

## Rape Warfare: Continuum of Medieval Barbaric Traditions

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### Abstract

It is an attempt to look into the ‘crime’ sponsored by the state in an organized fashion against ‘women’. The Internal “Judicial System” tells about successes and failures of the International Criminal Court/Tribunals in prosecuting international culprits. The world is witness of the ‘organized crime’ against women since historical period.

It seems, perhaps, since historical period, it was right of the winning army to engage in ‘such’ violence to boost the morale of the army and also to demoralize the enemy male folk. In recent past, during the Iraq war, soldiers of the US Army were involved in tarnishing identity of a teen age girl. There is continuum in the trend which was institutionalized by Hitler in Germany and Japan in South-Eastern countries during WWII. The traces of crime-marks are available in so called modern civilizations, when countries are involved in International and or non-international conflicts in Bosnia-Herzegovina, and Rwanda and even in conflict with in the nation for example ‘Nigerian Islamic Terrorist Group’ kidnapped hundreds school girls in the name of Islam. The Geneva Conventions of 1949 and Additional Protocols are not adopted by the nations to stop involvement of their soldiers in such heinous crime.

**KEYWORDS:** Federal Rape, Genocide, Forced-pregnancies, Comfort-women, Military-brothel, Chetnik, Hutus, Tutsis.

### INTRODUCTION

1. This paper is an attempt to look into the ‘crime’ sponsored by the state in an organized fashion against ‘women’ and thereafter “Justice” giving examples of the successes and failures of the International Criminal Court/Tribunals in prosecuting those who commit acts of sexual and gender violence. The world is witness of the ‘organized crime’ against women since historical period. It seems, perhaps, it was right of the winning army to engage in ‘such’ violence to boost the morale of the army and also to demoralize the enemy male folk. In recent past, during the Iraq war, soldiers of the US Army were involved in tarnishing identity of a teen age girl by gang rape and there after mutilated her body to wash off important evidence and also killing her sister and father. There is continuum in the trend which was institutionalized by Hitler in Germany and Japan in South-Eastern countries during WWII. The traces of crime-marks are available in so called modern civilizations, when countries are involved in International and or non-international conflicts and even in conflict with in the nation for example ‘Nigerian Islamic Terrorist Group’ kidnapped more than three hundred school girls in the name of Islam. The Geneva Conventions of 1949 and Additional Protocols are not adopted by the nations to stop involvement of their soldiers in such heinous crime.

## RAPE WARFARE

2. The atrocity, outside the town of Mahmudiya in Iraq, was conceived, planned and conducted by five US soldiers in which fifteen years old girl was gang raped and to destroy evidence her head was smashed and her lower body was set on fire. Her younger sister and her father were also brutally murdered by them. It happened in March-April of 2006. The US authorities took up this case seriously and US Army Investigator recommended “Court of Marshal on charges that could lead to death penalty for each of them” with a charge “of Federal Rape and Murder”. There are also examples of ‘massive scale sexual violence’ against twenty thousand women during conflict in Bosnia-Herzegovina in April 1992; and in Rwanda, ‘rape was the rule’ of integral part of the genocide in April-May of 1994. As per an estimate “the genocide-raiders raped 250,000 to 500,000 women and girls in less than one hundred days” and same was also evident from the ‘number of forced pregnancies’.

3. In general culprits are rebel forces but unfortunately, such act of violence are also committed by the people who are put to protect citizens, including soldiers and workers and even ‘women workers’ have experienced the same pain. The location of international and or non-international conflict may change from west to east or north to south of the Globe – Bosnia-Herzegovina, Rwanda, Iraq, ect. - But the experience of what women and girls suffer are same. Their ‘narration’ of the crime tell of fear and unbearable pain and as well as strength, courage and hope to fight against atrocities and to take culprits to the court.



4. The devastation that armed conflict on given country and its people cannot be described. Infrastructure is devastated and it may take decades to rebuild, economic resources are destroyed and scarce, and families are shattered as they are busy in giving last right to dead and care for wounded. And, there is no word about what happened to a particular family member and the surviving are haunted with questions to which they have ‘no answer’. “It is very important to understand the conditions and difficulties of women’s lives” during armed conflict, and “women are affected more during a country’s upheaval” particularly after death of a husband, son or father. During armed conflict and even after that, large number of women and children are forced to run away their country becoming refugees or become internally displaced person.

