

**SHADES OF LIFE AND DEATH:
BIOPOLITICS AND LIMINALITY OF
SEXUAL AND GENDER-BASED VIOLENCE IN ARMED CONFLICT**

by

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ABSTRACT

Shades of Life and Death:

Biopolitics and Liminality of Sexual and Gender-Based Violence in Armed Conflict

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This dissertation reconceptualizes the problematics of wartime sexual and gender-based violence and examines the ontological question of why rape is used as a weapon of war. As human bodies are politicized and targeted in the struggle for power in the “biopolitical” era, I call attention to the mass “production” of wartime raped bodies as a purposeful method to destroy the population without killing and to leave them “alive and dead” simultaneously. Hence, these abject raped bodies occupy a shaded, “liminal” space between the life and death binary or where life and death overlap. I maintain that the peace and security discourse necessitates a paradigm shift by centering on the notion of liminality and examining how raped bodies are inscribed in biopolitics. This move elevates wartime rape as a pertinent threat and opens up a domain for new discourse formation, to discuss rape and raped bodies as a consequential and urgent matter, not as an anomaly or a byproduct of war or simply a gender and race issue, that is overshadowed by the dominant genocide and mass killing discourse. The shift also creates a discursive space to examine how to reintegrate rape victims into the juridico-political, socioeconomic, and civil domains. This entails not only addressing bodily integrity, but also securing legal codification, economic stability, and full citizenship for rape victims. The “deliminalization” process necessitates a comprehensive and nuanced

approach, and the discursive modification serves as a set of mental tools for policymakers and peacekeepers in a new and more holistic way when tackling legal, political, and social issues in post-conflict situations. In the three main chapters, I examine 1) empirical aspects of wartime rape highlighting the predicaments of what wartime rape victims experience, 2) social theories on the politicization and “liminalization” of wartime raped bodies, and 3) global and local efforts and impediments to “deliminalize” raped bodies in the judicial, political, and social domains.

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Contents

List of Abbreviations / ix

Chapter 1

Introduction: Why Do They Rape?

| |
|---|
| Prologue / 1 |
| Production of Wartime Raped Bodies / 3 |
| Marginalization and Invisibility of Wartime Rape / 8 |
| 1) Women, Gender, Sex / 8 |
| 2) Race, Ethnicity, Religion / 10 |
| 3) Intersections of Identity Markers / 10 |
| Rape Overshadowed by Death and Killings / 11 |
| Shades of Life and Death: Centering Liminality as a New Paradigm / 13 |
| Materiality of Raped Bodies / 19 |
| Biopolitics and <i>Homo Sacer</i> / 21 |
| Deliminalization of Wartime Rape / 25 |
| Understanding Gender and Sex / 27 |
| Methodology and Outline / 29 |

Chapter 2

Raped Bodies, Damaged Realities

| |
|--|
| Prologue / 34 |
| Genealogy of Wartime Rape Framework / 37 |
| Interpretations of Rape and SGBV / 39 |
| Raped Bodies / 46 |
| The Paradox of In/visible Raped Bodies / 51 |
| Theories on Motives for Wartime Rape / 54 |
| 1) Strategic Rape Theory / 55 |
| 2) Gender Inequality Theory / 57 |
| 3) Psychosocial and Historical Theory / 62 |
| 4) Biosocial Theory / 64 |
| Rape as an Anti-Killing Motive / 66 |
| Perpetrators' Voices from the DRC: Rape and Idealized Masculinity / 67 |
| 1) FARDC: Eriksson Baaz and Stern's Study / 68 |
| 2) Mai Mai: HHI's Study / 69 |
| Militarized Masculinity and Femininity / 71 |
| Is Wartime Rape Rare? / 74 |
| Living Death / 76 |

Chapter 3
Ontology of Wartime Rape: Biopolitics, Liminality, and *Homo Sacer*

Prologue / 78
Sovereignty and the Politics of Corporeality / 80
Biopolitics: Politics of Life / 86
Necropolitics: Politics of Death / 89
Demarcating Bodies: Race, Sex, Gender / 90
 1) Race and Ethnicity / 91
 2) Gender and Sex / 92
Raped Bodies and Liminality of Life and Death / 95
Raped Bodies as Abject and Disposable / 103
Raped Bodies as *Homo Sacer* / 109
State of Exception / 113
Conclusion / 120

Chapter 4
Deliminalization of Raped Bodies:
Local Efforts, UN, and International Jurisprudence

Prologue / 124
Local Impact and Resistance: DRC / 128
 1) Economics / 129
 2) Family and Community / 131
 3) Children / 132
Speak Up, Take Action: Breaking the Cycle of Silence/Violence / 133
Gender, Peace, and Security: Critique of UN's Initiatives / 135
Reconceptualizing Gender Mainstreaming / 137
Deconstructing UNSCR 1325 / 140
 1) Participation / 140
 2) Protection / 141
 3) Prevention / 141
 4) Gender Mainstreaming / 142
Critiques / 142
 1) Political Participation / 142
 2) Peace Negotiations and Agreements / 143
 3) UN Peacekeeping / 145
 4) Lack of Political Will / 146
 5) Lack of Accountability and Funding / 147

Challenging UNSCR 1820: Conflict-Related Sexual Violence / 148
Culture of Impunity / 153
International Jurisprudence and SGBV / 156
ICTR: International Criminal Tribunal for Rwanda / 157
Rape Overshadowed by Genocide? / 159
ICTY: International Criminal Tribunal for the former Yugoslavia / 161
Still a Long Road Ahead: Lack of Convictions and Gender-Sensitivity / 162
Conclusion / 165

Chapter 5
Conclusion

Epilogue / 169
Summary / 170
Recommendations for Deliminalization / 172
Hope and Resilience / 174
Application of Liminality / 175

Bibliography / 178
CV / 193

List of Abbreviations

| | |
|--------|--|
| AU | African Union |
| CEDAW | Convention on the Elimination of All Forms of Discrimination against Women |
| DDR | disarmament, demobilization, and reintegration |
| DRC | Democratic Republic of the Congo |
| ECOSOC | United Nations Economic and Social Council |
| FAR | Rwandan Armed Forces |
| FARDC | Armed Forces of the Democratic Republic of Congo |
| GAU | Gender Affairs Unit |
| GBV | gender-based violence |
| GSBV | gender and sexual-based violence |
| HHI | Harvard Humanitarian Initiative |
| ICC | International Criminal Court |
| ICTR | International Criminal Tribunal for Rwanda |
| ICTY | International Criminal Tribunal for the former Yugoslavia |
| IDP | internally displaced people |
| IOM | International Organization of Migration |
| ICRC | International Committee of the Red Cross |

| | |
|---------|---|
| LTTE | Liberation Tigers of Tamil Eelam |
| MONUSCO | UN Organization Stabilization Mission in the Democratic Republic of the Congo |
| NAPs | National Action Plans |
| NGOs | non-governmental organizations |
| OTP | Office of the Prosecutor |
| PTSD | post-traumatic stress disorder |
| RPF | Rwanda Patriotic Front |
| SC | Security Council |
| SCR | Security Council Resolution |
| SCSL | Special Court for Sierra Leone |
| SEA | sexual exploitation and abuse |
| SGBV | sexual and gender-based violence |
| SLRP | Sierra Leone Reparations Programme |
| SSR | security sector reform |
| SV | sexual violence |
| SVCZ | sexual violence in conflict zones |
| UN | United Nations |
| UNDP | United Nations Development Programme |
| UNHCR | United Nations High Commissioner for Refugees |
| UNIFEM | United Nations Development Fund for Women |
| UNMIL | United Nations Mission in Liberia |

| | |
|----------|---|
| UNSC | United Nations Security Council |
| UNSCR | United Nations Security Council Resolution |
| UNTAET | UN Transitional Administration in East Timor |
| UN Women | United Nations Entity for Gender Equality and the Empowerment of Women |
| US | United States (of America) |

Chapter 1

Introduction: Why Do They *Rape*?

Prologue

The following narrative was given by a 20-year-old woman named Perpetue who was raped and mutilated for over three months during the mass rape and genocide campaign in Rwanda. Her story was recounted in the Human Rights Watch report, *Shattered Lives*:

On April 9, 1994, they found me. I was taken to the Nyabarongo River by a group of Interahamwe. When I got there, one Interahamwe said to me that he knew the best method to check that Tutsi women were like Hutu women. For two days, myself and eight other young women were held and raped by Interahamwe, one after another. Perhaps as many as twenty of them. I knew three of them. ... On the third day, one Interahamwe saw that I was not able to walk anymore. He told me that *I had already died* and could go. I tried to leave, but I could barely walk. There was blood everywhere and my stomach hurt. I walked towards Kamonyi and found refuge in an old church there. ... One Interahamwe ... took me to another building near the church and raped me there. ... There were other women being raped there at the same time, maybe ten women and seven young girls. ... Then, one [Interahamwe] sharpened the end of the stick of a hoe. They held open my legs and pushed the stick into me. I was screaming. They did it three times until I was bleeding everywhere. Then they told me to leave. I tried to stand up, but I kept falling down. Finally I crawled outside. I was naked crawling on the ground covered in blood. I tried to ask someone on the road for help, but they thought I was a madwoman and just ignored me. I finally found a house where they gave me some medicine to apply to the area between my legs. ... I was bleeding so much the skirt became soaked with blood. (25, emphasis added)

Perpetue hid in the bush for about one week until she was found by two men who were kind enough to take her elsewhere. She thought if she left the area where she was from,

she would not be recognized as a Tutsi. However, when she arrived in the town of Gisenyi, she was identified by an Interahamwe from her hometown. Perpetue continued recounting her experience:

One Interahamwe ... took me to the lake. There, he raped me. I cried out because I was still wounded from before and he was opening all the wounds again. He beat me for crying and gagged my mouth. He told me that I was forbidden to cry because Tutsi had no rights at that moment. ... After the rape, I was left alone and naked. I decided to try and escape. I couldn't walk properly and so I was on all fours. When people passed me, I sat down and stopped walking so they wouldn't know that I had been raped because I was ashamed. I crawled like that for two days in the bush. When I urinated, it came out like blood. Black, coagulated blood kept coming out of my vagina. (26)

When I got to the road ... I found a camp ... which was being run by the French. But I recognized someone there who had killed my family so I left. I survived for three days in the bush before the RPF (Rwanda Patriotic Front) came. When I saw the RPF fighters, I thought it was the Interahamwe. I told them to kill me because I didn't care anymore. They took me to Kibuye where I was examined by a French doctor and was given medicine, food and clothes. When they gave me underwear, it was so painful that I could not even put it on. I was given medical care from June 1994 to December 1994. I had to sit in medicated baths every day. They offered to send me to France for medical treatment, but I wanted to go back to my home. Since the war has ended, I have not had my monthly period. My stomach sometimes swells up and is painful. I think about what has happened to me all the time and at night I cannot sleep. I even see some of the Interahamwe who did these things to me and others around here. When I see them, I think about committing suicide. (27)

This story highlights the extreme brutality of wartime rape and the lingering physical and psychological agony it inflicts on the victims, destroying the very kernel of life and human existence. Perpetue's story is one of the countless accounts on the realities of wartime sexual and gender-based violence, but what I want to emphasize in her narrative and in many others is the common yet downright ignored statement in which the victims describe that they "had already died" although they are technically alive with a beating heart and showing signs of life. As this is typically the case with rape victims, what

happens when death is experienced in life? How does being “already dead” while being alive simultaneously impact their lives moving onward? Moreover, how does this phenomenon impact politics, governance, and the notion of peace and security? These basic yet crucial questions of “death in life” vis-à-vis wartime rape and its victims necessitate calling attention to the hundreds of thousands of voices similar to Perpetue’s that lie at the very heart of this dissertation.

Production of Wartime Raped Bodies

Margot Wallström, the United Nations (UN) Special Representative of the Secretary-General on Sexual Violence in Conflict, states, "wartime rape is not a side effect, but it is actually a new frontline" and “is not a crime that the world can dismiss as collateral damage or inevitable or cultural as it is often called” (“Sexual Violence Is a New Frontline”). In the biopolitical era where human bodies are politicized and targeted in the struggle for power, the mass “production” of raped bodies is used as a purposeful method for authorities and armed forces to achieve political or military objectives and control the enemy population and land. Such violence has become a normalized and familiar tactic, exercised strategically and systematically to destroy, harm, dysfunctionalize, humiliate, and terrorize. It is an effective stratagem causing massive destruction not only at the time of rape but also for many years afterwards. The suffering and ramifications of the violence spread to familial, communal, and national levels, even crossing borders and extending globally, threatening the notion of peace and security.

Numerical data tell only a sliver of the story, and in fact, there are no accurate statistics when it comes to the number of rape victims due to the difficulty to collect data, underreporting of rape for the fear of ostracization and retaliation, and also overreporting in which civilians falsely claim they were raped to receive aid from humanitarian agencies (Eriksson Baaz and Stern, *The Complexity of Violence* 53). Despite the inaccuracy, an estimation of the number of rape victims provides a sense of magnitude of the atrocities.

A recent often-cited study estimates that over 400,000 women were raped between 2006 and 2007 in the Democratic Republic of the Congo (DRC) (Peterman et al. 1063), which is 26 times more than the numbers the UN had released (Peterman et al., “Rape Reporting”). The Congolese government army, non-state armed groups, and rebel facets are raping civilians on an unimaginable scale, and as the conflict is ongoing, the number of casualties is growing daily. It is not just women and girls, but also men and boys who are increasingly becoming victims of sexual violence, which challenges the assumption that rape equals violence against women (Eriksson Baaz and Stern 43-47). It is said that the root cause of mass rape in the DRC is attributed to the pursuit to obtain highly profitable mineral resources, such as coltan, gold, diamonds, and copper, and that the sales of these “conflict minerals” help finance armed groups and subsequently keep the rape campaigns going.

During the Bosnian War from 1992 to 1995, an estimate of 20,000 to 50,000 women were raped (de Brouwer 9). When Yugoslavia dissolved and the Serbs used this opportunity to create their own single-ethnic republic, “ethnic cleansing” was used, which featured systematic rape and forced impregnation by Serbian soldiers as an effort

to dilute the Bosniak (or Bosnian Muslims) or other non-Serbian blood. There were rape camps set up to impregnate women that would deliver Serbian babies and keep them hostage until abortion was no longer possible (9). Describing the terrible trauma that befalls rape victims, Wallström recounts a story of a woman she met in Sarajevo who had been raped and held in one of the camps. “She said ‘sometimes I wish that they had shot me instead because *they took my life without killing me*” (“Ban Calls for,” emphasis added).

In the mere 100-day period from April to July 1994, an estimate of between 250,000 and 500,000 Tutsi women and girls were raped and mutilated in Rwanda (de Brouwer 11). The culmination of ethnic tension in the region was the main cause of the violence. These victims were subjected to a full range of sexual and gender-based violence, including rape, gang rape, sexual slavery, forced incest, and amputation or mutilation of victims’ breasts, vaginas, and buttocks. They also attacked those with physical features considered to be Tutsi, such as small noses and long fingers (de Brouwer and Chu 15). The anguish and trauma from rape endures; over 70 percent of surviving victims contracted HIV from the perpetrators as the virus was used as a weapon to desecrate the women and consequently the future generation if she is pregnant (11). One rape victim in Rwanda describes her plight: “When [an Interahamwe soldier] finished raping me, he offered me to the two youngest males in the group, who were young enough to be my children. They were both ordered to rape me. While they did, *I felt like I was already dead* (de Brouwer and Chu 60, emphasis added).

These are wars waged against the bodies of women, men, girls, boys, the elderly, and babies whose flesh become battlefields and targeted sites of brutality. Rape is a body-

on-body violence in which the rapists' bodies are weaponized and militarized to obliterate the enemy to the point that they are almost dead. Not only the immediate and persisting physical scars, but also familial and communal ostracization and deep shame due to being raped by someone other than one's husband (when a married woman is raped) and having a tainted body from rape further traumatize and take life out of the victims. Rape is an economical weapon of war for the perpetrators, "cheaper than AK-47s or grenades or scud missiles" (de Brouwer and Chu 166), but the damage it generates is devastating and literally life-threatening. Rape also spreads fear among the locals and communities, restricting freedom of movement and economic activity, which ultimately forces civilians into submission and despair (*The Shame of War* 38). Rape emasculates enemy soldiers who failed to protect their people, particularly women and children, while their zombie-like raped bodies are used "as an envelope to send messages to the perceived enemy" that they have lost the fight (16). On a global scale, the mass production of wartime raped bodies threatens the notion of peace and security, which constitutes a crime of international concern and has cross-border implications, such as population flight, expansion of refugees, spread of HIV/AIDS, and economic dislocation (Anderson, "Politics by Other Means" 244).

It is said that rape came hand in hand with war as long as history can remember; from the early accounts of the Torah, in Homer, in the Anglo-Saxon chronicles, to the mythological events such as the rape of the Sabine women (Gottschall 129). In more recent times, there were rapes in World War II where the Germans raped Jewish women in ghettos and concentration camps and where the Japanese military set up "comfort stations" mostly in mainland Asia to rape local women. The list is infinite when it comes

to the frequency of rape in armed conflict, but I choose three contemporary rape campaigns in the DRC, former Yugoslavia, and Rwanda as case studies for this dissertation because I maintain that these atrocities represent post-Cold War rape campaigns where the role of the state has changed and where sexual violence is/was commanded not only by the state military but also by non-state armed groups and rebel facets. There are/were different actors committing rape, which characterizes present warfare. Furthermore, although rape was used for similar purposes in past conflicts, I want to examine current trends to tackle wartime rape in the last 15 years since the Bosnia War. There have been important developments in legal, political, and social realms on global and local levels worth investigating. Moreover, I use these rape campaigns as case studies because they changed the discursive and material landscape of wartime sexual violence for their visibility and awareness. This has a direct impact on policies and advocacy work put forth by the UN, international courts, and local initiatives.

The most basic definition of rape is forcible, non-consensual intercourse, and it is considered one aspect of the wide range of sexual and gender-based violence, targeting individuals of groups based on their gender and/or sex, which the perpetrators attack to reinforce gender ideologies and stereotypes and/or aim at sexual features of the human body and existence. Therefore, sexual and gender-based violence in the context of armed conflict entails not solely rape, but also sexual abuse, sexual exploitation, sexual slavery, forced incest, forced impregnation, “vaginal destruction,” and other heinous crimes. In this dissertation, however, I use the word “rape” to indicate various acts that are sexual

and gender-based. I will elaborate further on the gender and sex framework and the notions of masculinity and femininity vis-à-vis rape in armed conflict later in this chapter. Moreover, a quick note that I use the word “war” loosely to suggest also the intra-national or intra-state ethnic, religious, and other intercommunal nature of armed conflict, and not exclusively inter-national or inter-state warfare.

Marginalization and Invisibility of Wartime Rape

A rape victim in Rwanda recounts that when she went to the judicial police inspector and told him that she knew the names of the men who raped her, the inspector said that rape was not a reason to accuse a person and that there is no rationale to bring rape cases before the courts (*Shattered Lives* 52). Despite its omnipresence and destructive capabilities, wartime rape is nonetheless rendered an inconsequential and non-urgent atrocity, and raped bodies are marginalized and rendered invisible in the war, peace, and security discourse. Why is that so? Why is the act of rape and why are the victims of wartime rape sidelined? I want to point out three recurrent reasons for this peripheralization, which are 1) women, gender, sex, 2) race, ethnicity, religion, and 3) the intersections of all of the above.

1) Women, Gender, Sex

Gender is supposed to imply *all* genders, but there is a tendency to perceive gender as being synonymous with women, and therefore undermined because it is about women.

Besides, gender is undermined because it is generally informed by one's biology and sex, as sex tends to be a taboo subject. Wartime rape is marginalized and rendered inconspicuous because it is a women's or gender or feminist issue, and there is a serious lack of attention and deliberation precisely because it is a women's and gender-related issue. Catherine MacKinnon describes the overall negligence of women's human rights in simple yet powerful words:

... what is done to women is either too specific to women to be seen as human or too generic to human beings to be seen as about women. Atrocities committed against women are whether too female to fit the concept of human or too human to fit the idea of female. "Human" and "female" are mutually exclusive by definition; one cannot be a woman and a human being at the same time. (181)

This attitude of undermining gender is surprisingly typical in international organizations such as the UN and the International Criminal Court (ICC) as well. Nadine Puechguirbal relates the gender-insensitive sentiment in the UN where her colleagues neglect gender issues in conflict zones by saying, "It's an emergency [situation]; we have no time to think in gender terms, we'll do it later" ("Failing to Secure" 11). In a similar vein, Xabier Aranburu observes that there is absence of empathy towards rape and its victims at the ICC, claiming that the court is unwilling to investigate wartime rape, first, for the lack of awareness and sensitivity to rape from senior male officers, second, for the sense of embarrassment in dealing with issues pertaining to gender, sexuality, and women's bodies, and third, for the absence of established methodology to adjudicate rape crimes (612).

2) Race, Ethnicity, Religion

Wartime rape is also peripheralized in the war, peace, and security discourse because it is a racial, ethnic, and religious issue. Critiquing the lack of racial and ethnic analysis in politics and violence, Rey Chow asserts that racial violence is in fact not an exception or a kind of scapegoating, but rather has “a systemic function” (15). As was the case with the atrocities in the former Yugoslavia and Rwanda, the purpose of mass rape and ethnic cleansing was to demarcate the enemies’ bodies through violence based on their race, ethnicity, and/or religion. Hence, rape serves as a tool to divide racial, ethnic, and religious groups—in other words, “otherizing” the other, distinguishing between “us” and “them,” and creating a hierarchy between different groups through violence.

3) Intersections of Identity Markers

While the Serbs used ethnic cleansing to create their own nation and otherize the Bosniaks (Bosnian Muslims) and Croats, sex was employed in the process as a war tactic where biological females were targeted because of their capacity to bear children. It is often the case that gender ideologies and stereotypes support the motives for rape—men as warriors and protectors, women as mothers and nurturers. But there is an inherent contradiction that men protect the women and rape them at the same time.

When it comes to wartime rape, it is important to note that the fulfillment of causing harm to or eradicating a certain racial, ethnic, and religious group relies on the notions of gender, sexuality, and reproduction. As Cynthia Enloe asserts, the motive for

wartime rape is inherently intertwined with various identity markers and beliefs, and without understanding the intersectional aspect of gendering *and* racializing of identities as a war tactic, it will “expose only the tip of the analytical iceberg (“All the Men Are” 51). However, the intersection of gender, sex, race, ethnicity, and/or religion complicates the understanding of wartime rape and marginalizes the violence even further.

Rape Overshadowed by Death and Killings

I argue, however, that the primary reason why wartime rape is rendered an inconsequential and non-urgent atrocity is that criminality and casualties in the war, peace, and security discourse have been built upon the problematics of genocide and mass killings. This dominant death discourse overshadows crimes other than manslaughter, and therefore, atrocities such as wartime rape have been constantly treated as secondary and peripheral. Focusing on genocide and mass killings obscures the terrors of rape and sexual violence in armed conflict, and turning a blind eye exacerbates the trauma of rape victims. Not only that, because of the lack of attention and prosecutability, rape is used as a chosen tactic by armed groups, taking advantage of the invisibility for such crimes and the culture of impunity. This indifference has led to “an unsophisticated investigation” (de Brouwer and Chu 154) into wartime rape.

Human Rights Watch criticizes that one of the explanations as to why the UN failed to properly respond to mass rapes and the victims in Rwanda was that their aid focused on the aftermath of genocide. The women and men who were raped and “survived” did not receive proper medical treatment and the resources they needed. Not

only the UN, but also local authorities, scholars, and aid workers from abroad, and the media alike paid more attention to the mass killings, and less to rape. One victim testified that in her area in Rwanda, “the sector authorities registered the dead, but no one asked about the women or what their problems were” (*Shattered Lives* 52).

I want to briefly insert and explain the emergence of the term “genocidal rape,” which coupled wartime rape and genocide to highlight the immensity and monstrosity of mass-scale rape in armed conflict. It came on the radar prior to the *Akayesu* case at the International Criminal Tribunal for Rwanda (ICTR), which caught people’s attention and brought the devastation of wartime mass rape to light. Associating the supposedly insignificant rape in armed conflict with the G-word was an effective strategy on the feminist legal experts’ part and the media to put the issue on the table. There are actual similar interpretations between genocide and rape, which genocide is construed as an effort to *destroy* the people based on its identity as a people (Genocide Convention) and rape is a gendered and sexualized violence that seeks to humiliate, terrorize, and *destroy* based on identity markers (ICTR judgment).

However, this elision erases the fundamental divergence between wartime rape and genocide, where genocide victims are dead while rape victims are still alive. Rhonda Copelon would agree that “[r]ape and genocide are separate atrocities” (64), and the concern is that by calling mass wartime rape “genocidal,” it creates an unwelcome hierarchy between “different” kinds of rape. On the one hand, there is genocidal rape, and on the other hand emerges “normal” rape that happens in peacetime or is not of a massive scale. This distinction removes seriousness from sexual violence in general, giving a

pretense that non-genocidal rape is unimportant and that the degree of rape matters in determining its graveness. In other words, exaggerating the distinctiveness of genocidal rape and “normal” rape obscures the atrocity of common rape (69).

Shades of Life and Death: Centering Liminality as a New Paradigm

It is common to hear the assertion that people who were raped are fortunate because they were not killed and are alive. There is also a broad perception that rape is a lesser crime not worth paying attention to compared to other heinous crimes because the victim “survived.” It is preposterous to put a hierarchy on crimes and to debate whether or not wartime rape is more devastating than genocide. I am in no way suggesting that rape is more atrocious than other offenses. However, this prioritization of death crimes generates a plain life and death binary where simply being dead or alive matters in the spectrum of human existence. The quality of life is obscured and unquestioned, and the gradation of how life is lived during and after war is not adequately scrutinized. This proclivity is highly problematic for rape victims because they reside somewhere between life and death or where life and death overlap. With this being the case, how and in what condition are raped bodies inscribed in the order of life and death? And where is the subjectivity of rape victims when sexual and gender-based violence is marginalized from the war, peace, and security discourse?

My principal argument is that raped bodies occupy a “liminal” space *between* life and death and speak to the spatial, temporal, and discursive domain where life and death overlap. I call attention to the “liminality” of raped bodies as they inhabit a shaded,

interstitial space that defies the dualism of life and death. As the previous testimonies highlight, victims of wartime rape express their existence as “alive and dead” simultaneously and as “living corpses” (Mills “An Ethics of Bare Life”). Although they are technically alive with a beating heart, rape victims live in a death world, and surviving the violence was only a fragment of their enduring predicament.

I equally assert that the fundamental reason for the use of rape and sexual violence in armed conflict is to purposefully keep the victims alive with utmost devastation possible and leave them severely traumatized and deranged in a death-like, zombie-like condition. In other words, the tactic is to deliberately cause serious damage to the body to the degree that the victims are “dead” without actually dying. Chouchou Namegabe Nabintu who is an activist and radio broadcaster in the DRC noted in an interview, “They [the soldiers] refuse to kill the women. Why? They say they can’t give women a good death. Killing her is a good death. They rape women, they put fear in their vagina, and let women suffer” (*On the Contrary*).

In contemporary warfare, Achille Mbembe contends that “weapons are deployed in the interest of maximum destruction of persons and the creation of *death-worlds*, new and unique forms of social existence in which vast populations are subjected to conditions of life conferring upon them the status of *living dead*” (40, emphasis in original). Furthermore, as MacKinnon states,

... this is not rape out of control. It is rape under control. *It is also rape unto death, rape as massacre, rape to kill and to make the victims wish they were dead.* It is rape as an instrument of forced exile, rape to make you leave your home and never want to go back. It is rape to be seen and heard and watched and told to others; rape as spectacle. It is rape to drive a wedge through a community, to shatter a society, to destroy a people. (187, emphasis added)

This notion of “liminality” in social theory was first introduced by Arnold van Gennep and later developed by Victor Turner, which originates from their analysis of the transition period of rites of passage, a phase that is "betwixt and between" two different existential planes. Liminality implies uncertainty and undefinability because it is sandwiched and captured by two dominant components, and while subjects are in the liminal period, they are perceived as irrelevant and inconspicuous.

For van Gennep and Turner, liminality is transitional, gets dissolved, and loses its peripheral status. However, in terms of wartime rape and raped bodies, I frame their liminal status as indefinite or semi-perpetual following what Árpád Szakolczai discusses as “permanent liminality” in which liminality is not a stage but a lasting condition (207). By stating that their liminality is permanent, I am not denying the agency of rape victims, nor am I disregarding the possibility for them to rebuild their lives and bring “life” into the “death in life” situation. However, their liminality severely complicates the rehabilitation process because their intermediate existence is hardly codified in the legal, political, economic, and civil system and because there is a lack of methodology to reintegrate moribund rape victims into society. When wartime casualties are dead, obviously there is no need to integrate them in society, but with wartime rape victims who are alive, they need to be reinstated. The liminality of raped bodies speaks to the reason why it is hard to reintegrate wartime rape victims into the socioeconomic, juridico-political, and civil worlds.

As wartime rape victims occupy this liminal domain, they are rendered intangible, disposable, and unimportant. They are also regarded as “abject,” and as Julia Kristeva

asserts, abjection “disturbs identity, system, order” and is “in-between, the ambiguous, the composite” (4). The abject is situated somewhere in the middle of the subject and object, but at the same time, it is entirely different from the subject and object, which suggests its interstitial characteristic. The abject is also positioned beyond the semiotic and symbolic order, so there is no or little established language to comprehend its existence. Hence, raped bodies imply unintelligibility.

Bülent Diken and Carsten Bagge Laustsen argue that rape turns humans into an abjection, “an alien and disgusting object” who is perceived as “ugly, anxiety-provoking, sick, unhealthy, and so on” (113). Raped bodies are rendered polluted and marginalized, occupying an ambivalent space where life and death overlap. There is a sense of unintelligibility to raped bodies as it is hard to figure out what to make of their horrid and repulsive beings. In places where virginity and chastity before marriage is valued, rape by a stranger or someone outside of wedlock makes the victim unsuitable for marriage and motherhood. But because the family and community do not know how to deal with rape and abject bodies, they expel and disown the rape victim. Women who suffer from obstetric fistula (a damage of the walls that separate the vagina and bladder or rectum) due to rape and sexual torture have urine and feces involuntarily and continuously trickle down the vaginal vault. These women are often embarrassed and ostracized from their families and communities not only because of the shame from being raped, but more so because of the repugnant odor that emits from their body.

Rape victims internalize their abjection as well, perceiving themselves as filthy and unwanted. Rape inflicts stigma and shame, and hence rape victims suffer twice: first from being raped, and second from being condemned by their surrounding community.

Therefore, there are two basic forms of abjection vis-à-vis raped bodies, which are “pollution” and a sense of “shame/guilt” (113).

As non-killing tactics such as rape are used more as a method of warfare, murdering the adversary population is not always the most effective war tactic. Rey Chow asserts, “it is not always necessary to go to the extreme of extermination in order to accomplish the task of control and subjugation” (11). This production of the liminal living dead is a favored stratagem in contemporary biopolitical wars, challenging the norm of death-centric discourse of war and peace.

Furthermore, as rape has become an omnipresent tactic of contemporary armed conflict, this liminality of wartime sexual violence and raped bodies has a detrimental effect on peace, security, and justice. In the past, rape in armed conflict was simply shoved to the side, and the excuse for not properly tackling it was that it is a gender-based, sexual, racial, and ethnic issue, a private matter, and a byproduct of war. Governments and societies of war-torn countries did not desire to or have the need to deal with rape victims or the production of these abject bodies. However, as mainly feminist scholars and activists shed light on the devastation of wartime rape and global gender and women’s issues as a whole, it has become more and more difficult to ignore the implications of wartime rape because 1) there is more awareness of the issue, 2) more victims and witnesses are speaking up, 3) the number of raped bodies is in the tens of thousands, and 4) the media covers the issue, spreading the news across the world and making it more visible to civil society, and 5) video technology spreads the news worldwide.

However, the war, peace, and security discourse has yet to discover the tools, language, and measures to discuss or theorize wartime rape and the liminal and abject bodies. I maintain that the discourse necessitates a paradigm shift, centering on the liminal space between life and death to reconceptualize the problematics of rape in armed conflict. This modification opens up a domain for discourse formation to discuss rape and raped bodies as a consequential and urgent matter, not as an anomaly or a byproduct of war or a gender and race issue. By centering on the liminal place that complicates the binary of life and death, it brings seriousness to wartime rape, elevating its status as a pertinent threat. Besides, it spreads out a discursive space to examine how to reintegrate rape victims into socioeconomic, juridico-political, and civil realms. There is a need to challenge the traditional framework of political science and international relations, or even the conventional binary of life and death, and theorize the implications of liminality and politics of the body. One cannot discuss or complete the debate on politics and violence without examining the liminal lives that inhabit *beyond* the duality of life and death and what living death in life is like. I emphasize that entering the argument on the space beyond the two realms and expanding on its significance is crucial to understanding the politics of rape, jurisdiction, governance, and the issue of peace and security. Wartime rape and raped bodies challenge the prevailing discourse of life and death and call for a radical paradigm shift.

Materiality of Raped Bodies

If you are divided from your body, you are also divided from the body of the world—which then appears to be other than you, or separate from you, rather than the living continuum to which you belong.

—an excerpt from *New Self, New World: Recovering Our Senses in the Twenty-First Century* by Philip Shepard (147)

Here, I want to explain why I adhere to “raped bodies” and to the life, death, liminality, and bodily aspect of wartime rape. The notion of embodiment matters in war because I argue that the body is the very kernel of human existence and raping it devastates the core of societal, cultural, and psychological infrastructure. The body is considered to be most real, pressing, and undeniable. Furthermore, it is important to note how the body has a deep correlation with tactility and affect. The perpetrators aim to draw an emotional effect of shame and guilt, which acts as a powerful method to bring the violence to a maximum level. It is interesting that bodily destruction and violence have become “more tactile, more anatomical and sensorial” (de Brouwer and Chu 34), and the impact of violence is felt at a visceral level, thus making rape and sexual violence a successful strategy in armed conflict.

