

INTRODUCTION

Why did you pick up this book?

Were you intrigued by its provocative title? Did a friend or colleague recommend it? Are you simply curious about the topic, about which you know little?

Whatever your reason, the more of this book you read, the more you will be tempted to deny the information it contains, or its relevance to you.

If you are a woman, you may wince at the descriptions of violence done to other women, but distance yourself by concluding such things happen only in less fortunate places, to far less fortunate women. If you are a man, you may question the statistics, assuming they are inflated, and conclude that any book on rape is probably a feminist tirade.

Alternatively, you may accept the validity of the data, but put the book aside because you feel frustrated and powerless. Why read about horrible actions that you can do nothing to stop? What good does it do? Why upset yourself?

These reactions are natural and typical of how most people respond to new knowledge about the suffering of others. They are typical — and they are also one of the most powerful reasons why such suffering continues.

There is another, more helpful and satisfying way to respond to the distressing information in the pages that follow. Read with an open mind; be prepared to change your view if the information is credible and convincing; allow yourself to feel empathy for the

victims of violence, to feel the distress and anger that can lead to action.

Understanding and action are the goals of AWARE, Association of Women for Action and Research, the Singapore-based organization which conceptualized and sponsored this volume. The book aims to give the lay reader accurate information on a complex, emotion-laden topic as well as the understanding and motivation to take action — actions like those described in the final chapter.

The idea for the book sprang from the hearts and minds of a small group of women active in the work of AWARE as they watched stories of sexual assault unfold in Bosnia, Rwanda, and then very close to home, in post-Suharto Indonesia. They first mounted a public information campaign, including an exhibition on mass rape as a weapon of terror. The crowds which visited the exhibition were clear evidence of the tremendous interest in the topic. Equally clear was the need for a more permanent and complete discussion of the issue — thus, the idea for a book was borne.

Stripped to its statistical skeleton, the story is both clear and ugly. A few examples:

- World War II documents, the best recorded evidence of wartime rape, reveal assaults numbering at least several hundred thousand, perhaps as many as two million: Thousands in the villages of Russia and Poland, as the Germans invaded early in the war; thousands more when the Soviets got the upper hand and took revenge on the bodies of German women. In the final two weeks of the war, an estimated 100,000¹ German women were raped in Berlin, by victorious Russian and other Allied troops. In Asia, figures are more exact: at least 20,000 in the Chinese wartime capital of Nanking when the Japanese invaded China; at least 80,000 — perhaps over 100,000² — Korean, Indonesian, Filipino and Chinese women repeatedly raped during their months as sex slaves of the Japanese soldiers.
- In the decades that followed World War II, the international community paid little attention to, and therefore did little to

document, rape during armed conflict though we know a significant number of assaults occurred in areas such as the Congo, Peru, El Salvador, Cambodia and Vietnam.³ It is only in 1972 that we have clear evidence of a reign of terror-by-rape rivaling World War II atrocities. When Bengal (officially East Pakistan) declared itself the independent state of Bangladesh, West Pakistani troops quickly moved in to quell the rebellion, and to terrorize the population of 75 million by carrying out widespread rape and murder. During the nine-month war that followed, 200,000⁴ Bengali women (a conservative estimate) were raped in their homes, on the streets, and in military barracks where many were kept as prisoners for the nightly use of the men. At least 25,000 pregnancies⁵ resulted from the assaults. Asked why mass rape had been used systematically in Bangladesh, a Bengali politician responded “Put a gun in (soldiers’) hands and tell them to go out and frighten the wits out of a population and what will be the first thing that leaps to their mind?”⁶

- During the last decade, rape as a weapon of terror has been documented by news media and international aid organizations in countries including Afghanistan, Kuwait, Algeria, Indonesia, Somalia, Haiti, Kashmir, and Sierra Leone. In the most notorious incidents, more than 20,000 women and girls were raped between 1992 and 1994 as part of the so-called “ethnic cleansing” in the Balkans. An estimated 200,000 to 400,000 women were raped in Rwanda during the genocidal 1994 war that killed between 500,000 and one million people.

What is the character of these rapes? Is rape during armed conflict different from that which occurs under normal conditions?

