Wartime Rape: Identifying Knowledge Gaps and their Implications

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Abstract: This article reviews the literature on wartime rape and identifies four principal gaps: first, the need to identify modalities of wartime rape; second, the importance of identifying the ways by which the family and community of raped individuals are also impacted by wartime rape; third, the importance of exploring effects of wartime rape alongside the physical and psychological consequences; and fourth, the importance of understanding the cultural context in which the rape took place. Filling these gaps, we argue, is important in order to better understand wartime rape and hence more effectively promote post-conflict recovery and prevent its perpetration in the future.

Keywords: Wartime rape, types, prevention, consequences
Kriegsvergewaltigung, Typen, Prävention, Konsequenzen

1. Introduction

Rape is not a new phenomenon. Stories of its occurrence exist as far back as pre-Biblical times. Unsurprisingly, archeological evidence of rape does not exist, though we can presume that rape has occurred as long as the history of humankind.[1] War too is an ancient phenomenon dating back millennia, and rape has been common place in a multitude of wars. Over the course of our research on wartime rape we have counted fifty-five wars since World War II in which there are documented cases of wartime rape.[2]

On the evening news today we see reports of wartime rape alongside reports of the use of drones in war. The former is a keen reminder of an enduring wartime practice, while the latter demonstrates technological advancements made in the way wars are fought. Despite greater technological sophistication, rape continues to be perpetrated in most wars. By and large the phenomenon perseveres.

While ample theoretical investigations on the causes and consequences of wartime rape have been conducted, what do we really know about it? How have we come to understand it? And is our current understanding as wide-ranging and holistic as needed? In this article we present what is known about wartime rape and the gaps that currently exist. In so doing, we weave an alternative approach for how rape should be studied, not at the exclusion of the current norm, but rather as a complement to it.

2. Review of the Literature

What is the state of knowledge and understanding of wartime rape? What is the focus of scholarly discussion on this issue? In this section we provide an overview of literature published from 1975 to 2008. Literature that deals specifically with wartime rape is fairly limited; oftentimes, the terms 'rape' and 'sexual violence' are used interchangeably, and our review covers this search term as well. We do not use these terms interchangeably in our research, but rather focus explicitly on wartime rape as a form of sexual violence in war.

There is general consensus on certain elements that constitute wartime rape. With these elements in mind, we define wartime rape as an act of violence that:

a) involves the penetration of the mouth, vagina or anus by an object or bodily part of another person;

b) is forced and/or non-consensual;

c) is perpetrated by a combatant or armed group over the course of an armed conflict in which the combatant or group is involved.[3]

The discussion of wartime rape in the literature can be broadly organized along three main foci: a focus on demonstrating the prevalence of wartime rape, a focus on explaining wartime rape, and a focus on identifying the consequences of wartime rape. Naturally, there is overlap between these foci, and no author or piece of literature falls exclusively within one. The following sections outline the main arguments and discussion within each, and establish a foundation upon which critical gaps will be identified.

2.1 The Prevalence of Wartime Rape

There is general consensus in the literature that wartime rape is nothing new. Rape appears in early descriptions of war in

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1 Jean Guilaine and Jean Zammit, *The origins of war: violence in prehistory*, (Oxford: Blackwell Publishing, 2005), 37.

2 See Isikozlu and Millard, "Wartime Rape and Post-conflict Research, A BICC Project," Bonn International Center for Conversion (BICC), http://www.bicc.de/uploads/pdf/publications/other/BICC_Wartime_rape-project.pdf (accessed 15 September 2009).

3 This definition has been delineated by the authors based on a general customary understanding of what constitutes wartime rape specifically and rape more generally, and is in line with the Rome Statute, which is the treaty that established the International Criminal Court (ICC). The Rome Statute entered into force on 1 July 2002.

the Bible as well as in documentation of the crusades, for example, suggesting that it may have occurred just as frequently throughout history as it does today.[4] The tendency in the past, however, has been to treat rape as an unfortunate by-product or negative consequence of war, one that mainly affected women. It was not until the wars in Bosnia & Herzegovina (herein referred to as Bosnia) and Rwanda in the early 1990s that rape became widely recognized as a potential strategy or 'weapon' of war, and hence could no longer be dismissed as a negative by-product of it. It remains unknown, however, whether or not rape is any more widespread or systematic today than it was in early wars, and whether the manner in which it is perpetrated has at all changed.