More importantly, I assert that focusing the argument on life, death, and liminality of rape victims signifies a discursive turn to embodiment and the materiality of the body. It necessitates a move to bring bodies back into the rape discourse, which may sound odd at first because the body is precisely where the violence occurs. But the propensity is that

wartime rape is discussed as an abstraction in academia, theorized in the context of a byproduct or inevitable excess of conflict, erasing the corporeal materiality of raped bodies. In the field of feminist theory and gender studies, rape and bodies tend to be treated also as abstractions, theorized in the context of patriarchy and compulsory heterosexuality. It is true that bodies are not only material but also discursive—politicized, gendered, and racialized—and the intellectual and metaphysical implications of bodies require examination. However, in the process of theorizing, the tangible corporeality of wartime rape victims gets pushed into oblivion.

What I call for is a comprehensive examination of wartime rape by incorporating the notion of embodiment. As Ann Cahill asserts, the body is a “site of multiple boundaries, dynamics, and forces,” and embodiment prevents raped bodies from falling into “the pitfall of treating individuals as mere abstractions and to attribute appropriate significance to their material, emotional, and psychical attributes” (7). In particular, she critiques the general scholarship where the body is traditionally perceived as feminine, whereas the mind and abstract thought is seen as masculine. From the 1990s onward, body theory and bodily materiality emerged in feminist theory, but at the same time, the body has been a “stumbling block for feminism” because it was difficult to reconcile corporeality with abstract notions of social, cultural, and political meanings that are mapped onto the body.

I embrace the body, and the raped body, as a material as well as a discursive site to examine its implications for peace and security. But I do want to emphasize that bodies are a concrete site of violence and rape, and to do a play on words, the reality of bodies (corpo-reality) has been ignored in the analysis of wartime politics. When I say

corporeality, I intimate the flesh, bone, physiology, sensations, affect, and trauma. To center the argument on bodily materiality prevents wartime rape from being merely an abstract issue or a reinforcement of gender ideologies.

Biopolitics and *Homo Sacer*

I also want to elaborate on two theoretical frameworks that shape my argument on wartime rape and the production of raped bodies. First is the concept of biopolitics in which human bodies and lives are targets and focal points of politics and war. The crucial part of the Foucauldian notion of biopolitics is that authorities have the “right to *take* life or *let* live” (136, emphasis in original). In other words, the way in which power is executed is through managing life. Controlling human lives has become the central component of politics, and, in fact, Giorgio Agamben maintains that “politics knows no value ... other than life” (*Homo Sacer* 10). Human bodies have been managed and controlled by authorities as long as history can remember, but Foucault, Achille Mbembe, Giorgio Agamben, and other political philosophers problematize the use of biopolitics and theorize how bodies are subject to discipline, surveillance, and violence imposed by authorities. They argue that what needs to be taken seriously is the very fact that authorities, or the sovereign (this term is used to describe authorities that exert biopolitics, not the traditional notion of sovereignty that exists within state boundaries), exercise their power by using methods of control, coercion, and brutality. Biopolitics is politics of the population, bodies, and human existence, and as Foucault points out, the emergence of techniques and technologies to subjugate and control marks the beginning

of the biopower era (140). He goes on to ask basic yet crucial questions, “How could power exercise its highest prerogatives by putting people to death, when its main role was to ensure, sustain, and multiply life, to put this life in order?” (138) Has the sovereign rejected its role to protect “the ‘right’ to life, to one’s body, to health, to happiness, to the satisfaction of needs, and beyond all the oppressions or ‘alienations,’ the ‘right’ to rediscover what one is and all that one can be?” (145) I assert that the management of life, death, and liminality in politics necessitates theorizing because, as in the case with wartime rape, human bodies are rendered prey and this tactic has become the principal paradigm of modern politics and warfare. In times of armed conflict in particular, the politicization of bodies, life, and death is promoted and honed, where humans are deemed the primary object of destruction and harm.

The second theory is Agamben’s notion of *homo sacer* or bare/sacred man. This concept is built upon Foucault’s notion of biopolitics, where *homo sacer* is a human being “who *may be killed and yet not sacrificed*” (8, emphasis in original) and furthermore life that is managed through simultaneously being *included and excluded* from the juridico-political world. Agamben begins his book by providing an explanation that in Greek, there are two kinds of life: *zoē* and *bios*. *Zoē* is the natural life that is “the simple fact of living common to all living beings” (1), and *bios* is a kind of life that matters and is only possessed by people who are valued and qualified, or “the form or way of living proper to an individual or a group” (1). In the classical Greek world, *zoē* and *bios* are not equal and not granted the same privileges in the political realm, the *polis*. The simple life of *zoē* is excluded from the *polis*, whereas *bios*, the qualified life, is included and rendered worthy.

But there has been a shift in the *zoē-bios* relation in which the simple life, *zoē*, started to matter in the *polis*. In Agamben's words, the "natural life begins to be included in the mechanisms and calculations of State power" (3) in which the sovereign decides that *zoē* is vital to maintaining its power. This sounds as if every life is treated the same, however, there is an asterisk to *zoē*'s inclusion to the *polis* in that they are still constrained and controlled by the sovereign. They do not have self-autonomy or agency and are considered the inferior life, and it is up to the sovereign to decide on the fate of this natural, simple life. Agamben notes that this shift of partially including *zoē* into the *polis* is the beginning of biopolitics (3). However, the point is that the positioning of *zoē* is in fact not full inclusion in the *polis*, but exclusion—inclusion in a sense that the natural life needs to exist in order for the sovereign to maintain its political power, and exclusion in a sense that these lives are simultaneously not totally integrated into politics, not granted full citizenship, and situated outside of the political. It may sound paradoxical, but life/*zoē* is included in the realm of politics by means of exclusion. Human lives become slaves to politics, expendable and undermined; however, the sovereign needs these lives to validate power and its existence. Therefore, as Agamben asserts, the "inclusive exclusion of *zoē* in the *polis*" (7) is the key to modern politics.

The reason why I examine this concept is because I argue that the prime example of *homo sacer* is raped bodies in armed conflict. It is life that exists inside *and* outside the juridico-political system—completely expendable and exploited by authorities and armed forces to maintain their power, but concurrently, produced for the sake of political gain and control during war. The production of raped bodies is a tactic for government forces, armed non-state actors, and rebel groups to gain power and control, but once these bodies

are produced, they are disregarded and become disposable. In other words, the way in which raped bodies are inscribed in the power dynamic is through their expendability and abjection because once they are raped, the bodies are dumped and uncared for. But also, these bodies are simultaneously positioned *inside* the political realm because they are relevant in the power struggle. Hence, raped bodies matter and do not matter at the same time. They are included in the political power mechanism, but also deemed excluded and expendable. This unique positioning of “inclusionary exclusion” or “exclusionary inclusion” is where raped bodies are situated in war and politics. This issue of *homo sacer* poses important questions for the way the politics of human lives are organized and how authorities transform and label undesired people into simple, biological beings and deprive them of political rights and citizenship. For this particular reason, raped bodies are in limbo and, even after armed conflict, are not fully included in the political as well as legal, economic, and societal systems. Impunity is a huge problem when it comes to prosecuting rapists not only because pressing criminal charges for rape is an arduous task, but also because rape victims are not protected by law and are habitually excluded from the judicial world. The precariousness of their positioning as liminal and abject violates the classification of criminality, seeping through loopholes and ambiguities of political recognition and legal codification and causing detrimental impact to politics, law, economics, culture, peace, and security.

Deliminalization of Wartime Rape

Mary Douglas argues that abject beings lose everything, “no status, insignia, ... rank, kinship position, nothing to demarcate them structurally from their fellows” (98). Diken and Laustsen state that there is “no rite of purification” for abjection (119). The existence of wartime rape victims is more or less defined by the violence that has impacted their bodies, and the brutality they experienced marks their socio-economic and juridico-political place or non-place. As rape and other forms of sexual and gender-based violence have become ubiquitous weapons of war in the current climate of biopolitics, where is the subjectivity and agency, if any, of the liminal lives in the political, juridical, and economic arenas? Once bodies become despicable and disposed, are they able to regain their status and become “subjects”? Are there global and local mechanisms to “deliminalize” rape victims or render them *bios*, the life that matters?

This deliminalization process is indeed a major challenge. The humanitarian, peace, and security discourse vis-à-vis wartime rape has not yet been established, and the methodology to tackle the issue has not been shaped. In order to deliminalize wartime rape or to make “life > death,” the UN, international law, NGOs, and various local groups have taken initiatives and, as a matter of fact, some have been successful. The UN adopted Security Council Resolutions 1325, 1889, 1820, and 1888 in the past ten years, which acknowledge the use of rape and sexual violence as a war tactic that threatens the notion of governance, peace, and security. In the international courts, International Criminal Tribunals for the former Yugoslavia and Rwanda recognized rape as a crime against humanity, war crimes, and an “act” of genocide and sentenced a handful of

perpetrators to prison. There are also small yet critical steps taken on a local level to include raped women back into society and support their livelihood. For instance, Congolese women created savings and credit groups, which a paltry amount of money is collected every week from a few women and the sum is given to a different woman to start a small business (Kelly et al. 18). Women have also started support groups for rape victims, providing not only emotional support but also economic support to rebuild their lives.

When I say deliminalization, I do not mean the process to teleologically produce a liberal humanist subject, but the purpose is rather for the victims to gain some sense of morality, acknowledgment, and justice. Feeling invisible and disposable as if their existence means nothing is a common psychological state that victims and witnesses of atrocities face, and this sense of unworthiness is detrimental to their recovery and welfare. In his work with survivors of the Nazi concentration camps, Robert Lifton coined this thinking process the survivors' "struggle for meaning." Lifton observed that camp survivors would "seek something beyond economic or social restitution—something closer to acknowledgment for crimes committed against them and punishment of those responsible—in order to re-establish at least the semblance of a moral universe" (123). Martha Minow also writes in a similar vein that "the victimized deserve the acknowledgment of their humanity and the reaffirmation of the utter wrongness of its violation" (146). Acknowledgment is a crucial part of the deliminalization process, however, recognition is certainly not enough. In fact, the sense of acknowledgment can be reinstated through being fully included in socio-economic and juridico-political arrangements. This entails not only addressing bodily integrity, prevention of rape,

immediate treatment of raped bodies, but also securing political participation, legal codification, and economic stability. The bottom line is that the deliminalization process necessitates a comprehensive and nuanced approach.

Understanding Gender and Sex

There has been considerable debate on what gender means and its interrelationships with sex, reproduction, subjectivity, which I want to elaborate here. There is no question that gender and sex are deeply intertwined with wartime rape, but how do they inform one another?

Rape is a production and reproduction of gender ideologies and norms, regulating the character or behavior of masculinity and femininity. The ideologies of gender inform the act of rape, and the motives for rape rely on the workings of these gender ideologies. A vast majority of rape victims are women, and the violence is aimed at women for what they represent and their function in the family and society. As Rhonda Copelon asserts, women are targets not only because they belong to the adversary, but:

... precisely because they keep the civilian population functioning and are essential to its continuity. They are targets because they too *are* the enemy, because of their power as well as vulnerability as women, including their sexual and reproductive power. They are targets because of *hatred* of their power as women; because of endemic objectification of women; because rape embodies male domination and female subordination. (71, emphasis in original)

Gender ideologies are expectations and stereotypes of behavior and attitudes that a culture socially constructed and institutionalized. The general notion of masculinity suggests men are strong, unemotional, protectors, and warriors; and femininity implies

women are delicate, compassionate, peaceloving, maternal, and homemakers. These ideas get mobilized into motivating soldiers and armed forces to rape.

It is commonly understood that one's biology, physical appearance, and sexual configurations determine one's gender. But in fact, the relationship between gender and sex is not as clear-cut and binary as it seems (Fausto-Sterling "Is Gender Essential?" 53). My point is that gender and sex are fluid and malleable, as well as the interpretation of them, continuously being born and remodeled depending on the societal and temporal context. Ultimately, this fluidity of gender calls to question the artificial formation of gender duality and what masculinity and femininity signify.

As far as wartime rape is concerned, my argument of gender and sex is twofold. First is that when examining sexual and gender-based violence, the analysis is founded upon and relies on the stable, binary categories of women/men and female/male. The second point, which builds upon the first point, is that rape normally functions as a reinforcement of the binary, marking and victimizing the "other" through violence. Feminist scholars and activists, such as Susan Brownmiller, Cynthia Enloe, Rhonda Copelon, and Catherine McKinnon, have been fervently advocating a gender-sensitive look at war and politics and promoting gender as a legitimate category of analysis. They assert that war and conflict is in fact gendered and sexualized, mobilizing the population into the war machine through the binary notion of masculinity and femininity.

There is a recurrent theme of private vs. public when it comes to wartime rape, gender, and sex. Rape is generally rendered a "private" act for its sexual and gender-based nature, and because of its narrow portrayal as merely sexual or gender-specific, and therefore personal, it is perceived as a crime not worth examining. Wartime rape,

however, is part of a premeditated political or military strategy, and ignoring the fact that rape is used as a combat tactic and a weapon of war trivializes what in reality is a major “public” atrocity, a war crime, and crime against humanity (*The Shame of War* 38). This false dichotomy gets in the way of properly addressing wartime rape.

There is also an interesting aspect of sex vis-à-vis body politics that needs mentioning. Sex as an act is a focal point in biopolitics in which it is an effective, invasive method to enter and destroy the victims’ body. Sex is inscribed in the politics of life and death, and, according to Foucault, a pathway to “access both to the life of the body and the life of the species” (146). Moreover, “at the juncture of the ‘body’ and the ‘population,’ sex became a crucial target of a power organized around the management of life rather than the menace of death” (147). This notion ties into the reason why rape and sexual violence are used as a war tactic—to effectively control and violate the enemy population not only for the moment of rape but also for years, even for generations by impregnating women with rape babies. These children born of rape in the former Yugoslavia and Rwanda are now teenagers, and they too live in the liminal space and are in limbo. Sexual violence can eternally alter the genealogy and desecrate the population, gaining access to the life of the body and the life of species.

Methodology and Outline

The aim of this dissertation is to reconceptualize rape and other forms of sexual and gender-based violence in armed conflict by framing the argument with notions of

biopolitics, liminality, and embodiment. Through discourse and textual analysis, I deconstruct the problematics of wartime rape and examine the ontological question of why rape is used as a weapon of war. I execute textual analysis of field reports and testimonies issued by the UN, NGOs (non-governmental organizations), and other humanitarian agencies, as well as scholarly publications and websites, to highlight how biopolitics and life-death liminality are at work. I also analyze video footage of interviews of rape victims and soldiers provided by aid workers and journalists. The three main case studies I examine are the mass rape campaigns in the former Yugoslavia, Rwanda, and the DRC, which altered the discursive and material understanding of wartime rape. However, because the purpose of the dissertation is to conduct a discourse analysis and examine the trends, I also look into other conflicts that support or critique the overarching discussion.

My experience working as an intern/researcher at the United Nations Development Fund for Women (UNIFEM) (now UN Women) from 2005 to 2006 helped shape my thesis tremendously, where I monitored and analyzed the trends of wartime sexual violence and produced reports. For this dissertation, I also conducted semi-structured interviews with UN and NGO staff based in New York or who traveled to the New York area from the field. Because of the harsh criticisms lately for sending untrained graduate students to conflict or post-conflict zones to interview and research rape victims, I decided not travel to conduct fieldwork. Rape is an extremely sensitive and complex subject matter, and executing research requires experience and special caution. When I complete my doctorate degree and move on to the next phase in my career, I am eager to carry out field research and further my work on wartime rape. But

most importantly, I came to the conclusion to do a discourse-theoretical and textual analysis for this thesis because there are basic ontological questions on wartime rape that have not been addressed but necessitate examination. My hope is that this dissertation will make a meaningful contribution, creating a discursive domain that brings wartime rape to the center of analysis. Furthermore, I hope this thesis provides the world of policymakers and peacekeepers with a set of tools for dealing with wartime legal and social issues in a new and more comprehensive way. Rape can no longer be peripheralized and neglected, and it necessitates a fundamental discursive and material shift to bring raped bodies to the focal point of inquiry.

This dissertation is comprised of three main parts. In the subsequent Chapter 2, I examine the empirical aspects of sexual and gender-based violence in armed conflict. Wartime raped bodies occupy the space between life and death, I demonstrate the circumstances in which they inhabit this liminal zone. I look into prevailing theories on the motives for wartime rape—strategic rape theory, gender inequality theory, psychosocial and historical theory, and biosocial theory—and juxtapose them with the perpetrators' side of the story, weaving together their testimonies and shedding light on how they justify the use of rape as a war tactic by tying their belief in the idealized form of masculinity. Furthermore, I expand on when rape is rare in armed conflict and the paradox of in/visibility of raped bodies.

In Chapter 3, I reconceptualize the issue of wartime sexual violence by juxtaposing social theories by Michel Foucault, Achille Mbembe, Giorgio Agamben, Julia Kristeva, and others. The aim is to understand what is at stake in the body politics of

peace and security vis-à-vis rape in armed conflict. I contend that notions of biopolitics, liminality, and abjection speak to the ontological matters of wartime rape, and therefore we begin to see the complexity and challenges that are often ignored in the current discourse. I call attention to centering the argument on the liminality and abject nature of raped bodies and creating a discursive space that allows innovative policies to emerge. Without this shift, wartime rape will always be considered an incidental result of war and a crime not worth investigating and prosecuting.

In Chapter 4, I examine the efforts and impediments to “deliminalize” raped bodies in the socio-juridico-political arena on global and local levels. On the local front, I look into how wartime rape impacts economics, children, and families and communities, as well as practical measures to address local needs and policies. On the global front, I investigate the recent developments in the UN and international criminal courts confronting wartime rape, including Security Council Resolutions 1325 and 1820 and the criminalization of wartime rape in International Criminal Tribunal for the former Yugoslavia (ICTY) and International Criminal Tribunal for Rwanda (ICTR). I suggest a more complete and nuanced approach to wartime sexual violence, which sheds light on the notion of raped bodies as liminal beings that transcend the duality of life and death. Gender is indeed a crucial unit of analysis, but addressing bodily integrity, physicality, prevention of rape, and immediate treatment of raped bodies is not adequate. An extensive measure attending to political inclusion, legal support, and economic strength is necessary.

In the concluding chapter, I elaborate on how centering on liminality opens up a space to discuss other war-related liminal beings, such as refugees, internally displaced

persons (IDPs), and veterans with handicap and post-traumatic stress disorder (PTSD). They also challenge the life-death binary and ask us to examine the implications of the production of liminal bodies in a larger societal scale. I end the chapter by highlighting the hopes and resilience that wartime rape victims have displayed in the aftermath of brutal violence.

Chapter 2

Raped Bodies, Damaged Realities

Prologue

“I wasn't afraid of the killing. I was afraid of the raping.”

—from an interview of a Bosnian woman (Human Rights Watch, *Kosovo*)

Rape and other forms of sexual and gender-based violence are used as a “weapon of war” on a global scale. The mass “production” of wartime raped bodies is a purposeful method for authorities and armed forces to achieve political or military objectives and control the enemy population and land. Such violence is rendered a normalized and familiar tactic, utilized strategically and systematically to destroy, harm, dysfunctionalize, humiliate, and terrorize. Many scholars and human rights advocates assert that rape in armed conflict is neither accidental nor opportunistic, and that it serves as an effective tool in war. As Margot Wallström, the UN Special Representative of the Secretary-General on Sexual Violence in Conflict, states, “rape is not a side effect, but it is actually a new frontline” and “is not a crime that the world can dismiss as collateral damage or inevitable or cultural as it is often called” (“Sexual Violence Is the New Frontline”).

These wars are waged against the human bodies of women, men, girls, boys, the elderly, and newborn babies whose flesh become battlefields and targeted sites of

brutality. What is worth noting is the function of bodies in wartime rape in which bodies (of the victim) become prey and bodies (of the perpetrator) operate as a weapon. The perpetrator's body, in other words, "transforms into a weapon, not in a metaphysical sense but in the truly ballistic sense" (de Brouwer and Chu 36), and the corporeal dynamic of dominance and submission is a key feature in these crimes. It is a body-on-body violence, and the rapists' bodies are weaponized and militarized to obliterate the enemy. In order to rape, the perpetrator has to come in close proximity with the target and penetrate his/her body part (a penis and/or fingers) or an object directly into the victim's body. There is an eerie question of "intimacy" and proximity when it comes to rape and sexual violence.

The point of using rape and sexual violence as a tactic is to keep the victims alive after the heinous crime, severely scarred, traumatized, and deranged with life-less, death-like bodies and souls floating between life and death. Rape is an effective stratagem causing massive destruction not only at the time of assault but also for many years afterwards, even to the following generation. The victims act as "billboards" advertising the horrendous violence, and the suffering and ramifications of the violence spread to familial, communal, and national levels, even crossing borders and extending globally. Not only that, because of the lack of attention to wartime rape and prosecutability of rape crimes, sexual violence is a chosen tactic by armed groups, taking advantage of the invisibility of such crimes and the culture of impunity. This indifference has led to "an unsophisticated investigation" (de Brouwer and Chu 154) into wartime rape, further peripheralizing sexual violence in the discourse of war, peace, and security.

As features of modern conflict changed from *inter*-national to *intra*-national, from symmetrical to asymmetrical, the majority of wartime casualties are now non-combatants. Civilians are no longer simply standing in the crossfire; they are in fact the favored targets. As the combat configuration changes, rape and other forms of sexual and gender-based violence have increasingly become the instruments of war. Moreover, as hundreds of thousands of raped bodies are being “produced” in armed conflict, this shift in war tactic has severe consequences for global and local peace and security.

The purpose of this chapter is to examine the empirical aspects of sexual and gender-based violence in armed conflict and call attention to the harsh realities of what the wartime rape victims experience. This chapter is also a thorough review of various theories and reports on rape in armed conflict. Wartime rape victims occupy a space between and beyond life and death, and I intend to highlight what it is like for them to inhabit this liminal space—a shaded, interstitial domain that defies the dualism of life and death. Although the victims are technically alive with a beating heart, they live in a death world, and surviving the violence is only a fragment of their lasting predicament.

I begin the chapter by providing extensive interpretations of rape and other forms of sexual and gender-based violence (SGBV) presented by UN agencies and international tribunals, as well as from interviews with civilians in conflict zones. The variety of definitions is expansive with different focuses depending on the source—some pay attention to the bodily integrity of rape victims and what happened at the moment of rape, others center on the lingering pain and devastation that follow the initial violence. I also look into prevailing theories on the motives for wartime rape—strategic rape theory,

gender inequality theory, psychosocial and historical theory, and biosocial theory—and juxtapose them with the perpetrators’ side of the story, weaving together their testimonies and shedding light on how they justify the use of rape as a war tactic by tying their belief to an idealized form of masculinity. Furthermore, I present a study conducted by Elizabeth Jean Wood that looks into wars with low incidents of sexual violence and what can be learned from these conflicts. I also study the paradox of in/visibility of rape victims, which wartime rape is generally rendered an inconspicuous crime and a private aspect of warfare, yet it is often conducted in plain view in schools, churches, and fields as a public spectacle.

Genealogy of Wartime Rape Framework

Here I want to briefly review the history of wartime rape discourse prior to the 1990s before the Bosnian War. Considering that rape in armed conflict was rarely scrutinized for hundreds of years due to the common understanding that it was merely a byproduct of warfare, the visibility of wartime rape has increased tremendously in the past decades. This change corresponds with the growth in global feminist activism as well as the ubiquity of global news coverage and internet access. As the basic tenet of the feminist movement is that “the personal is political,” women’s supposedly “private” experiences of rape emerged in the “public” domain. Rape is still widely perceived as a violent manifestation of patriarchy and the unequal power relation between women and men.

As far as rape in war is concerned, rape was charged in the indictment as a war crime, under “inhumane treatment,” “ill-treatment,” and “failure to respect *family honor*

and right” (de Brouwer 8, emphasis added) in the Tokyo Tribunal from 1946 to 1948. This was in response to crimes committed by the Japanese military—rape of 20,000 women in Nanking and rape and sexual slavery of “comfort women” from Korea and China. This notion of scarring “family honor and right” was problematic because women were framed in the context of patriarchy and family, in which they did not have agency and ownership of their own bodies. In other words, women were possessed by men and family and did not have autonomy.

Wartime rape has long been considered a criminal offense under international law, and in fact, the 1949 Geneva Conventions and the 1977 protocols concerning the protection of civilians in war explicitly ban rape, enforced prostitution, and other forms of sexual violence (Copelon 65). However, the main problem was that rape was categorized as “as an outrage upon personal dignity, or crimes against honor” (65). This framework is highly problematic because it meant that the honor of women matters and chastity or virginity is the precondition. Therefore, this connotes that rape equals violence against women and it is “violence against a women’s body, autonomy, integrity, selfhood, security, and self-esteem as well as her standing in the community” (66). Women were perceived as property of men, and it was not woman’s dignity but the man’s dignity that was scarred due to rape. The unequal gendered framework is troublesome, and a fundamental shift in gender relationship was needed for women to be unshackled from the patriarchal burden. Although the verdicts in the ICTY and ICTR rewrote the definition of wartime rape in international jurisprudence, elevating the crime to crime against *humanity*, a war crime, and an “act” of genocide, the Geneva Convention has not been updated to this day.

Interpretations of Rape and SGBV

There are various definitions of “sexual and gender-based violence,” and the interpretation differs widely depending on who defines and when it was defined. For example, the legal interpretation pinpoints the moment of violence—when the victim was raped or sexually assaulted—because, as expected, the purpose of law is to decide on the perpetrator’s criminality and punitive measures. Other definitions pay attention to the suffering that endures days and months, even generations, after the rape. Sexual violence is an effective weapon to cause persisting pain and maximum misery, but this specific aspect of rape is absent in most definitions. I argue that the lingering tribulations and trauma of rape victims need to be explicitly addressed in the definitions in order to properly tackle wartime SGBV because the primary ontological reason to use rape as a war tactic is not to kill but to purposefully leave the victims alive to suffer.

The most basic definition of “rape” is forcible, nonconsensual sexual intercourse. Technically, rape is considered one element of the wide range of sexual and gender-based violent acts, targeting individuals or groups based on their gender and/or sex, which the violence is sexual or directed at sexual organs that results, or is likely to result in, physical, psychological, and emotional pain. Terms such as sexual violence (SV) and gender-based violence (GBV) are also used interchangeably among scholars and humanitarian workers, as well as SVCZ (sexual violence in conflict zones), which specifies rape and other forms of sexual violence that occur during war and armed conflict. These acronyms are used widely and conveniently express a lot of content in only a few syllables. But at the same time, these words are limited in conveying the

widespread and gruesome nature of the atrocities, inadvertently holding the risk of eliminating or disempowering, even sanitizing, the brutality.

In this dissertation, I use these acronyms knowingly out of convenience, hoping that the realities of the violence will not be lessened by using them. Furthermore, I use the words SGBV and SV interchangeably, both of which indicate the gender-based and/or sexual nature of the violence. SV is oftentimes considered a shorter acronym for SGBV. Additionally, I use the word “rape” to indicate not just forced intercourse but also other sexual and gender-based crimes. When I say “raped bodies,” it means the human beings and bodies that are victimized by SGBV, not limited to rape.

SGBV in armed conflict requires a specialized and targeted analysis and solicits an urgent response. Some studies and literature I refer to, however, come from a broader discourse on rape and violence against women as well as a general humanitarian discourse on SGBV that is not limited to wartime settings. Wartime rape discourse is built upon previous studies of rape and other forms of SGBV in general, and sexual violence in armed conflict is rendered more or less an extreme case of overall SGBV.

This being said, there is a fundamental issue that needs to be pointed out, which is the difficulty of distinguishing sexual violence in wartime from sexual violence in “post”-conflict situations and in peacetime. The reason for this is twofold: First, SGBV typically lasts after conflict or ceasefire. The line between a conflict situation and a “post”-conflict situation is blurred (hence the quotation mark), and the violence continues even when guns are put down. More often than not, a ceasefire treaty is merely a formality when it comes to SGBV, having little effect on the ground that would put a stop to such violence.

In Rwanda, many women and girls still endure sexual violence from their spouses or partners more than 15 years after the genocide and rape campaigns. Whether or not there is a direct correlation with the 1994 violence, SGBV is a fact of life where women experience domestic violence or a threat of it. Rape is the most reported crime in Rwanda in spite the fact that sexual violence tends to be underreported (de Brouwer and Chu 148). For the victims of SGBV, the trauma and tragedy of rape and violence linger after armed conflict, which brings no dividing line for them between wartime and peacetime. The fighting may be over, but the victims' pain and internal battle continue as if the war is still going on. A rape victim in Rwanda named Gloriose spoke about her plight: "I am HIV positive as a consequence of the rapes I endured during the genocide, or perhaps those I experienced after the genocide was over; I don't know" (de Brouwer and Chu 110).

The wartime sexual violence that I examine here threatens the notion of global peace and security. There are massive numbers of rapes in the United States, for example, where over 350,000 rapes and sexual assault are estimated to occur annually (Bureau of Justice Statistics website). There are also reports that an increasing number of soldiers who return from Iraq and Afghanistan commit domestic violence and rape. Although these crimes are serious issues, they will not be on the UN Security Council's agenda as a threat to global peace and security. Letitia Anderson proposes a "six-pillar test" which helps to determine when SGBV is a peace and security issue and when the UN needs to intervene (244). To summarize her points, rape and sexual violence is a risk to global peace and security when:

1. it constitutes a crime of international legal concern—SGBV as a war crime, crime against humanity, torture, and an act of genocide;
2. a high-ranking officer either ordered SGBV for military advantage, or knew/should have known that SGBV was being committed by subordinates and failed to prevent and/or punish such acts;
3. it targets persons protected by the law of armed conflict—civilians, women, and children;
4. it has cross-border implications, such as population flight, spread of HIV, and economic dislocation;
5. it contributes to, and proliferates because of, a climate of impunity, which erodes the rule of law, trust in governance institutions, and hence stability; and/or
6. it violates a ceasefire agreement.

There are various definitions of SGBV, but many scholars and aid agencies refer to the interpretations provided by the UN. Below are four interpretations that help to understand the scope and array of SGBV. These definitions of rape and SGBV from the UN and international courts serve as a principal guideline to research and international legal prosecution. The UN interpretation details different types of SGBV, and the legal denotation is rather technical and detailed, recounting what was used (the perpetrator's penis and/or an object), where it was inserted (the victim's vagina or anus or mouth), and the nature of trauma.

First, one of the most comprehensive versions of the definition is discussed in the General Recommendation 19 from the 1992 session of the Convention on the Elimination

of All Forms of Discrimination against Women (CEDAW). What is worth noting is that these provisions deal with violence against “women” in particular and do not include men. This provision is on “gender-based” violence, which should encompass men as well, but the term “gender” is usually narrowly defined and rendered synonymous with women.

According to CEDAW’s Recommendation, gender-based violence is “violence that is directed against a person on the basis of gender or sex. It includes acts that inflict physical, mental, or sexual harm or suffering, threats of such acts, coercion, and other deprivations of liberty” (Paragraph 6). It impairs or nullifies women’s human rights and fundamental freedoms, which are:

- (a) The right to life;
- (b) The right not to be subject to torture or to cruel, inhuman or degrading treatment or punishment;
- (c) The right to equal protection according to humanitarian norms in time of international or internal armed conflict;
- (d) The right to liberty and security of person;
- (e) The right to equal protection under the law;
- (f) The right to equality in the family;
- (g) The right to the highest standard attainable of physical and mental health; and
- (h) The right to just and favorable conditions of work. (Paragraph 7)

Although the description of rights that women have are rather broad, it points to women’s “deprivation of liberty,” which encompasses rights beyond one’s physical integrity and health, such as gender equality. In addition to (c) above, which addresses the right to be protected during international or internal armed conflict, there is a part in the Recommendation that mentions gender-based violence during war and conflict: “Wars, armed conflicts, and the occupation of territories often lead to increased prostitution,

trafficking in women, and sexual assault of women, which require specific protective and punitive measures” (Paragraph 16).

The second definition is provided by the United Nations High Commissioner for Refugees (UNHCR) in 2003, which SGBV should encompass, but not be limited to the following:

- a. Physical, sexual, and psychological violence occurring in the family, including battering, sexual exploitation, sexual abuse of children in the household, dowry-related violence, marital rape, female genital mutilation, and other traditional practices harmful to women, non-spousal violence, and violence related to exploitation.
- b. Physical, sexual, and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment, and intimidation at work, in education institutions, and elsewhere, trafficking in women and forced prostitution.
- c. Physical, sexual, and psychological violence perpetrated or condoned by the State and institutions, wherever it occurs. (*Sexual and Gender-Based Violence* 11)

I will discuss in detail in Chapter 4 how international courts have addressed SGBV. But here, I want to briefly provide the definitions of rape according to two major international court cases. The first definition comes from the International Criminal Tribunal for the former Yugoslavia (ICTY) in its monumental 2001 *Foča* case. This judgment was the first ever to note that rape is a crime against humanity. According to ICTY, rape is sexual penetration, however slight:

- a. of the vagina or anus of the victim by the penis of the perpetrator or any other object used by the perpetrator; or
- b. [of] the mouth of the victim by the penis of the perpetrator; where such sexual penetration occurs without the consent of the victim. Consent for this purpose must be consent given voluntarily, as a result of the victim's free will, assessed in the context of the surrounding circumstances. The *mens rea* [guilty mind] is

the intention to effect this sexual penetration, and the knowledge that it occurs without the consent of the victim.

The other international legal definition is from another significant judgment of the *Akayesu* case at the International Criminal Tribunal for Rwanda (ICTR) in 1998 in which rape is “[t]he physical invasion of a sexual nature, committed on a person under circumstances which are coercive and is not limited to the insertion of a penis into a victim's vagina or anus or the insertion of a penis in the mouth of the victim.”

