

# Imaginary Battlefield

War rape, the extreme consequence of gender  
hierarchy

# Abstract

The purpose of this thesis is to identify the social structure that sanctions the act of war rape. This by answering the research question; *what normative structure is reflected in the meanings attached to the act of war rape?* The research design is that of a qualitative case study, with empirical focus on the war rapes committed in Bosnia-Herzegovina during the war in 1992-1995. The analysis is performed as a qualitative text analysis, within the theoretical framework of social constructivism and critical feminism.

The analysis shows that the meanings attached to war rape; power, domination and control, used to shame, humiliate and destroy the enemy, have its origin in the constructed gender identities of masculinity and femininity. Hence, in the asymmetrical power relation that constitutes the dualistic gender structure, subordinating femininity. The function of war rape is founded on a gendered hierarchy of power that equates femininity and women with weakness, passivity and objectification, and favors masculinity, equated with power and agency. In conclusion, the use of rape as a weapon of war is the outcome of the in peacetime established sex/gender regime of male domination and female subordination, directing the appropriate behavior of each sex, in accordance with respectively gender identity.

*Key words:* War Rape, Gender, Gender Hierarchy, Rape as a Weapon of War, Bosnia-Herzegovina

*Words:* 19 670

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# 1 Introduction

[...] Then four of them raped me, one after the other. [...] After the fourth guy I fainted. If I hadn't fainted, they'd have kept on going (Stiglmeier 1994: 109).

I lost a lot of blood so that when the sixth man came over, he was nauseated and left me alone (African Rights 2004: 13).

These are testimonies from two of the most atrocious conflicts in modern time; the ethnic cleansing of Bosnia-Herzegovina (BiH) in 1992-1995 and the Rwandan genocide in 1994, picturing a fragment of the reality that meets women and girls in war.

During the last century a significant change has occurred in the nature of warfare, from the conventional notion of war to what Kaldor (1999) names “*new wars*” and Shaw (2003) “*degenerate wars*”. This refers to the, mainly, intrastate wars of today where the primary targets no longer are the military units, but the civilian population connected with the enemy (Bergoffen 2010: 308). Within this ferocious context, horrific atrocities have targeted the civilian population in large numbers; including the systematic and widespread use of mass rape (Farr et al 2009: 11). War rape has shown itself to be an integral part of today's warfare. So to understand the dynamics of war, the issue of war rape needs to be highlighted.

An exposé of our history reveals that sexual violence and rape have been the frequent companions of wars and conflicts. Rape and sexual violence against women have a history as long as war itself. As expressed in the Bible:

“For I [God] will gather all the nations against Jerusalem to battle, and the city shall be taken and the houses looted and the women raped...” (Zechariah 14: 2).

The first well-documented cases are from the World War II. The “rape of Nanking” in 1937 when the Japanese Imperial Army raped between 20,000 to 80,000 Chinese women (Heit 2009: 365-367) and the rapes committed by the Soviet Red Army, following the capitulation of Nazi Germany, with an estimated number as high as 900,000 (Seifert 1996: 37). Further, during the Bangladesh self-determination war in 1971, 200,000 Bengali women were raped by Pakistani soldiers (Braithwaite 2011: 3). More recent is the ongoing conflict in the Democratic Republic of Congo that shows half a million victims of rape, and still counting (Mukengere-Mukwege et al 2010: 163-164). Today, frequent reports of war rape comes from almost every civil armed conflict, spanning over four continents and at least 45 countries (Hagen & Yohani 2010: 15).

However, it was not until the institutionalized mass rapes in BiH and Rwanda, with estimated 20,000 to 50,000 respective 250,000 to 500,000 victims

of war rape, following the acts of ethnic cleansing and genocide (Snyder et al 2006: 189) that the subject was made visible. The scale and brutality shocked the international community. For the first time in history the phenomenon of wartime rape achieved widespread public attention.

The rapes in BiH and Rwanda were parts of official genocidal campaigns, impossible to ignore, and the world could no longer put a blind eye to the frequency and brutality of sexual violence in war. The issue attained major international concerns. The establishment of the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR), strengthen by the International Criminal Court (ICC), established war rape as a war crime, a crime against humanity and as an act of genocide (Farrwell 2004: 391-393, Bergoffen 2009: 307-309, Pearce 2003:543, ICC, ICTY, ICTR). Further consolidated by the United Nation Resolution 1820, adopted on June 19 2008, recognizing the use of rape as a tactic of war (UN: 1820). War rape was now identified as a weapon of war.

Thus, the public visibility of the topic following the atrocities of the 1990's resulted in judicial, as well as some political and academic prominence, and efforts to conceptualize and explain the phenomenon resulted in the almost unanimous consensus of rape as a weapon of war. However, despite this currently well-recited knowledge of war rape as a major aspect of today's wars, targeting civilians and its conceptualization as a weapon. As well as its legal status as a grave violation of international law, war rape have been categorized and downplayed as "*women's issue*" (Carter 2010: 355). Therefore, the subject has been neglected and absent in discussions of wars and conflicts within traditional security studies. Those who has emphasized the importance of the subject have primary been feminists and feminist scholars.

Consequently, although wart rape constitutes a gross violation of international law, a breach of human rights and is considered as a weapon of war, the issue still lacks adequate focus and concern. This sanctions its ongoing use. In conformity with the Rome Statue, UN Resolution 1820 and the current conceptualization rape as a weapon of war, being an integral part of today's wars targeting individuals, societies and states. I argue that to understand the dynamics of today's wars and to protect civilians, it is of great importance to address the significant problem of the use of rape as a weapon in war. Thus, war rape shall be considered and important subject within the field of security studies that calls for further research.

Previous research has, much due to the neglected position of the topic, primarily been concerned with establish its importance, by demonstrate its widespread existence and the systematic use of rape as a weapon of war. Consequently, less focus have been put on the question of *why* rape functions as a weapon. Hence, in the procedure of finding a solution to the widespread use of rape as a weapon, the next step is to understand the factors sanctioning its function and thus, its use.

Cross- cultural, the absolute majority of the direct victims of war rape are women and girls (Ibid: 356), which indicates that women and girls are particularly vulnerable as targets of rape and sexual violence during war. Thus, I it is essential

to recognize the gendered nature of war rape in order to understand the phenomenon. However without neglect that men and boys also are the victims of sexual violence.

Accordingly, this thesis will focus on the gendered nature of war rape as a factor for understanding its function as a weapon of war.

## 1.1 Purpose

Previous research has foremost focused on how wartime rape has been used, resulting in the almost unanimous consensual conceptualization of rape as a weapon of war. This was a crucial step for the recognition of the topic and the importance to research it. However, in the procedure of finding a solution to the widespread and systematic use of rape as a weapon, the next step is to understand the factors sanctioning its function, and thus, its use.

Therefore, the overall purpose of this thesis is to contribute to the development of a more comprehensive understanding of the phenomenon of war rape, by put focus on how rape functions as a weapon of war. More specific, the objective is to **identify the normative structure that sanction the act of war rape and promote its function as a weapon of war.**

Moreover, the objective holds the ambition of contributing to a theoretical development in the field of research. The aim is to isolate a necessary condition for the function of rape as weapon of war and thus, provide a hypothesis effective as foothold for further research.

## 1.2 Research Question

Thus, the research question to be answered is as follows; **what normative structure is reflected in the meanings attached to the act of war rape?**

## 1.3 Choice of Theory

The theoretical framework of this thesis is constituted by social constructivism, together with critical feminism. A combination of these theories is done with advantage, seeing that critical feminism is founded on a constructionist basis. Also, the research objective and the following research question clearly express an ontological as well as epistemological stance, corresponding with social constructivism and its focus on normative structures as conditioning human action. Consider the subject of interest, war rape and the highly gendered nature

of the phenomenon, theoretical feminism, with focus on the gender and power is the most fruitful complement to social constructivism. Also, it is primarily feminist political theory that has focused on, and theorized gender as an aspect within political science.

In conclusion, social constructivism, in combination with critical feminism is the most suitable theoretical combination for answer the research question.

## 1.4 Choice of Method

The overall method used for this thesis is the qualitative case study method. This choice is directed by the research question, and the theories selected as most suitable for the conduct of this thesis; social constructivism and critical feminism. In accordance with the anti-foundational and interpretive ontology and epistemology, a qualitative method is to prefer. Further, to best correspond with its qualitative nature, the research is designed as a case study, due to its ability to provide a detailed examination of phenomenon chosen for inquiry. The qualitative objective of the thesis, with focus on a comprehensive understanding of the examined phenomenon requires an in depth analysis. Consequently, the analysis is conducted as a qualitative text analysis.

Another, ontologically directed aspect, regards the level of analysis. The theoretical framework presents structure and agency as mutually constitutive, however this research will emphasis structure and keep the level of analysis as structural.

## 1.5 Material

Due to the methodological choice to design the thesis as a qualitative case study and to use qualitative text analysis as the method of data collection, the material used for this thesis is mainly secondary. Primarily books and academic articles, collected from academic journals, addressing the issue of war rape. The material is selected from an open approach, with the criterion of addressing war rape in a relevant manner. The material used is foremost constituted by research on the existence of war rape, its use as a weapon within the context of the selected case, or on a more general level, as well as some philosophical papers discussing war rape.

Due to the gendered nature of the topic and the neglect of the issue within mainstream political science the majority of the texts are produced in relation to the feminist tradition. Further, the material used for the theoretical chapter is secondary and strategically chosen, representing social constructivism and critical feminism.

## 1.6 Delimitations

This thesis focuses on the function of rape as a weapon of war. Thus, the fundamental assumption is that rape has an instrumental use, i.e. is used to achieve political or military goals within the context of conflict. The particular aspect of the phenomenon that is of interest for this thesis is the *function* of rape as weapon, targeting individuals and collectives within the context of conflict.

The particular case of inquiry within this thesis is the war rapes committed by Serbian military and paramilitary troops within the context of ethnic cleansing in BiH during the period of 1992-1995. All factions participated in the war did engage in rape. The particular focus on the war rapes that targeted Bosnian Muslim women, committed by Serbian military/paramilitary units is motivated by the fact that the systematic and widespread use of rape by the Serbs far exceeded that of the other parts and is recognized as been used as a weapon.

Further, the absolute majority of the direct victims of war rape were women and girls, and the majority of the perpetrators were male (soldiers), therefore main focus is on men as perpetrators and women as victims. Still recognizes that men and boys also are victim of direct sexual violence within the context of the conflict. Also, related to the gendered nature of war rape (see above) the focus of this thesis is discussed in relation to the gender aspect. Therefore, other aspects are not discussed in length, also true for other aspects of the conflict in BiH.

## 1.7 Definitions

**Sex:** This refers to the biological distinctness of male and female. That is, the biologically given premises that defines one as either a man or as a woman also referred to as male and female within the context of this thesis (Lerner 1986: 238, Squires 2008: 54-55).

**Gender:** This concept refers to the social construction of two gender categories; masculinity and femininity, constituted by culturally defined characteristics for each category, which regulate the socially appropriate behavior of each gender. Within the context of this thesis also referred to as feminine and masculine (Lerner 1986: 238, Squires 2008: 54-55).

**Sex/Gender Regime:** Historically, the domination of women by men has been labeled patriarchy, which literally means “rules of fathers”. Fathers, brothers and husbands have traditionally held the direct power of “their” women. As a result of the emancipation this is no longer globally valid. However, the subordination of women as a group is universally institutionalized at a societal level, e.g. difference in salary. Therefore, the concept sex/gender regime will be used instead of patriarchy, referring to the structure that enables the dominance of

men as group over women as a group, due to their gender (Okazawa-Rey 2002: 372).

**Rape:** In this research rape is defined as any non-consensual penetration of a person's body (vaginal, oral or anal) by the "*perpetrator's sexual organ, body part or foreign object*" (Lee Koo 2002: 527). Further, the term non-consensual do not only refers to acts committed by force or the direct threat of physical violence, but also to rapes committed under structural circumstances, e.g. the state of war, that undermines the victim's control to reject the perpetrator (Bergoffen 2009: 322).

**Civil rape:** This term is used when discussing rapes committed exterior to the state of war. That is, rapes committed in peacetime.

**Wartime rape:** This concept refers to rapes committed during the state of war and conflicts, regardless of aim, targets or perpetrators.

**Weapon:** In accordance with Farwell (2004: 392) the term weapon is, within this research, defined as any instrument, device or organ used to defend or attack an opponent during combat or in fight.

**Rape as a weapon of war:** Today the general consensus conceptualizes rapes, committed in the state of conflict/war, as "*a weapon of war*" (Buss 2009:145). Nevertheless, a clear definition of the term is rarely presented. However implicit, the concept refers to a systematic and high rate pattern of rape; mass rape (Gottschall 2004: 129). This is problematic since the act of rape is not systematic or widespread in itself as committed by individuals against individuals. However, when committed within "*the context of a broader attack on the civil population*" (Farwell 2004: 393), rapes are a part of a "*course of conduct*" (Ibid: 393) that makes them systematically and deliberate and thus, a weapon of war.

According to Lee Koo (2002: 228) and Farwell (2004: 393) rape can be used as a weapon at two levels. Firstly as a weapon attacking "*women's physical and emotional sense of security*" (Ibid: 393). Second, by the attack of women's bodies attacking the body political of the collective she represents (Lee Koo 2002: 228).