A key focus in the literature is therefore to demonstrate that wartime rape is not a new phenomenon. In an attempt to raise awareness of and draw attention to the issue, a number of authors document its perpetration throughout the history of civilization, as well as in wars that continue to rage today.[5] Accounts of rape are also documented by scholars of international law, who trace the evolution of legal standards concerning wartime rape since the Geneva Conventions.[6] As mentioned above, it was the scale and visibility of wartime rape in Bosnia and Rwanda that catalyzed its recognition and prosecution as a war crime. However, the emphasis placed on mass rape could be problematic because it suggests that rape must occur on a large scale in order to be a visible and prosecutable crime. There are indeed cases of rape that are not perpetrated in a systematic fashion, but which are no less problematic.[7] An emphasis on mass rape also obscures individual experiences of wartime rape and the variation in which these violations are both perpetrated against and interpreted by the individual. Wartime rape is not a problem because it occurs en masse, but because it occurs at all.[8]

Several trends are noticeable in demonstrating the prevalence of wartime rape. For example, rape is perpetrated in inter- and intra-state wars alike, particularly in wars of secession, occupation, wars involving the control of territory or resources, wars of 'ethnic cleansing' and genocide. Few authors go further in their analysis of these trends, and hence miss an opportunity to examine possible links between the nature of war and the perpetration of wartime rape. Nevertheless, they succeed in demonstrating that wartime rape continues to occur on an alarming scale and hence warrants more attention and understanding as a phenomenon on its own.

2.2 Explanations of Wartime Rape

Perhaps the greatest focus in the literature is placed on explaining wartime rape. Why does this form of violence occur? What gives rise to wartime rape? What does it aim to achieve? The focus on these questions is well placed; indeed, without understanding why combatants rape in war, we do not stand a chance of addressing this form of violence. A variety of explanatory theories are offered on wartime rape, several of which are presented below. These theories are not necessarily mutually exclusive and can be combined to better explain wartime rape on a case-by-case basis. What is missing, however, is empirical data on the perpetrators themselves, which would help to better ground these explanations in reality.

2.2.1 The Meaning of Wartime Rape

Feminist scholars were the first to document, analyze and examine questions of why soldiers rape in war. For example, Brownmiller's seminal work on wartime rape argued that rape is essentially an expression of a socially and culturally engrained hatred by men of all women.[9] According to her argument, rape is a form of male violence perpetrated exclusively against women out of deep and subconscious feelings of hatred for and the desire to dominate women. These subconscious feelings, she argues, come to the surface in situations of extreme pressure and manifest themselves in acts of rape. Rape, then, is first and foremost an act of misogyny, not sexuality. Seifert points out that "rape is not an aggressive expression of sexuality, but a sexual expression of aggression,"[10] a notion that has gained broad consensus in the literature.

The theory of male hatred put forth by Brownmiller can be easily and amply refuted empirically: first, not all women in war are raped. If men were to act on a socially and culturally

4 Jonathan Gottschall, "Explaining Wartime Rape," *The Journal of Sex Research*, 41 no. 2 (2004), 130.

5 See Kelly Dawn Askin, *War Crimes Against Women: Prosecution in International War Crimes Tribunals*, (The Hague: Kluwer Law International, 1997); Megan Bastick, Karin Grimm and Rachel Kunz, *Sexual Violence in Armed Conflict, Global Overview and Implications for the Security Sector*, (Geneva: Geneva Centre for the Democratic Control of Armed Forces, 2007); Susan Brownmiller, *Against our will: Men, women, and rape*, (New York: Simon & Schuster, 1975); Gabriela Mischkowski, "Sexualised violence in war – A chronicle," in medica mondiale, ed., *Violence against women in war, Handbook for professionals working with traumatized women*, (Cologne: medica mondiale, 2005), 15-62; C.N. Niarchos, "Women, war, and rape: Challenges facing the international tribunal for the former Yugoslavia," *Human Rights Quarterly*, 17 no.4, (1995), 649-690; Ruth Seifert, "The second front: The logic of sexual violence in wars," *Women's Studies International Forum*, 19 (1996), 35-43; Elisabeth Jean Wood, "Variation in Sexual Violence during War," *Politics & Society*, 34 no.3, (September 2006), 307-342.

6 There is a rich legal discussion on the issue of wartime rape, which includes a discussion of advances in the law and their implications; however, this falls outside the scope of this article. Thus, for an in-depth discussion on legal aspects see Askin; Danise Aydelott, "Mass Rape During War: Prosecuting Bosnian Rapists Under International Law," *Emory International Law Review*, 7 no.2, (1993), 585-631; Christine Chinkin, "Women: The Forgotten Victims of Armed Conflict?" in H. Durham and T.L.H. McCormack, eds., *The Changing Face of Conflict and the Efficacy of International Humanitarian Law*, (The Hague: Kluwer Law International, 1999), 23-44; Nancy Farwell, "War Rape: New Conceptualizations and Responses," *Affilia: Journal of Women and Social Work*, 19 no. 4 (Winter 2004), 389-403; M. Mutschler, "New Developments in International Law," in Elenor Richter-Lyonette, ed., *In the Aftermath of Rape: Women's Rights, War Crimes, and Genocide*, (Givrins: Coordination of Women's Advocacy, 1997), 113-115; Niarchos, 649-690.