There is a noteworthy report regarding the “definition” of rape that came from the field in the eastern DRC, which speaks to how SGBV causes lingering pain and societal annihilation. A team from Harvard Humanitarian Initiative (HHI) interviewed local women and men asking how they define rape. While the majority of interviewees noted that rape is “sex without consent with severe physical and psychological trauma,” they also stated simply that rape is “destruction” (*Characterizing Sexual Violence* 22). Moreover, it is the destruction “of the entire community, associating it with the spread of disease, the drop in value of a woman as a wife or prospective wife, and the breakdown of communal and familial relations and social structures” (22). Stigma and shame from being raped keep victims away from their community and family, and being the target of gossip is a crucial part of the hardships victims experience, which are inseparable from the very nature of what rape does. Not only that, rape ruins the societal and psychological infrastructure of families and communities. The act of rape may be instantaneous, but the trauma and social devastation last for months and years, and it is an instrument that thoroughly destroys the fabric of society. The problem may be that the definitions of rape presented by the UN and international courts do not explicitly acknowledge the lingering

distress and impact, which the local people in the DRC were quick to highlight. Rape does more than harm the victims' bodily integrity, and the definitions need to acknowledge the scope of what rape destroys.

Raped Bodies

Victims of rape and other forms of SGBV live as if they are already dead and experience death in life. Their bodies are damaged and endure excruciating pain. It is sadly common to hear the assertion that people who were raped and survived are fortunate that they were not killed. There is a broad perception that rape is somehow a lesser crime than not worth paying attention to. It is preposterous to compare which crime is more devastating and more meaningful for investigation and prosecution, and I am not suggesting that SGBV is a more atrocious crime than others. But when it comes to crimes concerning gender and sex, there is little attention and aid given to them. Not only is there a serious lack of discourse on how to talk about rape and sexual violence, but also there are taboos and mystification around gender and sexuality, making the crime more concealed and invisible, which also why the perpetrators use rape and sexual violence to violate the bodies of the enemy population.

In the DRC where gang rape is rampant, doctors classified “vaginal destruction” as crime of combat (*The Shame of War* 24). Women and girls are vaginally or anally penetrated with body parts (i.e., penis, fingers, hands) and objects (i.e., sticks, broken and sharp glass bottles, knives, bayonets, guns). Due to vaginal destruction, the common trauma in the DRC is obstetric fistula, which is a damage of the walls that separate the

vagina and bladder or rectum. These injuries, vesicovaginal and rectovaginal fistulas, cause urine and feces to involuntarily and continuously trickle down the vaginal vault. Women with fistula are often embarrassed and ostracized from their families and communities not only because of the shame of being raped, but more so because of the repulsive odor that emits from their body (HHI "*Now, the World Is*" 7). The only way to rehabilitate them is to undergo surgery. Panzi Hospital in Southern Kivu of the DRC specializes in gynecological disorders due to sexual violence, and the hospital's medical director Dr. Denis Mukwege says that the perpetrators "do this carefully to *make sure the woman does not die*," causing "damage as bad as they can, to use it as a kind of weapon of war, a kind of terrorism" (Nordland, "More Vicious than Rape," emphasis added).

One cannot emphasize enough the horrifying aspect of being raped and sexually attacked, and the trauma lingers physically and mentally for a long while. Rape victims face an array of somatic problems besides fistula, including sexually transmitted diseases (STIs) and festering wounds. There are also reports on the use of HIV/AIDS as a weapon of wartime rape. In Rwanda, HIV-positive Hutu men intentionally transmitted the virus by raping Tutsi women. In the eyes of the perpetrators, infecting Tutsi women with HIV served as an effective means to contaminate not only her but also her future sexual partners and children she bore (de Brouwer and Chu 15). In the DRC, young children, some no more than five years old, are targeted by militiamen with HIV/AIDS based on a superstition that having sex with virgins would cure the disease and make the soldiers invincible (*Democratic Republic of the Congo* 331-2). Pregnancy due to rape and also infertility due to damage of the reproductive organs are common. Genital mutilation by having the genitalia being cut off and/or burned is also frequent. Physical scars are

evident and painful, but the psychological trauma is as petrifying. Many victims are haunted by nightmares, panic attacks, flashbacks, and insomnia, hindering them from being functional and emotionally stable. Due to the emotional scars and inability to deal with the trauma, drug and alcohol abuse is also common among rape victims.

One of the main effects of SGBV is that it highly stigmatizes rape victims. They feel ashamed, tainted, and unwanted from being raped or gang raped. According to the survey conducted by the HHI in the DRC (*Characterizing Sexual Violence*), the dominant theme throughout the discussion with local civilians was stigmatization and rejection by families and communities. They refer to gossip or “finger pointing” at rape victims, which intensifies their feeling of shame and humiliation (17). Being raped means disenfranchisement from their husbands, families, and communities. Spousal abandonment, inability to marry, and ostracization by the community are serious aftermaths of rape, which is particularly devastating for women who do not have financial independence and rely on their men to sustain a living. One woman in the DRC testifies:

It is only after having exploited you for so long that they release you, knowing that you are totally destroyed and are now only good for nothing, then they ask you to go back to your village. Where it is shocking is that, as you are back to the village, far from giving any sympathy, your husband says, “Where will I go with a wife of *Interahamwe*? You would be better to remain with them in the bush and never see me again.” She is then doomed to be homeless, without any chance to be married anew, since she is targeted by the whole village, referred to as “that one was abducted then raped.” (*Hope for the Future* 27)

Even when these women look for jobs, they are not employable because of their label as a raped and abject person. Women lack agency to begin with in many conflict-ridden societies, but when women are disowned and rejected due to SGBV, they undergo

isolation and homelessness, sometimes with a child born of rape. With no means to pull oneself through, many victims commit suicide.

There is a widespread influence of such violence affecting other geographical locations. The sadistic tactic travels across regions and borders, spreading rape as a method of terror in new territories. A good example of this is the Interahamwe where the rape campaign crossed the border from Rwanda to the DRC. It is not only the tactic but also the fear that being raped carries to other locations. It is a spectacle of suffering, severing, and pain that transcends communities, and its detrimental effect lingers for generations.

In furthering the analysis of SGBV, there are a few other facts to keep in mind. First of all, men are also victims of wartime SGBV. The feminization and homosexualization of men are the main causes for male rape. During the Rwandan genocide and mass rape, men primarily of Tutsi descent were sexually assaulted—their genitals were mutilated and displayed in public (de Brouwer and Chu 15). In the continuing armed conflict in the DRC, there is an increase in male victims of rape, in which “sexual violence against men is yet another way for armed groups to humiliate and demoralize Congolese communities into submission” (Gettleman “Symbol of Unhealed Congo”). A UN news source interviewed two brothers, Jacques and Charles, who were gang raped by six men while attempting to escape to Uganda from the DRC (“Male Sexual Abuse”). Jacques testifies, “It hurts . . . where I got raped. Sometimes when I go to the bathroom, I suffer for hours.” He goes through mental torment and isolation, stating, “I can go for days without speaking to anyone.” Charles confesses, “There is no hope, and sometimes it leads us to

hate life.” According to the African Centre for the Treatment and Rehabilitation of Torture Victims in Uganda, male victims are reluctant to describe the crime as rape, instead calling it torture or abomination, because they perceive that rape is what women experience. Where power and control is strongly associated with masculinity, and where homosexuality is rendered a taboo, male rape victims tend to carry heavy shame and not report the crime. When they do report, it is usually because their wounds festered and became fatal, oftentimes too late to treat. These victims are mockingly called “bush wives,” and many of them end up committing suicide. Moreover, women have been perpetrators of SGBV as well. In Rwanda, Hutu women committed sexual violence by raping boys and men. Hutu women also violated Tutsi women with objects facilitating or ordering their rape (de Brouwer and Chu 15). In other words, there are *inter*-gender/sex and *intra*-gender/sex elements to rape during war.

It is also critical to note that SGBV cannot be fully understood without examining how it intersects with race, ethnicity, and religion. It was for the most part the minority Tutsi ethnic group that were targeted by the majority Hutus during the genocide and mass rape in Rwanda. During the Bosnian War, ethnic cleansing was the prime tactic of war for the Serbs to dilute the Bosniak and Croatian blood. Violence “marks and makes bodies” (Shepherd 2), and sexual and gender-based violence in effect targets and creates the “other” by marking the enemy based on their gender, sex, race, ethnicity, and religion.

The Paradox of In/visible Raped Bodies

The bleak reality of rape and SGBV is that no one knows in actuality how many people are victimized. There are no accurate statistics when it comes to the number of rape victims due to the difficulty to collect data, underreporting of rape, and also overreporting in which civilians falsely claim they were raped to receive aid from humanitarian agencies. Despite this trouble, having quantitative data is important because it brings a greater level of visibility to the violence that is often concealed. In particular, the numbers speak to humanitarian agencies, media organizations, and researchers worldwide who provide aid and conduct further surveys.

There is a paradoxical aspect of wartime rape, as well as rape in peacetime, in which the violence is invisible *and* visible concurrently. Raped bodies are rendered invisible and the victims' voices are silenced because sexual violence is a marginalized wartime crime overshadowed by genocide and mass killings, but rape victims also avoid making the violence visible because they do not want to expose themselves to being retraumatized. The feeling of stigmatization and humiliation is universal across SGBV victims, and it is common that victims do not disclose or speak out about the violence because of shame and fear of retribution especially when the victim and perpetrator live in close proximity or know each other. Also, sex is not only rendered a taboo in many societies, but female victims keep the rape hidden because they are ashamed of their tainted body, undesirable as a wife, partner, and daughter. Male victims are also humiliated and rejected, but they feel even more ashamed because they are afraid to be seen as weak and feminine.

With this said, however, it is uncanny that rape is oftentimes committed in front of family members and people in the community, setting a gruesome spectacle of violence. This is done with an explicit purpose of destabilizing populations and destroying bonds within communities and families. In these instances, rape is a “public act, aimed to maximize humiliation and shame” (*The Shame of War* 15). In Rwanda, rape was more often than not “committed in plain view of others, at sites of schools, churches, roadblocks and government buildings” (de Brouwer and Chu 15). The barbarity of rape is visible, almost hypervisible, and raped bodies are publicly displayed to instill fear in others and for the perpetrator groups to show power and dominance. Even “rape victims’ corpses were left spread-eagled in public view, as a reminder of the brutality and power of the genocide’s perpetrators” (15). Raped bodies are visible in a way that they are marked by “signs of brutality” (Das 8) and function as “billboards” of violence.

Simultaneously, there is an interplay between visibility and invisibility of rape, where the physical and psychological scars from rape are not visible on the surface. As Wallström spoke about raped women, “it is a kind of invisible war damage, the way she has been wounded. ... [S]he meets her rapist in the bank, and he smiles at her [without noticing]” (“Ban Calls for”). A careful observer may perhaps see deep sorrow in the victims’ eyes or remark that the victims have trouble walking straight due to the damage to their reproductive organs. But otherwise, the mark of violence on the victim may be undetectable to others.

Nowadays with the diffusion of cell phones and advancement in technology, cell phone video has brought some level of visibility to rape and helped capture rapists. Most recently in Libya, a rape scene was recorded on a cell phone and the footage caught

international attention. CNN reports that the rebels confiscated cell phones that contain video showing Gadhafi loyalists raping women and torturing people (Sidner “Libyan Rebels Say”). Although the credibility of the footage is in question, there is no denying that cell phones serve as a tool to record and display the evidence of crime. Furthermore, hundreds of people demonstrated in Haiti recently in support of an 18-year-old man who said he was sexually assaulted by peacekeepers from Uruguay on a UN base. The incident became public when a video taken by cell phone circulated and the UN announced an investigation (“Haiti: Anger over Video”). There are many instances in the US where cell phone footage of a rape scene was taken to the police, which led to the arrest of the perpetrator. Although cell phones and cell phone reception may not be readily accessible in conflict zones, if it is obtainable, there is the potential to bring more evidence to the crime and further source of shame.

Juxtaposing invisibility and visibility of bodies, Monica Casper and Lisa Jean Moore maintain that “some bodies are conspicuously missing in action” (3). They argue that while certain bodies are “hyperexposed, brightly visible, and magnified,” others are “hidden, missing, and vanished” (3). Raped bodies during armed conflict have been missing and invisible literally and figuratively, but at the same, these bodies and sexual violence can be highly visible. It is often the case that the line between corporeal in/visibility, dis/appearance, and presence/absence of raped bodies is drawn along identity markers, such as gender, sexuality, race, and religion.

There is a necessity for a “recovery project” of missing and raped bodies. Citing Donna Haraway, Casper and Moore ask these vital questions: “In a world replete with

images and representations, whom can we not see or grasp, and what are the consequences of such selective blindness? ... How is visibility possible? For whom, by whom, and of whom? What remains invisible, to whom, and why?" (11). This recovery project of invisible wartime raped bodies has begun in the last couple of decades, and the discourse is starting to thicken. However, sexual violence in armed conflict remains as an invisible issue, erased, silenced, and hidden. Why is that the case? Is it because the bodies are marked by gender, sex, race, ethnicity, and religion? Because gender and sex are perceived as a non-urgent, non-security-threatening issue? Or it is because the people in military and security sectors tend to lack a gender-sensitive perspective? Or is rape still perceived by many as an inevitable byproduct of war or a problem too big to tackle and solve? And what is the process or mechanism by which raped bodies become erased in policy and discourse in general?

Theories on Motives for Wartime Rape

There has been much research and literature published on the motives for wartime rape and other SGBV in recent years. Early research on rape focused on the victims and their hardships, which is undeniably significant and still thickening. But there has been a shift in the attention of feminist scholars, social scientists, and human rights activists who are conducting research on the factors, conditions, and motivations as to why rape and sexual violence is used in armed conflict. This is an important move not only to understand the reasons behind the violence and what makes the perpetrators tick, but also to develop effective interventions and policies to prevent and stop wartime rape.

I summarize below four common theories that give an explanation to the motives of wartime rape and other forms of SGBV and juxtapose them with the perpetrators' side of the story, weaving together their testimonies and shedding light on how they justify the use of rape as a war tactic by tying their beliefs to idealized forms of masculinity. As a guideline, I turn to Jonathan Gottschall's categorization of these four theories—strategic rape theory, gender inequality theory, psychosocial and historical theory, and biosocial theory. It goes without saying that the propositions are not mutually exclusive and overlap with other theories depending on which armed conflict and which point in time is being discussed.

1) Strategic Rape Theory

This theory is considered the most influential and convincing of all four, which maintains that rape and sexual violence is used for strategic purposes. According to this theory, rape is chosen and used by military and paramilitary strategically and systematically to achieve their goals—be it building a single-ethnic state or destroying the enemy population or controlling mineral-rich areas. As Gottschall suggests, “wholesale rape represents just another ordnance—like bombs, bullets, or propaganda—that a military can use to accomplish its strategic objectives” and that wartime rape is “a coherent, coordinated, logical, and brutally effective means of prosecuting warfare” (131).

Rape spreads debilitating fear and at the same time diminishes resistance of the civilian population, restricting freedom of movement and economic activity and ultimately forcing the civilian population into submission (*The Shame of War* 38). Rape

emasculates enemy soldiers who failed to protect their women and children where raped bodies are used “as an envelope to send messages to the perceived enemy” (16) that they have lost the fight. It is an economical weapon of war for the perpetrators, “cheaper than AK-47s or grenades or scud missiles” (de Brouwer and Chu 166). Using one’s body as a weapon is inexpensive and the damage is devastating without spending money. Militia and rebel groups do use guns and knives to threaten their targets, but the actual weapon is the body of the perpetrator.

According to the famous “Mapping Report” on the situation in the DRC published by UN Office of the High Commissioner for Human Rights, violence there is “accompanied by the systematic use of rape and sexual assault by the combat forces (*Democratic Republic* 287). Sexual violence is used as an instrument of terror to terrorize and subjugate the population, which the militia uses “[p]ublic rapes, gang rapes, systematic rapes, forced incest, sexual mutilation, disemboweling (in some cases of pregnant women), genital mutilation, and cannibalism” (318). The militia groups also use HIV/AIDS to infect and damage the communities. In many cases, the warring factions set up their bases near mineral-rich areas and strategically rape local civilians to gain control of persons and resources.

Rapes in Bosnia-Herzegovina were strategically and systematically perpetrated for the sake of nation-building, to achieve a hegemonic “Greater Serbia.” The object of the conflict was to attain land and nationhood but the target was humans. MacKinnon captures what rape in Bosnia entailed in the following paragraph:

... systematic rape has been a prominent weapon, planned and ordered from the top as well as permitted on a wide scale. Muslim and Croat women and girls are raped, Sometimes men are raped as well on the basis of their ethnicity. Some

of the rapes are filmed and photographed as pornography and propaganda. The women are raped to death or raped and made to live with having been raped. This is rape as forced exile: to make you leave your home and never go back. It is rape as spectacle: to be seen and heard and watched and told to others. It is rape as humiliation: for certain men to take pleasure from violating certain women, or certain men, or to take pleasure watching certain men be forced to violate certain women or girls. This rape is torture; it is sex and ethnic discrimination combined. It is rape as ethnic expansion through forced pregnancy and childbearing. It is rape to establish dominance, to shatter a community. It is rape to destroy a people: rape as genocide. It is rape as nationbuilding: to create a state. (170)

Although strategic rape theory is the most popular, there are some doubts to render SGBV as a planned weapon of war, claiming that it is a sweeping statement or reductionist view of wartime rape. In the case of the national army in the DRC, Maria Eriksson Baaz and Maria Stern question whether rape is used as a strategic weapon. They assert that the command structure is more subtle and that there is an “*implicit authorization* followed by a lack of specific orders not to rape, and coupled with an attitude that rape is unavoidable” (*The Complexity of Violence* 16, emphasis in original).

2) Gender Inequality Theory

This theory identifies wartime rape, as well as rape in peacetime, as motivated by “the desire of a man to exert dominance over a woman” (Gottschall 130). It draws its main idea from the classic tenets of feminism in which there is gender inequality between men and women, women are rendered inferior to men, and women live in a patriarchal world. In other words, the unbalanced gender relation of power and dominance is presumed to be the underline motive for rape. Not only is there a hierarchical relationship between women and men, but there is also misogyny that takes the form of rape and other forms

of SGBV. Referring to SGBV in the DRC, wartime rape “is fueled by gender-based discrimination in the society at large,” states Yakin Ertürk, UN Special Rapporteur on violence against women (United Nations Human Rights Council 21).

This theory outright denounces that male libido is the cause of rape and argues rather that gender discrimination and misogyny are the factors for rape. Therefore, as Ruth Seifert convincingly asserts, rape in armed conflict is not a sexual manifestation of aggression, but an “aggressive manifestation of sexuality” (Stiglmayer 55). In fact, various studies conclude that rape has nothing to do with sexuality and is “pseudosexual” or “anti-sexual” (56). The violence is sexual in a sense that the genitalia and other body parts that signify sex, such as breasts, buttocks, and testicles, become targets, but it is not a case of sexual opportunism or sexual deprivation during armed conflict. Thus, this theory relies on the notion that socially constructed disparity of gender is the cause of wartime SGBV and that these “acts of violence against women must be understood not as sexual crimes but as gendered crimes” (*Shame of War* 44). To support Seifert’s point, A. Nicholas Groth wrote that sexual violence is an act of aggression and that neither sexual desire nor sexual deprivation is the cause for rape. It is not about sexual gratification, but rather the perpetrator using the “other” as a means of exerting their own power and control. Therefore, rape and sexual violence is a distortion of human sexuality and “sexuality in the service of nonsexual needs” (42). Moreover, the perpetrator’s instrument is sex, but their motives are more about punishment and destruction based on gender ideologies and stereotypes (44).

However, in contrast to the “rape as anti-sexual” argument, some argue that it is clearly sex and its reproductive function that makes rape a tool in body politics. In the

ethnic cleansing campaign in the former Yugoslavia, the perpetrators deliberately impregnated non-Serbian women to yield a Serbian child. Therefore, sex was an integral part of the military stratagem, and violence was neither “pseudosexual” or “anti-sexual” as Seifert and others would argue.

Furthermore, sex is in fact one of the focal points in biopolitics or politics of the body where sex is an effective and invasive method to enter and destroy the victims’ body and culture. Sex is inscribed in the politics of life and death, and, according to Foucault, a pathway to “access both to the life of the body and the life of the species” (146). Moreover, “at the juncture of the ‘body’ and the ‘population,’ sex became a crucial target of a power organized around the management of life rather than the menace of death” (147). This is clearly the reason why rape and sexual violence is used—to control and violate the enemy population effectively and for a long time. The violence is long-lived, lasting for years, if not generations, and the genealogy of that population is forever changed. Sex is managed, controlled, and violated by the sovereign because it is a practical target in order to desecrate the population. As far as sexual violence goes, targeting bodies through sex is precisely for the purpose of gaining access to the life of the body and the life of species.

Through her studies on ethnic cleansing and mass rape in Bosnia-Herzegovina in the early 1990s, Seifert provides insightful analysis of the motivations behind wartime rape. Her theses underline gender inequality theory and cultural modes that influence the perpetrators’ actions to rape. Her five purposes of wartime rape are:

1. Rape is part of the rules of war

As women are undermined, they are subject to the rules and practices that men create. Seifert presents that “[w]ar is a ritualized, finely regulated game,” and in this deadly game, it has been understood that rape and violence against women “in the conquered territory is conceded to the victor during the immediate postwar period” (Stiglmayer 58).

2. Rape is an element of male communication

Seifert suggests that rape is perceived as “the final symbolic expression of the humiliation of the male opponent” (Stiglmayer 59). In other words, when “your” women are raped, it communicates that you have become the loser. This notion is based on the gender myth that men are protectors in wartime, and failing to protect their women from rape is not only humiliating but also means defeat. Thus, raping the enemy women sends a message that the perpetrators’ faction declared unofficial victory.

3. Rape is a manifestation or elevation of masculinity

There is a strong connection between masculinity and the military, and the military relies on the imagery of manhood and muscularity to build its identity. By the same token, the implication of femininity during conflict is crucial to advance masculinity. In other words, womanhood is downgraded through violence in order to elevate manliness. Wartime rape and other forms of SGBV, therefore, are acts that demonstrate militarized masculinity.

4. Rape destroys the opponent's culture

This notion again relies on the feminine imagery in wartime in which women are the ones who keep the family and community safe during war. The culture that is created around family and community is important for the male soldiers in combat, and women are positioned at the heart of it. Thus, when women are raped, it means that all core sense of security is damaged and culture is completely shattered.

5. Rape is a culturally-rooted contempt for women

Seifert argues that sexual violence does not start from nowhere and that there is an underlying hostility for women in a particular culture during peacetime that leads to wartime rape. In order to understand rape in armed conflict, it is important to examine how male sexual aggression is accepted or naturalized. Seifert asserts that women are raped in war because “they are the objects of a fundamental hatred that characterizes the cultural unconscious and is actualized in time of crisis” (Stiglmayer 65).

Gender inequality theory assumes that there is a patriarchal and misogynistic environment that promotes rape and that rapists hold a sense of superiority over and deep hatred for women. In reverse, it presumes that all societies that experience wartime rape are patriarchal and misogynistic, supposing that gender inequality and dominance is universal in areas of armed conflict. Reports on gender dynamic in the DRC, Rwanda, Liberia, and the former Yugoslavia among others do in fact highlight underlying patriarchy and discrimination against women in wartime and in peacetime. Applying

basic notions of feminism to understand wartime rape is relevant to a certain degree, but it does not provide answers to all causes of SGBV, for instance the prevalence of male rapes in armed conflict. In addition, gender inequality theory fails to acknowledge the intersections of gender, race, ethnicity, religion, and nationalism.

3) Psychosocial and Historical Theory

This third theory looks into cultural psychoanalysis and history for the developmental reasons of wartime rape. There are many examples to substantiate this theory, but here I will introduce three of them. First, the motives for sexual violence in the DRC are examined through its history of pre-European intra-African slave trade, the European slave trade and colonial rule, along with post-colonial intra- and inter-state wars. According to this theory, Congolese men have been suppressed by slave owners and colonizers over decades, and their frustration and sense of inferiority manifested into motives for rape, using weaker women as scapegoats.

The second example comes from a well-cited article by MacKinnon where she argues that the availability of explicit pornography prior to the Bosnian war has a direct correlation to the Serbian rapes of Muslim and Croat women. She states that pornography “saturated Yugoslavia before the war” and its market was “the freest in the world” (163). As pornography was cheap and readily accessible, many Serbian men were accustomed to seeing rape and torture on their TV screens. When the civil war erupted, “pornography emerge[d] as a tool of genocide” and was “clearly intended for mass consumption for war propaganda” (162), spreading rape as a tool for ethnic cleansing.

The third example is a research conducted by Daniel Muñoz-Rojas and Jean-Jacques Fresard of the International Committee of the Red Cross (ICRC) in which they identify four psychosocial reasons that influence combatants to commit atrocities, including SGBV, in armed conflicts (193-97, *The Shame of War* 41-42). Here is a summary of the four causes:

1. Group conformity

Combatants are subject to depersonalization and loss of independence, diluting individual responsibility and stripping away autonomy. This condition will make the combatant respect whatever the group action is taken, even committing violent crimes such as rape, murder, and torture.

2. Obedience to authority

Combatants go through a process of shifting individual responsibility to commands from their superiors. The stronger the authority, the more loyal combatants will become.

3. Spiral of violence

This speaks to the cycle of vengeance that leads a combatant who has suffered violence against his property, family, or himself/herself directly to commit crimes. Being a victim of prior violence gives them permission to perpetuate the cycle and take revenge.

4. Pathological behavior

Being under the influence of drugs or alcohol brings about the brutal behavior in combatants. For example, the Mai Mai militia in the DRC are known for their use of hallucinogenic drugs.

4) Biosocial Theory

Perhaps the least popular especially among feminists and social scientists, the biosocial theory applies evolutionary biology to understand why men rape. It is built on the idea that men are genetically wired to rape, and their sexual drive and desire to act on it is the main motivation for rape. Furthermore, during armed conflict, their libido intensifies, and there is no way to stop SGBV.

Randy Thornhill and Craig Palmer argue that rape is a reproductive strategy for men. They begin their argument by prefacing that feminists in general undermine scientific studies on human behavior, and further suggest that men rape to procreate. They base their theory on a study that shows that most women rape victims are in their childbearing years, between 12 and 45, and at the peak of their physical attractiveness, asserting that “the correlation between the age distribution of rape victims and the age of peak female sexual attractiveness is powerful evidence of such motivation” (139). Their book was later criticized for the study they used, which was biased in the first place, only to produce the results to support their thesis.

Nonetheless, the biosocial theory was once perceived to be the primary justification for rape in wartime and in peacetime particularly in the Western rape

discourse. In addition to the reluctance to scrutinize male sexuality, keeping it on the loose and unexamined, it was rather common sense to discern male libido as an uncontrollable “pressure cooker.” Especially in times of war, it was believed that men needed to release their anxiety and sexual tension where the only way to get it out was through rape and other violent means. Historical studies that examine wartime rape and other forms of SGBV do not look beyond biology and male sexual desire to explain the motives for such violence. Hence, wartime rape was/is rendered simply inevitable.

Although explaining the motives through biology and genetics is not popular, there are scholars who argue that sexual desire is in fact the main motivation for rape. Some of them provide a little more nuanced argument stating that the violence is regulated by sociocultural factors in addition to biosocial configurations. Of course, not all soldiers or militiamen rape, and the genetics argument seems weak in that regard. This theory fails to explain why and how they broke their “gene power” to not rape, if in fact it is the male DNA that is commanding them to commit sexual violence.

Most importantly, biosocial theory is highly problematic because it removes the individual responsibility for the crime and exculpates the perpetrator for his wrongdoing. Impunity continues to be the biggest problem as far as wartime rape goes, and distancing from biosocial theory promises that rape is no longer considered an inevitable crime. In fact, the three latter theories share the similar view where they assume men commit sexual violence involuntarily and that their sociocultural environment and biology are pressing them to rape. This point of view allows rapists to see themselves as victims of such violence, for not having control over their actions and being predetermined to

commit the crime. Again, this sense of victimization among perpetrators fuels the culture of impunity in wartime rape prosecutions.

Rape as an Anti-Killing Motive

All four theories above make sense to one degree or another, but I want to add one more thesis that seems to be missing in the current discourse on the motives for rape in armed conflict, which could be positioned as a subcategory of strategic rape theory. I argue that the fundamental reason for the use of rape in the time of war is to purposefully keep the victims alive with utmost devastation possible and leave them severely traumatized and deranged in a death-like, zombie-like condition. In other words, the rationale is to deliberately cause serious damage to the degree that the victims are “dead” without actually dying. As Chouchou Namegabe Nabintu notes, “They [the soldiers] refuse to kill the women. Why? They say they can’t give women a good death. Killing her is a good death. They rape women, they put fear in their vagina, and let women suffer” (*On the Contrary*).

This is the anti-killing or anti-genocide motive, not only making use of the detrimental impact rape has on civilians and their society, but also taking advantage of the dominant attention on mass killings and how rape is overshadowed by it. In other words, perpetrators rape because they think they can get away without being caught and, at the same time, causing more enduring damage than killing. When raped bodies are produced on a mass scale, there is a substantial burden on the adversary and their society since they have to live in death worlds with raped bodies floating amidst life and death.

Perpetrators' Voices from the DRC: Rape and Idealized Masculinity

In recent years, there have been a growing number of reports that brought voices of the perpetrator to the discourse. Up until then, the focus has been on the victims, which is undeniably important, but the subjectivities and testimony of rapists had been conspicuously missing. This was a great move not only to get both sides of the story and unravel the motives, but also to understand the process by which they become rapists, how they understand rape, and their attachment to militarized masculinity. By “humanizing” the perpetrators and paying close attention to their voices, we began to see specific gaps between earlier theories on rape motives and how the perpetrators give reason for, or even condemn, their crime. Their voices also provide background information on local and military culture and how the combatants interpret it.

I want to highlight two research projects that came from the DRC both of which are a fruit of careful Q&A and observation of combatants and provide nuanced and insightful knowledge on the subject. The first study is titled *The Complexity of Violence: A Critical Analysis of Sexual Violence in the Democratic Republic of Congo (DRC)* and was conducted by Maria Eriksson Baaz and Maria Stern. The authors shed light on the state military combatants of the FARDC (Armed Forces of the Democratic Republic of Congo) examining their explanation for and distinction of two types of rape. Jocelyn Kelly of the HHI initiated the second research project titled *Rape in War: Motives for Militia in DRC* in which she and her team interviewed the local Mai Mai soldiers in the Congo. This study provides a rich knowledge of not only the perpetrators' perception of

rape in wartime (and in peacetime), but also the psychology, culture, and gender dynamics within the militia group as well as the eastern part of the DRC as a whole.

1) FARDC: Eriksson Baaz and Stern's Study

The authors interviewed approximately 200 FARDC soldiers in this particular study, which highlights militarized masculinity and types of rape described by the combatants in the Congolese national army. The FARDC is said to be responsible for about 40 percent of the rapes committed in the DRC.

First, the FARDC soldiers spoke about “idealized forms of masculinities” as well as their “sense of failure” (497) to attain these glorified masculine qualities. To these soldiers, rape, therefore, is an act to fill in the gap between the idealized masculine person they want to become and the unmasculine person that they are in reality. Sexual crime is justified because rape is understood as a means to acquire masculine qualities. As Eriksson Baaz and Stern assert, “the soldiers explicitly linked their rationale for rape with their inabilities (or ‘failures’) to inhabit certain idealized notions of heterosexual manhood” (497). FARDC soldiers are aware of the “discord between their embodied experiences and their expectations of themselves as soldiers (men) in the armed forces as a site of frustration, anxiety, negotiation and an underlying incitement to sexual violence” (497). In other words, “militarization requires the production of different heterosexual violence masculinities” and “racial, ethnic, and class hierarchies are ‘woven into most military chains of command’” (499).

Second, based on the aforementioned notion of mythologized masculinity, Eriksson Baaz and Stern discover that these military men identify and distinguish between two types of rape: “lust/need rape” and “evil rape.” The former “lust” rape is “normal” rape, an inevitable consequence of a warring situation. The soldiers confess that this type of rape is driven by the male libido. The latter “evil rape” is connected to brutality and violence, which even the soldiers perceive as unacceptable and have a sense of disdain for this type of rape.

Throughout the interview, the FARDC soldiers suggested that SGBV is not used as an explicit military strategy, and when the soldiers were asked whether they were commanded to rape, their answer was always no (15). In other words, the soldiers deny that rape is a straightforward weapon of war. But simultaneously, they recognize that “lust rape” occurs, which is not a military command and is a necessity for military men to release their sexual desire by forcing intercourse. The authors provide a nuanced conclusion, stating that if the national army perceives SGBV as a weapon of war, there is “an *implicit authorization* followed by a lack of specific orders not to rape, and coupled with an attitude that rape is unavoidable” (16, in original).

2) Mai Mai: HHI’s Study

The Mai Mai is the militia group originally formed to protect the local population and natural resources from untrustworthy government forces, anti-government rebels, and foreign militias. However, they have become increasingly powerful and violent and are seen as crooks in the DRC. They are “the third piece in Congo's violent puzzle”

(Gettleman “Mai Mai Fighters”), getting highly involved in rape, looting, abduction, banditry, and mass displacement of civilians.

Jocelyn Kelly of the HHI published a report based on interviews with soldiers in the Mai Mai, providing an inside look at the motives for and psychosocial features behind violence. The combatants repeatedly described themselves as “protectors of the population” (11), emphasizing that they need to maintain a good relationship with civilians and “how rape of civilians was a liability for the group on a practical level, weakening their vital support from the community” (11). But at the same time, the Mai Mai soldiers admit to raping civilians but frame sexual violence in a nuanced and evasive manner. They explain that rape is commanded by their superiors, alluding to the fact that combatants in the lower ranks are not responsible for the crime. Foot soldiers were ordered to abduct women, and these women were presented to high-ranking officers for them to rape as a reward (8). Although some soldiers denounce the act as morally unacceptable, women are generally rendered a “spoil of war” and therefore rape is justified.

