Rape as a Political Tool and as a Weapon of War

Abstract

In “Swastika Night” writer Katharine Burdekin, was already imagining a future seven hundred years after the Nazis had triumphed and the world divided into spheres of German and Japanese influence. The book portrays all women who live in separate, caged-off districts and they indoctrinated on two main points: They should never oppose any man (rape, as a concept, no longer exists), and they must handover their male babies without a fuss[1].

Although this is a fiction novel, the idea related to women in this book supported by lots of religions or beliefs or cultures. From the very beginning, the women in various societies of the world exploited in many ways. The male-dominated world does not appreciate it[2]. Also, there are some tools in society, which are used by the man as a violence method to discipline women.

During the 1970s, feminists often argued that rape was not "about" sex but was instead an assault: an act of violence[3] moreover this rape culture has been ingrained in the minds of most people in the societies. Rape is a political practice like the other methods of sexual violence by which false beliefs about gender and sexuality expressed, inscribed, and enforced via the violation and control of women's bodies[4]. Act of rape confirms that women are ‘for’ men: to be used, dominated, treated as objects. This underlying gender ideology helps us to understand and explain why, when men and boys are raped, they are usually seen as having been feminized, treated like women and thus rendered shamefully woman-like.

In this context, rape is defined as one of the sexual violence methods in international legal documents.

The aim of this article not to discuss in general the rape or rape cultures in the societies, but it is outlining how the rape is used as a political tool and a weapon of war in conflict time and capturing the reaction of international law and international bodies on this matters.

Introduction

The World Health Organization (WHO) defines sexual violence as “any sexual act or an attempt to obtain a sexual act, unwanted sexual comments, or advances, acts to traffic or otherwise directed, against a person's sexuality using coercion, by any person regardless of their relationship to the victim in any setting, including but not limited to home and work.” Sexual violence happens in all cultures with varying definitions of what constitutes sexual violence [5].

The use of rape as a tool of persecution is not new, but recognition of the political rape of women as a violation of internationally protected human rights and as a basis for political asylum is[6].

The post-World War II Nuremberg trials condemned rape as a crime against humanity[7]. The term
appears to have been applied for the first time formally at the international level in 1915 by the Allied governments (France, Great Britain, and Russia) when issuing a declaration condemning the mass killing of Armenians in the Ottoman Empire[8].

The Council of Europe ensures its obligation within its legal orders on the issue of human rights and gender violation. Violence against women is taken as a severe violation of the human rights of both girls and women[9]. The attention on the issue increases at both the European and international levels [10]. As a result, most European countries and States have taken measures following those actions to act against women violence. Violence against women produces costs for the whole society.

According to the guidelines from the United Nations High Commission for Refugees and several countries some crucial decisions must be taken by individual governments to protect survivors of rape. They should provide legal protection and critical treatment and psychological support to the survivors, by who has been able to educate and expert on the effects of sexual harm.

These efforts have been supported at the international level by the United Nations’ growing duty in providing practical and monetary support to transitional justice procedures and by the establishment of guidance for gender-sensitive programs, which had an impact on women’s admittance to justice through such mechanisms. Similarly, the Beijing Declaration and Platform for Action at the United Nations Fourth World Conference on Women in 1995, and this platform calls upon the governments to encourage a visible and active policy of gender mainstreaming as well as in all programs and policies such that, before making any decisions, an analysis must be made of the effects on both men and women[11].

Rape and other sexual violence methods[12] arise in conflict or post-conflict situations or other cases of concern (for example political strife/controversy). They also have a direct or indirect connexion with the conflict or political strife itself, that is, a temporal, geographical and/or causal link.

Former UN Secretary Ban Ki-Moon said, “Conflict-related sexual violence is as destructive as any bomb or bullet.”[13]

United Nations Security Council Resolution 1820 states that sexual violence is “a tactic of war to humiliate, dominate, instill fear in, disperse and/or forcibly relocate civilian members of a community or an ethnic group.”[14]

Violence against women, especially rape, has been used during or after armed conflicts by state and non-state actors as a weapon against the civilian population. From conflicts in Bosnia and Herzegovina to Peru to Rwanda, girls and women have been singled out for rape, imprisonment, torture, and execution. Rape, identified by psychologists as the most intrusive of traumatic events, has been documented by journalists and human rights organizations against women in armed conflicts including those in Bangladesh, Cambodia, Cyprus, Haiti, Liberia, Somalia, and Uganda.