7 For example, rape that occurs within the military or armed group during wartime. This is also true for rape that occurs over the course of a protracted war, such as in Colombia, where the use of rape appears to be sporadic rather than consistently systematic.

8 There is a tendency to focus on the numbers of individuals raped in wartime. In our research on wartime rape, we avoid referring to numbers of individuals raped in any one case of war because the real numbers cannot be known. Statistical data on this issue is unreliable – due either to a lack of reporting by individuals raped in war; death resulting from rape, suicide or other injuries sustained in war; or over-reporting/the exaggeration of numbers in order to attract international attention. Statistics cannot be relied upon for an accurate picture of the problem. As mentioned above, the numbers are not the problem, but rather the form of violence.

9 Brownmiller, 16.

10 Seifert, 1.

conditioned hatred of women, then we would expect to see more indiscriminate and less targeted rape of women, which was not the case in Bosnia, for example.[11] Second, not all men rape in war – in fact, the majority of men do not rape in war.[12] Third, men also rape other men in wartime and in peacetime, a phenomenon that has not been well documented to date, but for which there is increasing evidence.[13] Fourth, women have also orchestrated or facilitated acts of sexual violence such as the rape of other women or men.[14] Recognizing the limitations of this theory, several feminist and other scholars have tried to better explain wartime rape as an assertion of strength and dominance over another person or group, qualities that are often equated with masculinity.[15] The rape of men by other men can be explained using this framework as a means of 'feminization', placing them in a sexually submissive role that is associated with females due to their biological capacity to be 'penetrated'. It also provides a framework in which to understand why some women may facilitate the rape of other men or women, and allows – at least in theory – the possibility that women can commit rape against men as a means of asserting dominance over them. In this explanatory framework, rape is a gendered phenomenon that seeks to make one group subordinate to the other.

2.2.3. Factors that Contribute to Wartime Rape

Two general factors are most frequently mentioned in the literature as contributing factors to the perpetration of wartime rape: patriarchal norms, and military discipline and group dynamics. The first suggests that wartime rape is most effective, and hence most likely to be used in patriarchal societies where women are subordinate to men and not only seen as their 'property', but also function as the bond within and between families. Wartime rape is best understood as a gendered phenomenon within patriarchal societies. The 'invasion' of women through rape becomes synonymous with an invasion on another man's property, community, and ultimately his nation, defiling the purity of each. The capacity of wartime rape to destroy families, communities and overall cultural cohesion in patriarchal societies renders this form of violence extremely effective and hence may be a contributing factor to its use in war.[16]

The lack of military organization or discipline is also identified as a contributing factor for wartime rape.[17] Wood suggests that more analysis is needed of the armed groups that perpetrate rape in order to understand which dynamics – group pressure, group bonding, discipline, accountability, authority, an individual's background, etc. – contribute to deterring or promoting wartime rape.[18] Henry et al. go a little further and argue that three distinct levels need to be considered as contributing to the perpetration of wartime rape: the individual perpetrator and his background; the socio-cultural context in which the perpetrator exists; and the objectives of the war.[19] These authors seek to better identify which factors most influence the cost-benefit calculation of perpetrators of wartime rape that lead them to commit this form of violence, though research on perpetrators is still needed in order to more definitively identify these factors.

2.2.4 The Functions of Wartime Rape

Another question that has preoccupied scholarly discussion on this issue is the function of wartime rape. What purpose does it serve, what does wartime rape aim to achieve? Seifert, a leading feminist scholar on wartime rape puts forth a number of hypotheses on this form of violence, three of which relate to its function[20]: first, she argues that rape has historically served as a form of reward for victory or success on the 'battlefield', a part of the so-called 'rules' of war that have permitted the victors to take what they will from the conquered territory, including the women. Second, she argues that rape is used to communicate the 'weakness' and inability of one's enemies to protect their women and hence to fulfill their duty as men. Others have argued that rape may also be a form of communication and socialization *between* men within a group – a means of building

11 In Bosnia, Muslim Bosnian women were mainly targeted with rape by Serbian forces, the majority of which were of child-bearing age. Isikozlu and Millard, Fieldnotes from Bosnia, 15-22 February 2009; Isikozlu and Millard, *Wartime Rape and Post-conflict Research, Final Report to the German Ministry for Economic Cooperation and Development*, unpublished, (2009). For a better understanding of wartime rape in Bosnia, see Beverly Allen, *Rape Warfare: The Hidden Genocide in Bosnia-Herzegovina and Croatia*, (Minneapolis, MI: University of Minnesota Press, 1996); Cheryl Benard, "Rape as Terror: The Case of Bosnia," *Terrorism and Political Violence*, 6 no. 1, (1994), 29-43; Seada Vranic, *Breaking the Wall of Silence: The Voices of Raped Bosnia*, (Zagreb: Anti Barbarus, 1996); Alexandra Stiglmayer, ed., *Mass Rape: The War against Women in Bosnia-Herzegovina*," (Lincoln and London: University of Nebraska Press, 1994).