Furthermore, the Mai Mai combatants spoke about rape that is individually motivated or prompted by his libido. One soldier described that “I see a woman passing by, and I begin to desire her, then I come and I jump into her *phoof*” (8). Their basic attitude towards and understanding of women is based on rigid gender roles in which women are to clean, cook, and take care of the children while men protect and provide for the family. Women are perceived as inferior to men, and this gender dynamic brings about how they trivialize women and underpins the way many soldiers viewed sexual relations. Moreover, the Mai Mai are noted for their widespread use of magical-religious

rituals and drugs which they believe would protect them from injury and help them fight. They drink a special potion that would make them indestructible in combat, and the problem is that the drug gives the soldiers an excuse to deny their violent actions by blaming them on the drink.

The conclusion of Kelly's report is rather nuanced, stating that the commanding officers would every so often actively encourage rape and sexual violence, or implicitly accept it, or not punish it at all. Moreover, the top officers seem to promote the ideals of protecting the population but at the same time are unable or unwilling to translate these principles into restraint in the field. Therefore, "sexual violence is tolerated, if not promoted, at the individual and unit-command level" (11). The Mai Mai soldiers seemed able to shift among diverse attitudes about rape and sexual violence. They sometimes described it as a great evil and a tool that enemy combatants use to destroy DRC, thus justifying their own use of sexual violence as a weapon.

Militarized Masculinity and Femininity

Soldiers do not become rapists overnight, and the transformation does not happen automatically. The key to understand the change is militarized masculinity, and the notion of masculinity is inseparable from femininity. They subsist on each other in order to keep the warrior mentality intact. As Cynthia Enloe states, "[c]onstructing ideals of masculine behavior in any culture cannot be accomplished without constructing ideals of femininity that are supportive and complementary" (54). Men fight in wars and women maintain peace; men are warriors and women are peacemakers. The "othering" of the

other, or dualistic us/them ideology is important in the production of militarized masculinity.

The mechanism by which an “ordinary” man turns into a rapist articulated in Enloe’s article titled “All the Men Are in the Militias, All the Women Are Victims: The Politics of Masculinity and Femininity in Nationalist Wars.” Enloe draws an example from Borislav Herak whose name became headline news soon after the mass rapes in Bosnia-Herzegovina. Herak was a twenty-one-year-old ethnic Serb in Sarajevo, working at a textile factory in town. When the conflict erupted, he did not voluntarily join one of the militia groups but had “fallen into the company of these Serbian militiamen” (50). By late 1992, Herak was captured by the Bosnian forces and charged with murder and mass rape, sexually assaulting sixteen Bosnian Muslim women, some of them murdered afterwards. How was this “normal” man, not particularly violent or militant, able to rape these women? What motivated him to commit the heinous crime?

In order to understand this big piece of the puzzle, Enloe provides her theory of the process of rapist production during the Bosnian conflict and the ethnic cleansing campaign. The creation of a Serbian state through ethnic cleansing, eradicating the Croats, Bosniak, and other non-Serbian blood, was the main purpose of the conflict. She argues that the key is the deliberate conversion of nationalist ideologies along the lines of gender, ethnicity, and religion. That is to say, identity markers were employed to achieve the military goal of establishing a Serbian nation. In order to execute such nation-building by way of ethnic cleansing, the soldiers went through a calculated process of becoming militarized and masculinized. To understand its mechanism, Enloe asserts that it is essential to decipher “how ethnicity gets converted into nationalist consciousness, how

consciousness becomes organized, and how organized nationalism becomes militarized” (51). But another important component of this argument is how ethnic nationalism is closely related to the twosome of masculinity and femininity.

Herak as well as other Serbian men grew up in and exposed to an environment where men were praised for being masculine. Being masculine meant being a “warrior,” which was the idealized form of masculinity in the 20th century cultural construction of Serbia (54). But the reality was that these men were told by others and internalized that they are not masculine enough. In order to achieve the masculine qualities of a warrior, many men joined military groups as masculinity and warriorhood were deeply tied to militarism. And because the purpose of the Bosnian conflict was to achieve Serbian nationhood and the main process to accomplish it was through ethnic cleansing, rape and forced impregnation was used as a deliberate tactic. Thus, achieving masculinity was merged with raping and impregnating women. Enloe asserts that there was a fabricated fusion between being masculine and raping women. In other words:

Militarization of ethnic nationalism often depends on persuading individual men that their own manhood will be fully validated only if they perform as soldiers, either in the state’s military or in insurgent autonomous or quasi-autonomous forces. But although the most persuasive socialization strategies succeed because they manage to portray soldiering as a ‘naturally’ manly activity, in reality socialization requires explicit and artificial construction, sometimes backed by coercion. (55)

Is Wartime Rape Rare?

Within the discourse on wartime rape and sexual violence, it is commonly understood that sexual violence is committed in most wars and conflicts. Although this seems like a sweeping statement, it is more or less accurate. But the variation, pattern, and prevalence of sexual crimes vary tremendously and are worth investigating. In the past twenty years or so in which research on wartime rape thickened, the focus was on wars and conflicts with high rampancy of these crimes. Conflicts, for example, in the former Yugoslavia, Rwanda, Liberia, Sierra Leone, and the DRC received much attention where rape and sexual violence were perpetrated on a mass genocidal scale.

In this kind of research climate, Elisabeth Jean Wood has produced papers on conflicts where rape was relatively sparse. She examines cases where sexual violence is not widely used (i.e., Israeli-Palestinian conflict) or used asymmetrically by the different parties to a conflict (i.e., Sri Lanka, El Salvador). She made a contribution to the discourse by shifting the attention from mass rape campaigns to why rape was relatively absent in certain conflicts. This comparative study is valuable because it proves that rape is not necessarily an indispensable aspect of war as widely understood and, furthermore, that there are stronger reasons for holding accountable individuals and groups that commit rape in war. When she refers to the “absence” of sexual violence, Wood is not alluding to the recurrent issue of underreporting but calling attention to why rape is rare in some conflicts.

In her work, Wood examines the secessionist Liberation Tigers of Tamil Eelam (LTTE) of Sri Lanka and their non-use of rape and sexual and gender-based violence as

their tactic. She claims that the prohibition attributes to the LTTE's moral code from the top-down leadership to ban strategic use of sexual violence, enforcing the protocol by tightly controlled hierarchy. Punishment for breaking the rule is swift and severe ("Armed Groups" 152). In addition to the firm leadership and strict rule to ban sexual violence, Wood ties strong internal Tamil philosophies and practices to the underlying reason why rape is rare. In order to achieve Tamil nationalism and keep their morale, the organization requires its cadre to "abandon nearly all practices of civilian life, which are seen as distractions from its sole loyalty, the attainment of Tamil Eelam," and live with a sense of "sacrifice, abnegation, commitment, discipline, and chastity under the rubric of kinship" (149). There is also an intense hold of cultural mores that "Tamil social norms strongly condemn sexual relations between unmarried persons, cross-caste relations, and rape of nonspouses" (149).

Although these reasons seem compelling, just because the cadre is faithful to their leaders and internal rule, this does not fully explain why wartime sexual violence is absent among the LTTE. They engage in other forms of violence, such as murder, suicide bombing, and torture (not of sexual nature), and Wood does not provide a convincing argument as to why rape is not a tactic of choice. Nor does she bring forth why the LTTE leadership condemns the use of sexual violence in the first place where one can assume that there are different set of beliefs or rules concerning sex and sexuality in the Tamil culture. Perhaps a close anthropological examination would help to understand their view on sex, masculinity/femininity, and violence. Nonetheless, Wood's study provides insight and calls for more research on how leadership structures and interior moral contribute to why rape is rare in certain conflicts.

What is also useful about Wood's work is that she offers insightful hypotheses for further study as to why SGBV is rare in certain conflicts. Her first theory is that armed groups do not engage in sexual violence against civilians because they depend on local people for supplies and intelligence. Since sexual violence brings a sense of fear to civilians, it is not a smart option obviously to terrorize them when you rely on them for resources. This point ties into the Mai Mai's initial objective in the Congo, which they were first established to protect local civilians around the mineral-rich regions and had a positive relationship with the locals. Second, Wood hypothesizes that armed groups with a high proportion of female combatants engage less in sexual violence. Having women in the military may disrupt the militarized masculine values and patriarchal principles, dissuading soldiers for rape and sexual assault of civilians. Finally, she presumes that societies with democratic values rarely partake in widespread sexual violence and are keen on punishing these actions accordingly ("Sexual Violence" 346).

Living Death

In this chapter, I examined the empirical aspects of wartime rape and the predicaments of rape victims. I also provided a thorough review of various theories and reports on particular elements of rape in armed conflict. As I position that wartime rape victims occupy a space between life and death, I shed light on the realities to inhabit this liminal space—a shaded, interstitial domain that defies the dualism of life and death. Raped bodies are kept alive—their hearts beating and showing signs of life. But the life of raped bodies is death-like, and ironically, life-less. Many suffer tremendous physical and

emotional trauma and carry diseases contracted from rape. The victims are humiliated and ostracized from their families and communities due to rape. Raped bodies speak to and question what life and death mean, and why rape is widely used as a tactic to harm, degrade, and traumatize the civilian population. I contend that it is precisely the production of these liminal, abject bodies that the rapists and war commanders are targeting—to leave the victims to float between life and death, like zombies. This has severe implications for the notion of peace and security around the world.

Chapter 3

Ontology of Wartime Rape: Biopolitics, Liminality, and *Homo Sacer*

Prologue

They put a nailed club in my vagina ... Whenever they saw a dog, the police forced me to call it by my father's name.

The French were helping the Hutus rape us ... Sperm in my nose ...

Told us we looked like snakes, like cockroaches ... He left me in my ragged underwear.

I discovered I was HIV positive.

These men tried to cut my vagina into two parts with a sword in order to share me ... I buried myself in the blood corpses ... None of those who harmed me have ever faced real justice.

I have not received any kind of compensation since the genocide ... *The soldiers killed what I would have become.*

—a poem by Eve Ensler (de Brouwer and Chu 165, emphasis added)

Raped bodies occupy a liminal space that defies the dualistic categorization of life and death. The victims are technically alive but live as if they are already dead. Considering that genocide and mass murder have a strong presence in discourse of war, peace, and armed conflict, and when wartime rape is simply believed to be a byproduct of warfare, sexual violence is rendered an ambivalent, irrelevant, and unavoidable act. On top of that,

rape is rendered peripheral because it is a sexual, gender-related, and racialized violence, and therefore deemed inconsequential and unthreatening to peace and security. SGBV and raped bodies are politicized and marginalized, being produced and used by government forces and armed non-state actors to gain power and control, but simultaneously excluded from the juridico-political, socioeconomic, and civil realms as abject and disposable beings.

In the previous chapter, I provided an extensive empirical overview of wartime rape and other forms of SGBV. I also examined theories on the motivation for rape in armed conflict, as well as how soldiers mobilize their ideals of masculinity into the motives for rape. I wove together testimonies of victims and perpetrators to understand the realities they face in their own words.

This chapter examines social theories on the politicization and “liminalization” of raped bodies in armed conflict and how this move complicates the post-conflict reintegration of victims to the political, legal, and societal worlds. I reconceptualize the issue of wartime SGBV from a biopolitical perspective, juxtaposing the theories of Michel Foucault, Achille Mbembe, Giorgio Agamben, Julia Kristeva, and others to understand what is at stake in the politics of peace and security vis-à-vis rape in armed conflict. I contend that by scrutinizing various theories on body politics, we begin to see the complexity and challenges that are often ignored in the current discourse on wartime rape and war politics. I argue not only the need to produce an alternative discourse to analyze rape in war, but also to center the argument on the liminality and abject nature of

raped bodies. Without this shift, wartime rape will always be considered an inevitable byproduct of war and a crime not worth investigating and prosecuting.

This chapter is divided into four parts. The first portion talks about the sovereign's use of body politics, explicating Foucault's notion of biopolitics (politics of life) and Mbembe's notion of necropolitics (politics of death). The second part discusses wartime raped bodies as they occupy a space that transcends the life and death binary. The third portion delves into the abject and disposable nature of raped bodies and how the production of these beings has become the norm in armed conflict. The final part looks into Agamben's notion of *homo sacer*, which sheds light on the precariousness of un/wanted bodies in the politics, which I link to wartime raped bodies. I close the chapter by thinking through the production of raped bodies as a new normative in contemporary war and conflict.

Sovereignty and the Politics of Corporeality

What does politics of the body mean? Why do I use a biopolitical framework and why is it important to do so? Biopolitics is the way human beings and their bodies are the focus of politics and war. Biology became the central component of politics and, in fact, "politics knows no value ... other than life" (Agamben, *Homo Sacer* 10). Human bodies have been managed and controlled by authorities as long as history can remember, but Michel Foucault and others have problematized the use of biopolitics and theorized how bodies are subject to discipline, surveillance, and violence imposed by the "sovereign."

Before I get into the biopolitical argument, the concept of sovereignty I use needs to be explained. This dissertation is founded on the rather unorthodox, post-structuralist conception of sovereignty, which is used by Foucault, Mbembe, Agamben, and other theorists I refer to here and built upon the critique of the normative notion of sovereignty and its relation to politics and war. The conventional meaning of sovereignty is the supreme authority within a sovereign state of a particular territory. Territoriality is taken for granted, and it is protected and negotiated through wars with other states.

Nowadays, however, not only is the belief that the state makes wars and wars make the state in question, but the notion of *jus ad bellum* in which wars are waged against outside enemies and that wars shape the identity of a state has become virtually obsolete. The purpose of contemporary warfare is far from achieving conquest, acquisition, and takeover of a territory, securing state sovereignty. Even the term “war” that indicates armed battle between/among rival states, which is how the word has been long used and verified in the discipline of political science and its subdiscipline of international relations, is more often than not replaced by “conflict,” which recognizes the omnipresence of intraterritorial fighting. One of the principal theories in political science is that the sovereign exercises its power within its state territory and receives recognition from external states. But the alternative understanding is that this sovereignty-state-territoriality link has been fundamentally reconfigured, and contemporary warfare has moved away from the rule of “conquer and annex.” Because of its supremacy in international politics and its untouchable quality, sovereign power rarely goes under scrutiny.

In this dissertation, I take distance from the traditional understanding of sovereignty and incorporate two alternative theories. First is that there is a breakdown of sovereignty. It was once believed that the sovereign was a sole actor—the state. The traditional understanding of sovereignty is that the state possesses ultimate authority and no one else does. However, in current times, there are manifolds of non-state actors who claim sovereignty, or provisionally hold sovereign power, and the state does not necessarily have the sole monopoly. James Rosenau asserts that, in fact, global governance has become more diverse and less hierarchical with multiple authorities emerging and holding power. As he notes, there are various “spheres of authority” (393), from multinational corporations, humanitarian advocacy groups, paramilitary forces, terrorist organizations (295), to “urban militia, private armies, armies of regional lords, private security firms, and state armies” (Mbembe, “Necropolitics” 31-32). As various powers emerge, sovereignty is no longer possessed only by the state but is shared and becomes multifaceted. Furthermore, what is crucial to note is that these entities are mobile and versatile, crossing boundaries and unattached to any particular territory. Their existence is fluid and malleable; for instance, these entities function as political establishments or trade companies, operating through capture and depredation and producing their own money.

The second alternative theory on sovereignty is based primarily on the works of Foucault, Agamben, and Antonio Negri, which move away from the authoritative, singularized nature of sovereignty articulated in international politics but centers the argument on the use of power over its citizens. In other words, the focus or target of sovereign power changed from maintaining territoriality to controlling the human body.

This may be a controversial look at the sovereign, but as sovereignty goes through metamorphosis and fragmentation, it is critical to bring attention to how they operate and do politics. This is where biopolitics and biopower come into the argument where the sovereign exercises authority and dominance over human bodies. The focus of sovereignty is the population, controlling, managing, and in many cases, causing violence to people. The way in which biopower is exercised needs to be scrutinized because the sovereign fails to protect and assist its citizens, but instead uses them to further their power and dominance. Human bodies are crucial in advancing authority, but on the flip side, humans are subject to the tyrannical way of conducting politics and war.

It is indisputably understood that the human body has been an essential component of warfare as long as history can remember, and bodies are used and abused in and for violence. Some people fought in armed conflicts as soldiers, and some bodies were unarmed, “innocent” civilians. Millions of them were murdered in the midst of battle. “Armies, armed groups, political and religious movements have been killing civilians since time immemorial” (Slim 3), and life and death of the human bodies were constantly at stake and bartered for power. In other words, the sovereign and its ultimate expression of power has been “*the ability and the will to employ overwhelming violence and to decide on life and death*” (Hansen and Stepputat 1, emphasis added). To make a clearer point, sovereign power is “always a tentative and unstable project whose efficacy and legitimacy depend on repeated performances of violence and a ‘will to rule’” in which its authority is exerted through committing violence on human bodies (Hansen and Stepputat 3).

As sovereign power targets the human body, a pivotal question to ask is why bodies and biology matter in politics and war. In other words, why are the domains of the body rendered targets of sovereign power and in conflict? Why are the number of casualties and the degree of harm imposed on the population indicators of “success” of war? It can be argued that ruining and scarring the very kernel of human existence—the body—devastates the very core of society, culture, and politics, and the materiality of the body is “considered to be most real, most pressing, most undeniable” (Butler *Bodies* ix-x). Additionally, Mbembe asserts that, in fact, politics and power are “carnivorous,” taking their targets “by the throat and squeez[ing] them to the point of breaking their bones, making their eyes pop out of their sockets, making them weep blood” (*On the Postcolony* 201). If bodies do not matter, what does?

Furthermore, the body possesses emotions, and tactics where bodies are controlled and damaged have become “more tactile, more anatomical and sensorial” (de Brouwer and Chu 34). The impact of harm and violence is felt at a visceral and affective level. Do bodies matter in politics because of their deep correlation with tactility and affect? Nevertheless, it is interesting to note that a sense of sympathy to the suffering of the human body was hidden, if not absent, in war politics. Men had to “suck up” the pain, and women wept secretly. Sorrow and sufferings were considered an inescapable byproduct of war and conflict. In other words, the reality of bodies (corporeality) has been ignored in wartime politics. When I say corporeality, I mean the flesh, bone, physiology, sensations, affect, and trauma. Not problematizing body politics and corporeality is detrimental especially when examining rape and other forms of sexual and gender-based violence in armed conflict, and this mishandling has led to ineffective and

tragic humanitarian interventions and policies on peace and security, bringing further trauma to wartime rape victims.

I agree with Ann Cahill who brings the body or embodiment to the forefront to understand rape, and this return of bodily materiality is crucial in order to reframe sexual violence. She critiques two major schools of feminist philosophy regarding rape, arguing that these theories fail to address the bodily specificity of rape, which is detrimental to the overall discourse. First, she critiques Susan Brownmiller who published in 1975 one of the early canonical texts on rape, *Against Our Will: Men, Women, and Rape*.

Brownmiller argues that rape is a way in which men keep women in a state of fear and is “violence, not sex.” The motivations for rape are not sexual but rather a manifestation of power that seeks to dominate and degrade the victim. In other words, rape is “a deliberate, hostile, violent act of degradation and possession on the part of a would-be conqueror, designed to intimidate and inspire fear” (391). Brownmiller moved away from the dominant discourse that until then rendered rape a sexual act. This was an eye-opening notion in the feminist analysis of rape. Taking sex out of rape and focusing on its social implications brought a different dimension to the discussion.

Cahill also brings up MacKinnon’s notion that rape is an extension of male dominance, rendering it “continuous with most heterosexual sex and could not be distinguished from it by mere reference to coercion or violence” (2-3). Rape therefore is not an exception but a logical extension of “regular” heterosexual sex. In other words, according to MacKinnon, rape is a mechanism in which men rape to reinstitute heterosexual norms in order to maintain their supremacy.

Cahill critically analyzes these two theories stating that the body is missing and that they “fail to account sufficiently for the intricate interplay of social and political power, sexual hierarchization, and embodiment (3). Cahill goes on to say that “every rape experience is unique, but each is bodily; therefore, we are capable of locating the various axes of bodily meanings that rape affects” (9). Raped bodies are politicized, gendered, and racialized, and the societal context that is mapped onto the body cannot be ignored. However, during the process of examining and theorizing rape, the body becomes absent and turns into an abstraction.

Biopolitics: Politics of Life

This dissertation problematizes the notion that the focus of the sovereign is on humans, by which it manages and controls the people it governs, oftentimes by means of coercion and violence. What needs to be taken seriously is the very fact that the sovereign exercises its power using methods of control, coercion, and brutality over bodies and the population, as well as how it is done. A critical point is that the management of life and death in the political realm necessitates theorizing because human bodies are rendered targets, or prey, which has become the principal paradigm of modern politics and warfare. In times of war and conflict in particular, the politicization of bodies, life, and death is promoted and honed, and humans are deemed the primary object of destruction and harm.

In this portion of the chapter, I will elucidate rape and sexual violence in armed conflict vis-à-vis some key political philosophical theories, specifically Foucault’s

conception of biopolitics (politics of life) and Mbembe's conception of necropolitics (politics of death). I believe these theories help to understand the ontology of wartime rape and its implications for governance, peace, and security. I have described in the previous chapter the motives as to why rape and sexual violence are used as effective wartime strategies. But to take this inquiry a step further, why do they *rape*? Why not *kill*? Why do the perpetrators leave the victims alive? Moreover, how are raped bodies inscribed in the order of power and the notion of life and death? What meanings are mapped onto the bodies affected by wartime sexual violence from a biopolitical perspective? To create a new norm about body politics in wartime rape, I will need to elaborate on the notions of Foucault's biopolitics and Mbembe's necropolitics, which create a logical theoretical framework.

Michel Foucault was keen on furthering the notion of sovereign subjectivity in modern politics and warfare as it relates to politics of the body, which he elaborates in the last chapter of his first volume of *The History of Sexuality*. Foucault's scholarship in general presents a "rich anthropological, sociological, and historical analysis of the social production of individual bodies and populations through his understanding of discipline and surveillance" (Casper and Moore 6), arguing that disciplinary power, focused on individuals, operates through institutions and discourses to make docile subjects and productive bodies.

In *The History of Sexuality*, Foucault makes an introduction of the notion of biopower and biopolitics, which implicates the sovereign power over life and the management of life. The crucial part of his argument is that this power is exercised

through the sovereign's "right to *take* life or *let* live" (136, emphasis in original). In other words, the way in which power is executed is by actually taking life, allowing certain lives to live on, and controlling life. He further explains that the sovereign exercises the right to life by implementing the right to kill, or by ceasing to kill, and this power was put into practice through death. This power can also be explained as "a right of seizure" employed as a way of appropriating "things, time, bodies, and ultimately life itself" which "culminated in the privilege to seize hold of life in order to suppress it" (136). That is to say, the sovereign is the manager, controller, and manipulator of the life and bodies it governs. Foucault summarizes his point by saying:

Wars and conflicts are no longer waged for the sovereign to secure its power; they are waged on behalf of the existence of everyone; entire populations are mobilized for the purpose of wholesale slaughter in the name of life necessity: massacres have become vital. It is as managers of life and survival, of bodies and the race, that so many regimes have been able to wage so many wars, causing so many men to be killed. (137)

In other words, biopolitics is the politics of the population, bodies, and life. And as Foucault points out, the emergence of techniques and technologies to subjugate bodies and control the population marks the beginning of the biopower era (140). Foucault goes on to ask a fundamental, crucial question, "How could power exercise its highest prerogatives by putting people to death, when its main role was to ensure, sustain, and multiply life, to put this life in order?" (138) Has the sovereign rejected its role to protect "the 'right' to life, to one's body, to health, to happiness, to the satisfaction of needs, and beyond all the oppressions or 'alienations,' the 'right' to rediscover what one is and all that one can be?" (145)

Necropolitics: Politics of Death

... if you looked, you could see the evidence, even in the whitened skeletons. The legs bent and apart. A broken bottle, a rough branch, even a knife between them. Where the bodies were fresh, we saw what must have been semen pooled on and near the dead women and girls. There was always a lot of blood. Some male corpses had their genitals cut off, but many women and young girls had their breasts chopped off and their genitals crudely cut apart. They died in a position of total vulnerability, flat on their backs, with their legs bent and knees wide apart. It was the expressions on their dead faces that assaulted me the most, a frieze of shock, pain and humiliation. For many years after I came home, I banished the memories of those faces from my mind, but they have come back, all too clearly.

—an excerpt from General Roméo Dallaire's *Shake Hands with the Devil: The Failure of Humanity in Rwanda* (430)

Achille Mbembe furthers the Foucauldian biopolitics in his article “Necropolitics,” examining the intersections of death, war, and the political system at large. Necropolitics literally means the politics of death, and Mbembe describes it as a way in which the sovereign exercises its power and control over human mortality. As he asserts, “the ultimate expression of sovereignty resides, to a large degree, in the power and the capacity to dictate who may live and who must die” (11). It is death that drives politics, according to Mbembe, and the sovereign exercises its power by killing, threatening to kill, or marking certain people for killing. Death is what prompts politics and war in the guise of politics, and war is “as much a means of achieving sovereignty as a way of exercising the right to kill” (12). It is death that motives the sovereign to reign, not life, and he positions politics as a work of death. He argues that what is missing in Foucault's articulation of biopolitics and biopower is how life is influenced by death and what happens when death takes over life. Mbembe makes reference to Georges Bataille's critical observation on how death frames the idea of sovereignty and politics, stating “life

is defective only when death has taken it hostage” and that “death is the putrefaction of life” (15). Furthermore, Mbembe goes on to say that “the human being truly *becomes a subject* ... in the struggle and the work through which he or she confronts death. ... It is through this confrontation with death that he or she is cast into the incessant movement of history” (14, emphasis in original).

Demarcating Bodies: Race, Sex, Gender

With the aforementioned politics of life and death in mind, who are the targets of this demarcation of life and death? Who is allowed to live, who is killed, and who is raped? This selection process is usually based on race, ethnicity, sexuality, gender, religion, and other identity markers. It is a common tactic to divide humans into subgroups, hierarchize the individual groups, and mark the bodies through violence.

All bodies are not treated equally. Some bodies are marked and identified as inferior or the “other.” The interpretation of what bodies mean is socially constructed through dominance, violence, and discourse, which is divided along identity lines of race, ethnicity, gender, sex, sexuality, age, and physiological normativity to name a few (Casper and Moore 1-2). Because bodies are socially constructed and not static, they are subject to the change depending on temporality, location, and/or political situation. The meaning of bodies is not fixed, nor is the line that divide in-group and out-group, or subject and object. Judith Butler calls the process of marking bodies “*disidentification*,” stating that “collective disidentification can facilitate a reconceptualization of which bodies matter, and which bodies are yet to emerge as critical matters of concern” (*Bodies*

4). The negative prefix “dis” connotes that certain people are removed from the larger group to be *disidentified* or *dislodged* as abject and unimportant. Furthermore, to create boundaries between “us” and “them” and to understand sexism and racism, “the repudiation of bodies for their sex, sexuality, and/or color is an ‘expulsion’ followed by a ‘repulsion’ that founds and consolidates culturally hegemonic identities along sex/race/sexuality axes of differentiation” (*Gender Trouble* 170).

1) Race and Ethnicity

Race and ethnicity were prime means of demarcation in the ethnic cleansing campaign in the former Yugoslavia, and on the genocide and mass rapes in Rwandan and Burundi. During the ethnic cleansing in the Bosnian war, mainly Bosnian Muslim and Croat women who were of childbearing age were chosen and raped to produce Serbian babies. It was done in an attempt to eliminate people of a certain race and religion, marking the “other” through violence and by impregnating them. It was a systematic attempt to generate life that was solely occupied by the Serbs. In Rwanda and Burundi, Tutsi women and men were also strategically chosen to be slaughtered and raped, bringing the minority Hutus to power. Race and ethnicity mark bodies, but in conflict situations, they are identified, or disidentified, through violence.

Historically, race and ethnicity have been factors in the system of marking bodies. Racism and the creation of racial “otherness” has been the fuel to exercise biopolitics and necropolitics. Foucault makes mention of the intersection of racism and biopolitics, in which race and purity of blood have been important signifiers in order to discipline and

regulate humans, putting biopower and politics of life into practice. In his explanation of biopolitics, Foucault touches upon how life is managed via racism and controlled by the idea of racial purity and superiority of a certain race while denigrating others. Following Foucault's notion of biopolitics, Rey Chow asserts that the purity of blood, or the process of extermination of "unclean" blood, is the "logical manifestation of biopower, the point of which, it should be emphasized, is not simply to kill but to generate life, to manage and optimize it, to make it better for the future of the human species" (7). Hannah Arendt points out that "[r]ace is, politically speaking, not the beginning of humanity but its end ... , not the natural birth of man but his unnatural death" (157). In Mbembe's words, necropolitics is how the "politics of race is ultimately linked to the politics of death" ("Necropolitics" 17). The rule or system of murder is based on race, and people are sifted in the name of racial purity and discrimination. He refers to Arendt's fierce statement that "politics of race is ultimately linked to the politics of death" (17).

2) Gender and Sex

Gender and sex are also identity markers that are used and abused in the name of politics and war, and gender discrimination, sexism, and misogyny are some of the principal sources of violence. As the terms "gynocide" and "femicide" connote, women and girls are killed wrongfully simply because they are a woman or female. There is also the notion of "gendercide," a neutral term where the victim is either a woman or man, or a transgendered person. But the point is, gender and sex are markers that are targets of violence, becoming a key factor in causing lethal consequences (Jones 3). The vast

majority of rape victims are women. They are harmed and violated for reasons none other than their womanhood. Violence marks and distinguishes one body from another, sending a message to others that certain bodies are demarcated and deemed inferior. As Rhonda Copelon asserts, women are targets not only because they belong to the adversary, but:

... precisely because they keep the civilian population functioning and are essential to its continuity. They are targets because they too *are* the enemy, because of their power as well as vulnerability as women, including their sexual and reproductive power. They are targets because of *hatred* of their power as women; because of endemic objectification of women; because rape embodies male domination and female subordination. (71, emphasis in original)

I am not selecting race, ethnicity, gender, and sex to say that other identity markers are insignificant. The logic of marking out people of certain religions (which is intertwined with race and ethnicity), dis/ability, and age is similar to the reasoning I mentioned above. In addition, it is important to note that these identity markers are not mutually exclusive and they intersect. As was the case during the ethnic cleansing campaign in the Bosnian War, gender, sex, ethnicity, and religion were employed simultaneously in the process. There is certainly an intersectional nature to discrimination and violence that cannot be neglected.

There is something about sex vis-à-vis body politics that needs mentioning, in which it is one of the focal points in biopolitics and necropolitics. Using sex is an effective, invasive method to enter and destroy the victims' body. Sex is inscribed in the politics of life and death, and, according to Foucault, a pathway to "access both to the life of the body and the life of the species" (146). Moreover, "at the juncture of the 'body' and the 'population,' sex became a crucial target of a power organized around the

management of life rather than the menace of death” (147). This is clearly the reason why rape and sexual violence are used—to control and violate the enemy population effectively and for a long time. The violence is long-lived, lasting for years, if not generations, and the genealogy of that population is forever changed. Sex is managed, controlled, and violated by the sovereign because it is a practical target in order to desecrate the population. As far as sexual violence goes, targeting bodies through sex is precisely for the purpose of gaining access to the life of the body and the life of species.

To recapitulate the two theories regarding politics of life and death, Foucault’s focus is on how humans are disciplined and managed at “the level of life itself” and that “it was the taking charge of life, more than the threat of death” (143) that necessitates theorizing. Mbembe articulates in “Necropolitics” that politics and war are run by mortality and life is suppressed by the notion of death in present-day politics. He even criticizes the Foucauldian notion of biopolitics by saying it is “insufficient to account for contemporary forms of subjugation of life to the power of death” (39-40) and his central argument on how death is mobilized in politics. On the other hand, Foucault might counter Mbembe’s argument by stating, “[i]f genocide is indeed the dream of modern powers, this is not because of a recent return of the ancient right to kill; it is because power is situated and exercised at the level of life“ (137). Furthermore, “it was the taking charge of life, more than the threat of death, that gave power its access even to the body” (143).

What I want to problematize, however, is what happens when death is experienced while the person is still technically alive. In other words, what is the reality of life that is subjugated to the power of death? To be more specific, what is life like

when people are living a life-less, death-like life as victims of rape and sexual violence do?

Raped Bodies and Liminality of Life and Death

Biopolitics and necropolitics are two useful points of reference when examining how life, death, and the human body are targets in politics and war. In spite of that, I assert that the emphasis of inquiry should be on the reality of the bodies or beings that exist *beyond* the binary of life and death. What happens to people who are neither dead nor alive? In other words, what arises from humans who are like life-less zombies during and after war and conflict? As Mbembe asks, “What place is given to life, death, and the human body (in particular the *wounded* or slain body)? How are they inscribed in the order of power?” (“Necropolitics” 12, emphasis added) Bodies are harmed, mutilated, and raped, living in death-worlds. I contend that one cannot discuss or complete the debate on sovereignty and body politics without examining the “liminal,” in-between lives that exist beyond the duality of life and death. This notion of liminality was theorized by Victor Turner who notes that liminality is a phase “betwixt and between” two elements. Liminality is a limbo, an undefined, peripheral space, but Turner asserts that liminal beings are only transitional, eventually dissolving and losing their peripheral status. However, for rape victims, their liminality is permanent and they rarely leave the liminal space.

I argue that centering the argument on the in-between space between and beyond life and death is crucial in theorizing body politics, jurisdiction, and the issue of peace and security. What analysis is omitted when the focus is on the life and death binary?

Where is the subjectivity of the bodies, in particular the subjectivity of death-like, zombie-like lives? Where is their place in the political, societal, and juridical arenas?

This notion of liminality and the in-between space of life and death speaks to raped bodies and other forms of sexual and gender-based violence. Raped bodies occupy a space around and/or beyond life and death, and also around and/or beyond Foucault's notion of biopolitics and Mbembe's notion of necropolitics. The binary of life and death is inadequate in explaining what rape and other forms of sexual violence entail and what the victims of this violence go through because they live in both worlds simultaneously. It is as if the boundary between life and death is non-existent. Raped bodies float around life and death, living in a death-world on this side of life. In other words, rape victims are betwixt and between life and death. With its precarious and ambiguous positioning, where is the place, if any, for the raped, abject bodies in the political, societal, and juridical arena? Where is the subjectivity of the bodies of rape victims? What is missing from the analysis when the focus is on the dualism of life and death or the politics of life and death? Are they erased from any relevant discussion when the juridico-political discourse values life and death (genocide, killings), ignoring what goes on in the middle?