Some may argue that wartime rape is an inevitable outcome of combat, an outlet for men separated from normal female companionship and subjected to deprivation and danger. The evidence does not support that view. Even some military commanders, speaking off the record, acknowledge that the presence of women — for example, in semi-official brothels — does not affect sexual

assaults on “enemy” women. “Rape has nothing to do with the availability of willing women and prostitutes,” acknowledged one member of the US military hierarchy.⁷

More importantly, the circumstances of the rapes themselves argue against rape as an outlet for sexual frustration, to be explained with a shrug and a shake of the head since “men will be men”. Most rapes are extremely cruel, often marked by sexual mutilation and even death. Rape during times of conflict is “... the expression of rage, violence and dominance over a woman.”⁸ It is “... virtually always about power and contempt. Virtually always the effect...is humiliation, degradation, subordination, and severe physical or psychological injury...”.⁹

Civilian targets of war

In fact, the world today is a far more dangerous place for all civilians than ever before as “more and more of the world is being sucked into a desolate moral vacuum in which civilians rather than soldiers are the main targets in war”.¹⁰

No longer are the main terrors “the big wars”, those of major powers setting their nuclear arsenals against one another. Nor are they the wars waged on clearly defined battlefields between trained armies of soldiers. They are more often wars of ideology, fought by militias, roving bands of angry tribes, child soldiers, former neighbours out to right perceived ethnic wrongs. Just one telling statistic: In World War II, one of every two casualties was a civilian; in the last 50 years, it is estimated that armed conflicts kill nine civilians for every one combatant.¹¹

These civilians are both men and women, adults and children, of all races, religions, ethnic groups and social status. But when it comes to sexual assaults, the overwhelming majority of victims are female.

“...the same atrocities which happen to the civilian male happen to the civilian female: both men and women are shot, burned, bayoneted, hung, beaten, bombed, tortured, forced into slave labour.”

However, women face additional atrocities since "...females are sexually assaulted with alarming regularity...

"Throughout the history of war, while male civilians are killed, female civilians typically are raped, then killed. In torturous interrogations, males are savagely beaten. Females are savagely beaten and raped. Conclusively, all civilians are not treated similarly, although the law groups them into one general category. This law that applies to all civilians has tended not to recognize the sexual abuses routinely committed against over half of the civilian population — the women."¹²

Law is based on custom and precedent and, from earliest times, rape has been seen as an inevitable and even sanctioned behaviour during armed conflicts. Virtually all early civilizations viewed women as chattel, property owned by men just like cattle and grain, and therefore just as vulnerable to being "taken" by the victor.

Even as states became more civilized, with codes and laws developed to mitigate the horrors of war, rape was seldom punished as a crime. More often than not, soldiers on the winning side felt they were "owed" the women of the conquered nation, partly as booty, partly as a final symbolic expression of their victory and their enemy's humiliation.

In the modern world, rape has become more malignant, used as a stated strategy for terrorizing an entire civilian population, either to subjugate them to the will of the attackers as in World War II; or to physically displace or annihilate them as a people, as in Bosnia and Rwanda. It has become a way of destroying a nation or group both physically (many brutally raped women can no longer bear children) and culturally since women play a central role in family and community structures. Breaking down the women is a very effective method for breaking down the community.

Why are these horrors allowed to happen, often with impunity? Why don't other nations intervene when hundreds and thousands of women are assaulted as they have been as recently as the last decade, as they are right now?

Rape in the eyes of the law

Subsequent chapters will attempt to provide some responses to these questions. Part of the answer, though, lies in the way rape has been viewed by the law. Because armed conflicts throughout the ages have had such a horrific impact on societies, nations have developed agreements over time to limit the destruction: to determine how wars could be fairly fought and how noncombatants should be treated. (Such codes of behaviour, for example, date from as early as the classic *Art of War* written by Chinese warrior Sun Tzu in 700 BC and are even more fully developed in the Hindu Code of Manu from 500 BC.)

Today the body of law governing armed conflict — based largely on treaties and custom — is labeled “international humanitarian law” or the “law of war”. Acts committed during armed conflict or “war crimes” are violations of the law of war that warrant prosecution of individuals.

Such laws have tended to look at rape as a crime against honour. In earlier centuries it was the woman’s father, husband or guardian who was “dishonoured” most by a rape since she, his property, had lost significant value. In more recent times, rape is seen as dishonouring the woman and her family.

Even the Geneva Conventions of 1949, an agreement forged out of the horrors of World War II and a major source of modern humanitarian law, reflects this point of view. It includes rape among those acts which constitute an attack on a woman’s honour, but fails to mention rape in its discussion of a person’s right to physical integrity.

This is a dangerous line of reasoning. “The pitfalls in linking rape and honour are many. First, reality and the woman’s true injury are sacrificed...violations of honour and modesty are wholly inadequate concepts to express the suffering of women raped during war... Second, by presenting honour as the interest to be protected, the injury is defined from...(the community’s) viewpoint,” thus promoting...the notion that the raped woman is soiled or disgraced...

Third, on the scale of wartime violence, rape as a mere injury to honour or reputation appears less worthy of prosecution than injuries to the person. The failure to recognize the violent nature of rape is one reason that it has been assigned a secondary status in IHL” (international humanitarian law).¹³

In addition, neither the Geneva Convention, nor its additional protocol of 1977, define rape as one of a specific set of war crimes that it labels “grave breaches”. This is important because if an action is defined as a grave breach, a nation is required to prosecute persons responsible or hand them over to a nation which will do so.

