Rape: The Forgotten War Crime

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ABSTRACT

This research is about the role rape plays in times of war. Rape, as a weapon of war, is used as a form of power and control, torture, and genocide or ethnic cleansing. The focus of this paper will be on the war in Bosnia because it was the first time that rape was recognized internationally and it was also the first time that the criminals of rape were put on trial for their crimes. Evidence will be given to support the statement that rape, during war, is used as a form of power and control, torture, and genocide or ethnic cleansing.

Introduction

The purpose of this paper is to demonstrate that rape, as a weapon of war, is used as a form of power and control, torture, and genocide or ethnic cleansing. This paper will provide a brief history of the Bosnian war, how rape came to be used as a weapon of war, and will elaborate on the strategic ways women are raped, including actual cases of victims/survivors. Catharine MacKinnon (1994) argues that human rights have not been a woman’s right. When a person is being tortured during war most people usually think of that person as a man and not a woman. She explains that the only way women’s rights are recognized as “human rights” is when the women are being treated like men during war time. What MacKinnon means is that women will be seen as human beings when their “arms and legs are cut and bleed like the arms and legs of men; when women, with men, are shot in pits and gassed in vans; when women’s bodies are hidden with men’s at the bottom of abandoned mines; when women’s and men’s skulls are sent from Auschwitz to Strasbourg for experiments” but when women are raped during war, it was not seen as a crime against humanity (183). Women have not been seen as human beings during times of war but rather just as “women.” If women were seen as “human beings” then rape would have been categorized as a crime against humanity a long time ago. Rape has been related to war as long as war has existed.

Rapes occur during times of war for purposes of power or control, torture, genocide and ethnic cleansing. It does not occur by accident or as “something that happens during war.” According to Catherine Niarchos, rape is “an expression of dominance, power, and contempt, a rejection of the woman’s right to self-determination, a denial of her being” (2006: 270). Rape can also occur during times of peace; however, this research is specifically aimed toward rape during war. Rapes during times of war have occurred for as long as war has been around. Specifically, this research focuses on the rapes in Bosnia because these rapes were documented and recorded. More so, the criminals who committed these rapes were put on trial for their crimes for the very first time. Rape for the first time was finally recognized as a crime of war.

The war in the former Yugoslavia began in 1991 after the Soviet Union collapsed at the end of the Cold War. Three major groups were involved – Serbs, Muslims, and Croatians – who had all lived in peace under the dictatorship of Josip Broz Tito (Totten, 2006). Beverly Allen (1996) discussed Italian journalist, Giuseppe Zaccaria, who translated what is known as the Ram Plan. It was the first document that planned the genocide and genocidal rapes of the Muslim population. The document targeted women, adolescents and children stating that if the Serbs aim to target that population, then it would cause fear, panic, and would make the Muslim population leave the country. The document also stated that a well organized plan was needed in order to carry out the mission. Therefore a propaganda campaign was developed.

Bülent Diken and Carsten Bagge Laustsen (2005) found a few cases that demonstrated this propaganda. For example, as early as the 1980s, one of the first cases of rape that caught the political eye of the Serbian Government was the case of Djordje Matinovic. The real story was that he wanted a sexual
experiment with a bottle and the sexual experiment went awfully wrong and he was admitted into a hospital in Kosovo with little pieces of glass in his anus. He claimed that he had been raped by Albanian men with a glass bottle. Even though this story was false, the Serbian Government quickly seized the chance to use this for propaganda purposes. The Serbian Government then instilled fear into the Serbian people living in Kosovo making them no longer feel safe in their own country. Another example that Diken and Laustsen (2005) cite is that of Albanian Kosovars accused by Serbian clergy of raping Serbian nuns. Because of these accusations Albanian men stayed away from Serbian women for fear of being accused of rape. Additionally, this taught Serbian women to fear Albanian men. This propaganda was later waged upon the Muslim population in Bosnia, and the results led to a genocidal war.