These are testimonies from two women who were raped in Rwanda, describing how they are living a death-like life and how death has overridden their lives:

I regret that I didn't die that day. Those men and women who died are now at peace, whereas I am still here to suffer even more. I'm handicapped in the true sense of the word. I don't know how to explain it. *I regret that I'm alive* because I've lost my lust for life. We survivors are broken-hearted. We live in a situation which overwhelms us. Our wounds become deeper every day. We are constantly in mourning. (de Brouwer and Chu 27, emphasis added)

When Damascene finished raping me, he offered me to the two youngest males in the group, who were young enough to be my children. They were both ordered to rape me. While they did, *I felt like I was already dead*. (de Brouwer and Chu 60, emphasis added)

As I expanded on in the previous chapter, victims of rape and other forms of sexual and gender-based violence face a harsh reality even after ceasefire or end of combat. For them, there is virtually no “post”-conflict situation. The trauma lingers, and it feels as if the physical and psychological pain is never-ending. In addition to the bodily sufferings, or oftentimes due to the physiological agony, many victims are unable to work and sustain a living. Women victims are ostracized from their husbands, boyfriends, and family, which leave them with no income and resources to count on. Women who carry babies of the perpetrator go through double the difficulty of not having means to sustain a living and at the same time taking care of the child. Male rape victims oftentimes go through harsher ostracization because being raped goes against the societal conception of masculinity and toughness. Even when rape victims are able to work, their HIV status can lead to stigma and discrimination, loss of employment, difficulty in asserting property rights, and other human rights violations (de Brouwer and Chu 148). These following two testimonies from Rwanda are from women who contracted HIV/AIDS from their perpetrators:

I became pregnant as a result of this rape, and the child died immediately upon birth. The doctors then pressured me to take an HIV test, and I discovered I am HIV positive. (de Brouwer and Chu 33)

I am always sick, sometimes because of HIV and other times because of the beatings I endured during the genocide. I was hit on my knees and head with a club and I suffer from severe headaches now. (de Brouwer and Chu 33)

Hundreds of thousands of raped bodies have HIV/AIDS, fistula, physical and psychological trauma. These are torn, invaded, amputated, scarred, and polluted bodies. These abject and dysfunctional bodies are produced systematically so that they will not be reintegrated into their communities, so that the community will carry the burden of tending to the victims, and so that the community is afflicted by instability and turmoil. In numerous cases, creation of worthless, disposable humans is what the perpetrating groups pursue. The victims are defined in society by rape and sexual violence, their scars and trauma, and the damage done to their bodies.

Oftentimes a commemorative ceremony or memorialization of the tragedy takes place to help the healing process. Or, it is held to send a message to the larger national and global communities promising that the atrocity will never take place again. It is in a way a spectacle for the internal and external audience, functioning as a stimulus and celebration for change. But many traumatized victims stay away from these rituals and commemorations because they are revisited by pain and have traumatic symptoms on the anniversaries. The ceremonies revictimize the victims. Here is a testimony from a Rwandan woman who experienced hardships on the anniversary of the genocide and mass rape:

I experience a lot of trauma all year long, especially during the annual mourning period for the genocide in April of each year. My stomach, my head and my private parts ache a lot. Sometimes my private parts start bleeding without a reason. I live in constant fear, wondering who will take care of my children if I die. (de Brouwer and Chu 56)

It is common to hear the assertion that people who were raped are “lucky” because they were not killed. This notion of being “lucky” is highly problematic considering the severe torment that the victims undergo. There is also a notion that these victims “survived” the violence, and are therefore fortunate. They certainly are alive with a beating heart, but surviving is only a fragment of their experience. There is an immense value put on life and being alive, but the *quality* of that life is not questioned. Even if it is a miserable life, because that person is alive, it is considered better than being dead. Even when the pain and trauma from rape is unbearable and debilitating, is it worth surviving and staying alive?

In general, there is a broad perception that rape is somehow a lesser crime compared to murder and genocide. I do not intend to hierarchize wartime atrocities and say which crime is more odious than others. But when it comes to rape and other forms of sexual and gender-based cruelties, they are not taken seriously. This is a common attitude towards rape whether it happens in wartime or peacetime. Eerie as it may sound, killing is rendered easier to investigate and more worthy of attention compared to rape because it is about death. There is clear evidence (a dead body) in a murder case as opposed to rape and sexual violence where it is difficult to gather testimonies and conduct physical examination because of the shame and trauma associated with the crime. Rape victims are usually reluctant to step forward to report the offense or testify. Not only that, the

taboo surrounding gender and sex-related violence hinders even law enforcers from administering proper investigation. Oftentimes the police lack interest, and allegations of rape are disregarded (Aranburu 612).

Furthermore, sexual violence is not prosecuted properly in courts. Even in the international criminal court system in The Hague, the judges and prosecutors are reluctant to examine wartime sexual violence. Not only is there an absence of established methodology to investigate and prosecute sexual violence, but according to Xabier Aranburu, the Senior Analyst at the Office of the Prosecutor (OTP) of the International Criminal Court (ICC), he perceives two reasons, or excuses, why legal experts in the ICC are unwilling to investigate sexual violence. First is lack of awareness and sensitivity to sexual and gender-based crimes from senior male officers, and second is the sense of embarrassment in dealing with issues pertaining to sex, sexuality, and bodies (612). There is no established pedagogy in the international legal education system to train experts to investigate and prosecute sexual violence cases. Not only are they not instructed how to examine these cases, but they are also not taught to be sensitive and responsive to gender and sex-related issues overall.

It is plain to see that wartime rape and other forms of sexual and gender-based violence are generally considered insignificant and not worth delving into. I assert that this is precisely the reason why rape and sexual crimes necessitates an elevation of status, or moreover, a formation of a stronger discourse and methodology. There are various reasons why this form of violence is undermined and disregarded, but one of the primary causes is that it is a gendered and sexual crime, an uncomfortable and off-limits subject to tackle for many. Feminist scholars and activists, such as Susan Brownmiller, Cynthia

Enloe, Rhonda Copelon, and Catherine McKinnon to name a few, have been fervently advocating a gender-sensitive look at war and politics and promoting gender and sex as a legitimate category of analysis. They assert that war and conflict is in fact gendered and sexualized, mobilizing the population into the war machine through the notion of masculinity and femininity. Rape and sexual violence are considered “private” crimes, as with other women-related issues, not worth investigating and prosecuting in the “public” realm, which is reserved for men. As rape is considered synonymous to “violence against women,” it has not been taken seriously.

But most importantly, I argue that the disregard for wartime rape is intertwined with the hegemonic discourse of genocide and killings concerning wartime violence. Not only is there a lack of language and discourse on how to speak about rape and sexual violence, but the attention is on genocide, murder, and death. The liminal, zombie-like, death-like raped bodies are not discussed because people do not have the means to talk about, let alone be cognizant of, crimes that involve vaginas, penises, and bodily proximity. Focusing on death and killings overshadows the terrors of rape and sexual violence, and on top of that, turning a blind eye to it exacerbates the issue. This indifference to gender and sex-based brutality has led to “an unsophisticated investigation” (de Brouwer and Chu 154) in atrocities around the globe.

There is fault with the UN, NGOs, and international legal experts focusing on death and murder over rape and sexual violence. Criticism has come from a report published by Human Rights Watch, which states that one of the explanations for the UN’s failure to respond to sexual violence in Rwanda was that the focus was on the mass slaughter, not other abuses such as rape and other forms of sexual and gender-based

violence (*Shattered Lives* 52). The main focus by researchers and the media has been on genocide and killings, and not on rape and raped bodies. A rape survivor named Ancille testifies that in her area in Rwanda, “the sector authorities registered the dead, but no one asked about the women or what their problems were” (52). Sadly enough, this is a common reality of rape victims in armed conflict.

The question I want to ask is whether death is the ultimate end of life. Can a person be “dead” while alive? The people who were raped and sexually assaulted are physiologically and medically alive with beating hearts. Technically they “survived” the violence and are alive. However, when you look at the quality of life in which they live, many raped bodies are destroyed to the point that they live a phantom-like life, with lifeless shell of a body. They are practically dead. The victims’ testimonies speak to this devastating reality.

At the end of his article, Mbembe alludes to the realm of death existing in life where he states, “weapons are deployed in the interest of maximum destruction of persons and the creation of *death-worlds*, new and unique forms of social existence in which vast populations are subjected to conditions of life conferring upon them the status of *living dead*” (40, emphasis in original). This notion of the living dead is rendered ambiguous, arbitrary, and incomplete, hence difficult to theorize. There is a need to challenge the traditional framework and discipline of political science and IR, or even the conventional idea of how life should be lived, and theorize this ambivalence of body politics. One cannot discuss or complete a debate on body politics without examining the liminal lives that exist beyond the duality of life and death. I emphasize that entering the

argument on the space beyond the two realms and expanding on its implication is crucial in understanding the politics of rape, war, jurisdiction, and the issues of peace and security. Raped bodies speak to the discourse on politics of life/death, calling for further theorizing and critique. It has long been difficult to speculate on this subject matter because of the precarious and abject characteristic of raped bodies.

Raped Bodies as Abject and Disposable

The notion of abjection supports and furthers the aforementioned concept of liminal, precarious positioning of raped bodies in wartime and peacetime. I base my argument on the works of Julia Kristeva and in particular her book titled *Powers of Horror: An Essay on Abjection*. Abjection provokes disgust and fear, and is considered pollution (Diken and Laustsen 119). It is an outcast and contamination to society. The aversion comes from its indefinability and nebulousness, which muddles and challenges the norm. It is unsettling and abstruse, indefinable and incoherent. It is “what disturbs identity, system, order” and is “in-between, the ambiguous, the composite” (4). Abject is situated somewhere in the middle of the subject and object, but at the same time, it is entirely different from the subject and object, which suggests its “interstitial” characteristic. Abject is also positioned beyond the semiotic and symbolic order, so there is no established language to comprehend its existence. Therefore, according to Kristeva, abjection implies unintelligibility—unintelligible in a sense that the abject is far beyond comprehension of what people know. An abject assumes “primary indistinctness or

formlessness” (Diken and Laustsen 113). There is a quality in the abject that threatens normality of bodies, life, and death.

To be less abstract and understand this concept of abjection better, I want to introduce the notion the “Musulman,” which came about during World War II in the Nazi concentration camps. Musulman is a derogatory term derived from the same word in German and the Polish word, which means Muslim. The origin of the word in itself is a racist term and problematic, but the term was more widely recognized and used to describe people who were in the Nazi concentration camps. They were “the extreme figures of survival who no longer sustained the sensate characteristics of the living but who were not yet dead” (Mills “An Ethics of Bare Life”) and had reached “such a state of physical decrepitude and existential disregard that 'one hesitates to call them living: one hesitates to call their death death'” (Agamben, *Remnants of Auschwitz* 44). In other words, these people existed somewhere between the realms of life and death. They are alive but dead, and dead but alive. Muselmänner (plural form of Musulman) are “living corpses” (Mills “An Ethnics of Bare Life”) that lost the capacity for living through exhaustion, starvation, and humiliation. Besides, Musulman stands in a domain between or beyond humanity and inhumanity, and their indistinction or unintelligibility between life and death brings fear and discomfort to others. Therefore, these abject beings are floating around life and death, which causes disgust and foulness to the people who witness the Musulman.

Mbembe cites Arendt’s words in which she states, “There are no parallels to the life in the concentration camps. Its horror can never be fully embraced by the imagination for the very reason that it stands outside of life and death” (“Necropolitics” 12). He also

presents an astounding example about a cameraman capturing the camp full of dead bodies and Muselmänner (*Remnant of Auschwitz*). The cameraman enters the concentration camp, but cannot keep himself together to see the skeletal, zombie-like beings wandering around the camp. Being disgusted by the Muselmänner, the cameraman immediately turns to take pictures of the corpses instead. Why did the cameraman point at the dead bodies as an alternative to the Musulman? What was it about the Musulman that prompted him to turn away? Agamben explains that it was precisely because of its abject nature as unintelligible, uncategorizable, and in-between life/death bodies, which confused the cameraman only to resort to what he knows better—dead bodies.

Raped bodies are abject, rendered polluted and marginalized, occupying a liminal space that crosses over to life and death. Bülent Diken and Carsten Bagge Laustsen argue that rape turns humans into “an alien and disgusting object,” and an abject being who is “ugly, anxiety-provoking, sick, unhealthy, and so on” (113). There is a sense of unintelligibility to raped bodies as we are not able to understand what to make of the horrid and repulsive beings. In places where virginity and chastity before marriage is valued, rape by a stranger or someone outside of wedlock makes the victim unsuitable for marriage and motherhood. But because the family and community do not know how to deal with rape and abject bodies, they expel and disown the rape victim. Abjection has a communal aspect in which the sentiment is shared. Also, rape victims internalize their abjection, perceiving themselves as filthy and unwanted. Rape inflicts stigma and shame, and hence rape victims suffer twice: first from being raped, and second from being condemned by their surrounding community. Therefore, there are two basic forms of

abjection vis-à-vis raped bodies, which are “pollution” and a sense of “shame/guilt” (113). According to Mary Douglas in her influential work, *Purity and Danger*, abject beings lose everything, “no status, insignia, ... rank, kinship position, nothing to demarcate them structurally from their fellows” (98). Once someone becomes abject and disposed, they are never able elevate themselves to a status of a “subject” and will forever be an abject. Therefore, there is “no rite of purification” for abjection (Diken and Laustsen 119).

In addition, Kristeva points out that not only is the body itself an abject but also what is discharged from the body is an abjection (102) where bodily secretions, such as, blood, vomit, and excrement, are rendered abject. It was once part of the body, yet once it becomes visible and separated from the body, one cannot discern what it is. This reminds me of female rape victims with obstetric fistula, which is a damage of the walls that separate the vagina and bladder or rectum. These injuries cause urine and feces to involuntarily and continuously trickle down the vaginal chamber. Women with fistula are often embarrassed and ostracized from their families and communities not only because of the shame from being raped, but because of the constant leakage of secretion and repulsive odor that emits from their body (HHI “*Now, the World Is*” 7).

Abjection is deeply tied to disposability, and raped bodies are rendered expendable. It is as if they have no purpose, produced for the sake of being dumped and wasted. Mbembe refers to Frantz Fanon who states, “sovereignty means the capacity to define who matters and who does not, who is *disposable* and who is not” (27, emphasis in original). Abject bodies are deliberately rendered invisible, erased and shut out from the public discourse.

Henry Giroux coined the term “biopolitics of disposability” (175), referring to the way in which modern politics and society produces disposable people. He wrote extensively about the victims of Hurricane Katrina, especially the people of color, and how their lives were ignored, not getting relief and left wandering in the streets of New Orleans after the catastrophe. He asserts that these people were “excommunicated from the sphere of human concern” and “rendered invisible, utterly disposable” (175). This notion of a biopolitics of disposability is compelling because it speaks directly to the production of liminal, abject beings. The disposable bodies are rendered neither human nor inhuman, neither subject nor object, neither alive nor dead. Treated as expendable by the sovereign, they lack proper citizenship and sense of security.

In a similar vein, Zygmunt Bauman in *Wasted Lives: Modernity and its Outcasts* critiques modernity as a force that creates death-worlds and “wasted lives.” He asserts that “[t]he production of ‘human waste,’ or more correctly wasted humans (the ‘excess’ and ‘redundant,’ that is the population of those who either could not or were not wished to be recognized or allowed to stay), is an inevitable outcome of modernization” (5). Among many examples, he refers to the Palestinian refugees, illegal immigrants, prisoners, and soldiers with post-traumatic stress disorder (PTSD) to make his point. These lives are wasted, according to Bauman, due to the side-effects from building a clear-cut order between us and the “other.” These are people who fall in the cracks of binaries and order, who are considered ambiguous and unwanted. They are victimized to create organization by race, ethnicity, gender, and sex.

Furthermore, wasted lives are garbage, hence carry toxicity. To keep the toxic beings away, the sovereign creates facilities to lock them up in seclusion, such as refugee

camp, prisons, and other sheltered pockets of society. The “human waste disposal industry” (*Wasted Lives* 6, 70) has become a huge problem and a threat to peace and security on a global scale. As more and more disposable lives are produced and saturate the world, not only will there be nowhere for them to go, but it will also destabilize the fabric of society.

This notion of wasted lives speaks right to raped bodies, although I do not see that modernity is the cause of wartime rape. These bodies that are deemed toxic are rejected from their families and communities, kept in a sequestered place. The issue of rape is not only a humanitarian matter but also a serious peace and security problem globally. Humans are rendered redundant, disregarding their human right and dignity and fueling slavery, colonialism, and totalitarianism in society.

Despite all the negativity surrounding abject and disposable bodies, for what reason does the sovereign continue to produce them? The question leads to a thought-provoking yet disturbing notion of abjection. This may sound contradictory, but the subject needs an abject in order to exist. Despite its revulsion and unintelligibility, an abject actually has a vital role in keeping the subject in existence. In other words, abjection is situated outside the subject, and its exclusivity is a key element, but in order for the subject to sustain itself, it needs the abject. The abject is an “object of desire” for the subject because the subject in itself does not mean anything. They need an abject or “other” to define what the subject is. The abject is “wanted but not possessed” and “belongs to an external reality” simultaneously. However, by the same token, because the abject is needed, it is a

part of the subject and part of the interior. This notion ties directly to Butler's explanation in which she asserts:

The abject designates here precisely those "unlivable" and "uninhabitable" zones of social life which are nevertheless densely populated by those who do not enjoy the status of the subject, but whose living under the sign of the "unlivable" is required to circumscribe the domain of the subject. This zone of uninhabitability will constitute the defining limit of the subject's domain; it will constitute that site of dreaded identification against which—and by virtue of which—the domain of the subject will circumscribe its own claim to autonomy and to life. In this sense, then, the subject is constituted through the force of exclusion and abjection, one which produces a constitutive outside to the subject, and abjected outside, which is, after all, "inside" the subject as its own founding repudiation. (*Bodies* 3)

In other words, the subject decides who the abject is or produces it, and although the abject is deemed disposable and unwanted, it needs to exist in order for the subject to maintain its presence. As Butler argues, "a domain of unthinkable, abject, unlivable bodies" (*Bodies* xi) helps the subject to constitute itself. The problem is that the abject is forever subject to and exploited by the subject, thus the abject cannot escape its bleak status unless the subject-abject relation radically changes, which is the cruel reality of rape victims and raped bodies.

Raped Bodies as *Homo Sacer*

In his book *Homo Sacer: Sovereign Power and Bare Life*, Giorgio Agamben presents a provocative theory on the relation between politics and life, especially the hidden point of intersection between the juridico-institutional and the biopolitical models of power (6).

He begins the book by providing an explanation that in Greek, there are two kinds of life: *zoē* and *bios*. Two expressions, two different meanings. *Zoē* is the natural life that is "the

simple fact of living common to all living beings” (1). *Bios* is a special kind of life that is only possessed by people who are valued and qualified, or “the form or way of living proper to an individual or a group” (1). In the classical Greek world, *zoē* and *bios* are not equal and not granted the same privileges in the political realm, the *polis*. The simple natural life of *zoē* is excluded from the *polis*, whereas *bios*, the qualified life, matters and is rendered valuable.

But there has been a shift in the *zoē-bios* relation, in that the simple life, *zoē*, became a part of *polis* and started to matter. In Agamben’s words, the “natural life begins to be included in the mechanisms and calculations of State power” (3), which sounds as if every life is treated the same. However, there is an asterisk to *zoē*’s inclusion to the *polis*, in that they are still constrained by the sovereign. They do not have autonomy or agency but are considered the inferior life. It is up to the sovereign to decide on the fate of this natural, simple life. This shift of including *zoē* into the *polis*, according to Foucault, is the beginning of *biopolitics* (3). However, the positioning of *zoē* is in fact not only of inclusion, but also of exclusion—inclusion in a sense that the natural life needs to exist in order to bring relevance to the sovereign and politics, and exclusion in a sense that these lives are not fully integrated into politics and not granted full citizenship, situated outside of the political. It may sound paradoxical, but life/*zoē* is included in the realm of politics by means of exclusion. Human lives become slaves to politics, expendable and undermined; however, the sovereign needs these lives to validate its existence. Therefore, as Agamben asserts, the “inclusive exclusion of *zoē* in the *polis*” (7) is the key to modern politics.

Agamben expands on the Foucauldian notion of biopolitics by introducing *homo sacer* or bare/sacred man—“the life of *homo sacer* (sacred man), who *may be killed and yet not sacrificed*” (8). These lives are disposable and signify importance only by being included in law and politics in the form of exclusion or by the capacity to be killed. What is powerful in his elaboration on *homo sacer* is that Agamben captures its unique positioning. The bare/sacred man was originally situated within the periphery of juridical and political order. However, it gradually began to overlap with the political, and in the end, “exclusion and inclusion, outside and inside, *bios* and *zoē*, right and fact enter into a zone of irreducible indistinction” (9). What is disconcerting is that this creates a dismal space where any acts of cruelty and inhumanity to a “bare life” is possible because killing or doing harm to a *homo sacer* is unpunishable and goes unpunished (Bauman 39). Because of its precarious and desolate orientation, crimes and violence committed to the *homo sacer* is not accounted for and prosecuted. It creates a legal no man’s land, and impunity is an enormous problem in that regard.

I argue that the prime example of *homo sacer* are raped bodies in armed conflict. They are the *zoē* that exist inside and outside the juridico-political system, expendable and exploited for the sovereign to maintain its power. These raped bodies are bare lives and produced for the perpetrator groups to gain political, sovereign power during wartime and post-conflict. But the way in which raped bodies are inscribed in this power dynamic is through their expendability and abjection. Once they are raped, the bodies are dumped and uncared for. But as a matter of fact, raped bodies are simultaneously positioned inside the political realm. In other words, these bodies matter and do not matter at the

same time. Their existence is defined by precariousness. They are included in the political power mechanism, but also deemed excluded and expendable. I maintain that this “inclusionary exclusion” or “exclusionary inclusion” is where raped bodies are situated in war and politics.

This issue poses important questions for the way in which the politics of life and death is organized, and especially for the way the sovereign transforms and labels undesired people, such as wartime rape victims, into simple, biological beings and deprive them of political rights and citizenship. For this particular reason, impunity is a huge problem when it comes to prosecuting the rapists. Not only because pressing criminal charges on the perpetrators is an arduous task and because rape victims feel threatened not to report the violence, but also because of the unsettling space that the rape victims occupy—neither inside nor outside the political and juridical realms.

The ICC and UN have been addressing wartime rape and sexual violence for more than 15 years, and there have been significant developments—such as the decisions made in the ICTY and ICTR to classify rape as a crime against humanity. Similarly, the UN Security Council put forth Resolutions 1325 and 1820, which for the first time in UN history acknowledge sexual and gender-based violence as a war tactic and a threat to peace and security. On a local level, more rape laws are promulgated or revised in a number of countries in order to provide better protection for the victims. However, bringing comprehensive justice to the rape victims and granting them full inclusion to the juridico-political system has yet to happen. As long as the raped bodies occupy the peripheral space of inclusion-exclusion, there will be no justice to the victims of wartime rape and sexual violence.

This notion of liminality of life and death and *homo sacer* speaks to slavery as well, and in many cases, rape victims are considered slaves. Mbembe agrees that life of a slave “is a form of death-in-life” (“Necropolitics” 21), which directly speaks to the life/death liminality of raped bodies. And to borrow Agamben’s words, “[t]he slave is therefore kept alive but in a *state of injury*, in a phantom-like world of horrors and intense cruelty and profanity” (21, emphasis in original). Besides, slaves are forced to work in horrendous conditions, barely receiving adequate food and other basic needs and being treated like garbage. In other words, slaves are expendable to the employer. However, what is critical to point out is that slaves at the same time are rendered valuable, and as an instrument of labor, the slave has a price. That is to say, the existence of slaves is important to the slave owners, although they are not granted full citizenship or recognition and excluded from politics. Their status of exclusive inclusion is the key to understanding the implications of subjectivities that occupy the liminal space beyond life and death, which draws stark similarity to the treatment of raped bodies.

State of Exception

In conflict zones where mass rape is/was rampant, local anti-rape or anti-violence against women laws prior to the conflict are relatively weak if they existed at all. Some laws state that they prohibit harming others in general, but there could be an implicit rule that violence against women is acceptable. Or, as in countries such as Sudan and Pakistan, marital (or spousal) rape is not considered a criminal offense. But as far as times of war and armed conflict are concerned, they are considered an exceptional situation where

emergency provisions are announced and laws are suspended to deal with the extraordinary circumstances. The suspension of law or “state of exception” as Agamben notes is highly problematic because it creates a legal non-man’s land where human rights violations occur without any repercussions. In this situation, rape is used as an acceptable instrument of war to harm and destroy the enemy population.

It is commonly understood that wartime rape is an inevitable crime and a byproduct of war. It is also rendered exceptional because it is not genocide or murder, which are considered more grave. Also, because it is sexual, gendered, racial, and ethnic in nature, the crime is not taken as seriously and the rapists tend to get away from being caught and punished. Furthermore, rape is considered an anomaly because “war rape is based on an asymmetrical strategy through which the enemy soldier attacks a civilian woman (not another male soldier)” (Diken and Laustsen, *The Culture of Exception* 101). Taking advantage of wartime rape’s exceptional and precarious state, perpetrators, such as paramilitary groups and government forces, use sexual violence as a tactic and are oftentimes successful in evading the law and prosecution.

As far as international law goes, there is CEDAW, which is described as the “international bill of rights for women.” CEDAW was adopted in 1979 by the UN General Assembly and became effective in 1981. The agendas on the Convention include gender equality and removal of sex and gender-based discriminations. CEDAW is criticized for being Western-centric, promoting Western views on women and gender to the rest of the world. Some Islamic countries have not ratified it because they say the Convention goes against Islamic Sharia laws. The United States is the only industrialized state that has not ratified. There is also the Declaration on the Elimination of Violence

Against Women, which was released in 1993. The Declaration is considered complementary to CEDAW, protecting the bodily integrity of women and prohibiting any form of violence against them.

There is always doubt in their effectiveness when it comes to international law and UN Resolutions primarily because there is little or no mechanism of enforcement and punishment. These official statements and statutes help create and enrich the discourse on global anti-rape campaigns, but their practicality and usefulness are constantly under scrutiny. However, even if stringent rape laws and enforcement mechanisms existed, this does not automatically mean that the laws would be abided by.

This notion of legal exceptionalism, or “state of exception,” has gotten attention from legal experts and social scientists in recent years. It stems from what Carl Schmitt defined in his book *Politische Theopogie* that the sovereign is “he who decides on the state of exception.” What this means is explained in detail in Agamben’s publication titled *State of Exception* where the state of exception is the suspension or elimination of law initiated by the sovereign in order to create a legal no-man’s land between the juridical order and life for the purpose of controlling and governing the population. In Agamben’s words, the state of exception encompasses a “‘point of imbalance between public law and political fact’ that is situated—like civil war, insurrection, and resistance—in an ‘ambiguous, uncertain, borderline fringe, at the intersection of the legal and the political’” (1). The sovereign exercises its power to suspend the law and replace it with an exceptional, out-of-the-ordinary rule that, in fact, undermines law and democratic order. By instituting the

state of exception, democracy is readily jeopardized and “a systematic and regular exercise of the institution necessarily leads to the ‘liquidation of democracy’” (7).

A prime example of legal exceptionalism is what happened in Germany during World War II, which Agamben explains in details in his book. Weeks after Hitler was appointed the Chancellor of Germany, he pronounced the Order of the Reich President for the Protection of People and State, which suspended most of the civil liberties described in the Weimar Constitution. Freedom of the person, freedom of expression, freedom of the press, the secrecy of the post and telephone, the protection of property and the home, and so forth were put at risk. A more contemporary example of state of exception is the post-9/11 United States Patriot Act of 2001, which jeopardized civil liberties and enabled law enforcement agencies to search telephone, e-mail communications, medical, financial, and other records (3-4). Furthermore, any foreign national or alien suspected of putting at risk “national security” of the United States (US) was arrested and then released or charged with the violation of immigration laws or other criminal offense that the person did not commit. This action taken by the US government “radically erases any legal status of the individual, thus producing a legally unnamable and unclassifiable being” (3).

The most significant and disturbing aspect of state of exception is that what is at stake are human lives and their welfare, subjugated by totalitarian regimes and degradation of basic human rights. This is a way in which the sovereign manipulates the legal system in order to bring about biopower. What is highly problematic, as Agamben argues, is that creating an exception to the rule and suspending the law eventually *become the norm*. It is no longer rendered anomalous and becomes normalized. In other words,

there is no distinction between the real law and the state of exception, blurring the line between what is inside and outside of juridical order. The indistinction is key and at the heart of why state of exception is utilized widely. Agamben summarizes his point by saying:

The sovereign, who can decide on the state of exception, guarantees its anchorage to the juridical order. But precisely because the decision here concerns the very annulment of the norm, that is, because the state of exception represents the inclusion and capture of a space that is neither outside nor inside (the space that corresponds to the annulled and suspended norm), “the sovereign stands outside of the normally valid juridical order, and yet belongs to it, for it is he who is responsible for deciding whether the constitution can be suspended *in toto*.” (*State of Exception* 35)

Although distinctly problematic, the state of exception becomes the working juridical paradigm of sovereignty. Some may argue that in an emergency situation, creating an exception to the rule is necessary, that in order to lessen further crisis, it is imperative to put a halt to law and create a contingency plan. However, as much as an emergency situation may be a powerful enough reason to suspend the law in the short run, it raises a problem that highly undermines legitimate political procedures based on trust and democracy. Agamben calls this positioning “ecstasy-belonging” (35) in which the structure of the state of exception is defined by the sovereign “being outside and yet belonging” to the rules of law. It is precisely the undefinability and condition of “non-place” that allows the state of exception to remain in existence and unchallenged in the juridical and political realms.

Rwanda, Liberia, Sierra Leone, former Yugoslavia, and other places that experienced mass rape had laws prior to the conflict, advocating peace and security and protecting their citizens from harm. However, these laws were suspended during armed conflict. Perhaps the perpetrators thought that war is an emergency situation, an exception, that they could disregard the laws and commit these crimes. Or, it could be that because they knew that murder is a punishable and prosecutable crime, they resorted to rape instead, which is considered lesser a crime. Whether or not the decision to suspend the law was made purposefully, the perpetrators, whether it be government forces or non-state actors, took advantage of the legal no-man's land and used rape as a weapon of war.

The notion of state of exception is often used to theorize the situation with regard to the camps, such as concentration camps, refugee camps, and rape camps. It is a zone where legal exceptionalism is realized under “normal” conditions. In fact, the initial reason for its construction was to create a place where law enforcement cannot touch what goes on inside and humans are reduced to “bare life” in the eyes of judicial powers. This space is positioned as an exception where the officers can commit any violence to the detainees, while the detainees are stripped of their human rights and dignity. As Agamben explains:

The camp is thus the structure in which the state of exception—the possibility of deciding on which founds sovereign power—is realized *normally*. ... [I]n this sense every question concerning the legality or illegality of what happened there simply makes no sense. *The camp is a hybrid of law and fact in which the two terms have become indistinguishable*. ... Whoever entered the camp moved in a zone of indistinction between outside and inside, exception and rule, licit and illicit, in which the very concepts of subjective right and juridical protection no longer made any sense. (*Homo Sacer* 170, emphasis in original)

Rape camps were commonplace during the war in Bosnia and Herzegovina, and the Foča rape camp is perhaps among the most well-known. Local Muslim women and men were gathered and divided into separate camps, with many of the women being detained in sports halls, classrooms of schools, or the soldiers' apartments ("The Nightmare of Foca"). There were rape camps in the Nazi concentration camps as well, where scores of women were raped and sexually assaulted by Nazi officers. The Japanese military put up rape camps, or so-called "comfort stations," where thousands of women called "comfort women" were coerced to have sex with multiple soldiers on a daily basis for many years. And now, rape is most rampant in refugee camps in Haiti, Somalia, Chad, and Sudan. There are international refugee laws that protect the rights of refugees, but sexual violence remains widespread.

War in itself is considered an exceptional space where brutality is taken for granted, and rape camps are granted extra protection from legal interventions. They are precisely a juridical no-man's land and a place where every form of violence and human rights abuse become possible. It is a space where the distinction between law and no-law is blurred. Because of the normalcy of "state of exception" and camps, it becomes difficult to distinguish what is licit and illicit. As Raffaella Puggioni writes, "[t]he juridico-political structure of the camp creates this very zone of indistinction, a zone where the law is suspended and its suspension allows for the emergence of a space of confinement (the camp), a space where any acts of cruelty and inhumanity are not only possible but, more tragically, they are unpunished and unpunishable" (Huysmans, et al. 170). The tragedy is that the raped bodies are left in limbo, and the perpetrators get away with the crimes. There have only been a handful of cases where the rapists were arrested

and prosecuted, but compared to the millions of women and men who were raped, there is still a lot of work to be done. How can international legal experts monitor a sovereign's unfair juridical shift to implement a state of exception? Is there a way to protect the rights of people in a legal no-man's land? And importantly, how could rape be disassociated from an exceptional status and be taken as a serious crime?

Conclusion

How, then, does one live when the time to die has passed, when it is even forbidden to be alive, in what might be called an experience of living the “wrong way round”? ... To think about the end of being and existence (the real referent of these questions) is to be interested in what lies *this* side of the lifeless material thing—not necessarily to establish the status of the dead person or even the survivor, but to see how ... it is possible to delegate one's death while simultaneously and already experiencing death at the very heart of one's own existence. In other words, how is it possible to live while going to death, while being somehow already dead? And how can one *live in death*, be already dead, while being there—while having not necessarily left the world or being part of the spectre—and when the shadow that overhangs existence has not disappeared, but on the contrary weighs ever more heavily? Heidegger raised similar questions in speaking of the *Dasein*, which can “end without dying, strictly speaking” and, it may be added, without being, strictly speaking, finished.