5. The nature of the battlefield has changed: conflict is no longer conducted in remote battlefield between state recognized armies, but is fought in our home, our schools, our religious places, our hotels, our communities and more and more on

women's bodies. Particularly women's body because, in many societies, "women are viewed as the fabric of the community and are held to be the only keepers of cultural values with great importance placed on their sexual purity in particular. Hence, it seems, during the armed conflicts, sexual violence against women has been used as weapon of war, not just tarnish the women but to humiliate and demoralize the malefolk of other side and also to erode the social and moral fabric of entire communities across generations. Here, in this paper, sexual violence committed against women will be examined and it is found that International Law of Conflict, the Geneva Conventions and Additional protocols are grossly crushed by military leaders and deliberately ignored. Even in the 21<sup>st</sup> century, women are still innocent victim in the war zone - internal Conflict or External aggression. Rape has been a strategically conceived part of war and despite of survivors statements and witnesses' testimony, "it remains one of the most underreported crime in all civilizations, and it one of the least punished in the aftermath of war as well." Unfortunately rapes are considered an inevitable byproduct of any conflict with the objectionable but accepted saying "boys will be boys". During WWII Germans played a serious and logical role in achieving their ultimate objective by humiliating and destruction of Jews and establishing their own master race with Aryan Supremacy. Most unfortunate part of such concentration camp was that Jews women and girls were also raped by their own man. In the South Eastern Countries, Japan abducted about 200,000 women as 'comfort women' and girls for forced prostitution in 'military brothels' and were forced to service roughly twenty or thirty or even more soldiers per day with maximum efficiency without their choice and also maintained 'forced marriages' by allotting one sex slave to one soldier. Throughout the history of warfare, during armed conflict, no matter where the location, rape in warfare is not bound by the definition of wars are 'Just' or 'Unjust' and it prospered in warfare irrespective of nationality or geographic location or culture or civilizations.

6. Rape is strategically planned and executed "as one of the means of humiliating enemy and destroying family and community life. Mass rape, as planned in Bosnia-Herzegovina, Rwanda and even isolated case in Iraq, served as a political weapon, which may change balance between ethnic, racial and or religious group particularly when they enforce 'pregnancy' as by the Serbs and Hutus in Bosnia and Rwanda respectively. The act of sexual violence that is played upon her is basically message passed between men prof of victory for one and defeat foe other. When man's women is abused through rape or other sexual violence, it is perhaps very difficult for him to accept the humiliation because he has failed to live upto his masculine duty to defend his women, regardless to the circumstances.

#### BOSNIA-HERZEGOVINA

7. Slobodan Miosevic attempted to the establishment of a 'greater Serbia' by eliminating/ethnic cleansing non-Serbs throughout Serbia, Bosnia-Herzegovina and Croatia initially through propaganda to propagate ethnic clashes between different groups and 'sexual violence served effective means of achieving this goal particularly with the help of all ranks of the regular army. Internal armed conflict started in April 1992 and Serbs started gaining the situation by the end of the month, established rape camp to tarnish the image of a particular religious society by using rape or the purpose of

genocide and kept on forcing women and girls to serve for soldiers for months and were responsible for their forced pregnancy.

8. Serbs, Bosnian Serbs and Croatian Serb soldiers and the militia and irregular forces (Chetniks) abducted Bosnian-Herzegovinian and Croatian women and girls, kept them in rape camps, raped them systematically in front of each other, some of them died of the sexual torture, and such tortures led to the forced pregnancy and when pregnancy was too late to abort they were released. Hence, this genocide is to way to achieve the desired result - victims were murdered following repeated rapes and severe sexual violence and in form of forced pregnancy. Many women attempted late abortions or committed suicide and in case of delivery, they abandoned the Chetnik-Serb Child because biological father of such rape-born child “dreadfully destroyed her town, harmed her, tortured her, repeatedly raped her in front of their own people in public view and slit throats of her loved ones.”