Another aspect, implicit in the concept, is the intentional and systematic use of rape within the state of war or conflict. Aiming to advance one groups position over another by the attack on civilians belonging to the targeted collective (Ibid: 393, Milillo 2006: 196). Sometimes also reefered to as rape as a strategy or tactic of war (Ibid: 196, Farwell 2004: 393, Lee Koo 2002: 228).

Within this research the concept *rape as a weapon of war* refers to the instrumental use of rape as an act of aggression, by any nation, faction or individual within the context of conflict, i.e. as a part of a broader attack upon civilians. Used towards individuals (regardless of their sex), in order to intimidate and inflict physical and/or psychological pain on the individual, and/or the collective to which he/she belongs, in order to achieve strategic objects.

**War rape:** For this thesis the term war rape will be used interchangeable with the concept rape as a weapon of war. Thus, war rape refers to rapes committed within the broader context of conflict, targeting individuals and collectives.

## 1.8 Outline of the Thesis

As already seen, this thesis begins with the introductory chapter, including the brief background of the research problem, and the formulation of the objective and the research question, directing this thesis. The following chapter (2) consists of a review and discussion of the existent research on the topic. Also, the premises fundamental to the current conceptualization of war rape are outlined. The next chapter (3) discusses the theories and concepts crucial for the analysis; social constructivism and critical feminism, with particular focus on the concepts of gender and power. The following and fourth chapter consists of the methodological discussion, and the particular choices made for this thesis. That is, the qualitative case study, performed as a qualitative text analysis. Proceeding with the fifth chapter, which contains the analysis of what normative structure is reflected in the meaning's attached to the act of war rape. The sixth and last chapter includes the conclusions of the analysis and a following discussion of the result.

## 2 Research Overview

Historically, wartime rape has been viewed as a natural by-product of war and as “collateral damage”. It was seen as a result of male sexual frustration resulted from the absence of available women. The attitude reflected was that of “*boys will [] be boys*” (Farwell 2008: 389). Thus, for long, the very existence of wartime rape as a specific phenomenon was neglected and consequently, overlooked in discussions on wars and conflicts. Downplayed as a women’s issue it has not received adequate focus within political studies and is still not adequately theorized.

The focus of this thesis is to understand the function of war rape rather than how, and for what purpose it is used, and thus contribute to a theoretical development of the subject. Though, a full understanding of this thesis requires its positioning within the theoretical context to which it belongs. Therefore, the following overview will present the major debates and developments within the field. Noteworthy, the phenomenon has almost exclusively been theorized by feminist scholars, reflected in the research review by the feminist focus expressed in all discussions.

### 2.1 The Nature of Wartime Rape

Two major changes have occurred in the theorization on wartime rape; regarding its very nature as a phenomenon and its use in war. The development on the first aspect, the very nature of rape, derives from three interrelated debates; biology versus society, individuals versus collectives and normality versus abnormality.

Initially, rape was seen as a biologically determined behaviour, as an instinctive and uncontrollable biological expression of the male sexuality that “*spew[s] forth in the chaotic environment of combat*” (Snyder et al 2006: 185). This supposition, that it is natural for men to rape, is still sometimes to be heard in today’s debates, nonetheless more seldom and with diminishing creditability (Ibid: 185, Seifert 1994: 55). The most obvious criticism is the fact that all men “*do not rape women, [] in fact, most men do not*” (Millio 2006: 198). The more recent research has shift focus.

Hence, previous research has turned from the biological understanding of rape as an act originated in the individual sexuality that in the wrong environment (wars and the scarcity of women) becomes aggressive (rape), towards the rejection of the sexual origin of rape. Rather, today rape is understood as an act of aggression aiming at the manifestation of power, control and domination, expressed with sexual means (Ibid: 198, Seifert 1996: 36). So, opposed to the

biological-individualistic notion of rape, this second perspective holds rape as social construct. Thus, rape is understood as acquiring its meanings from normative societal structures, and focus is on the collective meanings of the act.

This social understanding of rape is mainly discussed in relation to nationalism, but also by feminists, with the common focus on the symbolic meanings of the act of rape.

### 2.1.1 Nationalism

The discussion of rape in relation to nationalism has mainly been concerned with rapes within the context of conflict, and has primary been expressed by feminist scholars (Yval-Davies 1997, Seifert 1996, Stiglmayer, 1994). Here, women and the female body are understood as the material, as well as the ideational embodiment of the nation (Dodgett 2000: 1016). The female body marks the boundaries of the nation and the identity of the collective, which is made visible by the body and persona of the women. Women constitute the borders between the in-group (us) and the out-group (them) (Seifert 1996: 39). They are portrayed as “mothers of the nation”, symbolically expressed by the female representation of the nation “*the French Marianne personifying France [...] [and] the United States’ ‘Statue of Liberty’*” (Ibid: 39).

The symbolism of women is based on their role as child bearer and as the primary caretaker, i.e. for the cultural education of children. Hence, women are essential for the physical, as well as the cultural survival of the nation (Seifert 1996: 39, Yuval-Davis 1997: 26). Women are crucial for the (physical) reproduction of the group by giving birth, and as guardians of the distinguishing features of “us” by transmitting markers, such as language, traditions, cultural practices, values and beliefs, essential for group identity, to the next generation (Farwell 2004: 394-396).

The result is a collective interest in controlling the female sexuality, to protect the collective honour situated in the female body, in order to “*maintain a pure lineage and [a] pure ethnic-cultural identity*” (Farwell 2004: 395). This due to the myth of “*blood and belonging*” (Yval-Davis 1997: 26) – a common origin that constructs the identity of a national collective (Ibid: 26-27).

Within this context, war rape becomes the symbolic conquest of the nation (Olujic 1998: 33-35).

### 2.1.2 Feminism

The more refined feminist focus differs from the nationalistic one by primary emphasis gender identities and the relation between them (masculinity and femininity). Feminists such as Enloe (1993, 2000) and Ehlstain (1995) stress the construction of masculinity with violence. In interaction with militarization, a notion of hyper masculinity is established, and sexual violence against women becomes a proof of masculinity. The aim is to “*humiliate, terrorize, and destroy a*

woman based on her identity as a woman” (Lee Koo 2002: 528) in order to (re)establish one’s masculinity. Related, another aspect of feminist theory (Snyder et al 2006: 187) expresses that;

men in patriarchal cultures are socialized to despise women, often on an unconscious level, and rape in times of war offers them an opportunity to vent their contempt for women.

The extreme violence often committed against the female body during rape, is in particular directed against the femininity of the body, and is seen as an expression of hatred towards femininity (Seifert 1996: 38, Snyder et al 2006: 187-188). Hence, wartime rape is a manifestation of men’s hate of women.

Yet another view focuses on the asymmetrical relation between men and women, where men have been constructed as the protectors and women as the protected (Milillo 2006: 199). This ordering system is inherent to patriarchal societal structures and “*promote views of women as men’s property to be defended*” (Farwell 2004: 395). Consequently, the female body and her sexuality belong to the man that is her sole protector, father, brother and/or husband. In consequence, her sexual purity is the measurement of his masculinity and honour (Diken & Bagge Laustsen 2005: 117-118, Olujic 1998: 33-35).

In consequence, war rape is an act of communication between men (Brownmiller 1975: 13). It represents the symbolic defeat and humiliation of the men connected to the woman raped. She has lost her value and accordingly, they have failed in protecting their property and to reaffirm their masculinity; they have lost their honour (Olujic 1998: 39).

## 2.2 The Abnormality of Wartime Rape

Related, the extensive consensus regarding rape as an collective and socially constructed act, has given way to the debate regarding whether wartime rape is to be seen as an abnormality with roots in the circumstances of war, or if there is a relation between wartime rape and civilian rape. The view of wartime rape as an abnormality resulting from the chaotic and inhuman conditions of war breaks that with normal structures is rejected already by Susan Brownmiller in “*Against Our Will; Men, Women and Rape*” (1975), one of the earliest writers on the matter. Though, this perception of wartime rape, as a deviation, has for long been the underlying assumption of writings on the matter. And if not, the question of rape has been downplayed. It is, to a large extent, not discussed in the literature on war and peace, or security studies.

However, more recent some researchers have emphasized the connection between wartime rape and the civil society (Cockbrun 2007, Card 1996, Olujic 1998, Stiglmayer 1994, Seifert 1996). For example, Olujic emphasizes that “*gendered violence is not a special type of torture used only in war [,] its roots are well established in peacetime*” (Olujic 1998: 31). Also Card (1996) focuses on

the similarities between martial rape and civilian rape, and their use to “*display, communicate and produce or maintain dominance*” (Card 1996: 7).

Thus, wartime sexual violence is based in peacetime sociocultural understandings of the (female) body, sexuality and its connections to the concepts of shame and honour. As Olujic (1998: 31-32) states;

war rapes in the former Yugoslavia would not be such an effective weapon of torture and terror if it were not for [the] concepts of honour, shame[] and sexuality that are attached to women's bodies in peacetime.

That is, rape is collectively understood as an expression of domination and sexual violence during conflicts, and wartime rapes cannot be understood outside the frame of the meanings attached to the act of rape in peacetime.

## 2.3 Rape as a Weapon of War

The now, commonly recognized understanding of wartime rape, as an collectively understood act of domination, power and control, has during the last decades resulted in a major shift in the theorization of wartime rape; towards the conceptualization of “*rape as a weapon of war*” (Buss 2009: 145-146).

Today there is an almost unanimous academic as well as political consensus regarding war rapes as a deliberate and “*systematically used as a tactic of war by the military and governments to advance one group’s political, economic, religious, or social position over another*” (Milillo 2006: 196). Thus, war rape is a politically motivated, deliberate, act of violence targeting the enemy group by a systematic and deliberate policy for targeting civilians, carried out with the aim of physical and psychological destruction of a collective (group). According to Snyder et al (2006: 191) “*sexual violence against women became a tool of genocide for destroying the enemy’s honor, lineage, and nation*”. Also expressed by Farwell (2004: 393), the motive of wartime rape is “*to accomplish ethnic cleansing and genetic imperialism as well as to destroy an enemy’s cohesion, spirit, and identity*”. Hence war rape is an act of terror and constitutes both a weapon and a strategy of war, with the intent to humiliate, defeat and extinguish the enemy group(s) physical as well as cultural and psychological (Lee Koo 2002: 525) and thus, is to be acknowledged as an integral part of warfare (Buss 2009: 145).

## 2.4 Concluding Remarks

As has become evident in the discussion above, wartime rape has for long been under-theorized in the literature. The phenomenon has almost exclusively been

theorized by feminist scholars, whose recent focus on the topic has resulted in conceptualization of rape as a weapon of war (war rape). This is also the underlying presumption for this thesis. Even though a further academic, as well as political and judicial, discussion on the topic of rape as weapon of war still is needed, this thesis will shift focus. To the less theorized aspect; the function of rape as a weapon of war.

As become evident in the preceding discussion, it is foremost feminism that has recognized the importance of a philosophical discussion on the topic. Accordingly this thesis will follow within the feminist tradition, further outlined in the following chapter. However, previous research has foremost focused on war rape in relation to nationalism and the prevailing understanding of either masculinity or femininity as holding particular properties that result in the act of war rape. Focus of this thesis, as will be displayed in the succeeding chapters, is on normative structure as the conditioners for the act of war rape. Particular focus is placed on gender in accordance with the gendered nature of the topic.

## 3 Theories

The analytical framework for this thesis consists of social constructivism and critical feminism. The choice of theories is motivated by the research objective and the formula of the research question, which reflects a particular ontological and epistemological understanding of the world. That is most consistent with social constructivism. Further, the particular focus on gender within this thesis motivates the use of feminist theory; explicit theorizing gender.

The combination of these theories is done with advantage since critical feminism is developed on a constructionist basis. As the theories are in agreement regarding ontology and epistemology these aspects are discussed only in relation to social constructivism.

### 3.1 Social Constructivism

Social constructivism (hereafter constructivism) is a generic covering a broad field of various theoretical approaches, with the common of an anti-foundational ontology and interpretive epistemology (Reus-Smit 2005: 199). Hence, this outline will present the central aspects of the theory, generally shared by all constructivists, with emphasis on aspects crucial for this research.

#### 3.1.1 Ontology and Epistemology

Starting from basis, ontology refers to the question of being; the understanding of the world and how it is organized (Marsh & Furlong 2002: 18). Constructivism holds an anti-foundational position. Meaning that the world is constructed by inter-subjective fabrics of meanings, values and beliefs and thus, inseparable from our interpretation and understanding of it, i.e. the world is socially constructed (Ibid: 26, Hollis 2010: 17, 211-215, 224, 230). Consequently, as the world is constructed by ideational dynamics, with focus on the social realm as constitutive for identities, norms, values and practices are contextually specific (Reus-Smit 2005: 206-207).