—Mbembe, *On the Postcolony* 201-2 (emphasis in original)

As I was searching for a way to reconceptualize rape and sexual violence in armed conflict, I came across the paragraph above. It spoke to me in powerful language of the predicaments of wartime rape victims, feeling as if they are already dead on this side of life. How is it possible to theorize and understand the liminal and abject wartime raped bodies?

In this chapter, I examined body politics of raped bodies vis-à-vis the notion of liminality of life and death, juxtaposing it with the Foucauldian notion of biopolitics and

Mbembe's notion of necropolitics. I argue that centering the argument on the liminal space beyond life and death is crucial in theorizing wartime rape, jurisdiction, and the issue of peace and security. When the focus of war crime is on death, and when rape survivors are considered fortunate because they survived, we are ignoring the grave realities of what life is like after rape and sexual assault. Rape victims testify that they live in death-like situations, a precarious state beyond the life and death dualism. Not only does the fact that the gendered, sexual, and racial nature of rape renders the crime a taboo, but also the hegemonic discourse of death overshadows rape and other sexual and gender-based violence. It is imperative to question the subjectivity of raped bodies and their place, or lack thereof, in the political, societal, and juridical arenas. Raped bodies are politicized, gendered, and racialized, and so is the liminal space that they occupy.

Furthermore, I examined the abject nature of raped bodies. They are rendered disgusting and filthy by their family and community because the victims were raped by a stranger or someone other than their spouse. It is also the unintelligibility and ambiguity of raped bodies that make them abject. They are positioned somewhere between the life-death spectrum, not certain if they are dead or alive. In addition, rape victims themselves perceive that they are an abject. The shame and guilt from being raped gives them a reason to feel worthless and polluted. These bodies are disposed of and cast away to places that are not seen in the public eye. As Giroux points out, the "biopolitics of disposability" is the working paradigm for abject, unintelligible beings.

I also argue that raped bodies are rendered *homo sacer*, which is the simple, unimportant life that is expendable and peripheral in the juridico-political arena. It is precisely the abject, wasted, and undesirable subjectivities that seem to have no place in

society. However, as Agamben asserts, *homo sacer* is an indispensable element to the sovereign to maintain its power and dominance. Producing “bare life” or raped bodies may not make logical sense, but keeping them inside and outside the legal and political realm helps sustain its power. This implies the body politics of simultaneous inclusion and exclusion.

Finally, even if there is an established law that prohibits rape, the sovereign could suspend the law and declare a state of exception during wartime. Ignoring the law and creating a legal exception is highly problematic because it compromises legitimate political procedures based on democracy and trust and jeopardizes human rights.

By juxtaposing the plight of rape victims with theories on body politics, we can see that these bodies occupy a precarious place that is impossible to explain in binaries, blurring the lines of life and death, *zoē* and *bios*, inside and outside. Their precariousness challenges the future state of law, policy, peace, and security. Why is it difficult to reintegrate victims of sexual violence back into the community and for them to reclaim their citizenship? How are these bodies codified in international human rights law and official UN statements? How does the notion of wartime rape vis-à-vis life and death problematize the “post-conflict” reconstruction and peace-building?

Raped bodies tell us that you can be dead while being alive. It is not death in a biological sense, but in a social, political, and psychological way. They tell us you can “live in death” and live the “wrong way round”? What is there to be done when life has ended without dying?

How can victims of sexual violence in the life-death spectrum move from living a death-like life to a better life? In other words, how is it possible to change the situation to “life greater than death”? Is there hope in the biopolitical era? The reality of wartime rape is rather a bleak one, but I choose to be neither optimistic nor pessimistic about the future. I also choose not to be in paralysis. There has been continuous work done by scholars, human rights activists, legal experts, and advocacy groups that projects a sense of hopefulness. In the following chapter, I will analyze the trajectory of international law and the UN vis-à-vis wartime rape, as well as local endeavors to “deliminalize” raped bodies, examining and challenging the efforts they have made in the past couple of decades to bring the death-like situation for rape victims to “life greater than death.”

Chapter 4

Deliminalization of Raped Bodies:

Local Efforts, UN, and International Jurisprudence

Prologue

End this violence that gives global license to the destruction of women, that is the end of life itself.

—Eve Ensler (de Brouwer and Chu 166)

There is no security without women's security.

—slogan from UN Action Against Sexual Violence in Conflict

Raped bodies from armed conflict are politicized and gendered to the extent that they do not belong fully in the juridico-political realm from which they are excluded by way of false inclusion. The rape victims' existence is defined by the violence that has impacted their bodies, and what the body experienced determines their socio-economic and juridico-political place or non-place. The production of raped bodies is a tactic for government forces, armed non-state actors, and rebel groups to gain power and control, but once these bodies are produced, they are disregarded and become disposable. The precariousness of their positioning as liminal and abject violates the classification of

criminality, seeping through loopholes and ambiguities of political recognition and legal codification and causing a detrimental impact on politics, law, economics, culture, peace, and security. As rape and other forms of SGBV have become a ubiquitous weapon of war in the current climate of biopolitics, where is the subjectivity and agency, if any, of the death-like lives in the political, juridical, and economic arenas? What are the global and local juridico-political mechanisms to “deliminalize” rape victims or render them *bios*—the life that matters? What is preventing them from being integrated into society and gaining full or any subjectivity?

In this chapter, I examine the global and local efforts and impediments to “deliminalize” raped bodies in the judicial, political, and social arenas and reintegrate them into society after the violence. Because wartime rape is still rendered an inconsequential crime, overshadowed by genocide and mass murders and perceived as a “private” women’s issue, the discourse and methodology to tackle wartime rape is underdeveloped. It has been a challenge to properly address the issue in international jurisprudence, UN provisions, and local initiatives when there is lack of political will, lack of gender sensitivity, and a culture of impunity. Besides, the challenge escalates when raped bodies are rendered not fully alive but moribund, abject, and unintelligible. Sadly, the production of these scarred and deranged bodies continues, and there is still a long way to go in preventing the violence, demarginalizing the victims from their peripheral status, and persecuting the perpetrators. I suggest a more complete and nuanced approach to wartime SGBV, which entails not only securing of physical safety, but also addressing long-term

provisions such as economic stability, political participation, legal support, and access to necessary resources.

When I say deliminalization, I do not mean the process to teleologically produce a liberal humanist subject, but the purpose is rather for the victims to gain some sense of acknowledgment and justice. Feeling invisible and disposable as if their existence means nothing is a common psychological state that victims and witnesses of atrocities face, and this sense of unworthiness is detrimental to their recovery and welfare. In his work with survivors of the Nazi concentration camps, Robert Lifton coined this thinking process the survivors' "struggle for meaning." Lifton observed that camp survivors would "seek something beyond economic or social restitution—something closer to acknowledgment for crimes committed against them and punishment of those responsible—in order to re-establish at least the semblance of a moral universe" (123, emphasis added). Martha Minow also writes in a similar vein that "the victimized deserve the *acknowledgment* of their humanity and the reaffirmation of the utter wrongness of its violation" (146, emphasis added). The sense of being acknowledged is crucial in the recovery process, but by the same token, it can be reinstated through and is deeply intertwined with socioeconomic and juridico-political inclusion. This necessitates comprehensive global and local initiatives to deliminalize wartime rape victims.

First, I examine the local initiatives and resistances in tackling wartime SGBV and conflict situations, looking at the impact on economics, family and community, and children in the DRC. I also illuminate how women have gained agency and justice by speaking up about their plight.

Second, I evaluate UN policies to mainstream gender and address wartime SV. The passage of Security Council Resolutions (SCR) 1325 and 1820 have been celebrated as bringing monumental change in tackling issues pertaining to SGBV, gender, peace, and security by the UN and in the international community. However, its ineffectiveness and lack of muscle have brought disappointment and “gender mainstreaming fatigue.” What factors impede UN resolutions and gender agendas from being actualized? I also analyze UN peacekeeping operations and their trials and errors not only in mainstreaming gender but also in stopping sexual abuse and exploitation of local women and girls whom they are supposed to be protecting.

Third, I assess the international legal discourse on wartime rape, in particular the issue of impunity and implications of the judgments from the ICTY and ICTR. These courts changed the international juridical landscape, pronouncing that rape in armed conflict is a war crime, crime against humanity, torture, and an “act” of genocide. Although these verdicts brought a sense of victory to the humanitarian judicial arena, there is still strong reluctance to adjudicate sexual violence and a serious lack of gender sensitivity in the international legal arena. Furthermore, I welcome the Genocide Convention’s definition of genocide as “destruction of a group,” which creates a discursive space to include crimes that are not necessary about killings, in particular rape victims who are “living a death-like life.” This definition, in fact, speaks to the liminal space beyond the life and death binary that wartime rape victims occupy. While I welcome the ICTR judgment to include wartime rape as an act of genocide, rape is technically not genocide, which puts the focus on the initial violence and erases the predicaments and sufferings of rape victims after rape.

Local Impact and Resistance: DRC

Sexual violence and war have a far-reaching and negative impact on a local level in the DRC. The fear and trauma instilled in the affected regions, as well as the shame and stigma from being raped, linger for months and years. There is a sense of distrust of others when there are neighbors who committed rape or demobilized soldiers who are living in the community. Children born of rape, as well as families with these children, experience discrimination and are ostracized, passing the pain and hardship to the next generation. The bond with family and community is broken. The financial burden on the regions that were struck by mass rape is stark. Rape is oftentimes used to force civilians to relocate, and the increase of refugees and IDPs also causes instability.

On a local level, the notion of peace and security in the context of national defense, bombs, and war and peace dichotomy lacks tangibility. For the regions where rape is rampant during and after armed conflict, their concerns are how women can fetch water and firewood miles away without being raped and how to stabilize the local economy when men are fighting in the war and women become single heads of household. Local initiatives necessitate securing physical safety and preventing future rape, as well as addressing political participation, economic stability, inheritance, property, marital matters, and education for children with a gender-sensitive lens. Although the word gender is oftentimes conflated with women and women's issues, it is indispensable that it includes men and creates policies that are beneficial to women and men.

In order to understand some of the features that impede rape victims from moving away from the liminal space and into gaining fuller subjectivity, I examine local economics, family and community structures, and children's welfare in the DRC. I turn to and credit the data and interviews provided by the HHI, which dissects the local impediments and efforts in these three fields to achieve peace and security in war-torn regions. (Kelly et al.).

1) Economics

SGBV and conflict significantly cripple income generation, bringing about financial loss and agricultural underproduction in the DRC. Due to the hardships stemming from the armed conflict, women now engage in farming and trade to bring income into the family, whereas it was mainly men who had that role prior to the conflict. Many women became single heads of households as many husbands were killed during war, joined armed forces, or neglected their raped spouses. There is also a general threat of rape, which keeps women housebound and makes them reluctant to go out to the farms to cultivate. One Congolese woman stated in an interview that "If they find you in the field, they rape you" (12). Consequently, arable land becomes unfertile, and there are no goods to trade in the markets. Even if there were some produce to trade, women (and men) are reluctant to travel because of the threat of rape. Thus, the fact that a large number of women live in fear of rape or have been raped has a critical impact on the economy. Wallström commented that in the DRC, UN peacekeepers implemented "market escorts" in order for

women to resume trade without the fear of being raped (Shapiro “Wallström Reports Congo”).

Economic instability has a detrimental impact particularly on rape victims on a macro level in the Congo. While building economic strength and generating revenue are prioritized in a war-torn region, setting up a health care system for rape victims and caring for the vulnerable population are low on the priority list. As they are rendered abject, inconsequential, and disadvantageous to the economy, raped bodies are left unattended and marginalized. Financial instability also raises health-related costs, making it harder for rape victims to receive treatment.

In order to generate income and as heads of households, women find other ways to obtain income, and they often go into prostitution as their last resort. Their customers are mostly foreign aid workers and NGO staff in Bukavu, one of the central locations for aid operations in the DRC. One woman testified that it is a dilemma when a man proposes to pay \$100 for five minutes of “friendship.” The UN has taken the issue of sexual exploitation and abuse (SEA) by their personnel seriously, addressing the problem at the Security Council level, making gender sensitivity training compulsory, and bringing female peacekeepers into their operations. In reality, however, sexual abuse and abuse of power continue. The issue is not solely about providing proper training for peacekeepers, but it is deeply rooted in individual learned behavior, militarized ideals of masculinity, and the need to exert authority and power through sex.

Despite harsh economic situations, there are some positive changes. Local Congolese women have created cooperative solutions, establishing savings and credit groups, farming cooperatives, and small trade associations. The credit initiative is called

the *likelemba* system in Swahili where a small amount of money is collected every week from approximately ten women and the sum is given to a different woman to start a small business (Kelly et al. 18). Women have also started support groups for rape victims, providing not only emotional support but also economic support to rebuild their lives.

2) Family and Community

Wartime SGBV and conflict dissolve previous customary practices of gender balance and respect in the family and community, in particular the way in which traditions and values relating to matrimony and gender roles are experienced and practiced. As stigma and rejection from rape bring shame and dishonor to the family, SGBV is the main cause of divorce and separation in the DRC, impacting marriages and family cohesion. The disgrace associated with having a rape child is especially harsh, which gives the husband a definite reason for divorce. Carrying diseases, such as sexually transmitted infections (STIs) and HIV/AIDS, due to rape is also a reason why husbands divorce their wives. But there are cases where the husband decides to keep his wife and does not file for divorce as long as he perceives that the rape was forced. Although the status of their marriage is usually in the hands of the husband and wives lack a say in the decision-making, the “rape equals divorce” dynamic is slowly changing according to the HHI study. Also interestingly, the economic hardships have resulted in incorporating family planning as women feel having fewer children means more stability and fewer expenses. Where reproductive health counseling is offered in the DRC, women go to receive condoms and seek advice. Not just women but young men also support family planning for they

acknowledge the financial difficulties in having large families.

As Congolese women have become single heads of households and primary income generators, women became more independent and gained some level of agency, which is shifting the gender dynamic in the family and community. This change in gender roles is not always welcomed by men who object to it and feel as if they have lost control over women. Some men cling to their masculine role, resorting to violence to punish women or forcing them back into traditional gender roles. As women gain more control over household income, it also is creating precarious situations in the family and community.

Since the war started, local communities in the DRC struggle with having weak social institutions and a culture of impunity. Many religious leaders and local chiefs fled the conflict region. This lack of community cohesion and infrastructure has furthered social tension and the cycle of violence. There is widespread theft, drug and alcohol abuse, and civilian rape in the DRC. Demobilized soldiers, known as *Demode*, use violence to intimidate civilians, but the lack of a legal system to adjudicate offenders exacerbates the situation. Christianity was introduced to some communities, and the church provides a place for the civilians to gather and seek refuge. But by the same token, the local people are skeptical of the rise of churches since they perceive that the newly introduced religion is taking advantage of and making money off of them.

3) Children

The welfare of children is indispensable to acquiring peace and stability, and children have needs that are unique to their vulnerable state. The biggest problem facing children

of the DRC is lack of food and education. Many children suffer from hunger and are malnourished. They do not go to school because their families cannot afford to send them. Due to SGBV, displacement, and economic hardships, there are many orphans, street children, and children born of rape in the Congo. The children need social structures, such as family, religious communities, and health systems, to guide them, but it is crucial to have educational institutions that can provide moral guidance and a sense of safety for the children. Free education and free child-care is a must because it will psychologically and financially release their mothers and family members from deciding whether the money should be used for either food or education. Also, free access to education for children would allow women to work during the day, generating more income and bringing in food for the family.

Speak Up, Take Action: Breaking the Cycle of Silence/Violence

A voice is an effective tool to bring thoughts and experiences to the discourse. Especially for rape victims, speaking up about the violence and their plight is a step towards being acknowledged and unshackling oneself from existing in the liminal space. At the same time, there is a fear of retaliation and retraumatization that often comes with breaking the silence. When I attend meetings and events on wartime rape, local gender activists from conflict zones in attendance talk with a sense of urgency of the need for women victims to speak up. At the latest conference I attended called “Voices From Congo” in Washington, DC in the summer of 2011, two representatives from women’s NGOs in the DRC echoed one another, repeating that the victims and witnesses of rape need to tell

others about the violence they experienced. It is dangerous and careless to simply persuade women to speak up because there could be retribution and reinjuries. However, the heart of the message is that raising one's voice can break the silence, bring visibility, and stop the cycle of stigma and shame. Many women deliminalized their existence by using their voice, which in some cases made a significant impact on the course of history.

In 2002, Leymah Gbowee mobilized women in Liberia to participate in a non-violent peace movement to put an end to the civil war. Being faced with rape, abandonment, and financial hardships, Liberian women said they had enough and it was time for them to speak up and take action. Hundreds of women gathered at the market everyday to demand peace, stating that after being dehumanized through rape and STIs and watching children and families get destroyed, they had to raise their voice and take action for peace. Under Gbowee's leadership combined with the women's relentless activism, these women pressured then Liberian President Charles Taylor to attend the peace talks and promise to end the civil war. It is said that their tenacious efforts tremendously helped end the war in 2003 and elect Ellen Johnson Sirleaf as the first female president of Liberia in 2005. Gbowee and the Liberian women's journey was captured in a documentary film titled *Pray the Devil Back to Hell*, which has been shown around the world including the DRC, Rwanda, Liberia, and Bosnia and Herzegovina and has inspired other women to speak up and take action to shed light on their predicament and bring peace.

Another example is a group of 16 women who had been imprisoned by Serbian forces in the town of Foča during the Bosnia War who spoke up and stepped forward to take the witness stand at the ICTY in 2000. These women were kept in rape camps for

over two months and repeatedly raped by the soldiers. While most rape victims are reluctant to come forward and confront their rapists, the women broke the silence eight years after the imprisonment. One of the women testified that she came forth to "let it be known that it really happened. It's not easy for me to speak about it today, but nevertheless, I wanted everyone to hear about it" (Barkan, "As Old as War"). Their court appearance and testimony led to historical verdicts, which pronounced that wartime rape is indeed a war crime, crime against humanity, and an act of genocide.

Gender, Peace, and Security: Critique of UN's Initiatives

When it comes to discussing global peace and security issues, it is generally in the context of national defense and the military. In this discursive climate, many feminist scholars and aid workers assert that it is imperative to include a gender perspective to the peace and security discourse. It is not only because women and men experience armed conflict differently, but also because gender is systematically structured in social, legal, political institutions and disregarding gender in the policymaking process jeopardizes peace and security. In response to wartime SGBV, the UN and humanitarian agencies have taken steps to address it as a security issue. As simple as this may sound, a comprehensive approach is indispensable in tackling gender and security issues, discussing not only bodily integrity and physical safety but also the legal, political, economic, and social tribulations that women (and men) face.

When it comes to issues concerning women's human rights and gender, however, there is a serious lack of attention precisely because it *is* a women's and gender-related

issue. While the male experience is implicitly considered the norm and men's agency is unquestioned, women's experiences are perceived to have no or little significance to achieve peace and security. MacKinnon describes in simple yet powerful words that:

... in the perspective of human rights, what is done to women is either too specific to women to be seen as human or too generic to human beings to be seen as about women. Atrocities committed against women are either too female to fit the concept of human or too human to fit the idea of female. "Human" and "female" are mutually exclusive by definition; one cannot be a woman and a human being at the same time. (181)

It is no painless task to put gender on the agenda and to change the male-centric, gender-insensitive mindset of the UN. The organization itself is criticized by feminists for its hegemonic masculine environment (Willett 142). As Nadine Puechguirbal, a former Senior Gender Advisor for the UN peacekeeping mission in Haiti, notes, doing gender work is considered "lip service" in the UN system ("Discourses on Gender" 183). There is resistance in the system to incorporate gender because it is "very threatening to those already holding power" (Charlesworth 12). Therefore, Susan Willett asserts that the masculinist UN is merely "accommodat[ing] tokenistic 'spaces' for alternative voices, claiming inclusiveness, when in fact it operates to compromise dissent, and renders women's actions and voices invalid" (144). Hilary Charlesworth and Mary Wood would agree with Willett that gender mainstreaming is a "token exercise" (316).

Not only that, the language used in the UN, including Security Council Resolutions, relies on gender stereotypes and essentialism. Whether it is consciously carried out or not, it is dangerous to employ the essentialist notion of gender and sex, assuming that women are inherently the victims, caring and peaceful, and that men are inherently the protectors, strong and violent, which is contradictory given the fact that

men can be protectors and rapists. This is problematic because, as Cynthia Cockburn asserts, essentialism is “a dangerous political force” and “operates through stereotypes that fix identities in eternal dualisms: woman victim, man warrior” (13). SCR 1325, for example, is perpetuating that idea by saying women and girls have “special needs” or by emphasizing that women are victims, therefore they do not have agency. There is condescension in the language. It is imperative to address how women experience war “differently” than men do and that a gender-specific approach is crucial. Furthermore, women are often put in the same category as children as “women and children” became the combination in the humanitarian aid discourse. The masculine language connotes that men take care of women and women need to be protected like children by men.

Reconceptualizing Gender Mainstreaming

In the gender-insensitive climate, however, the UN initiated gender mainstreaming as their official policy in 1995 after the Beijing Conference on Women. This was the fruit of a network of global feminists working tirelessly to bring women’s agenda to the UN mandate. According to the UN Economic and Social Council (ECOSOC), gender mainstreaming is the process to assess women’s, as well as men’s, concerns and experiences in areas of policies and programs including political, economic, and social arenas. Gender mainstreaming is a salient concept in feminist politics because it integrates gender into policy and decision-making processes.

Despite its potential, gender mainstreaming is never short of criticisms. There is the constant problem of staffing, funding, and enforcement deficiencies. The ultimate

goal of mainstreaming gender is gender equality, which is a vague concept that lacks practical implementation. What does “achieving equality” mean? Gender equality assumes a symmetric position of women and men, which is problematic because it fails to address complex gender relations and socio-political implications. Does having 50 percent of women in the parliament or workplace suggest that gender mainstreaming is a “success”? More political participation of women, for example, is important and has the potential to improve gender/women’s situations, but it is too simplistic to assume that more women means more women’s initiatives and change in institutional agendas.

As far as gender mainstreaming and humanitarian assistance is concerned, first and foremost, it entails collecting gender disaggregated data of women, men, girls, boys, babies, pregnant women, and old women and men. Without this kind of detailed information, it is difficult to assess the difference in experience and provide sufficient aid. It also necessitates creativity and thinking outside the box. For example, providing security for women (and men) is not only about physical safety and preventing rape, but also about knowing specific women’s needs and problems. It is to understand that women may be raped when they go far from home to farm, fetch water, or collect firewood. Women are encouraged to vote in elections and partake in politics as part of gender mainstreaming, but if the poll centers are at a distance, women will have to travel long ways to get there. Peacekeepers and police need to be located not only at the voting booths, but also on the streets or in the bush through which women travel. If there are children at home, it will be hard for the mothers to trek with them or leave them at home unless there is someone or some place to take care of them. These kinds of

comprehensive and specific gender mainstreaming efforts are necessary to secure peace and security in war-torn societies.

Although the word gender is used in various policies, it “is not an easily transmissible technical concept” (Charlesworth 12). First of all, taking gender into consideration is not the same as including women in various arenas. Gender is not synonymous with women and is as “much about men as about women” (Charlesworth and Wood 317). It is also problematic in the gender mainstreaming discourse in particular that gender is based solely on the natural, biological characteristics of female and male identities, ignoring that it is socially constructed and performative. There is a need to understand the relational nature of gender in which power relations and subordination are embedded. Also, mainstreaming gender supposes that it is the women who need to change, not men. This oftentimes leaves the notion of men and masculinity unscrutinized.

There is also resistance to incorporate gender mainstreaming from non-Western, non-English speaking countries. “Gender mainstreaming” is not easily translated to other languages, which forces non-English speakers to use the English term (Charlesworth 12). Some argue that this is symbolic of an invasion of the dominant Western or liberal humanist discourse. Besides, the implementation of gender is considered a teleological progression of neoliberal values to which there is opposition.

Deconstructing UNSCR 1325

1325 is considered a “landmark” UN Security Council Resolution, the first UNSCR that links women’s experiences to the global peace and security agenda, addressing not only the impact of war on women, but also their contribution to conflict resolution and sustainable peace. Adopted unanimously on 31 October 2000, 1325 is a site at which discourses on gender, armed conflict, and security intersect.

UNSCR 1325 was compiled based on the fundamental understanding that war is gendered or that women experience war differently compared to men. Furthermore, 1325 broadened the meaning of peace and security, taking into consideration women’s invisibility and exclusion from political processes and peace negotiations. Without a gender perspective and women’s representation in the decision-making process, the UNSCR notes that peace and security is unsustainable and ineffective. Here are four main pillars to 1325—participation, protection, prevention, and gender mainstreaming—and their critiques:

1) Participation

UNSCR 1325 stresses “the importance of [women’s] equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution” (Preamble Paragraph 5). It calls for the participation of women at all levels of decision-making, including:

- in national, regional, and international institutions;
- in mechanisms for the prevention, management, and resolution of conflict;
- in peace negotiations;
- in peacekeeping operations, as soldiers, police, and civilians; and
- as Special Representatives of the UN Secretary-General.

2) Protection

1325 addresses special measures to be taken to protect women and girls from “gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict” (OP 10) and:

[e]mphasizes the responsibility of all States to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity, and war crimes including those relating to sexual and other violence against women and girls, and in this regard *stresses* the need to exclude these crimes, where feasible from amnesty provisions. (OP11, italics in original)

3) Prevention

UN SCR 1325 expresses that violence against women should be prevented through the promotion of women’s rights, accountability, and law enforcement by:

- prosecuting those responsible for war crimes, genocide, crimes against humanity, and other violations of international law;
- respecting the civilian and humanitarian nature of refugee camps;

- excluding sexual violence crimes from amnesty agreements, as they may amount to crimes against humanity, war crimes, or genocide;
- strengthening women's rights under national law; and
- supporting local women's peace initiatives and conflict resolution processes.

4) Gender Mainstreaming

1325 addresses mainstreaming gender in peace operations by:

- appointing Gender Advisors to all UN peace operations;
- considering the specific needs of women and girls in the development and design of policy in all areas;
- incorporating the perspectives, contributions, and experience of women's organizations in policy and program development; and
- addressing gender issues in post-conflict disarmament, demobilization, and reintegration (DDR) programs.

Critiques

1) Political Participation

Perhaps the most well-known "success" story of gender mainstreaming and women's political participation is post-genocide Rwanda. Its parliament has 56 percent of women, 45 out of 80 seats, making it the first in the world to have women in the majority ("Rwandan Women Secure"). Women's high political participation is made possible

through the quota system in which the constitution requires a 30-percent minimum for women in the national parliament. But what are the ramifications of high representation of women in politics? Jennie Burnet argues that the increased political participation of women in Rwanda represents a paradox in the short term where women's ability to influence policymaking has lessened as their participation has increased. In the long term, however, increased representation in government creates a path for women's meaningful participation in a genuine democracy (361). In addition, Claire Devlin and Robert Elgie conclude in their study that women's high political representation has allowed women's issues to be raised more easily and more frequently in the political arena (237).

2) Peace Negotiations and Agreements

In terms of peace talks and post-conflict decision-making, the reality is that women are profoundly excluded. The Governance, Peace, and Security team at UNIFEM conducted a study examining peace processes as it relates to women's participation. Among 21 major peace processes since 1992, only 2.4 percent of signatories to this sample of peace agreements were women, and women's participation in negotiating delegations averaged 5.9 percent of the 10 cases for which such information was available (1). The low numbers show the underrepresentation of women in peace talks, but at the same time, it is too simplistic to assume that having women at the negotiation table would automatically bring women's agenda to the forefront.

As far as SGBV and peace processes go, a UN report observed that only 18 out of 300 peace agreements signed since 1989 mention sexual violence, ten of which are

related to armed conflict situations (Jenkins and Goetz 262). To “mention” sexual violence does not mean the agreements put weight on provisions on SGBV. In some agreements, SV was addressed in the justice chapter, some in security measures, and some regarding human rights. In others, sexual violence was only brought up in the preamble or in the historical background section as a side note. According to the study, there was no reference to reparation, economic recovery, and development programs for rape victims in any of the 18 peace agreements. In other words, long-term plans to help reintegrate victims into society were completely missing in the accord.

SV has been ignored in peace talks because SV was/is rendered an accidental and opportunistic by-product of war. Rob Jenkins and Anne Marie Goetz discuss that SV provisions should be noted in peace agreements specifically and comprehensively in order to achieve better justice and more durable peace. Without detailed clauses, parties involved in the peace process will not have a guideline and incentive. Peacekeepers will not receive proper budget and training to protect civilians from rape and prosecutors will not adjudicate perpetrators of SV. Parties to conflict rarely bring up SV, hence having specific clauses in the agreements is essential. In order to enhance the welfare of victims and reduce the chances of SV spreading in the post-conflict period, Jenkins and Goetz assert that SV should be comprehensively addressed in these five elements of peace agreements:

- (1) early-stage agreements covering humanitarian access and confidence-building measures;
- (2) ceasefires and ceasefire monitoring;

- (3) arrangements for demobilization, disarmament and reintegration (DDR)
longer-term security sector reform (SSR);
- (4) post-conflict justice institutions; and
- (5) provisions relating to reparations for victims of serious human rights abuses.

3) UN Peacekeeping

Peacekeepers go through compulsory gender training before deployment, and during their mission they learn (Lyytikäinen 11-12):

- the concept of gender;
- SCR 1325;
- gender aspects of armed conflict;
- gender equality in the workplace; and
- code of conduct and SEA.

Gender training often turns out to be more emotionally and politically charged than instructional (13) because the issue of gender strikes a personal chord for many peacekeepers since it asks fundamental questions of men/women, masculinity/femininity, religion, and culture. While most peacekeepers have never heard of gender, there is resistance from some peacekeepers to mainstream gender, complaining that it is a waste of time because it is a women's-only issue and goes against their beliefs in gender roles. The biggest misunderstanding among peacekeepers is that bringing in a gender

perspective is seen as an attack on the local culture and gender ideologies. This is a common cultural relativism argument, and the UN's stance is to be respectful to local traditions, but at the same time stand firm in addressing customs that are detrimental to health and life.

4) Lack of Political Will

There is a serious lack of political will to address gender issues within the UN. Not only is there a shortage of women in top management, but as Puechguirbal states:

In most missions, top and senior management are not gender-aware and do not give enough support to the Senior Gender Advisor, beyond paying the usual lip service. There is still a lack of understanding of what gender entails as well as a *lack of political will* to take gender seriously. Senior managers still don't understand the cost of ignoring gender because they are unable to "think outside the box" and change the way of conducting operations. (183, emphasis in original)

An example of this lack of political will is the opposition towards creating a Gender Affairs Unit (GAU) in the UN Transitional Administration in East Timor (UNTAET) in 2000. GAU was to be established to deal with gender and women's issues including SGBV. The main reason (or excuse) was lack of funding stating that gender issues are insignificant for post-conflict East Timor. Finally, after being pressured by high-level UN officials, such as Mary Robinson, GAU was reluctantly established (Charlesworth and Wood 315).

On the other hand, a "success" story comes from Rwanda where the Gender Desk was created in 2005 within its National Police to deal with SGBV (de Brouwer and Chu

150). The local police are trained to address sexual violence, and the Gender Desk has a toll-free phone service for reporting these crimes. According to UNIFEM, the Rwandan police submitted 1,777 rape cases for prosecution in 2006, 803 of which led to convictions (Anderson, “A Sign of Progress”).

There is also a lack of political will and inertia of states to implement 1325 and put forth women’s issues on their political agenda. 1325 is executed through National Action Plans (NAPs) or other national level strategies, which the Security Council (SC) called upon UN member states to develop in 2005. The NAP process assists countries in identifying priorities and resources, determining their responsibilities and a time frame for action. Currently, according to PeaceWomen, there are only 26 countries that have established NAPs (UN Women website).

5) Lack of Accountability and Funding

Although SCR 1325 was praised among feminists and advocacy groups, it was never short of criticism since its inception. Lack of accountability mechanisms is one of them. Because it is not a binding treaty, it lacks muscle and there is no penalty for violating the resolution. There is no specific target either. Puechguirbal harshly notes that 1325 is “non-threatening politically and could be promoted without much consideration to the consequences of non-compliance. It also projects an illusion of something being done in the area of gender by the international community” (“Discourses on Gender” 183).

There is the issue of funding in general for gender and women’s initiatives, and in fact, only two percent of funds from donors is for women’s needs in the post-conflict

recovery (Willett 157). If there are adequate resources, the UN could increase the number of Gender Advisors, establish a more thorough gender training program, and allocate more money to empower local women's groups. Another criticism of SCR 1325 is that the attention is on the bodily integrity of women and girls and juridico-political rights. It does not address the importance of economic stability. As the previously mentioned HHI report shows, economic rights are indispensable for SGBV victims to reestablish their lives and gain agency.

In 2009, SCR 1889 passed, which is a sequel to 1325. It addresses obstacles to women's participation in peacebuilding and lack of adequate funding to implement 1325. 2010 was the 10th anniversary of the passage of SCR 1325, and there were numerous events and meetings globally to evaluate the strength and weaknesses of the Resolution. There was a sense of recommitment to the values of 1325 in the UN and among NGOs and humanitarian aid workers, to use it as a central instrument to further peace and security.

Challenging UNSCR 1820: Conflict-Related Sexual Violence

The UN made significant headway to bring sexual violence in armed conflict onto the peace and security agenda. Built upon 1325, the UN SC finally acknowledged in 2008 that wartime rape and SGBV have severe consequences. SCR 1820 is the first UN Resolution that recognizes conflict-related sexual violence as a wartime tactic that jeopardizes international peace and security, naming wartime rape as a serious foreign policy issue. This was an important step to bring the violence and its victims from the

periphery to the center of the peace and security discourse. To summarize, there are seven important points to 1820, which are:

- Sexual violence amounts to a war crime, a crime against humanity, and an “act” of genocide;
- No amnesty or impunity for SV is accepted;
- Women are entitled to full and equal participation in all peace-building processes;
- States, UN entities, and financial institutions to support developing judicial and health systems;
- All parties to armed conflict must protect civilians;
- Zero-tolerance of SEA in peacekeeping operations; and
- UN Action Against Sexual Violence in Conflict is the focal point to implement 1820.

