown, there are many challenges ahead, as new conflicts emerge with new patterns of gender-based violence and new research themes placed on the map.

Finally, it is crucial to reiterate that studies in this field, and related to all the themes outlined above, must be based on local findings. This, of course, will make it difficult to outline general trends, but with multiple local studies certain important trends may be revealed. Policy-

makers and others will be encouraged to develop strategies which might improve the help to sufferers and make it more difficult for perpetrators to resort to violence.

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