12 R.K. Unger and M. Crawford, *Women and gender: A feminist psychology*, 3rd ed., (New York: McGraw-Hill, 2000), as referenced in Diana Milillo, "Rape as a Tactic of War: Social and Psychological Perspectives," *Affilia: Journal of Women and Social Work*, 21 no. 2, (Summer 2006), 196-205.

13 See Charli R. Carpenter, "Recognizing Gender-Based Violence Against Civilian Men and Boys in Conflict Situations," *Security Dialogue*, 37 no. 1 (2006), 83-103; Adam Jones, "Straight as a Rule," *Men and Masculinities*, 8 no. 4 (2006), 451-469.

14 For example, consider the case of Abu Ghraib, where three of the seven US soldiers charged with abuse against male Iraqi prisoners were female. There are also reports from the Bosnian war that Serbian women served as 'guards' in detention centers or so-called 'rape camps' and helped to facilitate the rape of mainly Bosnian women (information obtained from authors' interview with Nidzara Ahmetasevic, 16 February 2009, Sarajevo); see also Seada Vranic, *Breaking the Wall of Silence: The Voices of Raped Bosnia*, (Zagreb: Anti Barbarus, 1996).

15 See for example Card, 5-18; Sheila Jeffreys, "Double Jeopardy: Women, the US military and the war in Iraq," *Women's Studies International Forum*, 30, (2007), 535-562; Jones, 451-469; Milillo, 196-205; Mischkowski, 15-62; Euan Hague, "Rape, Power and Masculinity: The Construction of Gender and National Identities in the War in Bosnia-Herzegovina," in Ronit Lentin, ed., *Gender and Catastrophe* (London: Zed Books, 1997), 50-63; Inger Skjelsbaek, "Sexual Violence and War: Mapping Out a Complex Relationship," *European Journal of International Relations*, 7 no. 2 (2001), 211-237.

16 For a discussion of this, see Farwell, 389-403; Katrina Lee Koo, "Confronting a Disciplinary Blindness: Women, War and Rape in the International Politics of Security," *Australian Journal of Political Science*, 37 no. 3, (2002), 525-536; Milillo, 196-205, Cindy S. Snyder et al., "On the Battleground of Women's Bodies: Mass Rape in Bosnia-Herzegovina," *Affilia: Journal of Women and Social Work*, 21 no. 2 (Summer 2006), 184-195; Seifert, 35-43.

17 See for example Nicola Henry, Tony Ward and Matt Hirshberg, "A multifactorial model of wartime rape," *Aggression and Violent Behaviour*, 9, (2004), 535-562; Hague, 50-63; Roland Littlewood, "Military Rape," *Anthropology Today*, 13 no. 2 (1997), 7-16; Robert J. Lilly, "Soldiers and Rape: The Other Band of Brothers," *Howard Journal*, 46 no. 1 (February 2007), 72-75; Milillo, 196-205; L. Morrow, "Unspeakable," *Time*, 22, (1993), 50; Darius M. Rejali, "After Feminist Analyses of Bosnian Violence," in Lois Ann Lorentzen and Jennifer Turpin, eds., *The Women and War Reader*, (New York and London: New York University Press, 1998), 26-32; Alexandra Stiglmayer, "The Rapes in Bosnia-Herzegovina," in Alexandra Stiglmayer, ed., *Mass Rape: The War against Women in Bosnia-Herzegovina*," (Lincoln and London: University of Nebraska Press, 1994), 82-169; Wood, 307-341

18 Wood, 331.

19 Henry et al., 535-562.

20 See Ruth Seifert, "War and Rape: A Preliminary Analysis," in Alexandra Stiglmayer, ed., Mass Rape: *The War against Women in Bosnia-Herzegovina*, (Lincoln and London: University of Nebraska Press, 1994), 54-72.

bonds between combatants through the crime of rape.[21] Seifert also argues that rape is used to destroy social cohesion, particularly in societies where women are considered the bind within and between families and communities.