As with any policy concerning SGBV in armed conflict, SCR 1820 faces many challenges in actualizing the provisions. First of all, it is difficult to engage not only non-state actors and rebel groups to cooperate and to protect civilians, but also government forces. As rape is used as an effective weapon by these groups to terrorize civilians and has thus become a normalized crime, it is hard to convince them not only to stop using sexual violence but also to take comprehensive measures to protect civilians. These steps entail enforcing appropriate military disciplinary measures, upholding the principle of command responsibility, training troops on the prohibition of SV against civilians, debunking myths that fuel SV, and evacuating civilians under imminent threat of SV to

safety (OP 3). Partnership with parties of conflict would require the UN to build a trusting relationship, initiating a careful negotiation with all parties involved.

Second, accurate information is indispensable to implement 1820, but the problem is sexual violence statistics are arduous to collect and notoriously unreliable, making it difficult to compose realistic policies and plans. Lack of coherence and data about wartime SV is hardly surprising, but the numbers are oftentimes either exaggerated or underestimated. For example, the *American Journal of Public Health* recently published an article, which affected between 2006 and 2007, more than 400,000 women between the ages of 15 and 49 were raped during the war in the DRC. This number is, in fact, 26 times higher than what the UN has officially reported (Peterman et al.). Like any study, the methodology of how the numbers are produced is a point of contention (Seay, “Do We Have”), but at this point, perhaps, there is no such thing as accurate data when it comes to sexual violence. However, such statistical discrepancy is worrisome because aid and advocacy groups rely on these numbers to provide adequate assistance. An underestimation of rape victims would mean deficiency in assistance and funding. Moreover, overestimation has also been an issue where people report falsely that they were raped to receive material assistance from aid agencies. As Laura Seay writes, because there is a lack of attention paid to maternal health care, women's economic empowerment, and political participation, local women present themselves as rape victims in order to access basic health care services.

The third criticism is regarding UN peacekeeping operations vis-à-vis SGBV. SCR 1820 states that peacekeepers are to “protect ... and prevent sexual violence against women and girls in conflict and post-conflict situations” (OP 8), but they have been

highly criticized for their failure to curb SGBV. The condemnation broke out in 2010 when at least 200 women were raped in three days between 31 July to 4 August in a village called Luvungi in the eastern DRC, which was just down the street from where the UN peacekeeping operation was located (Gettleman, “Mass Rapes”). Before the rampage, the perpetrators blocked the village roadway, trapping the villagers and preventing peacekeepers and the police from entering. Why did the peacekeepers fail to prevent the rape? Were there any warning signs? Learning from this incident and past negligence, the UN announced that they will develop a “scenario-based training” for peacekeepers to effectively prevent and respond to SGBV. Although details have not been released yet, Wallström addressed that it will be a new type of SV training with “full-fledged role playing” based on specific local needs and circumstances (UN Women website).

As far as peacekeeping operations and SGBV go, UN peacekeepers have been escorting women for everyday activities, such as firewood patrol, water route patrol, and other basic foot patrol, based on the fact that women are raped when they leave their villages or refugee camps unprotected. Women trek for hours to get branches and roots to burn for cooking and to fetch water. In order to avoid the heat during the day, they go when it is dark outside. The escorting initiative is also effective during elections. Women are encouraged to cast their vote and partake in the political process, but if it is dangerous to travel to polling stations, they will not vote. There will be an election in the DRC on 28 November 2011, which the implementation of escorts will determine one way or another the success of women’s participation in the electoral process. Bringing in UN

peacekeepers in everyday activities is one of the ways to keep the women from being raped and sexually assaulted.

1820 also encourages peacekeeping operations to deploy “a higher percentage of women peacekeepers or police” (OP 8) in which women’s presence helps rape victims in particular feel more comfortable reporting the violence to female peacekeepers and that their response will be sympathetic. Currently there are nearly 100,000 UN peacekeepers of which women constitute 3 percent of military personnel and 9 percent of police. Women also account for about 30 percent of international civilian staff (“Statistical Report”). Although the effect they have relies on the essentialist impression of women as peace-loving, sensitive, and maternal, women’s deployment is viewed as favorable and particularly well received by local women who use the essentialist notion of womanhood as a reason for welcoming female peacekeepers. For instance, Liberia is one of the countries that welcome women peacekeepers, and even the President of Liberia, Ellen Johnson Sirleaf, is particularly blunt about what women bring to peacekeeping. She states, “What a woman brings to the task is extra sensitivity, more caring. ... I think that these are the characteristics that come from being a mother, taking care of a family, being concerned about children, managing the home” (Carvajal “A Female Approach”). As much as this “women as caretaker” or “women are compassionate” view is condemned in the Western feminist world, UN peacekeeping relies on this notion to a large degree. It is pernicious to assume that women monolithically have these nurturing characteristics and are not corrupt. But the local civilians and peacekeepers depend on this belief, and they seem to embrace it.

Culture of Impunity

One of the biggest problems with wartime rape and what impedes victims to remain deliminalized is impunity. Strengthening not only the judicial system but also political will and military protocols are indispensable to put an end to the culture of impunity, but of course, this is easier said than done. The reality is that the vast majority of perpetrators are on the loose. There is lack of trust for the rule of law or a weak judicial system, and in some cases, there is patronage and special immunities that allow the criminals to evade confronting justice. In order to fortify the juridico-political system, governments need to actively put forth a plan to enforce the law, allocate or obtain funding, train more lawyers and judges, and create a democratic juridical policy that benefits the population. There is also underlying sexism and misogyny that fuels impunity of wartime rapists.

The DRC military and President Joseph Kabila announced a zero-tolerance policy for sexual violence in 2009 (“Stopping Rape”). The policy has not translated to practical measures, such as fundraising or acquiring resources to investigate rape and sexual assault cases. But since then, several rape trials opened, which have led to convicting high-level officers. There was a significant development in February 2011 where the DRC military court convicted Lt. Col. Kibibi Mutware of the Congolese Armed Forces of the DRC (FARDC) to 20 years in jail after being found guilty of crimes against humanity (“DR Congo Colonel”). He ordered his troops to rape, beat, and loot in the town of Fizi on New Year’s Day of 2011. At least 60 women were raped in this incident. This was the first rape conviction of a high-level commanding officer in eastern DRC. The judges also sentenced three officers who served under Mutware to 20 years and five more soldiers to

between 10 and 15 years in prison. Moreover, the judges decreed that the government should pay reparation to the women who were raped in Fizi.

Do arrests and convictions serve as a deterrent for armed forces from committing rape and other crimes? Eriksson Baaz and Stern state that armed soldiers in the DRC noted that severe punishment, proper military training, and improvement of living conditions would influence their decision to rape or not (*The Complexity of Violence* 37-40). The soldiers expressed that 1) public humiliation and trials, 2) severe punishment (20 or more years in prison or death penalty), and 3) shaming would deter them from committing the crime. Shaming includes the “forced removal of military uniform and badges of rank in front of military colleagues” (38). The authors state that when they started research in the DRC in 2006, there was total impunity, but by the time they conducted a different set of interviews in 2009, a lieutenant-colonel and a major were sentenced to 10 years in prison for raping four women. It is difficult to assess whether or not such convictions affect the soldiers’ decision to rape or not, but the apprehension that there may be repercussions has seeped into their minds as the soldiers brought up and discussed the judgments spontaneously during the interviews. Eriksson Baaz and Stern maintain that although arrests and punishments do not necessarily make the soldiers less prone to raping, “clear consequences for actions do help shift different sedimented notions of what is considered acceptable or ‘normal’ behavior, so that cultures of violence and impunity change” (39).

As far as military training goes, Eriksson Baaz and Stern argue that it is in fact not the properness of the training that determines the likelihood of a soldier committing rape but the enforcement of laws and vetting mechanism that matter. Even soldiers who did

not go through training are aware that rape is unacceptable and against military law and code. The authors note that there needs to be a change in the “politics of generosity” in the military where soldiers who commit serious human rights abuses are not allowed to remain in the military, creating repercussions for committing such crime (36).

Many national laws are offensive to rape victims, making it hard to access justice. An example of this is the Sudanese Criminal Code of 1991. Its Article 149, which pertains to rape is particularly biased against female victims (*Reforming Sudan's Legislation*). In order for them to prove that the sex was forced or without mutual agreement, they need to bring forward four male witnesses. If the victim reports rape and cannot collect evidence, she will be charged with adultery and punished with 100 lashes if she is unmarried. If she is married, she will be stoned to death (Abbas, “Rape Is Not Adultery”). This legal mechanism is highly unfair and problematic, making it impossible for rape victims to seek justice. This Sudanese law reflects the deeply-rooted sexism and misogyny in their culture, which contributes to the climate of impunity. Currently, there are global and local NGOs and legal experts coming together to reform the notorious law. On the other hand, the African Union (AU) has progressive laws to address wartime sexual violence. Ban Ki-moon specifically noted that the Protocol on the Rights of Women in Africa and the Solemn Declaration on Gender Equality in Africa can be used as tools to bring justice to African nations (“Ban Calls for”).

International Jurisprudence and SGBV

The deliminalization of wartime rape is demonstrated in international jurisprudence, which has unequivocally positioned rape and sexual violence in armed conflict on a par with war crimes, crimes against humanity, and acts of genocide. The ICC, ICTY, ICTR, and the Special Court for Sierra Leone (SCSL) have indicted, and in some cases convicted, military and political leaders for sexual violence in armed conflict. From wartime rape being invisible and rendered as an inevitable byproduct of war, the violence is now starting to be acknowledged as a grave crime against humankind in the international legal arena. This brought a sense of victory to feminist human rights advocates and legal experts in general. However, there remain criticisms for the sheer lack of convictions of wartime sexual crimes and the gender insensitivity within the international judicial system. Besides, the implications of the association of sexual violence in armed conflict with genocide require a critical evaluation.

Wartime rape discourse began to intensify in the legal and political discourse in the last couple of decades, especially since the mid-1990s after the Bosnian War. The “monumental” ICTY and ICTR judgments did not come out of the blue, but in fact, the seeds were planted in post-WWII courts of justice—the Nuremberg and Tokyo Tribunals. None of the two courts addressed rape cases explicitly nor were there direct provisions prohibiting rape or other forms of SGBV. As Anne-Marie de Brouwer notes, however, there was a “possibility” of prosecuting sexual violence as a war crime in Nuremberg where sexual violence could have been a crime against humanity under the heading of

“other inhumane acts” or “enslavement” for the sexual enslavement of women (7). In Europe, forced prostitution and forced sterilization were committed against women on a large scale where “Germans raped Jewish and Russian women and girls in particular, the Russian army when it entered Germany raped German women and girls in some kind of retaliation for what the Germans had done to Russian women” (7). In the Tokyo Tribunal, rape was charged in the indictment as a war crime, under “inhumane treatment,” “ill-treatment,” and “failure to respect family honor and right” (8). This was in response to crimes committed by the Japanese military—rape of 20,000 women in Nanking and rape and sexual slavery of “comfort women” from mainly Korea and China. The clause “failure to respect family honor and right” is problematic because it implies that women’s bodies are owned by the family and thus the rape scarred family honor and dignity, not the victim herself.

ICTR: International Criminal Tribunal for Rwanda

To respond to grave atrocities that occurred in the former Yugoslavia and in Rwanda, ICTY and ICTR were established in 1993 and 1994, respectively. ICTY is located in The Hague and ICTR is in Tanzania. Both courts deal with genocide, crimes against humanity, and war crimes.

During the conflict in the former Yugoslavia in the mid-1990s, between 20,000 and 50,000 women were raped (de Brouwer 9). It was predominantly Serbian men raping Muslim women, and rape and other forms of SGBV were used as a tool for systematic “ethnic cleansing” to eradicate the Muslims and Croats in order to build a Serbian nation.

Women were enslaved in rape camps to purposefully be impregnated and contained until abortion was no longer possible. Because it is a patrilineal society, birth of a baby born of rape meant building a new generation of Serbs.

During the 100-day genocide and mass rape campaigns in Rwanda in 1994, between 200,000 and 500,000 women and girls were raped (de Brouwer 11), and a UN report noted that “rape was the rule and its absence the exception” (11). It was systematically perpetrated by the Hutu militia, *Interahamwe*, and the Rwandan Armed Forces (FAR), targeting mostly Tutsi women across the country. Rape was committed in people’s homes, but it was also often done in public spaces in plain site at schools, churches, and in the field. In addition to the physical and psychological trauma from rape, many rape victims suffer from sexually transmitted diseases and HIV/AIDS.

In the *Akayesu* trial at the ICTR, judges explicitly recognized that SV can constitute genocide. This set a precedent that rape was “committed with the intent to destroy, in whole or in part, a national, ethnical, racial, or religious group,” which is noted in Article 2 of the 1948 Genocide Convention. The court also made a link with Article 2(b) describing that SV “caus[ed] serious bodily or mental harm to members of the group” referring to the Tutsis that were targeted. Any reference to the fact that “gender” can be regarded as a group capable of being destroyed is missing in the genocide definition, however, rape was fully acknowledged as a tool that could “destroy” an ethnic group. The Trial Chamber noted that:

[t]hese rapes resulted in physical and psychological destruction of Tutsi women, their families, and their communities. Sexual violence was an integral part of the process of destruction, specifically targeting Tutsi women and specifically contributing to their destruction and to the destruction of the Tutsi group as a whole. (Human Rights Watch, *Genocide* 36)

Akayesu, who was the mayor of Taba commune, was found guilty on nine accounts, including genocide and crimes against humanity. He is serving lifetime imprisonment.

ICTR also defines rape as a crime against humanity and as a war crime.

Rape Overshadowed by Genocide?

As indicated in the genocide-rape connection that the ICTR made, the Trial Chamber implied the “close connection between sexual violence and killings” because women were oftentimes killed after the rape (45). But the reality is many victims and witnesses of rape reiterate that sexual violence is worse than death.

Is wartime sexual violence really genocide? In a narrow sense *no* because rape in war is not the same as a mass murder. The intent of rape is to scar and traumatize victims to the maximum and keep them technically alive to suffer. However, the definition in the Genocide Convention is broad in a sense that it encompasses not only killings but also the “destruction” of a group. Destruction can mean many things, including death and also “living a death-like life,” which is the case with rape victims. The genocide definition, in fact, speaks to the liminal space beyond the life and death binary that wartime rape victims occupy. Although the word genocide is confusing in relation to the non-killing aspect of rape, the judgment is coherent. At the same time, however, there is still a hierarchy between rape and killings because rape is defined within the genocide discourse

and its association with death. As Elizabeth Heineman states if a rape victim is “killed or commits suicide [after the rape], she is a martyr; if she survives, the very fact of her survival casts her victim status in doubt. Not rape but the failure to die is the breach of the implied social contract” (15).

Indeed, wartime sexual violence received much attention and gained “recognizability” when the connection was made with genocide. As Heineman asserts, genocides in the former Yugoslavia and in Rwanda were the contexts in which the broader public began to think about mass-scale and systematic sexual violence in war (11). Prior to the *Akayesu* case, the term “genocidal rape” came on the radar, which brought the devastation of wartime mass rape to people’s attention. While being rendered invisible and insignificant, the elision of genocide and rape, associating rape in armed conflict with the “G-word,” was a strategic move on the feminist legal experts’ part and the media to put the issue on the table. Rhonda Copelon, however, writes, “[r]ape and genocide are separate atrocities” (Lorentzen and Turpin 64). She sees the intersection between genocide and rape, in which genocide is “the effort to destroy the people—based on its identity as a people” and rape is “sexualized violence that seeks to humiliate, terrorize, and destroy a woman based on her identity as a woman” (64). However, her main concern is that by calling mass wartime rape “genocidal,” it creates a hierarchy between “different” kinds of rape. On the one hand, there is genocidal rape, and on the other hand emerges “normal” rape that happens in peacetime or is not of a massive scale. This distinction removes seriousness of sexual violence in general, giving a pretense that non-genocidal rape is unimportant and that the degree of rape matters in determining its

graveness. In other words, exaggerating the distinctiveness of genocidal rape and “normal” rape obscures the atrocity of rape itself (69).

ICTY: International Criminal Tribunal for the former Yugoslavia

The ICTY recognizes that the mass sexual violence in the former Yugoslavia was a widespread and systematic onslaught against civilians in the form of enslavement and torture. This constitutes crimes against humanity, and ICTY is the first international criminal tribunal that acknowledged rape as such. Article 7 of the ICC Statute on crimes against humanity notes, in part:

(1) ... “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:

(c) Enslavement;

(f) Torture;

(g) Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity

The *Kunarac, Kovač, Voković* case in the ICTY was the first trial where the allegations focused exclusively on rape and other sex crimes. These three men orchestrated the rapes in the Foča area where they targeted non-Serbian women and detained them in various centers (The Hague Justice Portal website). Kunarac was sentenced to 28 years in prison in 2001 for crimes against humanity, and the other men to 20 and 12 years, respectively.

Both ICTY and ICTR recognize sexual violence as a grave atrocity, not a private consequence of armed conflict with no real need for prosecution or punishment. As the former judge of the ICTY, Gabrielle Kirk McDonald, asserts, “the rules have changed” in adjudicating crimes of wartime sexual violence in international courts as well as in hybrid courts (ICTY website). It is promising to see how prosecution of sexual violence crimes is included in the international legal discourse, deliminalizing the crime and its victims from the periphery.

Not only the international tribunals but also national courts took measures to adjudicate sexual violence. After the genocide and mass rape campaign, Rwanda set up a national genocide law that recognizes sexual violence as acts of genocide and as crimes against humanity, punishable by a maximum term of life imprisonment. Rape is recognized as a “category one crime,” or a crime deemed to be the most severe and the highest priority for prosecution (de Brouwer and Chu 150).

Still a Long Road Ahead: Lack of Convictions and Gender-Sensitivity

It is, however, still shocking to see how few convictions there are. According to a UN study, there have been only 75 completed cases in the ICTY (*Review* 29) and 24 in the ICTR (46) that involve sexual violence. These numbers are astonishingly low considering the fact that hundreds of thousands of women were raped in the two atrocities. One of the reasons for the poor conviction rate is the lack of witness support. Many rape victims feel that they are not protected by the court from retaliation from the rapist(s) and further humiliation. The ICTY states on their website that they provide measures to secure a

guarded environment for them to testify without retribution or fear for their safety. The ICTY also notes that they take steps to protect the victims of SV from abusive lines of questioning during testimony. Witnesses can testify under a pseudonym and with face and voice distortion in video feeds or in closed session so that the perpetrator cannot identify who is testifying.

There have been reports indicating that many legal professionals are not trained, if at all, to adjudicate sexual violence properly. Not only are they not taught the laws pertaining SGBV and how to properly address the issue, but also they tend to not care for gender-related cases. As a senior analyst of the ICC, Xabier Aranburu has been involved in various investigations and training projects on international crimes including sexual violence. He points out the lack of using pattern evidence and analysis in adjudicating crimes of sexual violence, which is a rather successful method for offenses such as killings, mass destruction, and displacement. Lack of established methodology for sexual crimes in the courts is a problem in itself, but there is also serious absence of empathy towards rape and sexual violence. Aranburu has witnessed his fellow colleagues at ICTY and ICTR setting higher standards of evidence for sexual-based crimes compared to other offenses or outright refusing to deal with allegations of sexual violence. He even heard a senior attorney say that in his country as a prosecutor, he always dodged claims of sexual violence because it was “very annoying and difficult to prove” (611). It is no mystery that SGBV is still being neglected and shoved to the side in the courts. There is a lack of awareness and sensitivity in legal teams usually led by senior male officers, and a taboo and embarrassment with issues relating to sexuality and women’s bodies (612).

The consequence of lack of gender sensitivity in the courts is particularly detrimental to rape victims who came forward to testify. They are often retraumatized by legal counsels and judges where there are cases where “outlandish and sexist questioning by defense counsel in court ... led to the retraumatizing of some survivors” (de Brouwer and Chu 155). There is a report that victims at the ICTR were laughed at by the judges when they were giving testimony. One of the more offensive questions put by a defense lawyer included reference to the fact that the witness had not taken a bath, and the implication that she could not have been raped because she smelled. To make the situation worse victims were asked questions such as, “Did you touch the accused’s penis?,” “How was it introduced into your vagina?,” and “Were you injured in the process of being raped by nine men?” (Nowrojee 24). These questions are highly inappropriate and unnecessary in the court proceedings.

Binaifer Nowrojee, a former legal counsel at Human Rights Watch Africa, is critical of the ICTR and their “dismal record” of prosecutions of sexual crimes. She asserts that in the nine years since the ICTR was established, there were 21 cases all together, 18 of which were convictions and three of them acquittals. The problem is 90 percent of the judgments did not have any rape convictions and there was double the number of acquittals for rape than there were for rape convictions (5-6). In real numbers, only two defendants were held responsible for their role in sexual violence crimes. She goes on to state that the ICTR is praised for their landmark judgment in the *Akayesu* case, which is a point of pride that ICTR officials always cite as a manifestation of their commitment to sexual crimes. However, she understands the *Akayesu* case to be “an

exception, an anomaly” that does not represent the unsupportive climate of gender-related and sexual atrocities (6).

Whatever the future holds for the prosecution of wartime SV as crimes against humanity or other human rights violations, the reconceptualization necessitates not only the paradigm change in the legal arena, but also the overall shift in the socioeconomic and political realms. The civil society plays a role as well; the landmark convictions at the ICTY and ICTR are directly and indirectly the fruit of the feminist movement in the 1970s and 1980s to establish sexual violence as a violation of human rights and wartime SGBV as a war crime (Heineman 14).

Conclusion

In this chapter, I examined the global and local efforts and impediments to deliminalize raped bodies in the judicial, political, and social arenas and to reintegrate them into society after the violence. Because wartime rape is still rendered an inconsequential crime, overshadowed by genocide and mass murders and perceived as a “private” women’s issue, the discourse and methodology to tackle wartime rape is underdeveloped. It has also been a challenge to properly address the issue in international jurisprudence, UN provisions, and local initiatives when there is lack of political will, lack of gender sensitivity, and a culture of impunity. Besides, the challenge escalates as raped bodies are rendered not fully alive but moribund, abject, and unintelligible. Sadly, the production of these scarred and deranged bodies on a mass scale continue, and there is still a long way

to go in preventing the violence, demarginalizing the victims from their fringe status, and prosecuting the perpetrators.

Nonetheless, as I demonstrated in this chapter, there has been a mix of favorable outcomes and failures in tackling wartime rape in the past 20 years. The level of acknowledgment of sexual violence in armed conflict has risen due to the increase in research, media coverage, films, and victims speaking up about their plight. The more victims speak up, the more it causes a chain reaction to other women and men to raise their voice. This move is welcomed for it brings visibility to the issue, but by the same token, the more visibility it gained, it has also brought ambivalent consequences where in recent years many journalists, activists, and Western governments officials have made pilgrimages to the DRC to meet with rape victims, which has brought “SGBV tourism” to emerge, adding another category to “war zone tourism” (Eriksson Baaz and Stern, *The Complexity of Violence* 7). Many rape victims in fact say that they want to share their stories and be heard, and that by speaking to international organizations and media, the local authorities will be pressured to better their predicaments. But with the current transient nature of news coverage and the attention to global economic meltdown, are their voices really being heard?

On the local level, women (and men) are taking the issue in their own hands and mobilizing action. Some Congolese women created cooperative solutions, establishing savings and credit groups, farming cooperatives, and small trade associations. As there is underlying poverty in most war-torn regions, microfinance, group-lending, and other local mechanisms to generate income collectively and sustainably are crucial to bring economic stability in the short and long run.

Securing immediate physical safety is a top priority, however, in many instances, UN peacekeepers and local police are unable to provide adequate protection to civilians. The issue of sexual exploitation and abuse by peacekeepers remain in the news and the UN has taken strict measures to combat the problem. In fact, the UN reported in July 2011 that allegations of sexual abuse by their peacekeepers in the DRC have declined substantially in the past few years, from 59 reported cases in 2007 to 11 in 2011 (“Sexual Abuse Allegations”). UN Organization Stabilization Mission in the DRC (MONUSCO) stated that their goal is zero-tolerance, and in order to achieve this, they applied a more stringent code of conduct and orientation training for peacekeepers, even setting curfew hours for them in late evenings.

In the past 11 years, the UN implemented two monumental SCRs 1325 and 1820, which address wartime sexual violence and its threat to global peace and security. Although the UNSCRs are criticized for the lack of enforcement and punishment mechanisms, at least the UN has a framework to confront wartime sexual violence. It is worth taking note that 1325 deals with long-term plans to mainstream gender and address women’s participation in politics and peace processes, and 1820 urges all parties to support the development and strengthening of economic, judicial, and health systems, as well as local civil society networks (OP 13). These provisions help rape victims reestablish their lives in the long run, and also they contribute to rebuilding the war-torn society as a whole. Although these SCRs do not address directly issues of women’s inheritance, property, marital matters, and education, they are equally crucial in the post-conflict reconstruction process.

The ICTY and ICTR set landmark precedence to address wartime rape as a crime against humanity, war crime, and an “act” of genocide. However, there is still an overall lack of gender sensitivity and sympathy when it comes to crimes related to gender, women, and women’s bodies. International and national jurisprudence require gender mainstreaming as well, and lawyers and judges necessitate specific training to adjudicate rape and sexual violence. The good news is there are more convictions and sentences of soldiers and top commanders in the DRC, former Yugoslavia, and Rwanda who are found guilty for wartime rape and sexual slavery. These developments are slowly establishing trust to the judicial system vis-à-vis wartime rape, but the number of adjudications is yet meager and the culture of impunity is still strong.

In the end, diverse global, supranational, and national policies from the socioeconomic to the juridico-political are indispensable to address the problematics of wartime rape and its victims. The media, civil society, grassroots activism, and academic research also make up an integral part in lifting the status of rape from an insignificant crime to a serious threat to peace and security. In other words, an overall involvement by various actors and facets of society is required to tackle wartime rape.

Chapter 5

Conclusion

Epilogue

Although it was over 15 years ago, I still vividly remember the abhorrent and nauseating feeling when I saw the now-famous footage of a man murdering another person with a machete, thrashing the body like a piece of meat over and over again. The crime scene was captured on camera from afar, but the sight was zoomed in closer, capturing the might of the killer, the muscles on his arms, and the determined-to-kill look on his face. I was paralyzed by this gruesome image of the Rwandan genocide, and the visceral reaction I had was so profound that I was in tears shaking. What I saw was the visual representation of what hell might look like, but what horrified me most and left me wondering was the close proximity between the killer and victim. The target is standing right in front of the perpetrator, and with a long razor blade, the perpetrator butchers his target. While modern conflict utilizes high-tech weapons, bombs, and guns, destroying the enemy effectively from a distance, the horrors of this atrocity were amplified by how close the killer was to the prey.

Then the sickening feeling came back to me, this time even stronger, when I learned that hundreds of thousands of women and men were raped, mutilated, and tortured during the same conflict in Rwanda. What disturbed me most was the fact that

with rape, not only were the perpetrator and victim in close proximity, but the perpetrator was physically inside the victim's body to destroy and traumatize. This body-*in*-body contact as a weapon troubled me. And I kept asking myself: Why in the world do they *rape*? Why not just *kill*? Before I knew it then, these two questions later became the genesis of my dissertation journey and further inquiry into wartime rape.

Summary

In this dissertation, I reconceptualized rape and other forms of sexual and gender-based violence in armed conflict by framing the argument with notions of biopolitics, liminality, and embodiment. Through discourse and textual analysis, I deconstructed the problematics of wartime rape and examined the ontological question of why rape is used in warfare. As human beings are rendered prey and the inhumane production of raped bodies is incorporated as a new normative in contemporary war and conflict, I argued there is a need to theorize and understand how life, death, and most importantly the in-between space of life and death are organized in the power struggle. In academia in particular, rape is still considered a "taboo subject" and "academia's undertheorized and apparently untheorizable issue" (Mardorossian 743). This trend is not only because rape is a gendered and sexual crime, or that it involves embodiment and bodily proximity, but also because it is about producing abject and unintelligible bodies that are dead and alive at the same time. Therefore, I called attention to the notion of liminality between life and death, in which raped bodies occupy this space that transcends the life and death binary. The dualism is inadequate in explaining what rape and other forms of sexual violence

entail and what the victims go through because they live in both worlds simultaneously. Raped bodies float in the liminal domain, inhabiting a death-world on this side of life and a precarious place in the political, judicial, and societal arenas.

I also analyzed the global and local efforts and impediments to deliminalize raped bodies in the judicial, political, and social arenas and reintegrate them into society after the violence. The discourse and methodology to tackle wartime rape has not been fully developed, and it has been a challenge to properly address the issue in international jurisprudence, UN provisions, and local initiatives when there is lack of political will, lack of gender sensitivity, and a culture of impunity. The production of these scarred and deranged bodies continue, currently in the DRC, and there is still a long way to go in stopping and preventing the violence, deliminalizing the victims from their peripheral status, and prosecuting the perpetrators.

Furthermore, I maintained that the peace and security discourse necessitates a paradigm shift by centering on the notion of liminality and examining how raped bodies are inscribed in the politics of the human body. This move elevates wartime rape as a pertinent threat and opens up a domain for new discourse formation, to discuss rape and raped bodies as a serious and urgent matter, not as an anomaly or a byproduct of war or simply a gender and race issue, that is overshadowed by the dominant genocide and mass killing discourse. The shift also creates a stable, discursive space to examine how to reintegrate rape victims into the juridico-political, socioeconomic, and civil domains. This entails not only addressing immediate physical safety, but also securing long-term agendas such as legal codification, economic stability, health care, and full citizenship for rape victims in the post-conflict reconstruction. The deliminalization process of raped

bodies necessitates a comprehensive and nuanced approach, and the discursive shift to center the attention on the interstitial domain serves as a set of tools for policymakers and peacekeepers in a new and more holistic way when tackling legal, political, and social issues in war-torn regions.

Recommendations for Deliminalization

This dissertation focused solely on rape and other forms of SGBV, but there are other liminal human rights abuses in armed conflict, for instance, systematic torture, forced recruitment, and forced labor in the DRC, that need to be addressed (Eriksson Baaz and Stern *The Complexity of Violence* 12). I differentiate rape from other crimes due to the fact that SGBV in armed conflict requires a specialized and targeted analysis mainly due to its gendered and sexualized nature. However, it is also important to tackle SGBV *and* other offenses simultaneously since the causes of these crimes are “to a large extent, manifestations of the same systemic failures and mechanisms as those contributing to SGBV” (13).

Men are also victims of wartime rape, and this issue needs to be addressed. Rape is not synonymous with violence against women, but in fact, SGBV is an instrument by which the perpetrator marks the “other” and demonstrates his/her power over the victim, whether it be a woman or a man. Although the vast majority of the victims are women and soldiers target the enemy women to harm the heart of the adversary society, the gender dynamic of wartime rape is messier than it is commonly believed to be. There is a

particular need to protect boys and demobilized juvenile combatants from rape since they are in contact with the military on a regular basis and are more susceptible to being exposed to rape and sexual slavery.

Rape victims feel a deep sense of stigma and rejection having been raped, and it is critical to establish educational programs for women and men to help communities accept the victims and undo the humiliation that comes with sexual violence. There is also a necessity to set up counseling services not only to address psychological troubles and support couples who decide to stay together after a rape, but also to facilitate reintegration and help communities accept rape victims into the community (HHI *Characterizing Sexual Violence* 53).

Reparation is one of the vital ways for rape victims to restore their lives after the violence and war. The possible forms of material and non-material reparation are: restitution (to restore the victim to the original situation before the harm), compensation (to cover economic damage), rehabilitation (includes medical/psychological care and legal/social services), and satisfaction (includes public apology, disclosure of the truth, etc.) (*Democratic Republic* 485-86). The groups who caused the harm are normally responsible to pay for reparation, but there is also the ICC's Victims Trust Fund that helps victims rehabilitate and supports local infrastructure to rebuild. Sierra Leone set up the Sierra Leone Reparations Programme (SLRP) in 2008 with the help of UN Peacebuilding Fund and UNIFEM to provide reparation to the most vulnerable victims of war, such as victims of sexual violence, war widows, and child victims. Over 33,000

victims have been registered and 20,000 of them received a cash allowance as livelihood or education support in 2009. In addition, over 250 victims received fistula surgery or other emergency medical treatment (International Office of Migration (IOM) website).

Having more women UN peacekeepers patrolling in conflict regions has helped women rape victims to come forward and report the violence. Although this recommendation is founded upon the essentialist stereotype of women and assumes that women peacekeepers are sympathetic to the crime, the recruitment brings a sense of safety and accessibility to assistance for the victims. It is recommended to follow SCR 1325 and encourage military and police forces to send women to peacekeeping operations.

There is an underlying problem of poverty that can lead men and women to join militia groups, and creates employment opportunities for demobilized soldiers to have an alternate means to sustain a living is important. Also, education for girls and boys is an investment for the future and to establish a peaceful and secure society. The humanitarian and international community can provide funds for job creation and schools in post-conflict regions.

Hope and Resilience

Even in the harshest predicaments of wartime rape victims, I encounter words of hope and resilience in their testimonies. It is astonishing to see how some rape victims can be hopeful and tough in difficult circumstances. I hear rape victims say that they do not want

to be defined by the violence, that they want to unshackle themselves from the past and be hopeful about the future. As Lisa Shannon writes,

... the beauty and resilience of Congolese women shines through even the darkest of times—through their sheer determination to stay alive, or love the child they bore out of mass rape; to process the pain they endured and the horrors they survived; to laugh despite all odds, dance despite all pain, believe in humanity despite all of the inhumanity they have witnessed; and to keep life going in the midst of death. (13)

A Tutsi woman who survived rape in Rwanda shares her thoughts:

I don't feel hatred towards the Hutu. I have never accused those who killed my family at the *gacaca* courts [local courts], because they won't do anything for me. The killers can't bring my family back, so I don't see the point in accusing them. I do have advice for others who suffer: as a genocide survivor who is HIV positive, has lost two husbands and is responsible for four children, I think anyone who has travelled the same road as I have should pray and be patient. Just be patient. (de Brouwer and Chu 48)

There is some change in the perception of rape victims by men. In the HHI study, they interviewed a group of women who noted that some men choose to assist and support their raped wife than reject her, particularly if they are aware that the wife tried to resist the rape. One woman testified that, “[t]here are men who really love their wives, so they won't disclose what happened. They will take their wives to the hospital. They don't like other people to humiliate their wives” (18).