This anti-foundational ontology presumes a particular epistemological position: what and how we can know about the world (Bergström & Boréus 2005: 21). Due to the understanding of the world as socially constructed and inseparable from our understanding of it, there is no value free knowledge and no objective truth to be discovered (Marsh & Furlong 2002: 19, Reus-Smit 2005: 193). Rather, actors are socialized to interpret and understand the world from within the

particular social structures they exist. Accordingly there are multiple understandings of the world (George & Bennett 2005: 130). Hence, social phenomena do not exist independent of their interpretations and has particular meanings (Marsh & Furlong 2002: 26, Barleboo Wenneberg 2010: 175). Thus, constructivism holds a hermeneutic or interpretive epistemology, meaning that the world is to be understood from within. Consequently actions are to be understood rather than explained (Hollis 1994: 16, Marsh & Furlong 2002: 20).

Thus, hermeneutic research focuses on understandings of the particular meaning attributed to actions by actors rather than engaging in producing universal and causal laws, as favored by positivists (Hollis 2010: 253, Marsh & Furlong 2002: 28). Therefore, the methodology usually chosen for research is of qualitative art, as for this thesis, and with focus on empirical research. Since there is no objective truth, all knowledge and thereby scientific research is founded on interpretations of reality. Thus, transparency and a clear use of theory and methodology are crucial for hermeneutic research (Reus-Smit 2005: 203, Barleboo Wenneberg 2010: 80-88).

### 3.1.2 Structure and Agency

Another ontological aspect important to the configuration of this thesis research, as well as for the general understanding of the world, regards the relationship between structure and agency. That is, to what extent agency respectively structures shape the behavior of actors (Hollis 2010: 15, McAnulla 2002: 271-272). The constructivist position is related to the understanding of the world as socially constructed. Focus is on shared belief ideas and values, representing particular meanings, as constituting a context that forms and constrain human and political action. This establishes the constructivist understanding of social life as a structural product (Hollis 2010: 274).

Characteristic for constructivism is the emphasis on normative, or ideational, structures as the organizing force directing social and political behavior. However, this does not mean a rejection of the importance of material structures, but rather that material preconditions and structures acquire their meaning from ideational ones that are the premises of social interaction (Hollis 2010: 274, Reus-Smit 2005: 196). Accordingly, constructivism rather sees ideational and material structures as mutually constitutive; ideational structures give meanings and legitimacy to the material ones and in turn material structures strengthen and uphold the ideational ones ( Reus- Smit 2005: 209, Walt 1998: 7).

Structural approaches are criticized as deterministic in giving explanatory power solely to structures; thereby strip actors of their entire agency. Constructivism on the other hand understands structures as constraining, not determining and considers the relationship between structure and agency as mutually constitutive. Thus, the relationship between the two is dialectal. Meaning that the identity and behavior of actors is shaped and constrained by the structure they exist within but that it is the practices of actors that maintain the structures. Hence, social structures are not inevitably constant but rather open for

change, due to the reciprocal relationship with agency (McAnulla 2002: 280-281, George & Bennett 2005: 129, Reus-Smit 2005: 197).

### 3.1.3 Identity and Interests

As constructivism perceives the world as socially constructed, actors are understood as inherently social (Reus-Smit 2005: 193). Further, as previous outlined, constructivism focus on ideational structures as determinants of social interaction. Thus, actors interact, constrained by the inter-subjective, ideational structures of norms, values and beliefs within them exist (Weber 2005: 64). The institutionalizing force of these norms constitutes a frame for the imaginative, directing how actors perceive the world, what is an appropriate behavior and how they are to act. Thus, the social structure establishes the legitimate way of conduct. Also, it is through this interactive socialization that actors acquire their social identity (Reus-Smit 2005: 198). Accordingly, identities are socially constructed (Reus-Smit 2005: 196, Weber 2005:65).

Further, it is these identities that are the basis of interest. The identity acquired by social interaction informs and determines actors' interest, and in turns their actions. Thus, interests are endogenous constituted, i.e. socially constructed and not pre-given as presumed by rationalism (Reus-Smit 2005: 197-199). Consequently, actions reflect the context specific values attached to it within the social structure it occurs (Hollis: 17, 151, 154-159). In effect, all social and political actions has meanings, derived from the attached ideas and values reflecting a particular social convention, embedded in the wider structure, i.e. a society (Ibid: 144, 151-156). However, as discussed in previous section, actors hold agency and thus, the ability to either maintain or alter social structures (Reus-Smit 2005: 197). Structural changes may result in a reformation of identities and interest, and thereby in changed behavior.

Since all social and political actions reflect particular values, norms and ideas, constructivism emphasizes an understanding of actions. This by focus on the identity of actors, since the identity is crucial for how actors develop their interests (Ibid: 197), and thus on the structure constructing their social identities. So, to understand actions is vital to understand the meanings attached to them as well as the identity formation of actors that is an understanding of the social structures they are embedded within.

### 3.1.4 Social Constructivism and the Concept of Power

Central to political studies is the concept of power, however multifaceted and holding different contents depending on one's ontological position. The standard definition of power with political science is presented as: "*X has power over Y if he can get Y to do something that Y would not otherwise do*" (Squires 2008: 33), thus power is understood as "power over" (Ibid: 33). Lukes (1978) has provided a model of distinctive subdivisions of the concept of power, usually labeled the

three dimensions of power. The first dimension corresponds with the standard definition above. Focus is on actor's behavior in observable conflicts; A holds power over B when he can make B act in ways B would otherwise not do. That is coercive power.

In addition to this basic conceptualization of power, the second dimension consider power to include when A uses his position to preclude the political and societal debate by forming and reinforce particular values, norms and practices, in agreement with his own preferences (Ibid: 33). The constructivist notion of power, as primary constituted by ideational factors, such as norms and legitimacy (Reus-Smit 2005: 209), is more in agreement with this second-dimensional conceptualization of power.

However this is not a perfect marriage, first because of the focus of individualistic behavior as the source of power, and second the assumption that power only is exercised in a visible and identified manner. From a constructivist view this underestimates the significance of the ideational and structural nature of the social world, and thereby "*the importance of power to shape or determine preferences themselves*" (Squires 2008: 34). Thus, constructivism is more in agreement with the broader, third-dimension of power where "*the most effective and insidious use of power is to prevent such conflict [over preferences] to arising in the first place*" (Lukes 1978: 23). Accordingly, constructivism does not view power as a zero-sum game, as claimed by traditional international relation theory. Rather, power is understood as embedded within the structures constituting the social world (Faith 1994: 40-41). Hence power is diffuse and elusive; however present all social interaction, i.e. actions.

## 3.2 Feminist Theory

I have chosen to complement the theoretical framework of constructivism with feminist theory, this due to the gendered nature of war rape and the fact that it primarily is feminist political theory that has theorized gender. However, it is difficult to talk about feminism as a single theory; rather it is an amorphous term including different schools of thoughts with different ontological and epistemological basis (Squires 2008: 14). Thus, with the common focus on the "*relationship between gender and power*" (Randall 2002: 109). The particular strand of feminism; critical feminism chosen for this analysis is founded in constructivism (Squires 2008: 60, 95, Tickner 2001: 31). Since sharing the ontological and epistemological position with social constructivism, the combination of the two theories is with advantage implemented.

Due to the conformity with the constructivist philosophy of science, previously outlined, the following discussion centers on concepts crucial to feminism, formulated in accordance with the constructivist basis of critical feminism, and not on ontological and epistemological prerequisites.

### 3.2.1 The Construction of Gender

The two concepts crucial for feminism are gender and power. This section will discuss the first concept: gender. Within feminism gender is considered fundamental for understanding the world; one can never stand outside gender since it is an integral and crucial aspect of one's identity (Squires 2008: 56, Weber 2005: 83). However gender is not something given, but a product of socialization, i.e. gender is an ideational and social construct (Randall 2002: 111). Thus, the separation of gender and sex is vital.

Sex refers to the biological distinctness of male and female; the biologically given premises that define one as either a man or as a woman. Gender, on the other hand, refers to the construction of the two gender categories; masculinity and femininity, constituted by culturally defined characteristics for each category, which regulate the socially appropriate behavior of each gender (Lerner 1986: 238, Squires 2008: 54-55).

The two categories, masculinity and femininity, is universally constructed as a dichotomy, assigned distinctive properties. For instance, from Plato and Aristotle and further consolidated by the Enlightenment, masculinity has been associated with culture, rationality and order, whereas femininity has been linked with nature, irrationality and chaos (Arneil 1999: 78-ff). The dualism between the genders is, according to de Beauvoir, an expression of the otherness of women. A woman is not defined "*in herself but as relative to him [...] He is the Subject, He is the Absolute – she is the Other*" (de Beauvoir 1997: 5). Thus, masculinity is the norm to which women are defined by their otherness, their femininity (Squires 2008: 60). Consequently, women are objectified and made passive in comparison to the active subject of men (Faith 1994: 41, Steans 2004: 23).

Thus, the gender categories are relational; they exist only in relation to each other and do not have a stable relationship to the biological categories of male and female. That is, the feminine gender can be located within the bodies of male and vice versa (Squires 2008: 60-61). However, the biological sex is closely connected with a particular gender. To be a "real" man or woman one ought to hold masculine respectively feminine emotional and psychological characteristics (Steans 2004: 10-11). Thus, gender is about knowledge; ideational and material structures combine in reproducing social practices, which in turn informs and sustains gender relations (Ibid: 32).

As mentioned, even though the gender dichotomy is seen as universal, the assigned gender characteristics are understood as contextual and cultural specific, resulting in a debate regarding the universality of the identity woman. Problematizing the categorization of women as one, unified group sharing the same experiences (Randall 2002: 111-112). However, gender is an integral part of the individual identity and a universal gender structure categorizing masculinity and femininity. Thus, the demarcation of women (and men) as a distinct group due to their gender identity, entails different experiences of respectively group due to their gender. Hence, women share experiences of being marginalized, due to their gender (Weber 2004: 85, Steans 2004: 27-32, Sheehan 2005: 116). Therefore

gender is a politically significant category (Squires 2008: 60) to recognize as the basis for analysis.

### 3.2.2 Feminism and the Concept of Power

The second concept central to feminism is power. Feminism attributes much of its understanding of power to Foucault, viewing “*power as a relation that both constrains individuals and constitutes the condition of possibility of their freedom*” (Squires 2008: 37). Accordingly the feminist notion of power is much in line with the constructivist view and with Lukes (1978) third-dimension of power. That power is embedded within the ideational structures directing the social interaction by influencing and constraining actors’ preferences and thus, power is constantly present in social interaction (Squires 2008: 34).

Hence, power is a process between social actors (individuals, groups, institutions and states) expressed by the imposition of the belief-system of the dominant part on the other. That is, the ideology of the dominant becomes institutionalized in social norms and practices, as well as in formal structures (Lipman-Blumen 1994: 110). Thus, the ideational premises articulated by the dominant part turn into what Foucault termed “*regimes of truth*” and holds normalizing and regulatory functions (Ibid: 110 Steans 2004: 15).

In consequence, power is subtle and diffuse; it is embedded in the social structure and thus present in all human activity and social practices. Due to the mutually constitutive relationship between structure and agency, the same action expressing power also reaffirms it (Faith 1994: 41). Hence, power is manifested and consolidated by all relations constituting the social body. Consequently, the prevailing “*regime of truth*” constitutes the justification of the prevalent power relation between groups; it manifests and consolidates the hegemony of the dominant group (Lipman-Blumen 1994: 110, MacKinnon 1989: 129).

### 3.2.3 Rape as an Expression of Power

The feminist understanding of rape, also holding a consensus outside feminism, is the so-called power hypothesis (Gothschell 2004: 130). That is, rape is considered as an act of aggression, aiming at a manifestation of power, control and domination, expressed by sexual means and not as an act originated in sexuality (Milillo 2010: 198, Seifert 1996: 36, Costin & Schwarz 1987: 46-47). Thus, rape is a deliberate and intentional act of domination over other, by the infliction on shame and humiliation on the victim (Braithwaite 2006: 10).

Hence, rape is a social construct that acquiring its meanings from social structures. Thus, focus is on the collective symbolism of rape (MacKinnon 1989: 128). Consequently, rape is the communication of power. Hence, when transferred into the context of conflict and war, the feminist understanding of rape becomes a framework for the expression of domination and subordination, both between

individuals, but also between collectives (Braithwaite 2006: 10, Milillo 2010: 198).

### 3.2.4 Gender Hierarchy

As previously explained, feminism regards gender as relational, and when adding the feminist conceptualization of power, gender becomes a social structure based on the power relation between the genders. Gender identities are constructed from this power structure and conversely, the structure is produced and maintained by the social norms and practices that regulate appropriate behavior of each gender and thus structure social life (Squires 2008: 55, Steans 2004: 12, Tickner 2001: 15). Accordingly, gender relations are produced and reproduced by the power relation between them.

Thus, gender is a structure of social hierarchy where power is unequally located within the different genders, in favor of masculinity. The gender dichotomy that organizes social life is unequal due to the dualism where masculinity is regarded as the norm, and femininity as the “other”. Thus, femininity, and by the close association of the feminine gender with the biological sex of women, women are seen as inferior (Squires 2008: 99), as a symbol of insufficient masculinity (Lerner 1986: 207). Consequently, masculinity, and thereby men, is higher valued.

Hence, the gender structure is a system of male supremacy and female subordination. The location of power within the male group, i.e. a system of male domination have historically been referred to as the patriarchy (Steans 2004: 20). However, since the original meaning of the term patriarchy is “rules of fathers” I prefer the terms sex/gender system or gender regime. Those concepts, both, refer to a broader, societal system of institutionalized male dominance, occurring in all aspects of social life (Lerner 1986: 238-239).

