

Rape is Not Inevitable in War

BY ELISABETH JEAN WOOD, PH.D.

Sexual violence has marked the landscape of several of the most gruesome conflicts in recent history. During the conflict in Bosnia–Herzegovina (1992–1995), the sexual abuse of Muslim women by Bosnian Serb forces was so systematic and widespread that it was deemed a crime against humanity under international law. In the aftermath of the 1994 Rwandan genocide, the International Criminal Tribunal for Rwanda recognized the widespread rape of Tutsi women by Hutu forces as a form of genocide. In the case of armed groups such as these, rape is a deliberate strategy, a weapon of war. In the context of “ethnic cleansing,” for example, armed groups often rape girls and women in front of family and community members in order to humiliate victims and their menfolk, destroy the community’s social fabric, and terrorize the community into flight.

Often, rape and other forms of sexual violence are viewed as an unfortunate but unavoidable consequence of conflict. But a careful look at the uneven patterns of sexual violence in warfare shows that this is not the case and provides lessons about how such atrocities might be reduced.

Some armed groups do not engage in sexual violence against civilians. In El Salvador, insurgents killed mayors and other civilians but they engaged in little sexual violence. Of the nearly 500 cases of sexual violence reported to the Truth Commission (and listed in the unpublished annexes to its report), not a single case was attributed to the insurgents. In contrast, state forces carried out mass rape at El Mozote in December 1981, during other massacres early in the war, and sexually tortured and raped many political prisoners (including men) throughout the war.

In other conflicts as well, armed groups engage in sexual violence to sharply different degrees. In Peru between 1980 and 2000, insurgent forces were

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responsible for about half of deaths and disappearances of civilians, yet they carried out only 11 percent of reported acts of sexual violence. But in the case of the ongoing conflict in the Democratic Republic of the Congo, all armed groups engage in high levels of sexual violence.

And even within the same army, differences among units are striking. In Vietnam, members of the United States Army's Charlie Company raped twenty women and girls during the My Lai massacre. The Tiger Force, operating in the same area only a few months before, killed civilians but appears to have engaged in little rape.

In some conflicts, rape by all parties is remarkably limited despite other violence against civilians. There appears to be little sexual violence in the Israeli–Palestinian conflict despite other human rights violations by all parties to the conflict.

Simple dichotomies fail to explain the observed variation in wartime sexual violence. Widespread rape is not confined to civil wars, as is often thought. Soviet Army troops raped thousands of women when Berlin fell in 1945, as did Japanese forces after the fall of Nanjing seven years earlier.

And not all parties in ethnic civil wars engage in widespread rape. In the long-standing civil war in Sri Lanka, the secessionist Liberation Tigers of Tamil Eelam killed many thousands of innocent civilians during its operations and as reprisals. But rape was not part of its repertoire, not even during its cleansing of Muslims from northern Sri Lanka in 1990. Indeed, the LTTE severely punished sexual violence by its troops.

Thus it is not the case that sexual violence against civilians simply reflects the overall level of atrocities by an armed group. And it is not just about opportunity. Many armed groups sustain close contact with civilians—and thus have the opportunity to commit rape—yet do not engage in sexual violence.

Recent research has shown that wartime sexual violence also cannot be explained by regional culture. Dara Cohen of Stanford University has shown that the percentage of conflicts with high levels of sexual violence is no higher in Africa than in eastern Europe and Asia.

Nor does sexual violence necessarily reflect peacetime local culture. In some settings, wartime sexual violence appears to magnify existing cultural practices; in others, patterns of sexual violence appear to be wartime innovations by armed groups.

Given the challenges to gathering data on this sensitive topic, it is often assumed that the apparent absence of sexual violence on the part of some

groups simply reflects an ignorance of its occurrence. Indeed, there are many reasons why rape and sexual violence are under-reported, including the social stigma placed on victims. But because there are well-documented cases at the low end of the spectrum of sexual violence as well as the high end, the varied patterns of wartime sexual violence do not appear to be artifacts of ignorance.

When is rape rare in wartime? In some cases, leaders make an explicit decision to prohibit rape as against their interests or ideology, and that decision is enforced by an effective military hierarchy. In other cases, combatants themselves refrain from rape for their own, normative reasons. They might find it abhorrent, or believe that sexual relations across an ethnic divide are polluting to themselves or because it would undermine their liberating mission.

Yet some armed groups that deter sexual violence against civilians fail to control such violence against women in their own ranks. With the exception of a few notorious cases, U.S. servicemen do not appear to engage in rape of civilians in Afghanistan and Iraq, yet there are ongoing reports from both countries of rape of U.S. servicewomen by their colleagues.

In these instances, and all conflict situations where sexual violence is employed, follow-up is key. Commanders should be aggressive in investigating and prosecuting reports of intra-rank sexual violence. Political leaders should hold all forces—soldiers *and* commanders, those in uniform and those not (such as the CIA)—accountable for cruel and degrading treatment, including sexual humiliation, forced nudity, and torture of prisoners. Impunity serves to embolden the next perpetrator.

Rape is not inevitable during war. Its victims—women and men of all ages—were not brought down by crossfire or an errant missile. They were intentionally violated. Many armed groups—state militaries and insurgents, those engaged in international as well as civil war, Marxist–Leninists as well as nationalists—effectively prohibit their combatants from raping civilians. Scholars and practitioners alike should seek to understand the environments that result in the deterrence of sexual violence, while also identifying the conditions that make widespread rape possible. The understanding that rape is not inevitable should strengthen the efforts of those government, military, and insurgent leaders, U.N. officials, and members of nongovernmental organizations who seek to end sexual violence and other violations of the laws of war, and to put the stigma of sexual violence on the perpetrators rather than the victims of sexual violence. ▣