Only recently, in the 1993 charter of the UN tribunal for the former Yugoslavia, was rape finally defined as a so-called “crime against humanity”, that is, one of a number of very serious inhumane acts committed as part of a systematic attack against a civilian population. This category of crimes was established by the World War II Nuremberg Tribunal, in the wake of Nazi horrors. So egregious are these crimes that most nations accept a responsibility to intervene, even if a government is taking such actions against its own citizens. (This is a direct contradiction of earlier international law which essentially held that a nation was entitled to treat its own citizens as it chose.)

And, finally, laws or no laws, rape continues because “Soldiers have not feared punishment for sexual violence toward a part of the civilian population that, even in times of peace, held an unequal or diminished status vis à vis men.”¹⁴

As a result of many historical, social and legal conditions, wartime rape has been consistently misunderstood, mislabeled, downplayed, or outright ignored. That is beginning to change: for example, the United Nations Tribunals for the former Yugoslavia and Rwanda are breaking new ground in their prosecution of mass rapes. But the process is painfully slow...and often woefully misunderstood.

The chapters that follow attempt to speed up the process of understanding rape used as a weapon of terror — whether as part of a declared war between nations, an internal battle between political or ethnic groups, or a government’s actions against its own

citizens. Chapter 1 looks at the historical underpinnings of the problem. Chapters 2, 3 and 4 review the sad record of rape during the last decade, first in the Americas, Europe and Africa, then in Asia — a special focus of this book. The final chapter provides a summary of key issues and examines the current state of legal and political efforts to stop sexual violence. It also provides practical steps that you as an individual can take to promote understanding and action, to help bring justice to the thousands of women who have been sexually assaulted as part of armed conflicts.

A final thought: Rape is just one of the many terrible ways in which we human beings abuse one another. You need not be female or a feminist to deplore this particular violation of body and spirit. You only need to be a believer in that most basic of human rights, the right of every person to control the integrity and privacy of his or her own body.

Notes

¹Hilkka Pietila and Jeanne Vickers, *Making Women Matter; The Role of the United Nations* (1994), p. 146, as cited by Kelly Dawn Askin in *War Crimes Against Women* (1997), p. 52.

²George Hicks, *The Comfort Women* (1995), p. xix.

³According to veteran war reporter Peter Arnett, who covered the Vietnam War, the Vietcong and North Vietnamese seldom committed rape. It was a serious crime, punishable by military execution. Reasons he cited included the Vietcong's dedication to what they saw as a revolutionary mission and the fact that Vietcong women fought as equals in military operations. Author Susan Brownmiller who quotes Arnett in her 1975 classic on rape, *Against Our Will: Men, Women and Rape*, pp. 90–91, goes on to say: "The concept that a revolutionary guerrilla army of peasants does not rape was laid down with simple eloquence in 1928 by the great Chinese general Chu Teh, whose motto was 'Take not even a needle or thread from the people.' His rules included a clear directive: 'never molest women.'"

⁴Brownmiller, pp. 79–80.

⁵Brownmiller, p. 84.

⁶Brownmiller, p. 85.

⁷Brownmiller, p. 76.

⁸Ruth Seifert, "War and Rape: A Preliminary Analysis", p. 55, in *Mass Rape: The War Against Women in Bosnia-Herzegovina*, edited by Alexandra Stiglmayer (1994).

⁹Askin, p. 16. In fact, most feminists would argue that rape, inside or outside of war, is an act of violence, not lust, and results from society's view of women. For example, Catherine Morrison argues that "rape is the ultimate extension of our culture's normal tendency to regard women as inferior to men, as related to men in a useful or objective way, as servants, as possessions, or as badges of honour". Arguments such as these are beyond the purview of this book, but interested readers can find further discussion in Brownmiller's book and Seifert's article, cited above, and in "A Cultural Perspective on Rape", by Catherine Morrison, in the *Rape Crisis Handbook* (1980), pp. 3–16.

¹⁰*Impact of Armed Conflict on Children*, p. 1, Report of Graca Michel, Expert of the Secretary-General of the United Nations, UNICEF, 1995.

¹¹Roy Gutman and David Rieff, *Crimes of War: What the Public Should Know* (1999), p. 10.

¹²Askin, pp. 12–13.

¹³Catherine N. Niarchos, *Women, War and Rape: Challenges Facing the International Tribunal for the Former Yugoslavia*, pp. 674–675, Human Rights Quarterly, Vol. 17, No. 4, November 1995, The Johns Hopkins University Press.

¹⁴"Violence Against Women", p. 5, in *World Report 1999*, Human Rights Watch.