As a consequence of the sex/gender regime women do not, based on their gender, have the same access to power as men and thus, men and women are fundamentally unequal. Women do not have the same access to political or societal influence, or the possibility to control their own lives as men (Arneil 1999: 3). Hence, the gender structure has clear and far-reaching material consequences in shaping the lives of women (Tickner 2001: 32). In consequence, the identities of masculinity and femininity support male domination and female subordination by reinforcing the power of the dominant (male) group. Accordingly, the gender structure is used to justify the unequal treatment of women and provides a justification for a particular form of social inequality (Steans 2004: 11).

### 3.3 The Analytic Framework

Taken together, the two theories, social constructivism and critical feminism will be tied together in a theoretical framework as follows. Within the context of this thesis the analysis is founded on the theoretical assumption that actions, by the intermediate constructs of identity and interest, reflects values, norms and beliefs constituting a normative structure that directs the behavior of actors. Also, focus is on power as relational, constantly present within social interaction and expressed by norms and actions. Thus, with the particular focus of war rape as an act of power, dominance and control, and not an act of sexual nature.

So, by an identification the meanings attached to the particular act of war rape, we can establish the particular identities and interests that direct the act, and thus the structure sanctioning the use of rape as a weapon of war. Due to the gendered nature of the act of war rape, particular focus will be placed on the normative structure of gender.

Emphasis is on the significance of structure; however the mutually constitutive relationship between structure and agency is recognized, which opens for a change of the prevailing structure.

## 4 Method

The overall research design of this thesis is of qualitative nature. Chosen as the most appropriate method for answer the research question; **what normative structure is reflected in the meanings attached to the act of war rape**, and thus as most correspondent with the research objective (Devine 2002: 202). Implicit in the aim of this thesis is a focus on social structures as the conditions for actions, with emphasize on understanding rather than on causal explanations. This corresponds with the constructivist ontology and epistemology, previously discussed. Therefore, on account of its consistency with the interpretive philosophy of science and thus, with the research objective, a qualitative method is the most appropriate choice of conduct for this thesis (Ibid: 201).

However, qualitative research has several different orientations and thus, this chapter will present the specific methodological choices made as most suitable for answering to the research's question and objective, within the qualitative tradition.

### 4.1 Level of Analysis

Before a closer discussion of the methodological choices made, there is a need to further clarify one ontologically related aspect of this thesis, important to the methodological formulation of this research.

In previous chapter (3.1.2), the theoretical framework presented the understanding of structure and agency as mutually constitutive. This will be the overall assumption of this thesis. Nevertheless, one need to determine where to start, what level of analysis is most appropriate for understanding political phenomena. This decision is always a difficult one. But in relation to gender, which is at focus for this research, maybe even more so. This since gender is something that are not only as a normative and social structure, but also as an integral part of our identities as humans (Squires 2008: 56, True 2005: 223). That is, gender is always present, at all different levels of society and life; one can never stand outside gender (Goldstein 2001: 1, Weber 2005: 83).

However, due to arguments presented in section 3.2.3, my position on the matter is to emphasis structure over agency. Thus, focus is on social and normative structures as conditions for human action and consequently, the level of analysis is structural rather than actors oriented.

## 4.2 Qualitative Method

This far, the research objective, and the following research question, has been formulated. The ontological and epistemological premises of the research has been discussed and outlined. To continue, this section of the thesis provides an examination of the specific methodological choices made as most suitable for answering the research question.

As previous recognized the objective as well as the research question of this thesis is ontological and epistemological profoundly connected to the interpretive paradigm. That is, the phenomenon of war rape is seen as socially constructed. As resulting from a normative structure that attaches meanings and understandings to the act, which in turn sanction its function as a weapon and thus, its use.

To get access to these meanings and understand the origin of its function, the phenomenon needs to be understood from within its context. Due to the focus on a holistic understanding of the examined phenomenon, an interpretation of the meanings attached to it within the contextual preconditions is necessary and thus, the most suitable choice of method is the qualitative method (Devine: 198-199, 201, Schofield-Ward 2009: 75).

Another motive for using a qualitative method is that it allows for the focus on normative structures, crucial to meet the objective of this thesis (George & Bennett 2005: 9).

As previous mentioned there are several different designs available within the qualitative tradition. The choice of design for this thesis the case study design, conducted as a qualitative text analysis. The following sections will discuss those choices more thoroughly.

### 4.2.1 Case Study Design

Within political science, the design usually preferred for qualitative research is the case study method or the small comparative case study. The choice made for this thesis is the case study design, favoured for the ability to offer a detailed examination of the particular aspect of the phenomenon chosen for inquiry (Eckstein 2009: 121-123, George & Bennett 2005: 5).

Crucial for the conduct of a case study is the identification of the population to which the phenomenon of interest belongs and second, the choice of the particular unit, i.e. case, to analysis (Esaiasson et al 2003: 172). According to George and Bennett (2005: 17) a case is “*an instance of class of events*” constituted by whatever “bounded system” that are of scientific interest (Stake 2009: 23). Within this definition, the phrase “class of events” refers to the phenomenon of interest, i.e. the population of analytic interest. Hence, the term “instance” refers to the particular cases(s) within the particular population selected for analysis. Within the context of this thesis the class of event is *war rape* and the instance, i.e. case, chosen for analysis of the phenomenon is the war rapes

committed within the context of ethnic cleansing in Bosnia-Herzegovina during the war in 1992-1995.

A case study is conducted in a focused and structured manner. That concerns a detailed examination of a specific aspect of the chosen case, carried out through a standardized process for the collection and analysis of the data collected (George & Bennett 2005: 67). In qualitative research this procedure usually refers to the use of a number of specific and precise questions applied to the material used for inquiry (Esiasson et al 2003: 238). The overall purpose is to draw different aspects of the case together into a broader understanding of the phenomenon as such (George & Bennett 2005: 67).

I chose the case study design due to its ability to provide a “*detailed examination of an aspect of a historical episode to develop or test historical explanations that may be generalizable to other events*” (George & Bennett 2005: 5). A historical episode is equivalent to a class of events. This since a detailed examination is essential for corresponding with the ontological and epistemological underpinnings of the objective of this thesis (Ward-Schofield 2009: 93). The ambition to understand the meanings attached to the act of war rape, and thus identifies the normative structure that sanctions its function, requires an understanding of the selected case from within. Consequently, a detailed examination, best provided by a case study design, is the most suitable choice for the conduct of this thesis.

This for two reasons, first the capacity to focus on normative structures which enables an understanding corresponding with the research objective. Second, the ability to include contextual premises, which opens for the holistic understanding of the phenomenon of war rape, within the specific case, as needed for the analysis that are to be performed within the context of this thesis (Stake 2009: 21, Donmoyer 2009: 49-50, Devine 2002: 198-201).

Hence, a detailed case study is most suitable for understanding the phenomenon of war rape, by a detailed examination of its meanings within the contextual settings provided by the case chosen for analysis.

Further, the case study design is chosen in accordance with the partially heuristic objective of this thesis (Eckstein 2009: 136); the formation of a hypothesis regarding the necessary condition for the function of rape as a weapon of war. With the aim to contribute to a theoretical development on the field of research, by provide a hypothesis for further testing (George & Bennett 2005: 25-27, 67). Based on the ability to identify relations between the complex and interconnected conditions within a case, a case study is appropriate for develop possible explanations of the phenomenon examined (Ibid: 25). However, the hypothesis formed within this research has small generalizing objective, rather the aim is to develop a primarily theoretical construct, i.e. a hypothesis on the function of war rape that serves as foothold for further research (Ibid: 5, Eckstein 2009: 136). Thus, the hypothesis needs to be further tested on, on a different and larger sample, before holding generalizing validity (George & Bennett 2005: 5).

Noteworthy, the word explained are not to be understood in its positivistic meaning, as the identification of causal chains but rather as an understanding of

the meanings attached to the act of war rape. Rather, as an understanding of the necessary condition for its function as a weapon and thus, its use.

#### 4.2.2 Case Selection

The population universe relevant for this research is the occurrence of the phenomenon war rape that is, when rape has been used as a weapon in war. Accordingly, the population is narrowed to cases, i.e. geographical areas (countries or regions) where rape has been acknowledged as used as a weapon of war. The choice of the particular case of inquiry is to be discussed in the following section.

As implied in the case study design, the case is selected due to a strategic sample/selection. In accordance with the research objective, the case is selected on the dependent variable; *the occurrence of war rape*. This mode of strategic selection is criticized for resulting in selection bias; a systematic error in the sample that will result in either understating or overstating the relationship between independent and dependent variables (George & Bennett 2005: 22-23). However, case studies, such as this research, concerned with the identification of variables necessary for the examined phenomenon do with advantage strategically select cases on the dependent variable (Ibid: 23-24), due to the limited ambitions of generalizability (Esaiasson et al 2003: 171-173).

Further, the objective of this research is to develop the understanding of the function of war rape by the identification of the variable necessary. Thus the most important aspect in the selection of case is the correspondence and relevance of the particular case for the objective (George & Bennett 2005: 83). For those reasons, and the need of a close and detailed examination, thus depending on the factor of availability of relevant material, I have chosen to focus solely on the case of war rapes committed by within the context of ethnic cleansing in *Bosnia-Herzegovina* during the period of 1992-1995. Hence this is the time and space demarcations of the historical episode i.e. case chosen for inquiry.

This selection is strategically made for correspond with the research objective of generate a hypothesis on the necessary condition for the function of rape as a weapon in war.

The first criterion of selection is the dependent variable; the occurrence of war rape, i.e. the recognized use of rape as a weapon of war within the particular instance. This is further related to the criterion of available and relevant material. The political, judicial and academic awareness of war rape and the conceptualization of rape as weapon of war following the ethnic cleansing in BiH ensure the availability of adequate material for this research, not applicable for many other cases.

Also, the international recognition of the use of rape as a weapon of war within the context of ethnic cleansing in BiH, used with genocidal intent, resulted in a particular, political, judicial and academic interest in the war rapes committed in BiH. Hence, a hypothesis developed from the most prominent case of the phenomenon is more likely to ensure political and judicial interest and attain

adequate focus to subject. Hence, an empirical focus on BiH is the best opportunity for positioning war rape as subject within the field of security studies and thus, opens the door for further research.

### 4.2.3 Qualitative Text Analysis

Hence, the research objective and the directing question have been presented, a research design chosen and cases for analysis selected. The next, crucial step, concerns the collection of data and the procedure of analysis.

As previous discussed the methodological choices are made based on their ability to provide the most plausible answer to the research question and objective. In accordance with the objective and to connect this inquiry with prevailing research on the area, together with the fact that several high qualitative single case studies have been performed on the subject this research will be performed as a qualitative text analysis (Esaiaasson et al 2003: 233). Thus, the data collected is foremost secondary material (Ibid: 233).

The research objective, to identify the social structure sanctioning the function of war rape, by an understanding of the meanings attached to the act of war rape, expresses an interpretative theory of science. Hence, as previous outlined, a comprehensive understanding of the phenomenon of war rape and its contextual premises is crucial. This requires a full and in depth analysis of the particular aspects chosen for examination (George and Bennett 2005: 5). Consequently, a qualitative text analysis that allows for a holistic and complex understanding of a case is used with advantage (Esaiaasson et al 2003: 233).

Also, this technique for data collection provides the possibility to include a larger material within the context of this thesis than any other method would. Thus, in accordance with the need of a detailed and comprehensive understanding of the particular case, this is the most suitable method of analysis for this thesis (George & Bennett 2005: 67).

A qualitative text analysis is performed as an interpretation and analysis of already expressed understandings on the examined phenomenon (Esiasson et al 2003: 245). This conducted as a close reading of the text as an entirety, its parts and a consideration of the context it is produced within, which opens for a comprehensive understanding of the phenomenon examined (Ibid: 247). The analysis is performed in accordance with the hermeneutic circle; the parts are interpreted from the entirety and the entirety from its parts. The aim is to understand the explicit as well as the implicit content in order to fully understand the text as a whole and thus, focus is on passages and parts crucial for understanding the texts as an entirety (Ibid: 233, 237, Bergström & Boréus 2005: 25).

Hence, qualitative text analysis is performed by asking specific and clear defined questions to the text. The question (s) are configured in accordance with the research objective and refined to provide an informed and explicit answer to the research question and done through a close and in depth reading of the texts chosen for analysis. Here, two different procedures are available; the open

approach where only a general demarcation of the area of interest is done and the answer are to be found within the material, or to work with predefined categories (Esaiasson et al 2003: 240).

In accordance with its objective the use of text analysis within this thesis leans more towards an open approach. This since a predetermined categorization would be counterproductive for this research and the focus on meanings. Thus a categorization might lead to a loss of content by overlooking the complexities required for identifying the necessary variable (Ibid: 240), and thus reduce the research's reliability.

Thus, within the context of this thesis, the text analysis is performed in a focused and structured manner, carried out by a standardized analysis of the material (George & Bennett 2005: 67, Esaiasson et al 2003: 238).). The same question is applied to all material; **what normative structure is reflected in the meanings attached to the act of war rape?** Further the analysis is configured (Eckstein 2009: 135-136), as outlined in the preceding chapter (3), in accordance with the theoretical framework of social constructivism and critical feminism. Consequently, regardless of the open approach, the answers produced are to some extent objects of constraints, postulated by the focus on social structure and gender.