Based on the Amnesty International reports, the use of rape during times of war is not a by-product of conflicts but is a pre-planned and deliberate military strategy[15], and it has long been used as a tactic of war.

In the Democratic Republic of Congo, approximately 1,100 rapes are being reported each month, with an
average of 36 women and girls raped every day. It is believed that over 200,000 women have suffered from sexual violence in that country since the armed conflict began[16]. Also, between 250,000 and 500,000 women were raped during the 1994 genocide in Rwanda[17].

Within the grander war in parts of the eastern region of the Democratic Republic of Congo (DRC), the combatant revelries carried out yet a different war: which involved sexual ferocity in girls and females. Rape cases and other crimes against teenagers and women increased as soldierly actions increased.

You find that sexual fierceness was used as a missile of combat by involved forces in that battle[18]. Also, soldiers of Rwandan, RCD, and the militaries divergent to them which included the Mai-Mai, fortified clusters of Burundian protestors and Rwandan Hutus of “Forces for the Defence of Democracy” (“Forces pour la défense de la démocratie, FDD”) and “Front for National Liberation” (“Front pour la libération national, FNL”) regularly raped females. In most cases, combatants and soldiers raped them as a portion of further attack whereby they murdered and wounded non-combatants and plundered as they demolished their property. The reason was to intimidate communities forcing them to accept their control and punish them. However, when attacks were no longer there, some clusters of combatants and soldiers raped girls and women as well and those they initiate in the forest, grounds, their homes and even along the roads.

As a result, the war destroyed local economy, and due to poverty, women had to provide resources to sustain their families, and they could, therefore, go to the grounds to cultivate, make charcoal in forests, or trade their goods in markets, which was risky, and exposure to sexual violence. Combatants and soldiers preyed upon those girls and women and those who fled battle to live temporarily and delicate constructions in the forest. Mostly, combatants kidnapped girls and women and taking them to their stations in the forests forcing them to offer domestic labor and sexual services, even for approximately a year. Amongst the many banished by war, remained countless women who hunted security for their families and themselves in other cities. Rather than finding the security, most were raped by government officials or by those soldiers from military camps[19].

Some women who brought responsibilities against those rapists knew that there was a slight chance of farsighted the unlawful condemned since they were afraid of social disgrace connected to being recognized as rape victims by others. Some were kept victims by distress of being denounced and therefore kept them away from looking for medicinal attention. Several who desired medicinal aid had no other place to go to. Medical amenities battered for periods of mishandling during the war collapsed in many communities. Therefore, the absence of such help was mainly perilous due to the commonness of the “human immunodeficiency virus” (HIV) midst irregular combatants besides soldiers; expert assessed 60 percent among military forces in the area. Due to the upsurge in rapes, numerous females were visible not only to acquired immune deficiency syndrome (AIDS) but as well as “different sexually transmitted diseases” (STDs). So, they were not able to receive proper medical treatment, for many were severely wounded by rape and further sexual assaults. You find that this sexual violence has consequences that are profound, direct and changing life for girls and women who were confronted and their communities at large.

Various girls and women will not ever recuperate from psychological, corporal, and societal consequences of these muggings and as a result, a few will perish from them. However, many became expectant as an outcome of rape then they now scuffle to deliver for those children that they gave birth to.
Nearly girls and women were forbidden by their spouses and folks and disliked by broader communal since they remained raped or maybe since they are believed to be diseased with HIV/ AIDS. However, fighters of rape, as well as sexual fierceness, should challenge to make a fresh life, or try transferring to societies that are far away from their previous backgrounds. Brutality against citizens and precisely sexual fierceness is a vital portion of war in most parts of eastern Congo. Those tangled in sexual fierceness against girls and women continued to be satisfied by their headship and powerful patrons for their activities. As the environment of impunity perseveres in parts of eastern Congo, girls and women endure being targeted in a war within another war.