This latter function has garnered international attention since the wars in Bosnia and Rwanda and has led to the recognition of rape as a 'weapon' or strategy of war. Indeed, it was against the destructive function of wartime rape that the United Nations Security Council (UNSC) adopted Resolution 1820 in June 2008, which calls for an end to all acts of sexual violence against civilians in war. Resolution 1820 is a welcome achievement; however, it also presents a number of challenges. First, its focus on rape used as a tactic of war begs the question: What measure(s) will be used to assess whether wartime rape is being used as a tactic of war? On the one hand, the lack of clarity may be an advantage by allowing it to be defined on a case-by-case basis. More likely than not, however, numbers and statistical data will be used to determine when rape has reached the level of a 'tactic' of war. The focus on numbers distracts attention from the fundamental problem, which is the perpetration of rape itself. Moreover, numbers and statistical data cannot be relied upon for an accurate picture of wartime rape.[22] Resolution 1820 risks creating the perception that wartime rape is problematic only if it is used as a weapon of war. In a similar vein, Resolution 1820 focuses on rape perpetrated by armed groups against civilians, especially women and girls. Yet we know that rape is also perpetrated by peacekeepers against civilians, against men as well as women, and perpetrated within the ranks of armed groups.[23] These other types of rape require attention and action against them as well.

2.3 Consequences of Wartime Rape

A third key focus in the literature, mainly within the field of public health, is documenting and assessing the physical and psychological consequences of wartime rape. Depending on the frequency and brutality of the rape, a range of physical consequences can result from this form of violence, including cases of HIV infection and fistula, which is a tear in a woman's genitals that leads to her inability to control bodily excretions. Psychological consequences are much more difficult to isolate, since wartime rape is often accompanied by a range of other traumatic events in war, such as the loss of a family member, forced displacement, or the witnessing of other atrocities.[24] What is clear from the literature is that the process of recovery from this form of violence is varied, long-term and depends a great deal on the individual's experience of the rape itself.

Joachim cautions against the emphasis placed on identifying 'symptoms' and 'disorders' resulting from wartime rape, because it obscures a more essential point for recovery: the meaning of rape to the individual and it's influence on their self-perception.[25] How an individual understands rape is often shaped by their socio-cultural context – essentially, the norms, values and beliefs within a particular group that are transferred across generations. This understanding then affects how individuals feel about themselves, their lives and their future prospects. For example, if a woman interprets her rape as an example of her biologically-based subordination to men, a denial of her right to sexual self-determination, how does this affect her relationship with men in the future, and her ability to participate in social and political settings? Can these women be expected to participate freely and equally in society as called for by UNSC Resolution 1325 on Women, Peace and Security? This question has not yet been critically examined and warrants greater attention. It points to the need to identify socio-cultural interpretations of rape in order to better understand an individual's reactions to and capacity to recover from this experience in war.

However, an individual's reactions to wartime rape are also influenced by other factors that often vary across cases. One factor may be the nature of war and its objectives, which Skjelsbaek suggests helps determine the purpose and manner in which rape is perpetrated.[26] Folnegovic-Smalc also argues that the type of rape – single or multiple attackers, whether it was accompanied by physical abuse or the threat of abuse, whether family members were forced to witness it, etc. – influence one's ability to recover from the experience.[27] These and other arguments imply the need to more systematically consider certain aspects of the rape such as, *inter alia*, the length of exposure to rape, its frequency, its purpose, the number of rapists, the brutality involved, and the resulting physical consequences in order to understand why individual reactions vary, and in what way. This understanding is critical if we aim to better support the recovery of individuals and whole communities from wartime rape.

3. Gaps in the Literature

There are four notable gaps in how rape, its causes and consequences, are understood in the literature: first, there is a failure to examine the existence of types of wartime rape; second, both literature and practice focus primarily on the individual raped to the exclusion of her/his family and community; third, there is a strong tendency to focus almost exclusively on the psychological and physical consequences of rape at the exclusion of possible socio-economic-political consequences; and fourth, the role that local culture, conceptions of gender and gender roles, as well as sexuality are often ignored in the conceptualization and contextualization of wartime rape.

21 See for example Bulent Diken and Carsten Bagge Laustsen, "Becoming Abject: Rape as a Weapon of War," *Body & Science*, 11 no. 1, (2005), 111-128; Milillo, 196-205; Hague, 50-63; Stiglmayer, 307-341.
22 Refer to Footnote 8, p.4.
23 While Resolution 1820 urges troop and police contributing countries to enforce a policy of zero-tolerance toward their personnel in peacekeeping operations, the Resolution only calls for an end to sexual violence perpetrated by *armed groups* against civilians in a conflict.
24 Ingeborg Joachim, "Sexualised violence in war and its consequences," in medica mondiale, ed., *Violence against women in war, Handbook for professionals working with traumatized women*, (Cologne: medica mondiale, 2005), 63-110.
25 Joachim, 63-110.
26 Skjelsbaek (2001), 227.
27 Vera Folnegovic-Smalc, "Psychiatric Aspects of the Rapes in the War against the Republics of Croatia and Bosnia-Herzegovina," in Alexandra Stiglmayer, ed., *Mass Rape: the War against Women in Bosnia-Herzegovina*, (Lincoln and London: University of Nebraska Press, 1994), 174-179.