The text analysis is conducted in two steps. The first step is the identification of the meanings attached to the act of war rape. The almost unanimous consensus explains the use of rape as a weapon of war in BiH in relation to the ethno-nationalistic and patriarchal context of the war. Therefore the first step of the analysis is performed in relation to the ethno-nationalist context of the war and patriarchal structure of the society. The second step consists of the identification of the meanings attached to war rape, with the normative structure producing these specific meanings and thus, promotes the function of rape as a weapon of war.

#### 4.2.4 Text Selection

The data collected mainly consists of secondary material, primary books, and articles collected from academic journals. Further, by reports from organizations such as the UN working close to these issues, as well as judicial documents from the ICTY and ICC has been used. Further, discussion papers from submits confronting these issues on a global scale, as well as articles produced by scholars and journalists conducting research on this particular topic have been used.

The material has been selected by an open approach (Esaiasson et al 2003: 244). The criterion for selection, due to somewhat limited availability, was the addressing of the topic of war rape in a relevant and credible manner. The texts examine the phenomenon of war rape within the selected case and in relation to other empirical researches, as well as more philosophical and judicial approaches to the phenomenon.

The majority of the material regarding the topic is produced within the feminist tradition, or at least labeled as such. Thus, it runs the risk of reproducing

a bias. However the neglect of sexual violence and wartime rape, as well as the use of rape as weapon of war within the traditional perspectives of international relations and security studies, together with an under-theorizing of gender is still prevailing. Consequently, research on gender, sexual violence and war are almost exclusively produced within the feminist perspective, and thus the available material is to a large extent produced within the feminist tradition or labeled as feminist, even if so not necessary is the case.

Although I oppose the categorization of wart rape as a woman's issue, I recognize the gendered nature of the phenomenon, and the majority of the victims of war rape are women and girls. Therefore I believe that a feminist theoretical framework is fruitful for an understanding of the phenomenon and its function. Thus, the open approach of the empirical material is complemented with a strategic selection (Ibid 2003: 244) of material providing a feminist theoretical analysis of the society and civil rapes. This further complemented with the strategic choice of theoretical material presenting the social constructivist theory.

A potential criticism of the material regards the consensus conceptualizing the rape as a weapon of war. However this is the current, unanimous political, judicial and academic consensus, to which I agree. Also, this conceptualization is the underlying premises of this thesis, and thus a result of a conscious choice.

### 4.3 Critique

All research methods are targets of critiques from opposing perspectives, and so is the qualitative method. The disadvantages most commonly emphasized concerning the case study design regards the inability to produce results, generalizable across a large population (Stake 2009: 19). This for two related reasons: the focus upon the particular and the use of a strategic selection of cases. The objection goes follows, when focusing on the particular one usually uses a small, strategically chosen sample of cases, and these findings are unrepresentative since the sample itself is unrepresentative (Devine 2002: 204).

However, due to the ability to offer detailed examinations of the phenomenon, case studies are preferable when concerning complex social processes, often applied to cases within social science (Ibid: 5-9), and for identifying new variables or hypothesis.

Further, case studies generally makes limited representative and generalizable claims, but are in advantage when, as for this research, concerned with generating new hypothesis' and theory development (George & Bennett 2005: 19-22), due to its ability to identify new variables. Nevertheless case studies usually do hold some generalising ambitions. Then, the challenge is to find a balance between theoretical parsimony and explanatory richness of the particular case(s). By a clear definition of the population to which the results applies, a case study as this research, contributes to theory development. Among other things by generating new hypothesis' for further testing (Ibid: 33) and thus, the findings are of more general interest than for just the particular case examined.

Another, related disadvantage, associated with case- or small comparative studies are the danger of selection bias in the strategic selection of cases (George & Bennett 2005: 22). However, the objective for this thesis motivates a strategic selection. A hypothesis on the necessary condition for the use of war rape, that is to identify the potential origin to its function as a weapon requires a strategic selection on the dependent variable (Ibid: 23, 25, 31). Nonetheless, the disadvantage connected to select cases on the dependent variable, is the difficulties to isolate a specific causal relationship (Esaiasson et al 2003: 227). However, this is of little concern for this research since its objective is to formulate a hypothesis for further testing.

Regarding the method of data collection, qualitative text analysis, the critique mainly concerns its interpretational nature. First, interpretation requires subjectivity and thus different answers can be given to the same question, depending on who is asked. This contrasts the positivistic notion of scientific objectivity and results in several “truths” and is, by positivists dismissed as unscientific. However, this is the result of a different ontology as well as epistemology; the interpretative position to which I adhere. Also, the interpretive aspect is criticised for result in difficulties replicating the study, which leads to complications for its external validation (Devine 2002: 204-207). However, this can be resolved by using theory and method in a clear and transparent way, and in so doing elucidate the research process by explain every step of the analysis.

## 4.4 Validity and Reliability

To concepts central to all scientific research are validity and reliability, used to control the quality of the research. Initially the concepts were intended for quantitative research, so within the qualitative context of this thesis the applicability is more complicated and thus, in need of consideration.

Customarily the concept of validity refers to the conformity between the theoretical concepts and the empirical implementation of the study. That is, whether the design and method of the research measures the concepts intended for inquiry (Babbie et. al. 2007: 15, Esaiasson et al 2003: 20, 67-69). Within qualitative research, still with the same sense of meaning but a slightly different application the concept of validity is concerned with the transparency of the analyst’s interpretation of the material, since this interpretation is crucial for the analysis. Hence, validity refers to how well-founded the conclusions are within the empirical, i.e. with the material used (Esaiasson et al 2003: 20, Flick 2006: 371). In the context of this research, validity refers to the ability offered to the readers to follow the process of analysis by a detailed and accurate presentation of the empirical material, offering the transparency needed for establish an independent understanding of the material.

Closely connected is the concept of reliability, i.e. the replication ability of the research. That is, whether the analysis would produce the same results, if executed by the same method but by another researcher (George & Bennett 2005:

106, Babbi et al 2007: 16). Due to the interpretive nature of qualitative research, e.g. depending on one's understanding of reality, the possibility to reproduce a result is somewhat limited. However, a clear and transparent approach in the application of the theoretical concepts on the empirical will provide the best condition for reliability within a qualitative context. By providing the opportunity for the reader to follow every step in the process of analysis reliability can be achieved within the context of qualitative research (Flick 2006: 371). Thus, I will try to present each step of this thesis as clear as possible. By motivate and explain the theoretical and methodological choices made within the context this study, as well as conduct the analysis by a transparent application of the theoretical concepts on the material, reliability can be achieved for this thesis.

## 5 Analysis

As elucidated in the method chapter, the analysis is performed as a qualitative text analysis of the case chosen for inquiry, the ethnic cleansing of Bosnia-Herzegovina (1992-1995)) and the war rapes here committed. In accordance with the ontological position and the research question; **what normative structure is reflected in the meanings attached to the act of war rape?** The focus of this analysis is on the particular meanings attached to the act of war rape and what social structure these reflect.

As outlined in the theoretical chapter (3.3), the analysis is conducted within the framework of social constructivism and critical feminism. In consequence, it is founded in the theoretical assumption that actions (by the intermediate constructions of identity and interest) reflect the values, norms and beliefs constituting the normative structure directing actors behaviour. Also, with a focus on power as something relational, constantly present within social interactions and expressed by norms and actions. Accordingly, by identifying the meanings attached to the particular act of war rape, we can establish the identities and interests that direct the act, and thus the structure sanctioning the use of rape as a weapon of war.

Emphasis is on the importance of normative structure for constraining actions; however, since social constructivism identifies structure and agency as mutually constitutive, the analysis will also try to recognize this relationship and the influence actors have on the structure.

The chapter is organized as follows; a short introduction of the political background to the ethnic cleansing resulting in the use of war rape in Bosnia-Herzegovina, followed by a discussion of rape as a weapon of war within the context of ethnic cleansing. It concludes with the analysis of the meanings attached to the act of war rape and what structure these reflects. This part is divided in three sections, rape as weapon targeting the Bosnian Muslim women, the Bosnian Muslim men and the Bosnian Muslim collective as a whole.

### 5.1 War rape in Bosnia-Herzegovina

#### 5.1.1 Political Background

The political upheaval of Eastern Europe, which followed the weakening and dissolution of the Soviet Union at the end of 1980s and early 1990s, entailed

political, social and economic turmoil in the region as a whole (Olujic 1998: 32). The most extreme and horrendous effects were broadcasted by the Balkan Wars (1991-1995) that followed the fallout and collapse of the Socialist Federal Republic of Yugoslavia in 1991.

In the summer of 1991, Croatia and Slovenia, two of the six principalities constituting the Federal Republic, declared their independence. Soon, war between Croatia and parts of what later remained of the Federal Republic of Yugoslavia (Serbia and Montenegro) erupted. Less than a year later, in the spring of 1992, Bosnia-Herzegovina followed and declared its independence. Bosnia-Herzegovina was a society segmented by ethnic lines and the most ethnically diversified of the principalities, with the majority of the population belonging to one of the three ethnic groups: Bosnians (Muslims) 44%, Serbs 31%, and Croats 17% (Stiglmeier 1994: 16-17). During the period up to the independency referendum, ethnic tension rose. Under Radovan Karadzic, a Bosnian Serb state, Republika Srpska, was declared, within Bosnia-Herzegovinian territory (Gerner & Karlsson 2005: 254-256).

Ultimately, in April 1992, when BiH declared its independence, Bosnian Serb troops, backed by Belgrade and the JNA, launched a campaign of ethnic cleansing, primarily targeting Bosnian Muslims, in order to establish and secure a Bosnian Serb state clean from “non-Serbs”. The Serbian ethnic cleansing resulted in horrendous atrocities; killings, mayhem, massacres such as Srebrenica and mass rapes that were fuelled by ethnic hatred (Ibid: 255, Snyder et al 2006: 189), designed to force all “non-Serbs” out of the territory (Stiglmeier 1994: 19).

### 5.1.2 Rape as a weapon of war in Bosnia-Herzegovina

The number of victims of sexual torture; rapes, sexual mutilations and forced sexual abuse between family members, such as oral sex between fathers and sons or the rape of mothers by their sons in BiH is still unknown (Olujic 1998: 40-41 Bedont & Hall Martinez 1999). Thus, an estimated 20 000 to 50 000 Bosnian Muslim women and girls were raped during the war (Seifert 1994: 55).

As outlined in the research overview (part 2.3), at present, the most influential understanding of war rape is what Gottschall (2004: 131) labels as a strategic rape theory. That is, war rape is conceptualized as a coherent, deliberate and systematic tactic used to achieve the strategic goals of warfare (Ibid: 131). Implicitly, war rape is instrumental and used as a weapon of war (Buss 2009: 145).

This is also the consensus regarding the war rapes committed in BiH. Unanimously the international community, including the UN, EU, ICC and ICTY, recognized the rapes as a weapon of war (Farrwell 2004: 391-393, Bergoffen 2009: 307-309, Pearce 2003:543). War rape was an integral part of the Serbian campaign of ethnic cleansing and used with genocidal intent (Bergoffen 2009: 308, Hagen & Yohani 2010: 17). According to Olijic (1998: 40), EU defined the rapes as;

“‘a deliberate pattern of abuse [where] rapes cannot be seen as incidental to the main purpose of the aggression but as serving a strategic purpose in itself”

Likewise, the UN established that rape and sexual abuse of women constituted a deliberate weapon of war within the Serbian campaign of ethnic cleansing (Diken & Bagge Laustsen 2005: 113). The goal was, by the extrusion and destruction of the Bosnian Muslim collective, to ethnically “clean” the territory and to establish a Serbian state (Buss 2009: 145-146, Farwell 2004: 393).

The use of rape as weapon within the context of ethnic cleansing in BiH is, in an almost unanimous academic as well as political consensus, understood in line with the two most influential theoretical approaches on the subject; nationalism and the patriarchal structure of the Balkan societies. Hence, the first step in this analysis, to identify the meanings attached to the act of rape, when used as a weapon, is performed from the established understandings of war rape as result of the ethnic nationalist context of the war (Siefert 1996, Stiglmeier, 1994, Yval-Davies 1997) and the traditional, patriarchal culture still prevalent in Balkan societies (Olujic 1998, Farwell 2004).

## 5.2 Understanding the function of War Rape in Bosnia- Herzegovina

As established, within the context of the war in BiH, war rape was foremost used as a tool of ethnic cleansing, primarily targeting the Bosnian Muslim collective, by raping Bosnian Muslim women, due to their ethnicity. The intent was the physical, psychological and cultural annihilation of the collective as whole (Lee Koo 2002: 528, Milillo 2006: 199).

By targeting the individual women with rape, the men associated with her and in extension the collective she belongs to, are targeted. Thus, beyond the scope of rape as a physical attack on the direct victim, war rape also constitutes a psychological attack on individuals and collectives who are not directly targeted (Lee Koo 2010: 528, Olujic 1998: 39). Hence, the act of war rape holds social meanings that constitute its function as a weapon.