Before the war began Muslim men were accused of forcing Serbian women to breed soldiers for them to help with their jihad (Diken and Laustsen, 2005). Another form of propaganda was aired through national television showing what was supposed to be Muslims or Croats raping Serbian women. In reality, it was Serbs raping Muslim or Croat women. Their voices were dubbed to make it look like it was the opposite (Dirken and Laustsen, 2005; MacKinnon, 1994; Salzman, 2006; Stiglmayer, 1994). Sometimes women were forced to “confess” that it was Croatians or Muslims that were raping them when it was clearly Serbs (Mackinnin, 1994).

Why was this propaganda carried out? This propaganda was carried out because of the fear of losing Serbian nationality and because of the decline of the Serbian birth rate after WWII (Salzman, 2006). For example, in the city of Prijedor which is located in the northwestern part of Bosnia, the Serb population was 42 percent compared to the Muslim population of 44 percent; 6 percent were Croats and 8 percent were other ethnicities (Stiglmayer, 1994). Because of fear that the Muslims might take over and “overpopulate” the country, the Serbian military used rape as a weapon of war.

Literature Review

Rape during war is an issue that has been around for centuries, but was never taken seriously (Copelon, 1998; Niarchos, 2006; Salzman, 2006; Skjelsbaek, 2006). Ruth Seifert (1994) stated that when Sander and Johr filmed the video Befreier und Befreite (Liberators take Liberities) in the spring of 1945, it was about rape being used as a weapon of war towards the end of WWII in the Vicinity of Berlin. Clearly, history repeats itself. As the issue of rape is researched as a weapon of war, or rape during wartime, the conclusion is that rape is used as: 1) power and control; 2) to install fear into the population that is being oppressed; and 3) genocide or ethnic cleansing (Seifert, 1994; Salzman, 2006; Carpenter, 2006).

Most of the rapes during the Bosnian war were done in more than one form. There were many strategic ways to rape women, mostly Muslim women. This included rapes occurring when individuals or small groups of individuals would break into a home and rape the women, rapes occurring when a town or village was taken over by the Serbian soldiers, and rapes occurring when the women were in detention or concentration camps. Other rapes occured in rape/death camps and some women were held in “bordello” camps to provide sex for returning soldiers coming back from the front lines (Allen, 1996; Niarchos, 2006; Salzman, 2006; Seifert 1994; Stiglmayer, 1994).

While researching rapes in Bosnia, only one of the articles mentioned anything about Serbian women being raped. Surely, if the Muslim men knew about the raping of their Muslim wives, sisters and daughters, they would want to retaliate. This issue was brought up only by Alexandra Stiglmayer (1994). In her article, The Rapes in Bosnia-Herzegovina, she talks about three cases where the rapes were committed against Serbian women by Muslim men. According to Stiglmayer (1994), “the real reason that Serbian women seldom appear in the reports of rapes in Bosnia might be a different one: they are the wives, sisters, and daughters of the aggressors” (137-138).

Several of the researchers came to the conclusion that rape is used mainly for genocidal and ethnic cleansing purposes (Allen, 1996; Diken and Laustsen, 2005; Skjelsbaek, 2006; Stiglmayer, 1994). However, very few of them mentioned that rape is also used as a form of power, control and torture. It is important to recognize rape not only for genocidal and ethnic cleansing purposes, but also for power, control and torture because of patriarchal and human rights reasons. Most of these rape victims do not talk
about their rape experiences because they either do not want to think about the painful experiences or they are afraid that it will result in disgrace for the family and/or in their husband divorcing them (Allen, 1996; Diken and Laustsen, 2005; Skjelsbaek, 2006; Stiglmayer, 1994).

**Roles of Rape: Power and Control**

Stiglmayer (1994) states that the reason why a man rapes is because he is engaged in violence. Additional reasons are that he wants to demonstrate his power, he is the victor, because she is the enemy’s woman, because he despises women, because of the humiliation he has suffered in the war, to work off his fears, and because war is a man’s business and it has awakened his aggressiveness. The use of rape was not because of the “sexual frustration” of a soldier. Men have a purpose when they rape. In this case the purpose was for power and control. When we try to figure out why men rape, one conclusion is that it regulates the unequal power relationships between the sexes. “It serves to maintain a certain cultural order between the sexes or – when this order becomes fragile – to restore it” (Seifert, 1994: 57).