3.1 Types: Is All Wartime Rape Created Equal?

Is there such a thing as one type of wartime rape? Or is this in fact oversimplifying the phenomenon? Should we not treat rape, as we would any other tool/strategy of war and first understand its value and role in any one conflict in order to try to counter and prevent its use? Should we not also aim to understand the scope of its effects in different terrains or scenarios in order to understand how to recover from it?

The literature to date has largely overlooked the existence of types of wartime rape. The idea that all rape is equal has generally prevailed in the theoretical understanding of wartime rape as well as in the way its effects have been treated in practice. On the one hand, it has been important to treat all rape as the same in order to ensure that certain cases of rape are not viewed as more or less damaging than others. On the other hand, viewing all rape as identical prevents us from being able to isolate the characteristics that may be critical to explaining unique causal factors and consequences that require type-specific responses. As noted in the literature review, wartime rape has, for example, been used as bounty and/or resulted from opportunistic criminal activities, and been used as a strategy of war to gain information or to promote the exodus of whole populations. During some wars, rape has been perpetrated by multiple armed groups, during multiple kinds of events such as detentions, house/village raids etc., where those raped under different circumstances have not belonged to a homogenous group within society.[28] This suggests that there are types of wartime rape, each of them exhibiting individual characteristics. In addition, the general lack of research on types can be one of the reasons why certain types of rape are still poorly documented and understood; for example, rape within armed groups where one member of the group rapes another. [29]

3.2 Moving Beyond the Individual

The individual raped in war is the primary subject of research and discussion in the literature. Focusing on the consequences of wartime rape on the individual is both necessary and logical – it is, after all, a direct act of violence against an individual. However, there are a number of social and cultural forces at play on any individual at any point in time that influences their acceptance and participation in society. The manner in which an individual is able to handle and recover from wartime rape depends a great deal on whether or not they have the support of their family.[30] The family's willingness or ability to provide support to the individual may in turn be influenced by the dominant discourse and perceptions held within the community about wartime rape. It may be a strategic necessity for individuals raped in war to silence themselves, or to be silenced by their family and/or community in order to ensure the family's collective wellbeing.

Wartime rape is also not a private act – more often than not, this act is perpetrated in front of witnesses and/or took place within the public consciousness. As noted in the review of literature, wartime rape can be used to terrorize or bring shame to whole groups within a population. This was the case in Bosnia, where Serbian soldiers purposely released some women from the detention centers, also known as 'rape camps', in order to propagate fear and provoke the flight of Bosnians from their homes.[31] With regard to witnessing the crime of rape, Aron et al. suggests that this can be equally traumatizing as the experience of rape itself, particularly if these 'indirect victims' are made to witness the rape of a family member.[32] Witnesses to wartime rape may also silence themselves, or are forced to remain silent for the sake of the family's ability to function and participate in the community. While we do not know the long-term implications of silencing, it appears that silencing maintains, if not strengthens the taboo of wartime rape and prevents the advancement of the right to sexual self-determination. Silencing of wartime rape should be a choice rather than an obligation and/or necessity.

A broader approach for addressing the consequences of wartime rape is therefore necessary in theory and practice, and remains a key gap in the literature. Measures to address the implications of this form of violence need to move beyond the 'direct' or individual raped in war to include the family and community more systematically. This way, the role of the family and/or community on an individual's ability to recover from wartime rape can be better understood, and the potential consequences of bearing witness to rape within the family and community can also be identified and addressed. A broader approach underlines the need for wartime rape to be dealt with in the post-conflict period as a matter of public, not private concern.

3.3 Overlooking Some Consequences of Wartime Rape

Generally we associate rape to a multitude of feelings, emotions and traumas. It has an emotional "doom" quality to it – a sense that raped individuals cannot recover, or will find it difficult to recover from rape due to the invasiveness of the event, and the socio-psychological connotations it may carry in society. In addition we recognize clearly the physical damage than can be caused by rape: fistula, for example. However, our focus on rape generally, and wartime rape in particular, tends to exclude a more nuanced understanding of the effects of the phenomena. Are there effects of wartime rape on the individual raped, his or her family and community that are neither physical nor psychological? If so, what are these effects?