Thus, to avoid this from occurring again in Congo and Rwanda should subject clear directions to all crowds under the government of Republic of Rwanda and RCD controller to instantly stop all erotic fierceness against females and all other defilements of “international humanitarian law.” Also, they should launch an occupied inquiry into acts of sexual fierceness devoted by Rwandan Military and forces of RCD. The resulting researches should also be made communal. Measures to shield the safety should be taken, physical and emotional well-being, privacy as well as the dignity of sufferers and spectators who carry grievances of sexual fierceness. Also, the supposedly accountable for turns of sexual vehemence, counting those in places of expertise responsibility and who may have methodical or complied in these defilements of “international humanitarian law.” Sexual violence fatalities should be remunerated. As well, provide training to RCD troops and Rwandan Patriotic Army on the privileges of girls and women on international and national law excluding sexual ferocity. Deliver crowds and public bureaucrats with exercise and counseling on the issue of STDs, HIV/AID and lastly, provide personal HIV testing as well as counseling and give them free or funded condoms and protect themselves.

The rape and the other sexual violation methods of women and young girls is pervasive in the conflict in the Darfur region of Sudan, too. According to the report of The United States Agency for International Development (USAID), based on states of local leaders, four hundred women and girls had been raped, and some of them were in full view of their husbands. USAID also reported that they had been informed of women being branded by the Janjaweed following rapes. These types of rapes have been described as genocidal rape. The actions of the Janweed is against not just women, but also children being raped, as well as babies being torched to death and the sexual mutilation of victims is so common.

The International Criminal Court (ICC), has filed charges for those crimes against humanity, is also pursuing in his application the charge of genocidal rape as such actions can be tried before the ICC as stand-alone crimes.

Liberia was another conflict zone that sexual violence was a characterizing feature of the 14-year long civil war. Based on the World Health Organization reports, “between 61.4 and 77.4 percent of women and girls in Liberia were raped during the war.” Although, there has been no criminal accountability for perpetrators of war crimes in Liberia, including perpetrators of wartime sexual violence.

As we mentioned above, systematic rape is often used as a weapon of war in 'ethnic cleansing,' and the recent examples of this is Bosnia and Herzegovina. During the conflict in Bosnia in the early 1990s, between 20,000 and 50,000 women were raped, according to a European Community fact-finding team. Teenage girls have been a particular target in Bosnia and Herzegovina and Croatia, according to The State of the World's Children 1996 report. The report also says that impregnated girls have been forced to bear 'the enemy's' child.
Violence assumed a gender-targeted form by use of rape during the Bosnian war that took place in Bosnia and Herzegovina between the year 1992 and 1995. Reports were made on Bosnia and Herzegovina about the countries’ agreement and to other international human rights agreements [27][28][29].

There were mass and regular rape of women of all ages who were non-Serbian, of which the majority were Muslim women, and being the composite manifestations of violence, ethnic cleansing policy and specific form of killing. As we mentioned above, conferring to the State Commission in Herzegovina and Bosnia, roughly 25,000 were registered as victims [30]. Women as well were victims of immense detention and deportation in most listed camps in the engaged territories. Many rapes were carried out in those camps, forced prostitution and all kinds of abuses. Also, there were restaurants, camps, and hotels in which those abuses took place on a colossal scale. You find that, after women were raped, they were killed; some disappeared or even committed suicide. Those premeditated actions were cautiously organized and destined to act humiliate, shame as well as degrade the whole ethnic group. However, they were not just products of "war environment" for some acts of fierceness against women's integrity took place in front of local communities and even their children and family members [31].

It’s clear that rape and other related crimes of sexual violence occurred to women at a larger scale during the Bosnian war in Bosnia and Herzegovina back in the year 1992 to 1995 and after a while, the “International Criminal Tribunal for the former Yugoslavia” (ICTY) was investigated the violations of the international humanitarian law that included sexual violence like rape. For instance, a guy by the name Damjanovic [32] was sentenced to eleven years imprisonment. Another case is about Veselin Vlahovic who was found guilty of sixty different crimes, rape being one of them, and he was sentenced to 45 years imprisonment [33]. ICTY accords the jurisdiction on war crimes, killing, and crimes that are against humanity.