So, in accordance with the theoretical framework, earlier outlined, the first step of the analysis is the identification of the meanings attached to the act of war rape.

### 5.2.1 Rape as a Weapon of War; Targeting Bosnian Muslim Women

Although the primary target of war rape in BiH were the Bosnian Muslim collective, rape is first and foremost an attack upon the individual. In this particular case it was mainly women who were the direct victims of rape.

Beyond the scope of rape as a physical attack, inflicting massive bodily trauma such as mutilations, sterilization and even death by the loss of blood or internal bleedings (Card 2002: 3, Snyder et al 2006: 186), rape is also a moral and psychological attack on a woman (Milillo 2006:199). Furthermore, not only did war rape function as a tool of genocide by the direct, physical death of Bosnian Muslim women, it also aimed for the social and cultural death of the Bosnian Muslim nation, by the rape of women particularly (Card 2002:10, May Schott 2011: 6). Thus, when targeting women, rape has a double-edged function as a weapon of ethnic cleansing.

The efficacy of war rape for a social death is rooted in traditional Balkan cultural praxis of patrilineage (Zadruga) (Olujic 1998: 33). Within this context women are merely valued as wives and mothers, or as future wives and mothers, with the sole obligation to reproduce the lineage; the family name follows that of the father since male blood is deemed as stronger than female (Diken & Bagge Laustsen 2005: 115, Olujic 1998: 35, Seifert 1996: 41). Subsequently, women are reduced to incubators for the male genes, blood, lineage and ethnicity (Diken & Bagge Laustsen 2005: 115).

The function of women as incubators lends the female body and sexuality significance, with particular focus on the importance of female sexual purity: virginity and chastity (Ibid: 117). Hence, it is important to control and protect the female sexuality. The result is an honour-and-shame dichotomy attached to the female body and sexuality (Olujic 1998: 34). Consequently, women represent the honour and shame of their families, and therefore, a man's honour is situated in the sexual purity of his female kin (Hagen & Yohani 2010: 17).

Within this context of an honour-and-shame complex, a raped woman is a decayed woman (Ibid: 16). There is an enormous social stigma attached to being raped, “*when your sexuality is destroyed, so is your motherhood and your dignity*” (Milillo 2006: 199). A raped woman is destroyed, dirty and a shame to her family. Every so often, she is rejected by her father and/or husband and consequently socially stigmatized and excluded from the community (Ronjnik et al 1994: 313). This stigmatization derives from the understanding of female sexuality. When raped, a woman is no longer pure and thus, her function as an incubator is reversed and she is no longer desired or suitable as a wife or mother (Olujic 1998: 34).

Hence, a raped woman is deprived of value. When her value is lost so is her dignity; she is no longer bringing a meaning to the world and thus her identity and humanity is lost (Bergoffen 2009: 311-312).

One ambition for targeting women with war rape is thus to devalue the individual by inflicting humiliation and dishonour on her person (Diken & Bagge Laustsen 2005: 113), by “*shaming [them] out marriage and thus, motherhood*” (Milillo 2006: 199). This is a mean for dissolving social ties and loyalties that will attack the collective identity and disband the social fabric and thus bring about physical, cultural and psychological annihilation of the Bosnian Muslim collective as a whole (Hagen & Yohani 2010- 17).

So, the first step of the analysis shows that the function of rape as a weapon, when targeting women, is reliant on the ability to make them abject to

their social context (Franco 2007: 28, Diken & Bagge Laustsen 2005: 117) by the following social stigmatization and shame. (Ibid: 113). This shame is the consequence of the intricate relation between human dignity/humanity and motherhood (bringing a meaning into the world) (Bergoffen 2009: 312). A raped woman is, as earlier stated, deprived of all her value since she no longer fulfils the criteria for being a wife or mother. Hence the meaning attached to war rape within this context is the infliction of shame upon the raped woman.

The second step of the analysis is to isolate the identities, and thereby the underlying normative structure, entailing the shame and devaluation following the act of war rape.

The positioning of women as incubators, and the following interest in controlling female sexuality, expresses the socialization of men's entitlement to women's bodies (Hagen & Yohani 2010: 14), paralleled with the social construct of women as men's properties (Ibid: 14). In effect, the positioning of women as property also positions men as property holders.

In accordance with the theoretical framework, men and women are connected within a dichotomy due to the close identification of each sex with respectively gender identity (Steans 2004: 10-11); men with masculinity and women with femininity.

The understanding of women as properties, only obtaining a value in relation to a man (father husband or brother) (Olujic 1998: 39-41, 45), reveals an understanding of women as weak and passive while the opposite is valid for men. As the property holder men are understood as active and as in possession of power. This reflects the universal gender construct of masculinity and femininity (Carter 2010: 360).

Due to the dualism of gender, where masculinity (representing power, control and domination) is normative, femininity is in its status as "the other" inevitable constructed as the opposite to masculinity; weakness, passivity and subordination (Zurbriggen 2010: 539-541, Squires 2008: 60). Hence, masculinity is acknowledged as an active subject, assigned with self-agency and thereby reducing femininity to a passive object. This reduces women to passive objects, i.e. property, through the intricate relation between femininity and the female sex. Conversely, the agency assigned to masculinity grades men as property holders (Hagen & Yohani 2010: 14). Inherent in the gender identities and their dualistic relation, women are positioned as objects for male power and domination.

This gender dualism clearly reflects an asymmetrical power relation, in favour of masculinity (Carter 2010: 360). The result of this dualism being the norm is the material establishment of a sex/gender regime that institutionalizes male domination and female subordination (Okezawa-Rey 2010: 372). Within the Bosnian Muslim society this is materialized by the socialization of men's entitlement to the female body, e.g. the control of female sexuality and their only value being as incubators (Diken & Bagge Laustsen 2010: 115, Hagen & Yohani 2010: 17).

Hence, the passivity and weakness assigned to women is the social construct of male power, obtained by the agency assigned to masculinity (MacKinnon 1989:129). The normative power of masculinity institutionalized in

society and as such, holding a regulatory function of gender behaviours, (in particular female virginity and chastity). In consequence, the material reduction of women to properties is legitimized and sustained by the norms of gender hierarchy. In turn, the social practices, reflecting the normative structure further socializes the gender norm of female chastity and thus, manifest and maintain and reinforce the norm of male domination and female subordination (George & Bennett 2005: 129, Reus-Smit 2005: 197). Thus, the sex/gender regime is produced and reproduced by the mutual constituency of structure and actors and as normative and material structures (Reus-Smit 2005: 197, Walt 1998: 7).

In summary, the function of war rape, targeting women with the objective to inflict social stigma and thus shame upon the individual woman, in order to break the social ties of the community, is reliant on the gender construct of women as passive objects. This gender construct of femininity, and thus women, as passive objects to male agency and power has resulted in men's entitlement to women's bodies. The following focus on sexual purity is crucial for women's value. Hence, it is this emphasis on female sexual purity, following the feminine gender identity of passivity that exposes women as targets of war rape. As shown, femininity being equal to passive is the outcome of the hierarchical gender dichotomy that constructs femininity as the antithesis of the normative masculinity. In conclusion, it is the asymmetrical power relation constructed within the sex/gender regime that sanctions the use of rape as a weapon of war, targeting women.

### 5.2.2 Rape as a Weapon of War; Targeting Bosnian Muslim Men

Although war rape is a direct physical attack on the, foremost, individual woman, she is not the primary target. Rather, women are targets of war rape as a message to the indirect, but primary targets: the men socially connected with her (Card 1996: 6-7). Hence, above all, war rape is an act of communication between men. Thus, the meanings communicated by the act of war rape, is the psychological targeting of men (Koo Lee 2010: 328, Braithwaite 2006: 10).

The purpose served by the war rapes (targeting men in BiH) is connected to the same honour-and-shame complex as war rape targeting the women. The enforced degradation of the Bosnian Muslim women, due to war rape, also humiliates the men associated with them (Diken & Bagge Lustrsen 2005: 117). As earlier explained, the honour of a man is situated in the sexual purity of his female kin (Olujic 1998: 34). Consequently, a man incapable of protecting his women and their sexual purity loses his honour (Ibid: 38). For this reason, the war rapes in BiH were frequently committed in front of other family members or in public (Milillo 2006: 10).

The intent of war rape was to provide a setting where the Bosnian Muslim men were shown as incapable of defending the sexual purity of their women (Ibid: 118). By performing the degradation of the women in public, the loss of her male kin's honour is made visible and the humiliation public. The men are socially stigmatized (Olujic 1998: 39, Millio 2006: 199).

The humiliation of a man, by the rape of his women, derives firstly from the loss of honour by the loss of sexual purity of his kin, and secondly, from his inability to protect his property: his woman, and with her the family name and lineage (Olujic 1998: 39). A man without honour and a man incapable of protecting his property, also resulting in the loss of honour, he is branded as impotent, as a pussy (Ibid: 44). In consequence, a man unable to protect the sexual purity of his women loses his manhood; he is demasculinized (Diken & Bagge Laustsen 2005: 118).

Similar to the effect of depriving a woman of her value as wife and mother, masculinity is integral to the male identity that a demasculinized man does no longer fulfil the meanings of being a man. He has lost his identity (Bergoffen 2009: 312).

In conclusion, the meanings communicated between men by targeting women with war rape is humiliation and demasculinization, with the overall goal of the physical, social and cultural annihilation of the Bosnian Muslim collective as a whole (Hagen & Yohani 2010: 16-17).

The next step of this section is the identification of the normative structure, by the intermediate identities that is reflected in the humiliation and demasculinization attached to the act of war rape.

First of all, the possibility to humiliate men by targeting women with war rape derives from the construct of women as men's property. As explained in the previous section (5.2.1), this understanding, that women only obtain value as incubators and by their sexual purity (Diken & Bagge Laustsen 2005: 115, Farwell 2004: 394) is what makes it possible to deprive women of their value due to rape.

As previous outlined, the binary gender structure, has categorized femininity as passive objects. So, since the gender identities are relational, masculinity holds the properties that femininity do not. Masculinity is identified as an active subject, in possession of agency Due to the close connection of each gender with a sex, materialized by the construct of men as the property holders (Hagen & Yohani: 18).

The gender dichotomy has, as shown above, constructed femininity and masculinity as opposites. Femininity is understood as passive, implicit women are weak and subdued while masculinity is given agency, materialized as power, control and domination (Carter 2010: 359-360). In consequence, women are valued as passive objects; incubators and men are being men due to their masculine agency, i.e. their ability to express control, power and domination (Zubriggen 2010: 540-544). In extension, men are constructed as protectors and women as to be protected (Carter 2010: 352, duToit 2010: 288). A "real" man shall protect his property, women, lineage, nation and soil (Olujic 1998: 39).

Hence, the masculine identity, which determines what it, is to be a man, is closely connected with the ability to protect the sexual purity of the female kin. In consequence, the direct targeting of women with war rape is a manifestation of failed masculinity of the men connected with her. As previous discussed, the deprivation of masculinity is a loss of identity that leaves the man without dignity and value and reduces him as an agent (man) (Bergoffen 2009: 312-313).

Although a man's honour is situated in the sexual purity of his women, as a result of the objectification of women. The male humiliation and demasculinization following the targeting of women with war rape is foremost a consequence of the failure as a protector, exposed by the inability to protect the sexual purity of his women and with that his lineage, name and soil (Snyder et al 2006: 190).

Hence, the construct of women as property and men as property holder and women as to be protected and men as protectors is the material manifestation of the normative gender structure. It reflects the normative recognition of femininity as weak, passive and submissive and the contrary, masculine agency. Accordingly, women are the objects of male power and domination (Carter 2010: 359-360). That is, the universal sex/gender regime of male domination and female subordination (Okezawa-Rey 2010: 372).

To sum up, war rape functions as a psychological attack targeting Bosnian Muslim men due to its ability to inflict demasculinization and thus, humiliation on the individual man. As seen, the hierarchical and dualistic configuration of the sex/gender regime results in the construct of men as protectors of the (passive) women. The ability to protect is so closely merged with the masculine identity that a man that fails to protect fails as a man. Consequently he is deprived of his masculinity. In accordance with the gender dichotomy this positions him as the opposite to masculine, i.e. he is feminized. Further, due to the gender dualism, feminization is equated with the loss of power, control and dominance. Instead he is now understood as weak, passive and submissive. Hence, the loss of masculinity is a loss of agency; it is a devalorization that results in humiliation and shame (Bergoffen 2009: 312) and expresses subordination and defeat. Evident, the function of rape as a weapon of war, directed as a psychological attack on the Bosnian Muslim men is sanctioned by the hierarchical sex/gender dichotomy and the unequal location of (normative as well as material) power within each gender/sex category.

### **Men as the direct victims of war rape**

As previous mentioned, although the vast majority of the direct victims of war rape in BiH were women and girls, also men suffered the effects of direct sexual violence, including rape during the war (Olujić 1998: 41).

As explained in the theoretical chapter (3.2.3) rape is understood as an act of power, control and domination (Braithwaite 2006: 10, Millio 2010: 198). The construction of rape as an act of power and domination, properties connected with masculinity, is the result of the by biology produced advantage of men's accessibility to this particular weapon, which positions men in a relative power position due to women (Carter 2010: 356, 359). Also, it is a result of the normative power of masculinity, constructing the female/feminine sexuality as passive and submissive (MacKinnon 1986: 128). Hence, rape is the communication of male/masculine power and domination (Card 1996: 7).