28 Isikozlu and Millard, Fieldnotes from Bosnia and El Salvador, 2-9 and 15-22 February 2009; Isikozlu and Millard, *Wartime Rape and Post-conflict Research, Final Report to the German Ministry for Economic Cooperation and Development*, unpublished, (2009).

29 With the exception of research on rape within the Armed Forces of the United States (see for example Helen Benedict, "The Scandal of Military Rape," *Ms. Magazine*, 18 no. 4, (2008), 40-45; Jeffreys, 535-562; Madeline Morris, "By Force of Arms: Rape, War and Military Culture," *Duke Law Journal*, 45 no. 4, (1996), 651-781), this type of rape is generally not well documented.

30 For an elaboration of this point, see Skjelsbaek (2006), 380-388.

31 Folnegovic-Smalc, 174-179.

32 Adrianne Aron et al., "The Gender-Specific Terror of El Salvador and Guatemala: Post-traumatic Stress Disorder in Central American Refugee Women," *Women's Studies International Forum*, 14 no. 1/2 (1991), 37-47.

Unlike rape in peacetime, wartime rape is often widespread and its characteristics become, over time, well known to the general population. In many cases individuals other than those raped are well aware of what has happened, to whom, by whom and know many of the details of the event itself. This mere fact may serve to shame individuals raped, and/or their families to the point that they are unable to get jobs and function in the civilian society similar to individuals that were not raped in the war. The breakdown of family and community relations is in some cases directly linked to the incidence of wartime rape.[33] Wartime rape has been known to precipitate emigration leading to economic and social challenges for the individual raped and his or her family. Children resulting from rape can also suffer the consequences of rape by being marginalized and/or ostracized, or may be left at orphanages and hence exhibit all the challenges faced by orphan children.[34] Reconciliation at the community level may be largely hampered because one group was responsible for raping the other leading to deep and seemingly irreparable scars that hinder regular socio-cultural practices.[35]

All of the above are examples of longer-term consequences of wartime rape that are often overlooked. Examinations of the consequences of wartime rape must therefore be more holistic in their approach and consider not only the immediate physical and psychological effects, but also issues that affect the future prospects of individuals raped in war, such as their socio-political participation and economic livelihood, as well as the participation and wellbeing of those around them.

3.4 Conceptualization and Contextualization: Culture, Gender and Sexuality

Current literature and practice generally understands rape as defined by western-based attributes regardless of where it takes place. Examining multiple scenarios of wartime rape forces us to question whether our current conceptualization and contextualization of wartime rape is adequate or even useful. Today, international standards clearly define what constitutes wartime rape.[36] However, we should not underestimate the degree to which this conceptualization is rooted in contemporary western thinking and culture. In many countries, even western ones, the criminalization of non-consensual sexual intercourse between adults – rape – has been a recent development. Even more recent is the growing recognition that a concerted shift in thinking is needed so that a raped person is not perceived as responsible for their rape by virtue of their actions, their clothing and or their general demeanor. We are not in any way suggesting that the slow progress made in achieving sexual self-determination in western countries should render us accepting of crimes committed elsewhere. Rather we suggest that the very way in which rape is conceptualized will influence the effect it has on the raped person, and those around her/him.[37]

The way gender roles are understood is also critical to better understanding options to prevent and promote recovery from rape. In cases where both males and females are regarded as equal, but where this equality is not extended, in reality, to matters of "sexuality", rape can be more often obscured or go unreported. This can be one of many explanations for the limited documentation available on wartime rape within the Farabundo Marti National Liberation Front (FMLN) ranks in El Salvador.[38] It is unclear if women knew and understood their right to sexual self-determination, or rather were swayed to believe that their role and sacrifices in the conflict as "equal" contributors to the war effort also included lending sexual gratification services to their comrades. Either way, interviews with participants to the conflict suggest that sexual acts without the overt consent of females were more widespread than has been documented.[39] In cases where gender roles support the notion that females are subservient to males, females may be shunned by their husbands or unable to get married because the rape is regarded as a direct attack on the masculinity of the current or future husband. Thus, gender roles can be instrumental in determining the impact and consequences that rape has.

Local conceptualizations of sexuality are also important to understanding wartime rape. For example, the notion, mentioned above, that females are somehow responsible for their own rape is inextricably linked to views of sexuality whereby the male is dominant and unable to self-restrain and the female is the one who lures the male to go astray.[40] As mentioned earlier, if women do not understand sexual self-determination as a right, then the notion of consensual acts

33 Interview with Teufika Ibrahimefendic, 20 February 2009, Sarajevo; Isikozlu and Millard, *Wartime Rape and Post-conflict Research, Final Report to the German Ministry for Economic Cooperation and Development*, unpublished, (2009).