The *jugun ianfu* phenomenon, mostly known by the euphemism “comfort women,” was one of the clear examples of the systematic sexual labor of an estimated 200,000 (although exact numbers are unclear) women and girls from multiple countries [34], authorized and executed by the empire of Japan, during the World War II era [35]. Nowadays, some of the South Korean survivors (comfort women) still protest outside of the Japanese Embassy in South Korea every Wednesday to convince the Japanese government a proper apology.

Another example that The Imperial Japanese Army used the rape as a tactic of war during the Second Sino-Japanese War has come to be known as the Rape of Nanking [36]. Based on the International Military Tribunal for the Far East reports, 20,000 women were gang-raped and killed during the Battle of Nanking, including infants and the elderly [37]. By the soldiers searched door-to-door for young girls and the women. They have been taken captive and gang-raped. That shows us this rape was systematized in a process during the war [38]. *Besides, the women and also the young children were often killed immediately after being raped, often through explicit mutilation* [39] or by stabbing a bayonet, long stick of bamboo, or other objects into the vagina. It is sturdy and the most savage examples of genocidal rape [40].

In a systematic campaign of genocidal rape, between 200,000 [41] and 400,000 [42] Bangladeshi women were raped by the Pakistani military and supporting Bihari and Razaker militias, during the 1971 Bangladesh Liberation War. According to books of Riedel, some women may have been raped as many as eighty times in a night [43].
It is estimated that Soviet soldiers raped around 2 million German women in 1945[44]. According to historian William Hitchcock, *in many cases, women were the victims of repeated rapes, some as many as 60 to 70 times*[45]. At least 100,000 women are believed to have been raped in Berlin, *based on surging abortion rates in the following months and contemporary hospital reports*[46] with an estimated 10,000 women dying in the aftermath[47] female deaths in connection with *the rapes in Germany, overall, are estimated at 240,000*[48].

During the Partition of India, the violence against women has also been accepted as an example of genocidal rape[49].

Sexual and gender-based violence not only has effect on survivors but it can also break up families and contribute hinder to achieve durable peace. According to Conference room paper of the Independent International Commission of Inquiry on the Syrian Arab Republic[50], the sexual violence[51] is used against females and males is to confess and provide information forced, as punishment, as well as to terrorize opposition communities by associated militias (such as IS militants) and the Government forces. It has been reported that rapes and other acts of sexual violence occurred during ground operations, the systematic attack directed against a civilian population, house raids, at checkpoints, and during detention formed part of a widespread. These acts also establish the war crimes of rape and other forms of sexual violence after February 2012.

**Conclusion**

“*You can pretend as a man only against to women!***” this quote was discussed by Eugene Enriquez and Nicole Loraux, which was defined by the French anthropologist Pierre Clastres on the part of the “*Chronicle of the Guayaki Indians (Chronique des Indiens Guayaki)*[52]. Enriquez and Loraux had started their evaluation on the position of the women in an egalitarian society[53].

While Freud was defining the female, he said that the female is nothing but a male without a penis. According to him, the real existing one is who has a penis, and it means it is male and the female exists with the penis envy. Likewise, Lacan followed Freud ideas as he said that “*La femme n’existe pas*[54].

Besides, every society created their own mythos's about defining the women and men and in that mythos is the creative power, and the sexuality of the women had been disciplined and ruled by the men.

As stated in this article, the main reason for the violence attitudes against women is coming from the sex role stereotypes, which are taught by the society since early childhood. There is no doubt that this violence is systematic and politics.

Abuses of women as women rarely seem to fit what these laws and their enforcing bodies have in mind; the more abuses there are, the more they do not fit. Whether in war or in what is called peacetime, at home or abroad, in private or in public, by our side or the other side, man's inhumanity to the woman is ignored[55].