9. The town of Prijedor became Serbian Territory. As per one study “50,000 Muslims and 15,000 other non-Serbs were murdered or driven off the territory, 25 mosques and eleven sanctuaries were blown up, more than 10,000 houses and apartments were searched, looted, and destroyed.” Ruins of religious and secular buildings and souls are trying to narrate the brutal story strategically planned by the state in the Europe in ethnic cleansing attempt. (Stiglmayer, 1994, p. 86)

## RWANDA

10. Ethnic havoc started by the Hutus (group in majority) against Tutsis (group in minority) after death of the President of Rwanda Mr Juvenal Habyarimana in plane crash on 06 April 1994. The cleansing and genocide attack was well crafted and executed with the speed between April to July 1994 and violence was devastating in which roughly one million men, women, and children in the culmination the culmination of an all-out war that followed years of programmes, expulsions, casualties and flight.”It was not easy to the organizers of the Rwanda Genocide to divide the two ethnic groups, Hutu and Tutsi, who had shared a single language, a common history, the same ideas and cultural practices for centuries. They lived next to each other, attended the same school and religious places and worked in the same office. They had mixed parentage.

11. The pattern of sexual violence played a strategic role, Like Bosnia-Herzegovina, a weapon or internal conflict to destroy or eliminate the Tutsi group in Rwanda Genocide, carried out with an aim of eradicating the Tutsi many rapists perhaps expected that the psychological and physical assault of each Tutsi woman would advance the cause of the destruction of the Tutsi people. It was easy to identify the Rwandan Tutsi women because of their beautiful features than Hutu counterparts and Hutus’ leadership always warned men of their ethnic group to beware of ‘Tutsi Seductress’ women.

12. There was three ways sexual violence committed against Tutsi women:

i) Rape by militia: Tutsi women were taken from their home or found hiding were subject to gang raped or raped many times by the Rwandan Armed Forces and another group of interahamwe. Most women died after the assault - rape and physical injuries. “Rapists sometimes mutilated them in the course of a rape –

they cut off breasts, punctured the vagina with spears, arrows, or pointed sticks, or cut off or disfigured body parts that looked particularly ‘Tutsi’, such as long fingers or thin nose”, and some were left to live so that they would ‘die of sadness’.

ii. Collective Sexual Slavery: Tutsi women were forced to sexually serve the members of militia for weeks or months, as they regarded ‘Tutsi women’ as war booty for themselves or to be sexually distributed to subordinates.

iii) Individual Sexual Slavery: This practice is known as ‘forced marriage’ in which women lived in captivity and constantly threatened that they would be killed, however kept alive “for personal sexual services” as practiced by the Japanese forces in the South-East during WWII.

## CONCLUSION

13. Today, Rwanda started rebuilding a country destroyed by the genocide, where burden is falling on Rwandan women (Tutsi) who (almost every women and adolescent girl), according to one study, survived the genocide was raped and Rwanda has become country of women with 70% of population and 50% of household are headed by the women.

14. Sexual violence leaves on women fine layers of psychological, emotional and physical trauma. Whatever race or ethnic group of any geographic area they may belong to; hope may be described as a “violent invasion into the interior of one’s body represents the most severe attack on imaginable upon the intimate self and dignity of a human being when a woman’s inner space is violently invaded..... It resulted in physical pain,



loss of dignity, an attack on her identity, and loss of self-determination over her own (beloved) body.” Unfortunately, her own community, in most of the cultural group of the world, does not understand and accept war time rape in proper context and raped women are frequently stigmatized ..... her experience become public knowledge, she will be outcast (in certain cultures), her husband will abandon her, or in case of unmarried women, she will be unable to get marry, if she desired so. Hence, unfortunately, many women chose to be silent. It is shame, and stigma on silent so called cultured, advanced and so

called educated modern civilization of the world because this crime get buried and her voice get muted when rape is not mentioned even in International Criminal Courts/Tribunals, and the historical record is deliberately distorted to save ugly face of the patriarchal forces.

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