Studies of war rape refer to the woman as the victim and the soldier as the aggressor. Studies have also shown that rape, used as a weapon of war, is part of a military strategy. In the case of the soldier rape was used as a tool to suggest their status in the “male” world (Dirken and Laustsen, 2005). The criminals could range anywhere from a soldier to a group of paramilitaries to the local people to civilians (Niarchos, 2006).

According to Niarchos, rape was used in many ways. For purposes of power and control, rape occurs when a group is being targeted. The aggressors terrorize the group, take their property, and rape their women (2006). Men who did not rape were humiliated and sometimes even killed demonstrating great power to those who were higher in rank (Dirken and Laustsen, 2005). According to Folnegovic-Smale (1994), these rapes are aggressive and the purpose is to devalue the woman’s dignity, to hurt her physically, mentally and to humiliate her. Personal satisfaction of the rapists was not the objective; in fact the main goal of rape is to let her know who is in control and who has the power.

**Roles of Rape: Rape as Torture**

According to Vera Seifert (1994) rape is a form of torture within torture. Seifert also indicates that when a woman’s inner body is being violated in a sexual violent way, it is the cruelest attack upon the intimate self and the dignity of a human being. That, she concludes, is the most barbarous form of torture ever imaginable for a woman.

The Serbian soldiers committed rape atrocities in order to torture women. Allen (1996) stated that the atrocities that were committed focused on the female genitalia and the reproductive capacities of the women. According to Allen (1996) sometimes great damage was done to the women’s throats because of the soldiers forcing them repeatedly to swallow urine and sperm. Survivors also witnessed several forms of torture that violated the female body. There were reports that women suffered amputations of their body. For example, the Serbian soldiers cut off the Muslim or Croatian women’s breasts then placed her hands across her chest with “one hand under the flaps of skin that remain where each breast used to be” (Allen, 1996: 79). This was done to offend the victim symbolically by having her mark her murder’s religion just as she was about to die (Allen, 1996).

MacKinnon (1994) pointed out that rape being used as a form of torture happens when 1) the victim is forced to “act out” certain sexual roles with the aggressor and 2) when the rapes were turned into pornography. One survivor described that the guards in the camps would look at pornographic magazines and circle the women they would like to sleep with. One woman described what she saw done to another woman which was done in one of the magazines. In the picture, the woman was tied to the bed and the man was whipping her with a whip. In the case that she witnessed, the woman was tied to a wooden board with chains and had a black mask over her eyes. The thick whip looked like one that was used on her when she was at another concentration camp so she knows that it must have hurt (MacKinnon, 1994). The sexual acts in the camps were well organized acts. This form of sadism was performed and watched by many of the Serbian soldiers and again, witnessed as a form of power and control.
Roles of Rape: Genocide or Ethnic Cleansing

Rape was also used as genocide. Rape is a sexual expression of dominance that aims to humiliate, to install fear, and to destroy a woman’s right to self-determination (Copelon, 1994; Niarchos, 2006: 270). Genocide, according to Rhonda Copelon (1994), is “the effort to destroy a people based on its identity as a people – evokes the deepest horror and warrants the severest condemnation” (198). Genocidal rape is aimed at the destruction of an ethnicity by forced pregnancy. In a patriarchal society, such as the Serbians, the child takes on the identity of the father, thus erasing the ethnicity of the woman. This eliminates an ethnicity from a region by installing fear or by killing them off.

In the Bosnia-Herzegovina war, there were five different ways that rape was carried out. The first method of rape was when individuals or small groups of individuals would break into a home and rape the women usually in public forcing family members or community members to watch (Allen, 1996; Niarchos, 2006; Sazlman, 2006; Stiglmayer, 1994). Inger Skjelsbake interviewed women who were victims of rape during the Bosnia-Herzegovina war. One of the survivors that he spoke to was Azra. The rapists pushed their way into her home, asked her to show them all the rooms in her house, and then dragged her into the garden where her son was playing and physically abused her till she lost consciousness. Once she gained conscious they raped her. Azra was raped by the other two soldiers as well. According to Skejelsbaek (2006), Azra’s first rapist even had the guts to ask her to forgive him before God for raping her. These rapists made two more trips to her house before she fled into the woods. Her child and another neighbor were forced to watch her be raped (2006).