Application of Liminality

I notice a commonality between the liminality of wartime raped bodies and other war-related liminal beings, such as refugees, IDPs, children born with deformity due to Agent

Orange in the Vietnam War, and returning veterans with disabilities and PTSD. The issue of US veterans coming back from Iraq and Afghanistan with PTSD in particular is even more visible, and the notion of life-and-death liminality speaks to their predicaments. It has been a challenge to reintegrate and assimilate soldiers from combat into society as they struggle with psychic trauma, substance abuse, domestic violence, and thoughts of suicide. For these soldiers, it is as if the war has not ended, and they are floating between the liminal space of life and death. Families and communities are fractured, and the notion of peace and security is affected. These bodies are also rendered abject and unintelligible as war continues to “produce” such human beings. By shedding more light on their plight, it brings visibility to the issue and elevates its status as a pertinent risk, creating a discursive space to deal with the various problematics. It is imperative to address not only physical and mental care for the returning veterans, but also long-term policies of employment, economic stability, and family counseling.

As Bauman says, there is a force that creates death-worlds and “wasted lives.” He asserts that “[t]he production of ‘human waste,’ or more correctly wasted humans (the ‘excess’ and ‘redundant,’ that is the population of those who either could not or were not wished to be recognized or allowed to stay), is an inevitable outcome of modernization” (5). Although the circumstances in which the liminal beings are created differ, and although the production of raped bodies is not attributed to modernity, these lives, such as raped bodies and returning veterans, are wasted, according to Bauman, due to the side-effects from building a clear-cut order between two worlds of life and death. In other words, these liminal people fall in the cracks of binaries and order. Although I have said that raped bodies occupy a space between life and death, the liminal space does not have

to always be between life and death. The interstitial domain expands to white/black, men/women, male/female, in/visibility, us/them, here/there and other dualistic spaces. It is imperative to understand that the binaries are socially constructed, and the rigid dualism produces victims or outcasts who do not belong to either of the categories, moving them aside or rendering them unimportant and unintelligible. By centering the focus on liminality, we begin to see issues that were not otherwise noticeable, and most importantly, we begin to see the world around us as a continuum of different domains.

Bibliography

Books, Articles, and Reports

- Abbas, Reem. "Rape Is Not Adultery." *Inter Press Service (IPS)* 26 Oct. 2010. Web. 11 Jul. 2011.
- Addressing Conflict-Related Sexual Violence: An Analytical Inventory of Peacekeeping Practice*. New York: United Nations, 2010. Print.
- Agamben, Giorgio. *Homo Sacer: Sovereign Power and Bare Life*. Trans. Daniel Heller-Roazen. Stanford, CA: Stanford UP, 1998. Print.
- . *Means without End: Notes on Politics*. Trans. Vincenzo Binetti and Cesare Casarino. Minneapolis, MN: U of Minnesota P, 2000. Print.
- . *Remnant of Auschwitz: The Witness and the Archive*. Trans. David Heller-Roazen. Cambridge, MA: Zone Books, 2002. Print.
- . *State of Exception*. Trans. Kevin Attell. Chicago: U of Chicago P, 2005. Print.
- Ahmed, Sara. *The Cultural Politics of Emotion*. New York: Routledge, 2004. Print.
- Alison, Miranda H. *Women and Political Violence: Female Combatants in Ethno-National Conflict*. London: Routledge, 2009. Print.
- Alvarez, Lizette, and Dan Frosch. "A Focus on Violence by Returning G.I.'s." *New York Times* 1 Jan. 2009. Web. 1 Aug. 2011.
- Amnesty International. *Sierra Leone: Getting Reparation Right for Survivors of Sexual Violence*. 1 Nov. 2007. Print.
- Anderlini, Sanam Naraghi. *What the Women Say: Participation and UNSCR 1325*. International Civil Society Action Network and MIT Center for International Studies, 2010. Print.
- Anderson, Letitia. "Politics by Other Means: When does Sexual Violence Threaten International Peace and Security?" *International Peacekeeping* 17.2 (2010): 244-60. Print.

- . "A Sign of Progress in UNIFEM Partnership with Rwandan Police." UN Women. 18 Apr. 2007. Web. 1 Aug 2011.
- Aranburu, Xabier Agirre. "Sexual Violence beyond Reasonable Doubt: Using Pattern Evidence and Analysis for International Cases." *Leiden Journal of International Law* 23.3 (2010): 609-27. Print.
- Arendt, Hannah. *The Origins of Totalitarianism*. New York: Schocken Books, 2004. Print.
- "Atrocities beyond Words: Congo." *Economist* 3 May 2008. Web. 6 Jan. 2011.
- "Ban Calls for 'Raising the Cost' for Those Who Use Rape as a Weapon of War." *United Nations News Service* 31 Jan. 2011. Web. 30 May 2011.
- Barkan, Joanne. "As Old as War Itself: Rape in Foca." *Dissent* (2002). Web. 1 Aug. 2011.
- Barstow, Anne Llewellyn, ed. *War's Dirty Secret: Rape, Prostitution, and Other Crimes against Women*. Cleveland, OH: Pilgrim Press, 2000. Print.
- Bauman, Zygmunt. *Wasted Lives: Modernity and Its Outcasts*. Cambridge, UK: Polity Press, 2004. Print.
- Berger, Matthew O. "Sexual Violence Is Not 'Collateral Damage.'" *Inter Press Service (IPS)* 4 Nov. 2010. Web. 30 Nov. 2010.
- Bourke, Joanna. *Rape: Sex, Violence, History*. Berkeley, CA: Counterpoint, 2007. Print.
- Brison, Susan J. *Aftermath: Violence and the Remaking of a Self*. Princeton, NJ: Princeton UP, 2003. Print.
- Broken Bodies Broken Dreams: Violence against Women Exposed*. Nairobi: United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and Integrated Regional Information Networks (IRIN), 2005. Print.
- Brownmiller, Susan. *Against Our Will: Men, Women and Rape*. New York: Fawcett Books, 1975. Print.
- Bryden, Alan, and Heiner Hänggi, eds. *Security Governance in Post-Conflict Peacebuilding*. New Brunswick, NJ: Transaction Publishers, 2005. Print.
- Burnet, Jennie E. "Gender Balance and the Meaning of Women in Governance in Post-Genocide Rwanda." *African Affairs* 107.428 (2008): 361-86. Print.

- Butler, Judith. *Bodies That Matter: On the Discursive Limits of Sex*. New York: Routledge, 1993. Print.
- . *Undoing Gender*. New York: Routledge, 2004. Print.
- Cahill, Ann J. *Rethinking Rape*. Ithaca, NY: Cornell UP, 2001. Print.
- Carvajal, Doreen. "A Female Approach to Peacekeeping." *New York Times* 5 Mar. 2010. Web. 1 Aug. 2011.
- Casper, Monica J., and Lisa Jean Moore. *Missing Bodies: The Politics of Visibility*. New York: New York UP, 2009. Print.
- Castronovo, Russ. *Necro Citizenship: Death, Eroticism, and the Public Sphere in the Nineteenth-Century United States*. Durham, NC: Duke UP, 2001. Print.
- Cerkez, Aida. "UN Official: Bosnia War Rapes Must Be Prosecuted." Associated Press. *Washington Post* 26 Nov. 2010. Web. 30 Nov. 2010.
- Charlesworth, Hilary. "Not Waving but Drowning: Gender Mainstreaming and Human Rights in the United Nations." *Harvard Human Rights Journal* 18 (2005): 1-18. Print.
- Charlesworth, Hilary, and Mary Wood. "'Mainstreaming Gender' in International Peace and Security: The Case of East Timor." *Yale Journal of International Law* 26 (2001): 313-318. Print.
- Chow, Rey. *The Protestant Ethnic and the Spirit of Capitalism*. New York: Columbia UP, 2002. Print.
- Cockburn, Cynthia. *The Space between Us: Negotiating Gender and National Identities in Conflict*. London: Zed Books, 1998. Print.
- Cohn, Carol, and Cynthia Enloe. "A Conversation with Cynthia Enloe: Feminists Look at Masculinity and the Men Who Wage War." *Signs* 28.4 (2003): 1187-207.
- Conflict Related Sexual Violence and Peace Negotiations: Implementing Security Council Resolution 1820*. Rep. New York: United Nations, 2009. Print.
- Copelon, Rhonda. "Surfacing Gender: Reconceptualizing Crimes against Women in Time of War." *The Women and War Reader*. Eds. Lois Ann Lorentzen, and Jennifer Turpin. New York: New York UP, 1998. 63-79. Print.
- Dallaire, Roméo. *Shake Hands with the Devil: The Failure of Humanity in Rwanda*. New York: Carroll & Graf Publishers, 2003. Print.

- Das, Veena, et al., eds. *Remaking a World: Violence, Social Suffering, and Recovery*. Berkeley, CA: U of California P, 2001. Print.
- de Brouwer, Anne-Marie. *Supranational Criminal Prosecution of Sexual Violence: The ICC and the Practice of the ICTY and the ICTR*. Antwerp, Belgium: Insentia, 2005. Print.
- de Brouwer, Anne-Marie, and Sandra Ka Hon Chu, eds. *The Men Who Killed Me: Rwandan Survivors of Sexual Violence*. Vancouver: Douglas & McIntyre, 2009. Print.
- Democratic Republic of the Congo, 1993-2003: Report of the Mapping Exercise*. Rep. United Nations Office of the High Commissioner for Human Rights (UN OHCHR), 2010. Print.
- Devlin, Claire, and Robert Elgie. "The Effect of Increased Women's Representation in Parliament: The Case of Rwanda." *Parliamentary Affairs* 61.2 (2008): 237-54. Print.
- Diken, Bülent, and Carsten Bagge Laustsen. "Becoming Abject: Rape as a Weapon of War." *Body and Society* 11.1 (2005): 111-28. Print.
- . *The Culture of Exception: Sociology Facing the Camp*. London: Routledge, 2005. Print.
- Douglas, Mary. *Purity and Danger: An Analysis of Concepts of Pollution and Taboo*. London: Routledge, 1966. Print.
- "DR Congo Colonel Kibibi Mutware Jailed for Mass Rape." *BBC News* 21 Feb. 2011. Web. 1 Aug. 2011.
- Enloe, Cynthia. "All the Men Are in the Militias, All the Women Are Victims: The Politics of Masculinity and Femininity in Nationalist Wars." *The Women and War Reader*. Eds. Lois Ann Lorentzen, and Jennifer Turpin. New York: New York UP, 1998. 50-62. Print.
- . *Bananas, Beaches and Bases: Making Feminist Sense of International Politics*. Berkeley, CA: U of California P, 1990. Print.
- . *Maneuvers: The International Politics of Militarizing Women's Lives*. Berkeley, CA: U of California P, 2000. Print.
- Ensler, Eve. "The Beginning of Hope or the End of It." *Huffington Post* 30 Oct 2008. Web. 1 Aug. 2011.

- Eriksson Baaz, Maria, and Maria Stern. *The Complexity of Violence: A Critical Analysis of Sexual Violence in the Democratic Republic of Congo (DRC)*. Working paper. Stockholm: Swedish International Development Cooperation Agency (Sida), 2010. Print.
- . "Why Do Soldiers Rape? Masculinity, Violence, and Sexuality in the Armed Forces in the Congo (DRC)." *International Studies Quarterly* 53.2 (2009): 495-518. Print.
- Fausto-Sterling, Anne, "The Five Sexes: Why Male and Female Are Not Enough." *The Sciences* 33.2 (1993): 20-25. Print.
- . "Is Gender Essential?" *Sissies and Tomboys: Gender Nonconformity and Homosexual Childhood*. Ed. Matthew Rottnek. New York: New York UP, 1999. 52-5. Print.
- Foucault, Michel. *History of Sexuality, Volume 1: An Introduction*. Trans. Robert Hurley. New York: Vintage Books, 1990. Print.
- Gardam, Judith G., and Michelle J. Jarvis. *Women, Armed Conflict and International Law*. The Hague, Netherlands: Kluwer Law International, 2001. Print.
- Geneva Call. *Improving the Protection of Women and Girls during Armed Conflict*. Rep. Geneva: Geneva Call, 2010. Print.
- Gettleman, Jeffery. "Clinton Presents Plan to Fight Sexual Violence in Congo." *New York Times* 11 Aug. 2009. Web. 7 Jan. 2011.
- . "Congo Study Sets Estimate for Rapes Much Higher." *New York Times* 11 May 2011. Web. 1 Aug. 2011.
- . "Fighting Congo's Ills With Education and an Army of Women." *New York Times* 6 Feb. 2011. Web. 8 Feb. 2011.
- . "Mai Mai Fighters: The Third Piece in Congo's Violent Puzzle." *New York Times* 21 Nov. 2008. Web. 4 Jun. 2011.
- . "Mass Rapes in Congo Reveals UN Weakness." *New York Times* 3 Oct. 2010. Web. 1 Aug. 2011.
- . "Rape Epidemic Raises Trauma of Congo War." *New York Times* 7 Oct. 2007. Web. 30 Nov. 2010.
- . "Rape Victims' Words Help Jolt Congo Into Change." *New York Times* 17 Oct. 2008. Web. 24 Dec. 2010.

---. "Symbol of Unhealed Congo: Male Rape Victims." *New York Times* 4 Aug. 2009. Web. 30 Nov. 2010.

---. "UN Official Fears Congo Is Overcome by Violence." *New York Times* 30 Apr. 2010. Web. 30 Nov. 2010.

Giles, Wenona, Malathi de Alwis, Edith Klein, and Neluka Silva, eds. *Feminists Under Fire: Exchanges Across War Zones*. Toronto: Between the Lines, 2003. Print.

Giroux, Henry. "Reading Hurricane Katrina: Race, Class, and the Biopolitics of Disposability." *College Literature* 33.3 (2006): 171-96. Print.

Goldstein, Joshua S. *War and Gender: How Gender Shapes the War System and Vice Versa*. Cambridge, UK: Cambridge UP, 2001. Print.

Gottschall, Jonathan. "Explaining Wartime Rape." *Journal of Sex Research* 41.2 (2004): 129-36. Print.

Haffajee, Rebecca J. "Prosecuting Crimes of Rape and Sexual Violence at the ICTR: The Application of Joint Criminal Enterprise Theory." *Harvard Journal of Law and Gender* 29.1 (2006): 201-21. Print.

"Haiti: Anger over Video of UN Troops with Teenager." *New York Times* 5 Sep. 2011. Web. 5 Sep. 2011.

Hansen, Thomas Blom, and Finn Stepputat, eds. *Sovereign Bodies: Citizens, Migrants, and States in the Postcolonial World*. Princeton, NJ: Princeton UP, 2005. Print.

Harvard Humanitarian Initiative. *Characterizing Sexual Violence in the Democratic Republic of the Congo: Profiles of Violence, Community Responses, and Implications for the Protection of Women*. 2009. Print.

---. "*Now, the World Is without Me*": *An Investigation of Sexual Violence in Eastern Democratic Republic of Congo*. 2010. Print.

Heineman, Elizabeth. "The History of Sexual Violence in Conflict Zones: Conference Report." *Radical History Review* 101 (2008): 5-21. Print.

Hicks, George. *The Comfort Women: Japan's Brutal Regime of Enforced Prostitution in the Second World War*. New York: Norton, 1994. Print.

Hinton, Alexandar Laban, ed. *Genocide: An Anthropological Reader*. Malden, MA: Blackwell Publishers, 2002. Print.

- . *Why Did They Kill?: Cambodia in the Shadow of Genocide*. Berkeley, CA: U of California P, 2005. Print.
- Human Rights Watch. *Genocide, War Crimes and Crimes against Humanity: A Digest of the Case Law of the International Criminal Tribunal for Rwanda*. 2010. Print.
- . *Justice Compromised: The Legacy of Rwanda's Community-Based Gacaca Courts*. 2011. Print.
- . *Kosovo: Rape as a Weapon of "Ethnic Cleansing."* 2000. Print.
- . *Shattered Lives: Sexual Violence during the Rwandan Genocide and Its Aftermath*. 1996. Print.
- . *The War within the War: Sexual Violence against Women and Girls in Eastern Congo*. 2002. Print.
- . *"We'll Kill You If You Cry": Sexual Violence in the Sierra Leone Conflict*. 2003. Print.
- Hunt, Swanee. *This Was Not Our War: Bosnian Women Reclaiming the Peace*. Durham, NC: Duke UP, 2005. Print.
- Huysmans, Jef, Andrew Dobson, and Raia Prokhovnic, eds. *The Politics of Protection: Sites of Insecurity and Political Agency*. London: Routledge, 2006. Print.
- "IRC Begins Firewood Distribution in North Kivu to Reduce Women and Girls' Vulnerability to Violence." International Rescue Committee (IRC). 6 Nov. 2008. Web. 1 Aug. 2011.
- Jenkins, Robert, and Anne Marie Goetz. "Addressing Sexual Violence in Internationally Mediated Peace Negotiations." *International Peacekeeping* 17.2 (2010): 261-77.
- Jones, Adam, ed. *Gendercide and Genocide*. Nashville, TN: Vanderbilt UP, 2004. Print.
- Kelly, Jocelyn. *Rape in War: Motives for Militia in DRC*. United States Institute for Peace, 2010. Print.
- Kelly, Jocelyn, et al. *Hope for the Future Again: Tracing the Effects of Sexual Violence and Conflict on Families and Communities in Eastern Democratic Republic of the Congo*. Harvard Humanitarian Initiative, 2011. Print.
- Kiley, Sam. "UN Takes on Interahamwe Hutu Militia in Congo Amid Surge in Rape." *Times* 8 Aug. 2009. Web. 7 Jan. 2011.

- Kristeva, Julia. *Powers of Horror: An Essay on Abjection*. New York: Columbia UP, 1982. Print.
- Kristof, Nicholas D. "From 'Oprah' to Building a Sisterhood in Congo." *New York Times* 3 Feb. 2010. Web. 7 Jan. 2011.
- . "The World Capital of Killing." *New York Times* 6 Feb. 2010. Web. 7 Jan. 2011.
- Kristof, Nicholas D., and Sheryl WuDunn. *Half the Sky: Turning Oppression into Opportunity for Women Worldwide*. New York: Knopf, 2009. Print.
- Lifton, Robert Jay. "The Concept of the Survivor." *Survivors, Victims, and Perpetrators: Essays on the Nazi Holocaust*. Ed. Joel E. Dimsdale. Washington, DC: Hemisphere Publishing, 1980. 113-23. Print.
- Lyytikäinen, Minna. *Gender Training for Peacekeepers: Preliminary Overview of United Nations*. United Nations International Research and Training Institute for the Advancement of Women (UN-INSTRAW), 2007. Print.
- MacKinnon, Catherine A. *Are Women Human?: And Other International Dialogues*. Cambridge, MA: Harvard UP, 2006. Print.
- "Male Sexual Abuse Survivors Living on the Margins." *Integrated Regional Information Networks (IRIN)* 2 Aug. 2011. Web. 2 Aug. 2011.
- Mardorossian, Carine M. "Toward a New Feminist Theory of Rape." *Signs* 27.3 (2002): 743-75. Print.
- Mbembe, Achille. "Necropolitics." Trans. Libby Meintjes. *Public Culture* 15.1 (2003): 11-40. Print.
- . *On the Postcolony*. Berkeley, CA: U of California P, 2001. Print.
- McCrummen, Stephanie. "Prevalence of Rape in E. Congo Described as Worst in World." *Washington Post* 9 Sep. 2007. Web. 7 Jan. 2011.
- McGlynn, Clare, and Vanessa E. Munro, eds. *Rethinking Rape Law: International and Comparative Perspectives*. London: Routledge, 2010. Print.
- Meintjes, Sheila, Anu Pillay, and Meredith Turshen, eds. *The Aftermath: Women in Post-Conflict Transformation*. London: Zed Books, 2002. Print.
- Merry, Sally Engle. *Human Rights and Gender Violence: Translating International Law into Local Justice*. Chicago: U of Chicago P, 2006. Print.

- Mills, Catherine. "An Ethics of Bare Life: Agamben on Witnessing." *Borderlands E-Journal* 2.3 (2003). Web. 23 Jan. 2011.
- Mitchell, David S. "The Prohibition of Rape in International Humanitarian Law as a Norm of *Jus Cogens*: Clarifying the Doctrine." *Duke Journal of Comparative and International Law* 15.2 (2005): 219-57. Print.
- Minow, Martha. *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence*. Boston: Beacon Press, 1998. Print.
- Moser, Caroline O.N., and Fiona C. Clark, eds. *Victims, Perpetrators or Actors?: Gender, Armed Conflict and Political Violence*. London: Zed Books, 2001. Print.
- Muñoz-Rojas, Daniel, and Jean-Jacques Fresard. "The Roots of Behavior in War: Understanding and Preventing IHL Violations." *International Review of the Red Cross* 853 (2004): 189-206. Print.
- "The Nightmare of Foca." *BBC News* 22 Feb. 2001. Web. 5 Feb. 2011.
- Nordland, Rod. "More Vicious than Rape." *Newsweek* 13 Nov. 2006. Web. 30 Nov. 2010.
- Nordstrom, Carolyn. *Shadows of War: Violence, Power and International Profiteering in the Twenty-First Century*. Berkeley, CA: U of California P, 2004. Print.
- Nowrojee, Binaifer. "Your Justice Is Too Slow": Will the ICTR Fail Rwanda's Rape Victims? Working Paper. Boston Consortium on Gender, Security and Human Rights, 2003. Print.
- Patrick, Erin. "Sexual Violence and Firewood Collection in Darfur." *Forced Migration Review* 27 (2007): 40-41. Print.
- Peterman, Amber, et al. "Rape Reporting During War: Why the Numbers Don't Mean What You Think They Do." *Foreign Affairs* 1 Aug. 2011. Web. 5 Aug. 2011.
- Peterman, Amber, Tia Palermo, and Caryn Bredenkamp. "Estimates and Determinants of Sexual Violence Against Women in the Democratic Republic of Congo." *American Journal of Public Health* 101.6 (2011): 1060-67. Print.
- Physicians for Human Rights. *War-Related Sexual Violence in Sierra Leone: A Population-Based Assessment*. 2002. Web. 30 Nov. 2010.
- Puechguirbal, Nadine. "Discourses on Gender, Patriarchy and Resolution 1325: A Textual Analysis of UN Documents." *International Peacekeeping* 17.2 (2010): 172-87. Print.

- . "Gender Training for Peacekeepers: Lessons from the DRC." *International Peacekeeping* 10.4 (2003): 113-28. Print.
- Puechguirbal, Nadine, and Cynthia Enloe. "Failing to Secure the Peace: Practical Gendered Lessons from Haiti and Iraq." The Boston Consortium on Gender, Security and Human Rights, 2004. Print.
- Puggioni, Raffaella. "Refugees Reception and the Construction of Identities: Encountering Kurdish Refugees in Italy." *Borderlands E-Journal* 5.2 (2006). Web. 30 Nov. 2010.
- Ramazanoglu, Caroline, with Janet Holland. *Feminist Methodology: Challenges and Choices*. London: Sage Publications, 2002. Print.
- Reforming Sudan's Legislation on Rape and Sexual Violence*. Redress. Sep. 2008. Print.
- Rome Statute of the International Criminal Court*. Publication. The Hague, Netherlands: International Criminal Court (ICC), 2011. Print.
- "Rwandan Women Secure 56% of Parliamentary Seats in Historic Election Result." UN Women. 22 Sep. 2008. Web. 1 Aug. 2011.
- Rosenau, James N. *Distant Proximities: Dynamics beyond Globalization*. Princeton, NJ: Princeton UP, 2003. Print.
- Rubio-Marin, Ruth, ed. *What Happened to the Women?: Gender and Reparations for Human Rights Violations*. New York: Social Science Research Council, 2006. Print.
- Scheper-Hughes, Nancy, and Pillepe I. Bourgois, eds. *Violence in War and Peace: An Anthology*. Malden, MA: Blackwell Publishing, 2004. Print.
- Seay, Laura. "Do We Have the Congo Rape Crisis All Wrong?" *The Atlantic* 24 May 2011. Web. 1 Aug. 2011.
- Seifert, Ruth. "War and Rape: A Preliminary Analysis." *Mass Rape: The War against Women in Bosnia-Herzegovina*. Ed. Alexandra Stiglmayer. Lincoln, NE: U of Nebraska P, 1994. 54-72. Print.
- "Sexual Abuse Allegations Decline against UN Peacekeepers in DR Congo and Liberia." *UN News Centre* 27 Jul. 2011. Web. 20 Aug. 2011.
- Sexual and Gender-Based Violence against Refugees, Returnees, and Internally Displaced Persons: Guidelines for Prevention and Response*. United Nations High Commissioner for Refugees (UNHCR), 2003. Print.

Sexual Violence and Armed Conflict: United Nations Response. United Nations Division for the Advancement of Women (DAW) and Department of Economic and Social Affairs, 2000. Print.

“Sexual Violence Projects Could Suffer Post-UNMIL.” *Integrated Regional Information Networks (IRIN)* 18 May 2010. Web. 1 Aug. 2011.

The Shame of War: Sexual Violence against Women and Girls in Conflict. Nairobi: United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and Integrated Regional Information Networks (IRIN), 2007. Print.

Shapiro, Danielle. “Wallström Reports Congo Still Needs UN Troops.” *Women’s eNews* 21 May 2010. Web. 1 Aug. 2011.

Shepherd, Laura J. *Gender, Violence and Security: Discourse as Practice*. London: Zed Books, 2008. Print.

Shepherd, Philip. *New Self, New World: Recovering Our Senses in the Twenty-First Century*. Berkeley, CA: North Atlantic Books, 2010. Print.

Sidner, Sara. “Libyan Rebels Say Captured Cell Phone Videos Show Rape, Torture.” *CNN* 16 Jun. 2011. Web. 20 Aug. 2011.

Sivakumaran, Sandesh. “Sexual Violence against Men in Armed Conflict.” *European Journal of International Law* 18.2 (2007): 253-76. Print.

Skjelsbæk, Inger. “Sexual Violence and War: Mapping Out a Complex Relationship.” *European Journal of International Relations* 7.2 (2001): 211-37. Print.

Slim, Hugo. *Killing Civilians: Method, Madness, and Morality in War*. New York: Columbia UP, 2008. Print.

Soguel, Dominique. “Rape Crisis in East Congo Tied to Mining Activity.” *Women’s eNews* 1 Jun. 2009. Web. 1 Aug. 2011.

“Statistical Report on Female Military and Police Personnel in UN Peacekeeping Operations Prepared for the 10th Anniversary of the SCR 1325.” Department of Peacekeeping Operations (DPKO) and Office of Military Affairs (OMA). Web. 1 Aug. 2011.

Stiglmeier, Alexandra, ed. *Mass Rape: The War against Women in Bosnia-Herzegovina*. Trans. Marion Faber. Lincoln, NE: U of Nebraska P, 1994. Print.

“Stopping Rape as a Weapon of War in Congo.” Human Rights Watch. 18 Sep. 2009. Web. 1 Aug. 2011.

- Szakolczai, Árpád. *Reflexive Historical Sociology*. London: Routledge, 2000. Print.
- Tanaka, Yuki. *Japan's Comfort Women: Sexual Slavery and Prostitution during World War II and the US Occupation*. London: Routledge, 2002. Print.
- Thornhill, Randy, and Craig T. Palmer. *A Natural History of Rape: Biological Bases of Sexual Coercion*. Cambridge, MA: MIT, 2000. Print.
- Tickner, J. Ann. *Gendering World Politics: Issues and Approaches in the Post-Cold War Era*. New York: Columbia UP, 2001. Print.
- Travis, Cheryl Brown, ed. *Evolution, Gender, and Rape*. Cambridge, MA: MIT, 2003. Print.
- Turner, Victor. *The Ritual Process: Structure and Anti-Structure*. New York: Aldine de Gruyter, 1969. Print.
- United Nations. Department of Peacekeeping Operations (DPKO). "Gender and UN Peacekeeping Operations." 2005. Print.
- . *Mainstreaming a Gender Perspective in Multidimensional Peace Operations*. 2000. Print.
- . *Review of the Sexual Violence Elements of the Judgments of the International Criminal Tribunal for the Former Yugoslavia, the International Criminal Tribunal for Rwanda, and the Special Court for Sierra Leone in the Light of Security Council Resolution 1820*. New York: United Nations, 2010. Print.
- United Nations. Department of Peacekeeping Operations (DPKO) and Department of Field Support (DFS). *DPKO/DFS Guidelines: Integrating a Gender Perspective into the Work of the United Nations Military in Peacekeeping Operations*. New York: United Nations DPKO/DFS, 2010. Print.
- United Nations Development Fund for Women (UNIFEM). "Women's Participation in Peace Negotiations: Connections between Present and Influence." 2009. Print.
- United Nations. Division for the Advancement of Women (DAW). *Women 2000: Sexual Violence and Armed Conflict: United Nations Response*. New York: United Nations, 1998. Print.
- United Nations. Entity for Gender Equality and the Empowerment of Women (UN Women). *Annual Report 2010-2011*. New York: United Nations, 2011. Print.
- United Nations. General Assembly. *Convention on the Elimination of All Forms of Discrimination against Women*. New York: United Nations, 1979. Print.

- United Nations. Human Rights Council. *Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural, Including the Right to Development: Report of the Special Rapporteur on Violence against Women, Its Causes and Consequences, Yakin Ertürk*. New York: United Nations, 2008. Print.
- United Nations. Security Council. *Resolution 1325*. 31 Oct. 2000. Print.
- . Security Council. *Resolution 1820*. 19 Jun. 2008. Print.
- . Security Council. *Resolution 1888*. 30 Sep. 2009. Print.
- . Security Council. *Resolution 1889*. 5 Oct. 2009. Print.
- . Security Council. *Resolution 1960*. 16 Dec. 2010. Print.
- Willett, Susan. "Introduction: Security Council Resolution 1325: Assessing the Impact on Women, Peace and Security." *International Peacekeeping* 17.2 (2010): 142-58. Print.
- "Women and Children Worst." *Economist* 21 Feb. 2009. Web. 7 Jan. 2011.
- Wood, Elisabeth Jean. "Armed Groups and Sexual Violence: When Is Wartime Rape Rare?" *Politics and Society* 37.1 (2009): 131-62. Print.
- . "Sexual Violence during War: Toward an Understanding of Variation." *Order, Conflict, and Violence*. Stathis N. Kalyvas, Ian Shapiro, and Tarek Masoud. Cambridge, UK: Cambridge UP, 2008. 321-51. Print.
- . "Variation in Sexual Violence during War." *Politics and Society* 34.3 (2006): 307-41. Print.
- Zizek, Slavoj. "Knight of the Living Dead." *New York Times* 24 Mar. 2007. Web. 7 Jan. 2011.
- . *Violence: Big Ideas/Small Books*. New York: Picador, 2008. Print.

Films, TV, and Radio

The Greatest Silence: Rape in the Congo. Dir. Lisa F. Jackson. Women Make Movies, 2007. Film.

The Murmuring. Dir. Young-joo Byun. 1995. Film.

On the Contrary with Bonnie Erbe. Public Broadcasting Service (PBS). 18 Jul. 2009. Television.

Pray the Devil Back to Hell. Dir. Gini Reticker. 2008. Film.

“Sexual Violence Is a New Frontline: Margot Wallström.” *United Nations Radio* 6 Aug. 2010. Radio.

V-Day: Until the Violence Stops. Dir. Abby Epstein. 2005. Film.

Websites

Amnesty International. www.amnesty.org. 1 Aug. 2011.

Geneva Centre for the Democratic Control of Armed Forces (DCAF). www.dcaf.ch. 1 Aug. 2011

The Hague Justice Portal. www.haguejusticeportal.net. 1 Aug. 2011.

Human Rights Watch. www.hrw.org. 1 Aug 2011.

Integrated Regional Information Networks (IRIN). www.irinnews.org. 1 Aug. 2011.

Inter Press Service (IPS). www.ipsnews.net. 1 Aug. 2011.

International Center for Transitional Justice. www.ictj.org. 1 Aug. 2011

International Criminal Tribunal for Rwanda. www.unictr.org. 1 Aug. 2011.

International Criminal Tribunal for the Former Yugoslavia. www.icty.org. 1 Aug. 2011.

International Crisis Group. www.crisisgroup.org. 1 Aug. 2011.

International Rescue Committee. www.rescue.org. 1 Aug. 2011.

NGO Working Group on Women, Peace and Security. www.womenpeacesecurity.org.
1 Aug. 2011.

PeaceWomen. www.peacewomen.org. 1 Aug. 2011.

Sexual Violence Research Initiative. www.svri.org. 1 Aug. 2011.

Survivors Fund (SURF). www.survivors-fund.org.uk. 1 Aug. 2011.

United Nations. www.un.org. 1 Aug. 2011.

United Nations Action Against Sexual Violence in Conflict. www.stoprapenow.org.
1 Aug. 2011.

United Nations Disarmament, Demobilization, and Reintegration Resource Centre.
www.unddr.org. 1 Aug. 2011.

United Nations Development Programme. www.undp.org. 1 Aug. 2011.

United Nations Entity for Gender Equality and the Empowerment of Women (UN
Women). www.unwomen.org. 1 Aug. 2011.

United Nations High Commissioner for Refugees. www.unhcr.org. 1 Aug. 2011.

United Nations News Centre. www.un.org/news. 1 Aug. 2011.

United Nations Office of the High Commissioner for Human Rights.
www.ohchr.org. 1 Aug. 2011.

United Nations Peace and Security. www.un.org/en/peace. 1 Aug. 2011.

United Nations WomenWatch. www.un.org/womenwatch. 1 Aug. 2011.

United States Bureau of Justice Statistics. www.ojp.usdoj.gov. 1 Aug. 2011.

V-Day. www.vday.org. 1 Aug. 2011.

Women's eNews. www.womensenews.org. 1 Aug. 2011.

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