Accordingly, the act of war rape expresses power, control and domination and in so doing it communicates the properties assigned to masculinity (Carter

2010: 359-360). In effect, the perpetrator is understood as active and as holding the power to dominate the victim. Consequently, the victim is subdued to the perpetrator. That is, the victim is subordinated, powerless and passive.

As established in the forgoing part of this section, the properties of power, control and domination are closely connected with masculinity (Carter 2010: 359-360). As further discussed, the dualistic configuration of the gender structure has established the opposites of masculinity, femininity as holding those exact properties; powerlessness, subordination and passivity. Hence, the victimization of rape is equated with femininity.

In consequence, a man victim to rape is demasculinized, and again, depending on the dualistic nature of gender, if one is not masculine one is feminine. Therefore, a man raped is feminized. This, due to the gender dichotomy and the hierarchical understanding of gender that devalues femininity in favour of masculinity, is a further manifestation of the subordination of the victimized man (Ibid: 359-360). Again, the mutually constitutive relationship between norms and social practices, and thus, actors and structures is manifested (Reus-smith 2005: 197).

Furthermore, within the Balkan societies, the understanding of male-male rape was that only a homosexual man could be a victim of rape (Olujic 1998:41). Accordingly, a raped man is understood as homosexual, which results in social stigmatization and trauma (Ibid: 41). The trauma is caused by the understanding of homosexuality as equated with being an insufficient man, i.e. a woman (Carter 2010: 360). This reflects the understanding of active masculine sexuality and the passive feminine sexuality, constructed by the normative masculinity (duToit 2010: 294, MacKinnon 1986: 128-ff). According to the subordination of femininity, previous explained, a raped man, due to the association of homosexuality with femininity, is identified as a weak and passive object. He is, as the passive and subdued object to the power of a man, he is demasculinized. So, or both those reasons, a man victim of war rape is demasculinized and humiliated as feminine (May-Schott 2011: 7).

The social trauma inflicted on men, as the direct victims of war rape is caused by the loss of masculinity. As explained, the loss of masculinity results, due to the gender dualism in feminization. Further, the hierarchical structure of gender equals femininity with passive objects. In accordance, to be the direct victim of rape targets the core of the masculine identity and deprives the targeted men of agency; power domination and control. The identity of the targeted man is lost and he is humiliated as an object to male power, i.e. as a women. Thus, the rape of men represents their direct degradation and subordination.

In summary, war rape, direct targeting men serves the same purpose of humiliation and demasculinization as the psychological attack on men in their role as protectors. The hierarchical and dualistic relation between masculinity and femininity, only recognize masculine agency equals male victims of war rape with femininity, passivity and subordination. Hence a male victim of rape is deprived of his identity and humiliated as subordinated the power of a real man.

In conclusion, within the larger goal of the disruption of the Bosnian Muslim collective, by the physical and cultural annihilation (Farwell 2004: 196)

the function of war rape as weapon targeting the Bosnian Muslim men, both in their role as protectors and as direct victims, is at play due to the ability to inflict humiliation and trauma on men, by feminization.

As shown, the function of war rape targeting the Bosnian Muslim men is a product of the same gender structure that sanctions the function of rape as a weapon targeted the Bosnian Muslim women. Due to the agency/passivity dichotomy men are constructed as the protectors of the passive women. Hence, the male identity (masculinity) is closely bounded with the ability to protect, equated with the ability to express power, control and domination. In consequence, both the direct experienced rape, and the psychological attack on the identity as protector is directed towards the core of the male identity, the agency. Consequently men are targets due to their agency, assigned to them by the masculine identity. Hence, it is the dualistic and hierarchical construct of gender, which ties femininity with passivity and masculinity with agency that sanctions the function of war rape. That is, the instrumental function of rape as a weapon is the outcome of the sex/gender regime of male domination and female subordination.

### 5.2.3 Rape as a Weapon of War; Targeting the Bosnian Muslim Collective

Within the context of the ethnic cleansing in BiH, war rape was foremost used as a weapon directed towards the Bosnian Muslim collective. The purpose was the extrusion and annihilation of the Bosnian Muslim community, by a destruction of its “*cohesion, spirit, and identity*” (Farwell 2004: 393). The intent was to bring about social, cultural and physical annihilation of the collective as a whole (Hagen & Yohani 2010: 16-17), i.e. ethnic cleansing.

As shown in the previous sections (5.2.1 & 5.2.2), this was partially achieved by targeting the individuals constituting the collective with shame and humiliation. This made them abject to their community, and damaged the social ties of the collective. However, within the ethnic nationalist context of the war in BiH war rape was also a psychological attack targeting the collective as such (Korac 2004: 249-251, Card 2002: 126).

Within ethnic nationalism, women and the female body are understood as the material, as well as ideational and cultural embodiment of the nation (Dodgett 2000: 1016). Women are, due to their position within the family structure; as child bearers and care takers, essential for the physical and cultural survival of the nation (Seifert 1996: 39, Yuval-Davis 1997: 26). Thus, they are the guardians of the distinguishing features of “us”, essential to the collective identity (Farwell 2004: 394-396). The female body marks the boundaries of the nation and constitutes the border between the in-group (us) and the out-group (them) (Seifert 1996: 39). Hence, in war the female body is transformed into a social and thus, a political body representing the nation (Olujic 1998: 39).

Within this ethnic nationalist context of the war in BiH, where women was portrayed as the “mothers of the nation”, together with the myth of “*blood and belonging*” (Yval-Davis 1997: 26); that understanding that common origin constructs the identity of a national collective (Ibid: 26-27, Korac 2004: 249-250), rape became an effective weapon.

From the understanding of a genetic determination of the ethnic identity, war rape served the purpose to prevent the physical reproduction of the Bosnian Muslim collective, by hinder the birth of Bosnian Muslim children (Hagen & Yohani 2010: 17). This since, in the Balkans, the lineage and thus, the ethnicity follows that of the father (Diken & Bagge Laustsen 2005: 115). Hence, a Bosnian Muslim woman giving birth as a consequence of being raped by a Serbian soldier would, according to the dominance of the male blood, give birth to a “Chetnik” baby (Olujic 1998: 35). Through rape and forced impregnation, institutionalized in rape camps such as Brcko, Gorazade, Foca, Luka, Osmarka, Trnopolje, Manjaca where women were held with the purpose of impregnation, the Serbian strategic was to contaminate the blood and genes of the Bosnian Muslim collective, with the dominant ethnics of the Serbian blood (Diken & Laustsen 2005: 112, Olujic 1998: 39).

This “*genetic imperialism*” (Card 1996: 7) sought to purify the Bosnian Muslim blood and produce ethnically cleansed babies; Serbian babies. The object was to change the ethnic composition of the Bosnian Muslim collective and thus, undermine and destroy its social structure. By changing the social identity of the children, the cultural solidarity and loyalties of the collective would alter, with the outcome of dissolving the Bosnian Muslim identity. Resulting in a physical as well as cultural destruction of the collective as a whole (Ibid: 5, 8, Diken & Bagge Laustsen 2005: 116).

Consequently, war rape functions a tool of ethnic cleansing and genocide, i.e. as a weapon targeting a collective by the destruction of the collective honour and lineage (Milillo 2006: 199, Snyder et al 2006: 191). That is, the meanings attached to the act of war rape in relation to a collective are humiliation and demasculinization (Carter 2010: 352, duToit 2010: 288).

In the light of the previous sections it become evident that the ethnic nationalist understanding of the nation, which underpinned the campaign of ethnic cleaning and motivated the use of war rape as a weapon targeting the Bosnian Muslim collective is profoundly gendered (Lee Koo 2002: 530).

To start with, within an ethnic nationalist context, as previous explained, women are understood solely as “mothers of the nation” and thus, as the embodiment of the nation, i.e. the symbols of the nation (Yval-Davis 1997: 26, Seifert 1996: 39). Implicit, in combination with the previous explained understanding that the ethnicity of the father, due to the stronger blood of males alone determinates the ethnic belonging of the children. Women’s primarily function is as incubators, on the behalf of the nation. This clearly mirrors the social norm of women as primary wives and mothers, i.e. as the properties of men (Hagen & Yohani 2010: 17, Olujic 1998: 34).

In further accordance, the main function of women is as incubators for the nation, with the primary duty of reproducing the nation, i.e. the male genes that

constitutes the nation (Farwell 2004: 394) reflects the socialization of men's, i.e. the nation's entitlement to the female body. Clearly demonstrated, within ethnic nationalism, the female body is constructed as collective property (Hagen & Yohani 2010: 19, Farwell 2004: 395). This mirrors the sex/gender regime of male dominance and female subordination that is at play on the individual level. Hence, women are understood as the embodiment of the nation, due to the gender construct of femininity as passive, with the consequence of women as inherently weak, passive objects, i.e. as incubators of the nation.

As discussed in previous sections (5.2.1 & 5.2.2), femininity is constructed as weak and passive due to its "otherness" in relation to the normative masculinity, recognized as an active subject in possession of the agency, expressed as power, dominance and control. The understanding of women as incubators of the nation further manifests that agency solely is given to masculinity within ethnic nationalism. The dominance attributed to male genes; it is only male genes that can reproduce the nation (Olujic 1998: 35, Diken & Bagge Laustsen 2005: 115, Farwell 2004: 394) demonstrates that consolidation of masculinity and thus men, with the nation.

Hence, the understanding of women as weak passive objects and men as active subjects in possession of power is within ethnic nationalism transferred to the collective (duToit 2010: 288). The nation is masculine. In consequence the collective's expression of the masculine properties, power, domination and control is vital for the maintenance of the collective survival.

The result of this gendered understanding of the nation, attaching the agency of the nation solely to the men, has two significant implications for the function of rape as weapon of war targeting the collective.

First, the hierarchical and dualistic gender structure attributing agency solely to masculinity has, due to the close connection between the masculine gender and the male sex, resulted in the socialization of men as the protectors of their passive property, i.e. women (Carter 2010: 352). In coincidence with the understanding of the nation as inherently masculine, the masculine collective (the men) is the protectors, in the context of ethnic conflict, the warriors of the nation (Henry 2004: 544). Thus the core of the collective masculine identity is connected to the ability to protect the nation; the protection of its lineage, culture and soil, manifested by women (Olujic 1998: 39). The result is the collective interest of controlling and protecting the female sexuality, in order to "*maintain a pure lineage and [a] pure ethnic-cultural identity*" (Farwell 2004: 395).

The other consequence is an outcome of the connection between passivity and femininity. As mentioned just above, it is the understanding of women as the (passive) symbols of the nation; "*as our women are, so also is our community*" (Zalihic-Kaurin 1994: 171). In consequence, the collective (male) honour is situated within the female body; women's honour reflects that of men's, which in turn reflects that of the nation" (Olujic 1998: 38).

Consequently, war rape, however targeting the individual women also constitutes both a physical and a psychological attack on the ethnic national collective to which she belongs. The physical attack is at work due to the normative devalorization following the categorization of femininity as a weak and

passive object. The connection between the feminine gender and the female sex has resulted in the understanding of women as only functions as incubators of male genes (Diken & Bagge Laustsen 2005: 115). As a result, the act of war rape holds the power, that by impregnation change the ethnic composition of the collective and thus bring about physical annihilation.

Secondly, war rape functions as a psychological attack upon the national collective by targeting the core identity of the nation. This is at play at two interchangeable levels. As shown, the collective national identity is recognized as inherently masculine, assign agency only to the national males, as warriors, while women are understood as the passive embodiment of the nation.

Consequently, the act of war rape, targeting the collective's women manifests the rape of the nation (Hagen & Yohani 2010: 19). As discussed in previous section (5.2.2) rape expresses of power, domination and control with the reverse impact on the victim; passivation and subordination. Hence, rape is a manifestation of masculinity (Carter 2010: 359-360) that due to the gender dichotomy generates feminization of the victim. This reinforces and further manifests the passivity and subordination of the victim.

In consequence the "raped" nation is demasculinized and again, due to the hierarchical and dualistic construct of gender, where feminization is equated with powerlessness and domination, hence a raped nation is a defeated nation.

Further, as previous outlined, due to the agency assigned to masculinity, men are understood as forming the nation and its agency. As a result, the collective is understood as masculine, and men are socialized as its protectors, i.e. warriors of the nation. Therefore, war rapes targeting women is a demonstration of the masculine collective's failure to protect its blood, lineage and thus, the nation as a whole (Olujic 1998: 39). This manifests the collective's failure as warriors and protectors, and displays the demasculinization of the Bosnian Muslim nation. Since demasculinization, due to the gender dichotomy is equal with feminization that in turn, owing to the asymmetrical power distribution between the genders is equated with subordination (Squires 2008: 99, Tickner 2001: 15).

As a result, the Bosnian Muslim collective is portrait as impotent, that is, as weak and feminine, which consolidates and reaffirms the masculinity; power domination and control of the conquering Serbian nation, penetrates the Bosnian Muslim nation. This determinates the power relation between the collectives, in favour of the Serbs. That is, war rape transfers identities between actors, which demonstrate how identities are relational as well as situated. Thus, identities are socially constructed (Farwell 2004: 397, Squires 2008: 60-61).