As Mitchell said: *Historically, rape and other crimes of sexual violence have received little attention in international law and, until recently, the failure of humanitarian law instruments…*[56].
It is obvious, that rape and other sexual violence crimes have less attention on the international arena, as it is a gender identity problem of political power. Although, male domination has emerged and persisted with political pressure in the first place, the way to understand and change the current dynamics is to question and challenge to the arbitrary-political superiority of men against women.

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[3] BROWN MILLER, Susan, “Against Our Will: Men, Women and Rape 14”, 1975, supra note 9, at 14 (stating “[t]his accomplished, rape became not only a male prerogative, but man’s basic weapon of force against woman, the principle agent of his will and her fear.”); Susan Griffin, Rape: The All-American Crime, in FEMINISM AND PHILOSOPHY 313, 332 (Mary Vetterling-Braggin, Frederick A. Elliston, & Jane English eds., 1977).


Definition / Article 7/ Crimes Against Humanity / For the purpose of this Statute, ‘crime against humanity’ means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack: … g. Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity; … / For the purpose of paragraph 1: / a. ‘Attack directed against any civilian population’ means a course of conduct involving the multiple commission of acts referred to in paragraph 1 against any civilian population, pursuant to or in furtherance of a State or organizational policy to commit such attack; / Elements of the crime/ According to Article 7 (1) of the Rome Statute, crimes against humanity do not need to be linked to an armed conflict and can also occur in peacetime, similar to the crime of genocide. That same Article provides a definition of the crime that contains the following main elements:/ 1. A physical element, which includes the commission of “any of the following acts”: / … g. Grave forms of sexual violence; … / 2. A contextual element: “when committed as part of a widespread or systematic attack directed against any civilian population”; and / 3. A mental element: “with knowledge of the attack” / The contextual element determines that crimes against humanity involve either large-scale violence in relation to the number of victims or its extension over a broad geographic area (widespread), or a methodical type of violence (systematic). This excludes random, accidental or isolated acts of violence. In addition, Article 7(2)(a) of the Rome Statute determines that crimes against humanity must be committed in furtherance of a State or organizational policy to commit an attack. The plan or policy does not need to be explicitly stipulated or formally adopted and can, therefore, be inferred from the totality of the circumstances. / In contrast with genocide, crimes against humanity do not need to target a specific group. Instead, the victim of the attack can be any civilian population, regardless of its affiliation or identity. Another important distinction is that in the case of crimes against humanity, it is not necessary to prove that there is an overall specific intent. It suffices for there to be a simple intent to commit any of the acts listed, with the exception of the act of persecution, which requires additional discriminatory intent. The perpetrator must also act with knowledge of the attack against the civilian population and that his/her action is part of that attack.


[12] Conflict-related sexual violence refers to cases or models (for listing by Security Council resolution 1960 (2010)) of sexual violence, that is rape, sexual slavery, forced pregnancy, enforced sterilization, forced prostitution or any other form of sexual violence of comparable gravity against women, men or children.

[13] Ban Ki-Moon, former UN Secretary-General


The Death and Rape of Darfur” (PDF). Criminology.


[34] Molnar, Mickayla “Defining the “Comfort Women” Phenomenon: Prostitution to Sexual Enslavement” University of Iowa Honors Theses , Spring 2018. Prior to and during World War II, the Imperial Japanese government authorized and executed the systematic sexual labor of over 200,000 women and girls from Korea, the Philippines, Taiwan, Indonesia, Burma, the Netherlands, Australia, and
Japan. See the detailed research on this matters: https://ir.uiowa.edu/cgi/viewcontent.cgi?referer=https://www.google.ch/&httpsredir=1&article=1332&context=honors_theses (last accessed on the 7th of November, 2018)


[40] For the detailed information: Gao Xingzu; Wu Shimin; Hu Yungong; Cha Ruizhen. *Japanese Imperialism and the Massacre in Nanjing*. Chapter X: Widespread Incidents of Rape. Museums.cnd.org


[43] See Brownmiller, p.83.


As the numbers of warring parties multiplied, so too did forms of sexual and gender-based violence, now documented in virtually every governorate countrywide, including rape, sexual assault, sexual torture, and sexual humiliation.


Women are not exist.