The second method of rape occurred when a town or village was taken over by the Serbian soldiers. These soldiers divided the civilians up according to their sex and age. The men were taken away to, most likely, be killed. Some of the women however, were taken away to rape/death camps while the rest stayed behind with the soldiers (Niarchos, 2006; Sazlman, 2006; Stiglmayer, 1994).

One story involved twenty-year-old Emina who was raped along with two other girls. One of the girls was from a nearby village and the other was her neighbor’s 14-year-old daughter. When her village was captured the Serbian soldiers killed men aged 14 to 60 right away. They then invaded Emina’s home. She was home with her 14-year-old brother and 17-year-old sister. They wanted to know where her 27-year-old brother was. Half an hour later they came back with the other two girls and dragged the girls down to the cellar. Down there, the three helpless girls were raped. Emina tried to defend herself, but two of the soldiers held her down and threatened her with a knife (Stiglmayer, 1994).

The third form of rape was performed in detention or concentration camps. Men and women were divided and taken to different places. The women were taken to detention centers where they could be raped by anyone. Civilians, camp guards, soldiers, and paramilitaries could come and pick out the women they wanted, do with them as they pleased, then either return them or kill them (Niarchos, 2006; Salzman, 2006). Emila was a teenager when the war began. She was held in a concentration camp where she was tortured and raped. Her rapists included the local men. Everyone who laid a hand on her she knew; it was only on weekends that the rapists came from another place. She was raped more then 50 times. She was a virgin; her first sexual experience was when she was raped (Skjelsbaek, 2005). Here, gang rapes, rapes resulting in murder, and sadistic rape were common.

The fourth form of rape was when the women were held in so-called “rape camps” or “death camps.” There the women were raped regularly. Some of the captures admitted that their purpose was to make the women carry their child to make “Chetnik babies” which are babies born as a result of rape (Horvath 1993). Besides trying to impregnate the women, they also humiliated, tortured, and sometimes even killed them (Allen, 1996; Niarchos, 2006; Salzman, 2006; Stiglmayer, 1994). Carpenter (2006) further showed that rape resulting in pregnancy was a much worst crime than rape itself “because it helped frame rape as genocidal because of pregnancy’s unique role in corroding the victimized culture” (343). Copelon (1994) also agrees that forced pregnancy is a much worse crime than rape because of “the fact of pregnancy, whether aborted or not, continues the initial torture in a most intimate and invasive form; and bearing the child of rape, whether placed for adopting or not, has a potentially life long impact on the women and her place in the community” (qtd. in Carpenter, 2006:349-350).
Forced pregnancy is degrading to the woman because it does not allow the woman to have a choice in whether to abort the baby or not. Women who were pregnant were held until their seventh month where it was impossible for them to get abortions, therefore, forcing them to give birth to the baby (Bergoffen, 2003). These women were often separated from the other women and given special “privileges.” Very few of the survivors admit to having been pregnant by the Serbs because admitting to it would result in humiliation and the possible chance of their families and their husbands disowning them (Allen, 1996; Carpenter, 2006; Bergoffen, 2003, Niarchos, 2006; Sazlman, 2006; Stiglmayer, 1994).

Melisa was brave enough to admit that she had become pregnant by Serbian soldiers. In April of 1992 Melisa was hiding with ten other women and a few children when the Serbs came into their house. The Serbs were wearing masks so the women could only see their eyes. They came in and took Melisa along with another woman into a bedroom and raped them there. They also raped the other woman in the room with Melisa. Melisa soon fainted afterwards. As soon as she regained her consciousness she ran as fast as she could away from the house. Once she was far away enough, she decided to go to her sister’s house, but that journey took months. When she realized that she was pregnant, she decided to abort the child herself by injecting hot water into herself. Because she was bleeding a lot she thought that the abortion was a success, but weeks later she determined that she was still pregnant. When she had the chance she asked for an abortion at a hospital, but the doctors denied her request. When she arrived at her sister’s home in December, it was too late for an abortion. In the spring of 1993, she gave birth to a dead child in a hospital and left without saying a word. She never said a word about her pregnancy to her family or husband. If she did, not only would her family and husband reject her, but so would the whole town because they would think of that child as filth even though the child was dead (Stiglmayer, 1994).