34 Clearly some of the associated consequences are psychological in nature. Here, however, this example is presented as relates to impacts of a socio-economic nature, such as the inability to secure employment, and/or the limited social network that ultimately can greatly affect the socio-economic development of an individual.

35 Isikozlu and Millard, Fieldnotes from Bosnia, 15-22 February 2009; Isikozlu and Millard, *Wartime Rape and Post-conflict Research, Final Report to the German Ministry for Economic Cooperation and Development*, unpublished, (2009).

36 Rome Statutes: Elements of Crimes – International Criminal Court (2000) Elements 7 (1) (g)-1:
1. The perpetrator invaded the body of a person by conduct resulting in penetration, however slight, of any part of the body of the victim or of the perpetrator with a sexual organ, or of the anal or genital opening of the victim with any object or any other part of the body.
2. The invasion was committed by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or another person, or by taking advantage of a coercive environment, or the invasion was committed against a person incapable of giving genuine consent.

37 See the video produced by Medecins Sans Frontieres (MSF), *Forgotten Crimes in the Context of Armed Conflict*, http://www.msf-tv.com/video/?v=7838933461142714 2008; Isikozlu and Millard, Fieldnotes from El Salvador, 2-9 February 2009; Isikozlu and Millard, *Wartime Rape and Post-conflict Research, Final Report to the German Ministry for Economic Cooperation and Development*, unpublished, (2009).

38 The FMLN (in Spanish: Frente Farabundo Marti para la Liberacion Nacional) was formerly a revolutionary guerilla organization during the civil war in El Salvador.

39 Isikozlu and Millard, Fieldnotes from El Salvador, 2-9 February 2009; Isikozlu and Millard, *Wartime Rape and Post-conflict Research, Final Report to the German Ministry for Economic Cooperation and Development*, unpublished, (2009); Norma Vazquez, Cristina Ibanez, Clara Murguialday, *Mujeres Montana, Vivencias de guerrilleras y colaboradoras del FMLN*, (Madrid: horas y HORAS, 1996).

40 See the video produced by MSF; Vazquez et al.

can also become somewhat obscured as we believe was often the case within the FMLN.[41]

How rape, gender roles and sexuality are generally understood in a given context may be key in determining how wartime rape can be prevented, and what its effects are on the individual raped and his/her family and community. Excluding local conceptions essentially becomes a self-imposed barrier to understanding the phenomena fully.

Rape always has horrific implications, and how these manifest in any one case is directly linked to the context in which it occurs. Similarly, strategies to prevent rape must pay close attention to contextual parameters. Efforts to break the silence which so often seems to shroud rape require an understanding of why the event is silenced and who is responsible for the silencing, for example. Through our review of existing literature and the conduct of interviews with individuals working on the issue and/or with individuals raped during conflicts we have come to believe that identifying types of rape, the consequences that potentially affect the families and communities of individuals raped, and consequences that are neither psychological nor physical in nature may all be key components to being able to identify adequate measures to mitigate and respond to wartime rape. Furthermore, all these efforts seem to require a contextualized approach that considers local dynamics and pays close attention to shifting cultural and sub-cultural norms. This is recognized in some of the literature on wartime rape, but it remains a clear gap in terms of the research on, knowledge of and responses to this form of violence in war.

4. Conclusion

In this article we have presented the existing knowledge of wartime rape, and identified a number of gaps. These are: first, the need to better understand types of wartime rape; second, the importance of examining the effects of wartime rape on the family and community of those raped; third, the value of paying attention to consequences that have neither psychological or physical manifestations; and last, the need to be keenly aware of how the cultural context affects both the occurrence of rape and the recovery from it. Filling these gaps, we believe, is essential in order to be able to formulate both better prevention strategies and better responses to wartime rape in the post war period. One way of responding to these gaps is the identification of wartime rape types and their consequences. The exercise can provide, on the one hand, a better understanding of how any one type of wartime rape can be prevented and on the other hand, to identify the possible consequences of any one type of rape and how these may be unique, easily overlooked and/or shared by multiple types of wartime rape. This information can be subjected to cultural contextualization by practitioners locally. This approach may be a good strategy to help bridge the gap between two opposing notions: that all raped individuals are affected in the same way on the one extreme, and that each individual raped in war is affected differently and must be treated separately at the other extreme. A typology of wartime rape may help to better target responses to, programming on and the prevention of wartime rape in order to more definitively address this crime.

41 Isikozlu and Millard, Fieldnotes from El Salvador, 2-9 February 2009; Isikozlu and Millard, *Wartime Rape and Post-conflict Research, Final Report to the German Ministry for Economic Cooperation and Development*, unpublished, (2009); see also Vazquez et al.