In summary, the function of war rape, psychologically targeting the Bosnian Muslim collective, was made effective by the gendered understanding of the ethnic nation. The Bosnian Muslim women were the direct targets of rape due to their position as "mothers of the nation"; the embodiment of the nation, reflecting the passive understanding of femininity produced by the gender dichotomy. Furthermore the psychological defeat of the nation caused by war rape is a result of the loss of the masculine agency, assigned to the nation by its consolidation with the active male agency. The failure to protect the (passive)

nation, i.e. the women from rape results in the collective demasculinization. Hence the feminization of the Bosnian Muslim collective expressed its subordination and thus, defeat. The Bosnian Muslim collective become the passive object to Serbian power and domination, communicated by the demonstration of masculinity versus femininity.

Thus, the function of rape as weapon of war, targeting the Bosnian Muslim collective, was the consequence of the hierarchical gender dichotomy and the established a sex/gender regime of male domination and female subordination.

### 5.3 Summary

At first, the war rapes committed within the context of the ethnic cleansing in BiH, targeting the Bosnian Muslim women (and men) where parts of the larger goal to extinguish the Bosnian Muslim collective as a whole (Hagan & Yohani 2010: 17). Above the direct bodily trauma inflicted on the individuals, the overall aim was to inflict humiliation and shame on the individuals, as well as the collective, as a mode to break the social ties of the collective and bring about physical, cultural and social annihilation. The war rapes were foremost intended as an attack upon the Bosnian Muslim social and political body, as a symbolic conquest of the nation (Olujic 1998: 44).

The analysis shows that war rape functions as a weapon due to its infliction of shame and humiliation on individuals, as well as on the collective which they belong to. The reason why these feelings are so closely connected with the act of rape is the result of normative function of the gender identities on the behaviour of men respectively women. The attack constituted by the act of war rape targets the very core of both masculinity and femininity. However, this means that *women* are the *direct* victims of war rape due to the construction of the feminine identity as a passive object and to the agency attributed to masculinity and men. First, women are targeted because of their (passive) value as mothers and wives for men/nation, and the following importance of female purity. Secondly, they are targeted due to the gendered socialization of men as the (active) protectors of women/nation. The close connection of masculinity and men with the ability to protect and the passivity assigned to women to women, results in the importance of men as the protectors of the female sexual purity, both on the individual and collective level. The failure will result in demasculinization, and thus subordination and defeat.

Accordingly, war rape is a material manifestation of the normative gender dichotomy and the asymmetrical power relation between the genders. In effect war rape has its roots in the hierarchical sex/gender regime that manifests the power and domination of men and the subordination of women.

# 6 Conclusions

## 6.1 Conclusions

To start with, the research question directing this thesis was formulated as follows; *what normative structure is reflected in the meanings attached to the act of war rape?* According to the analysis, it seems that the meanings communicated by the act of war rape are those of shame, humiliation and demasculinization, targeting both individuals and collectives. The result shows that the above-mentioned meanings are dependent on the gender identities, regulating the normative behavior of men respectively women.

The hierarchical gender dualism defines masculinity as the norm, as in possession of agency, associated with the properties of power, domination and control. The result is the sex/gender regime of male domination and female subordination where women are identified as “the other”, as the opposite to masculinity, i.e. as weak, passive and as objects. Thus, femininity is equated with victimization, and vice versa, which has resulted in the devalorization of femininity and women.

Hence, the normative gender structure has major material impacts. Both men and women are targets of war rape, paradoxically both due to their gender identity. Women are targeted due to their femininity, i.e. the destruction of her sexual purity. Men on the other hand are targeted due to their masculine agency, in the loss of their role as protectors, or by the direct feminization by rape. The feminization following rape, or the forfeiture of the masculine identity due to the failure as a protector, expresses the subordination and thus defeat of the targeted men. The same is true for the collective. Within the ethnic-nationalist context women are understood as passive symbols of the nation and men as the protectors of the nation, reflecting the gender dichotomy. In consequence, the rapes of women are the symbolic feminization of the nation, due to the inability of the (male) nation to protect the symbolic nation (women). That is, the nation is subordinated and defeated.

In consequence, what endorses the function of war rape is the hierarchical gender dichotomy, manifesting the sex/gender regime of male domination and female subordination. Hence, it is the in peacetime established sex/gender regime that sanctions the function and thus, the use of rape as a weapon of war.

## 6.2 Reflections

Lastly, the ambition of this thesis was to provide a hypothesis for further research on the function of war rape by the identification of the social structure that sanctions its utility as a weapon. However, although the results suggest a hypothesis identifying the normative gender structure as the condition endorsing the function of war rape, this is a first preliminary construct.

Due to the limited scope of this thesis and the multitude of variables interacting within the context of war, it is difficult to establish the hierarchical and dualistic gender structure as the *only* necessary condition, or a sufficient condition, for the function of war rape. For example, the material indicates that gender structure interact with other factors, such as social fragmentation, in its function as a weapon. However, I argue that the results show that it is *one* necessary condition, which motivates for further research on the subject.

Consequently, despite the fact that the research has not established the gender hierarchy as the only condition sanctioning war rape, it puts focus on the importance of the peacetime established sex/gender regime for the function and as a result, the use of rape as a weapon of war.

Thus, the recognition of the structural power and major material consequences of the universal, hierarchical gender dichotomy is vital for understanding and combating war rape. As long as the asymmetrical relation between the genders is at play, rape will be an act of power, control and domination, and function as a weapon.

Regarding further research, war rape is a subject still in need of theoretical development and research. Firstly, rape is clearly used as a weapon, targeting women, men, children and collectives, holding the power to bring about social collapse. It is a weapon with far-reaching and genocidal effects and therefore it must be recognized as a subject central to security studies.

During the working process of this thesis, some particularly interesting topics for further research have been learned. The first topic regards the judicial categorization of war rape as a crime against humanity, on account of the violation of the individual's right to sexual self-determination (du Toit 2009: 286). This definition opens up for a discussion on civil rapes; if rape committed in war is a crime against humanity due to its violation of individual sexual integrity, what then differs war rape from civil rape? On this legal basis civil rape should be recognized as a crime against humanity.

Secondly, the question is whether the future judicial and political conceptualizations of war rape shall be sex/gender neutral or if there is a need to recognize the gendered nature of the phenomenon. The implications are complex. The sex/gender neutral understanding of war rape advocates the conceptualization of war rape as torture. However this has shown itself insufficient. Torture requires proof of bodily harm and does not acknowledge the psychological intrusion of rape. On the other hand, a sex/gender differentiation runs the risk of promoting and reaffirming the very same gender structure that sanctions the function of rape as a weapon.

Lastly, war rape is an integral part of today's warfare and is to be recognized as such within the research of peace and conflict and security studies. However, it is equally important to recognize war rape as reflecting a sociopolitical problem with roots in the peacetime structure of gender.

## 7 Executive Summary

Today, frequent reports of war rape come from almost every civil armed conflict in the world, spanning over four continents and more than hundred countries. Almost all are intrastate wars, with the target no longer of enemy military units but the civilian population.

Within this ferocious context of the “*new wars*”, horrific atrocities have targeted the civilian population in large numbers; including the systematic and widespread use of mass rape. Bosnia-Herzegovina, Rwanda and the ongoing conflict in the Democratic Republic of Congo with more than half a million victims of rape and still counting are just a few examples. The long time neglected topic of wartime rape, usually dismissed as “spoils of war” has shown itself to be an integral part of today’s warfare. To understand the dynamics of war, the issue of war rape needs to be highlighted.

The scale and brutality of the institutionalized mass rapes in BiH and Rwanda, with estimated 20,000 to 50,000 respective 250,000 to 500,000 victims of war rape, were parts of official genocidal campaigns impossible to ignore. The phenomenon of wartime rape now achieved widespread public attention.

The visibility following the atrocities of the 1990’s attained major political, judicial and academic concern. The ICC, ICTY, ICTR and the UN, all categorized war rape as a war crime, a crime against humanity, and as an act of genocide. Thus, war rape was recognized as a weapon of war.

In conformity with this conceptualization of rape as a weapon of war, its legal status as grave violation of international law, and foremost its integral role in today’s wars, targeting and destruct individuals, societies and states, it is of absolute importance to address the significant problem of war rape. However, it has been neglected and absent in discussions of wars and conflicts within traditional security studies, when it rather shall be considered in central of the field, calling for further research.

Consequently the issue still lacks adequate focus and concern, which sanction the ongoing use. Previous research has, much due to the neglected position of the topic, primarily been concerned with establish its importance; demonstrate the widespread existence and the systematic use of rape as a weapon of war. Consequently the next, and crucial step is to focus on *why*, rather than if and how rape is effective and thus in use as a weapon of war. Hence the focus of this thesis is to understand the function of war rape.

Accordingly, the overall purpose of this thesis is to contribute in developing a more comprehensive understanding of the phenomenon of war rape by focus on the meanings attributed to the act of war rape, promoting its function. More specific, the objective is **to identify the social structure that sanction and promotes the action of war rape by identify the meanings attached to the act.**

The research question chosen for this purpose is as follows; **what structure is giving the act of rape its meanings and thus sanctions its function as a weapon of war?**

For a proper understanding of the subject, this thesis requires to be positioning within the current scientific context, here performed as research review. The review focuses on the major theoretical debates and current developments within the field. The literature shows that it mainly is feminist scholars that have recognized to subject, and mainly discussed it in relation to nationalism or different feminist approaches. The major shift in the debate is from the understanding of wartime rape as “spoils of war”, originated in male biology and the abnormal situation of war, towards the understanding of rape as social expression of domination, and instrumentally used as weapon of war.

The theoretical framework for this thesis is constituted by social constructivism and critical feminism. This combination of theories is done with advantage. Critical feminism is founded on social constructivism and its ontological and epistemological position; focusing on normative structures and the construct of identities and interest as directors of actions. However, the particular focus of critical feminism is on gender. Further, another important concept for the analysis is that of power. Both theories stress the normative function of power as embedded in all social structures and expresses in all interaction constituting the social body.

Thus, the analysis rests upon the theoretical assumption that human actions, by the intermediate constructs of identity and interest, are determined by normative structures and thus, reflects the meanings attached to them by the particular power structure they are embedded within.

Due to the nature of the research question, and the theoretical choices made, the method used for this thesis is a qualitative case study. The empirical focus is upon the case of Bosnia-Herzegovina and the Serbian use of rape as weapon within the context of ethnic cleansing (1992-1995). This particular case is strategically chosen on the dependent variable; the occurrence of war rape. Further, the particular case of Bosnia-Herzegovina is chosen due to its crucial importance for the field of research, as war rapes here committed is legally, political and academically defined as used as a weapon of war. Resulting in a new awareness of the topic and thus there is adequate material available, needed for a close inquiry.

In accordance with the qualitative nature of this thesis and the following need of a comprehensive understanding of the examined phenomenon, together with the fact that several high qualitative single case studies have been completed on the selected case, the analysis will be performed as a qualitative text analysis. Thus, the data collected is foremost secondary material, books and academic articles that discuss the phenomenon of war rape, including empirical case studies, mainly focusing on the case of Bosnia-Herzegovina as well as papers with more philosophical approaches.

The analysis is performed as an interpretation and analysis of already expressed understandings of the phenomenon of war rape. The analysis is openly structured since pre-determined categorizations might lead to a loss in content by

overlooking the complexities of the social world. However the answers produced is constrained by the focus on the normative structure of gender.

The result shows that the meanings attached to the act of war rape are dependent on the gender identities, regulating the normative behavior of men respectively women. The hierarchical gender dualism that defines masculinity as the norm and as in possession of agency, associated with the properties of power, domination and control also identifies women as weak, passive and as objects, due to their “otherness” in relation to the normative masculinity.

The result is a sex/gender regime of male domination and female subordination. Femininity is identified as victimization, and vice versa, which has resulted in the devalorization of femininity and women. Hence, the normative gender structure has major material impacts; the targeting of men and women of war rape are paradoxically both due to their gender identity. Women are targeted due to their femininity, i.e. the destruction of her sexual purity. Men on the other hand are targeted due to their masculine agency, the loss of their role as protectors, or by the direct feminization by rape. The feminization following rape, or the forfeiture of the masculine identity due to the failure as a protector, expresses the subordination and thus defeat of the targeted men. The same is true for the collective. Within the ethnic-nationalist context women are understood as passive symbols of the nation and men as the protectors of the nation, reflecting the gender dichotomy. In consequence, the rapes of women are the symbolic feminization of the nation, due to the inability of the (male) nation to protect the symbolic nation (women). That is, the nation is subordinated and defeated. In consequence, what endorses the function of war rape is the hierarchical gender dichotomy, manifesting the sex/gender regime of male domination and female subordination.

Lastly, the ambition of this thesis was to provide a hypothesis for further research on the function of war rape by the identification of the social structure that sanctions its utility as a weapon. Due to the limited scope of the thesis and the multitude of variables interacting within the context of war, it is difficult to establish the hierarchical and dualistic gender structure as the *only* necessary condition for the function of war rape. However, I argue that the results show that it is *one* necessary condition, which motivates for further research on the subject. Also, the result suggest a hypothesis identifying the normative gender structure as the condition endorsing the function of war rape, as a first preliminary construct for further research.

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