The fifth form of rape involved the women being put into a “brothel” type camp. These camps can also be related to how the “comfort girls” were run in East Asia. There the women were kept as prisoners to provide sex for the returning soldiers from the front lines. They were generally killed, but sometimes they were exchanged for other civilian prisoners (Niarchos, 2006; Salzman, 2006). One woman reported they were held in a house for about six months and were raped every fifteen days as the soldiers came back from the front (Niarchos, 2006). Kadira was brought to a camp and kept there for the returning soldiers. Kadira stated that sometimes when the soldiers came back from the front, suffering losses, they would be out of control. They would abuse the women in the most horrible way possible.

Conclusion
Even though the war is now over, these women are still suffering from the side effects of rape. The majority of these women experience post traumatic stress disorder and the seriousness of the disorder depends on what the victim went through, what her previous sexual experience was like, her place in her community and her religion, what kind of rape was acted upon her, the attitude of her loved ones and those around her (Fonlnegovic-Smalec, 1994 Skjelbaek, 2006). In some cases, these women were never able to have healthy, sexual relationships even with their husbands. Skjelbaek (2006) also notes that sometimes simple things can trigger the victim’s memories of the rape. Using Emila as an example, she was raped as a virgin. Now, right before she is about to have her menstrual cycle, she experiences pains and phobias. Every time she sees people in uniform, she panics. She does not trust anyone and when someone invites her out for coffee she will think that they will take her to a place to be raped. Emila sees no justice in the International Criminal Tribunal for the Former Yugoslavia (ICTY) either. She does not see how she and all the other women will have to suffer for the rest of their lives and these criminals will only have to suffer for 10 to 15 years.

Although some of these women who were victims of rape do not see any justice in the sentences that the criminals got, their suffering has not gone in vain. Because of their braveness to come out and tell their stories, many international groups have recognized rape as a war crime and raised awareness world wide about the issue of rape during war, bringing international attention to that issue. Many of the criminals are being punished by the new laws regarding rape as a weapon of war. For example, according to the ICTY website, “Kunarac was the commander of a special unit for reconnaissance of the Bosnian Serb Army from June 1992 until February 1993. Dragoljub Kunarac was responsible for the acts of the
soldiers subordinate to him and knew or had reason to know that his subordinates sexually assaulted Muslim women. It is also alleged that he was also personally involved in sexual assaults and rape of Muslim women” (International Criminal Tribunal for the Former Yugoslava). Kunarac voluntary surrendered on March 4, 1998. He was charged on accounts of enslavement, rape and torture which are crimes against humanity and it also violates laws or customs of war. He appeared in court on: 13 March 1998; 25 August 1998; 24 September 1999 and pleaded “not guilty” to all charges. On June 12, 2002, The Trial Chamber sentenced Kunarac to 28 years’ imprisonment (International Criminal Tribunal for the Former Yugoslava).

The ICTY web page updates their information regularly and had recently post a Statement of the Prosecutor on July 25, 2007, to remind the people living in Serbia, Bosnia, Montenegro, and Herzegovina to stay vigil and “to do everything they can to locate and arrest Ratko Mladić, Radovan Karadžić and the remaining fugitives” who are responsible for the genocide, rapes, and tortures of non Serbs in many of the camps (International Criminal Tribunal for the Former Yugoslava). Again, even though some of the victims sees no justice, organizations, such as ICTY, takes these crimes very seriously and is always working together to put these criminals to justice.

The war in the former Yugoslavia illustrates the fact that rape was used as a weapon of war to show the power of the aggressors and to show the victims who was in control. It was also used as a form of torture, and genocide or ethnic cleansing. Rape during wartime is not used for the soldier’s “sexual gratifications.” It was, indeed, used for other malicious reasons. For us to be able to prevent this incredible crime against humanity in the future, we must first, make this issue known world wide and then make sure that every country has a strong law to protect women and children from rapes during wartime.
Bibliography