



# **Genocidal rape as an asymmetrical warfare tactic**

## **A comparative case study of Bosnia and Hercegovina and Rwanda**

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Master's Thesis – Conflict, Power and Politics

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Wordcount: 24.795

Date: 28-06-2019

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## **Abstract**

During the conflicts in Bosnia and Hercegovina (hereafter: BiH) and Rwanda, mass rapes were used as an asymmetric warfare tactic. There is still a need to understand this phenomenon, because it is still used today. Human Rights Watch reported that Burmese army men have raped women that are part of the Rohingya group, in order to carry out a policy of genocide. Women rights advocates in Kosovo are to this day still fighting for the rights of women that were victims of genocidal rape during the conflict in 1999. There is no “one size fits all” explanation for what influences the use of genocidal rape, because most research is only relevant to its context. This thesis tries to transcend context by comparing two of the most leading cases. For the first time in international justice history, in both cases, multiple perpetrators were indicted for crimes of rape as part of a larger genocidal policy. For this thesis the research question is how assumptions of gender during times of peace influence the use of genocidal rape during a conflict. BiH and Rwanda are relevant cases to study this phenomenon because the conflicts happened around the same time, the perpetrators were convicted of the same type of crimes, and both cases were very well documented by the media and other sources like Human Rights Watch. The methods of this thesis are based on a document analysis, which focused on three concepts: The first is *Macro-level humiliation*, which entails that rape is not perceived to be an attack on an individual woman, but on the social field that she belongs to. The second important concept is *importance of female virginity*, which entails that women who are raped are perceived to be ‘damaged’ by the social field that they belong to. The last is *ethnicity linked to genetics*, this concept translates to the fact that in some social field’s, men are the ones that pass on their ethnicity to the next generation. That means that if a man from another social field impregnates a woman, the child belongs to the social field of the perpetrator. The analysis shows that all three concepts are important, in both BiH and Rwanda these are present in varying degrees. All concepts enforce one another and influence the use of genocidal rape during conflict. It seems that certain assumptions of gender do influence the use of genocidal rape during conflict.

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“We teach girls to shrink themselves, to make themselves smaller. We say to girls, you can have ambition, but not too much. You should aim to be successful, but not too successful. Otherwise, you would threaten the man. Because I am female, I am expected to aspire to marriage. I am expected to make my life choices always keeping in mind that marriage is the most important. Now marriage can be a source of joy and love and mutual support but why do we teach girls to aspire to marriage and we don’t teach boys the same? We raise girls to see each other as competitors not for jobs or accomplishments, which I think can be a good thing, but for the attention of men. We teach girls that they cannot be sexual beings in the way that boys are.”

*Chimamanda Ngozi Adichie, we should all be feminists, pp. 40-41*

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## **LIST OF ABBREVIATIONS**

Bosnia and Hercegovina

BiH

Human Rights Watch

HRW

International Criminal Tribunal Rwanda

ICTR

International Criminal Tribunal Yugoslavia

ICTY

Rwandan Patriotic Front

RPF

United Nations

UN

# AN INTRODUCTION TO GENOCIDAL RAPE

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## 1.1 Introduction

Throughout the twentieth century, several wars took place that can be categorized as ‘new wars’, wars during which rape was used as a tactic of warfare. In some cases, it even contributed to a genocidal policy of certain parties, the genocides in BiH and Rwanda are examples of such cases. Mary Kaldor (2013) theorized what new wars are and how they differ from old wars. The most important distinction, for this thesis, are the asymmetrical tactics of warfare; the attacks of combatants on civilians. Rape with genocidal intentions (hereafter: genocidal rape) is designed to attack civilians in order to expel certain social fields. A social field is a group of people that distinguishes between ways of being and belonging. The boundaries of this field are fluid and are created by the people who participate in it. The field can be made of individuals and/or institutions that occupy the networks that make the field and link to the social positions (Levitt & Schiller, 2004). Social field will be used instead of “culture”, because the definition of social field fits this thesis better as it is specific to individuals that associate with certain groups and their practices. The two cases that will be at the center of this thesis are BiH and Rwanda. Within the borders of these two countries there were multiple social fields. In BiH there were three groups that can be considered to be different social fields: Bosnian Muslims, Bosnian Croats and Bosnian Serbs (Burg & Shoup, 2000). In Rwanda there were also three groups that belonged to different social fields: the Hutu’s, Tutsi’s and Twa (Organization of African Unity, 2000). During the conflicts in both BiH and Rwanda, the social field one belonged to became very important. The three aforementioned social fields in BiH waged war against one another, and used asymmetrical warfare tactics (Burg & Shoup, 2000). In Rwanda it was mostly the Hutu’s and Tutsi’s that were at war with one another, just like in the conflict of BiH, asymmetrical warfare tactics were used. Moreover, in both conflicts genocidal rape was inherent to the asymmetrical warfare tactics that were used.

The use of genocidal rape is not new; but since the 20<sup>th</sup> century it has been documented more thoroughly than before (Mullins, 2009). Not all rape during warfare is genocidal rape, whether or not rape is with genocidal intentions can be determined by evaluating if it is used as a part of ‘a systematic political campaign that has strategic military purposes’ (Skjelsbæk, 2012, p.61). The United Nations’ Secretary General confirmed that in BiH, Liberia, Rwanda, Sierra Leone and Somalia, sexual violence was part of a larger genocidal

policy during the conflicts. The report states that sexual violence has not only an aim of instilling fear in the civilian population, but also to weaken the resistance and resilience through humiliation. The report highlights the fact that rape can destroy the social fabric of entire communities (Kuhlken, 2012). According to Turshen (2001), the concern for women that were victimized in conflict overshadows the analysis of their value to men during times of conflict. She argues that the value lies in their economic and political assets. Armies use rape in a systematic manner, thus as a policy, to strip women of these assets. Their political assets are their productive and reproductive power, and their economic assets are possessions and their access to land or livestock. However, it seems that the context where rape occurs in determines whether or not their assets are stripped away. The way violence is used is heavily influenced by the context where it is created (Whitehead, 2007). When the act of rape is politicized in a context of war, the violence is usually connected with notions of gender relations (Skjelsbæk, 2001). Rape would thus be the most effective strategically in contexts where it is perceived as damaging for the entire social field instead of only damaging for the targeted person. The norms during peacetime heavily influence the use of rape as a strategy to carry out a genocidal policy. The aim of this thesis is to explain how assumptions of gender roles can influence the use of rape as a policy of genocide in armed conflicts.

## **1.2 Research question**

During times of conflict the position of women in that conflict draws on the attitudes towards women at times of peace (Skjelsbæk, 2012). Hence, attitudes towards women during peacetime might impact how women are treated by men during wartime. Furthermore, the way violence is conducted during times of conflict is embedded in key values of the social field. The instrumental aspects, the way violence is executed and its rituals, must be observed and interpreted as part of the expression of the key values relevant to the context (Whitehead, 2007). The use of rape as a tactic of war is thus linked to the way notions and assumptions of gender are embedded in that specific social field. Therefore, the research question for this thesis will be:

**How do assumptions of gender within a social field influence the usage war time rape as a policy of genocide, looking at the cases of Bosnia and Hercegovina and Rwanda?**

The cases of BiH and Rwanda will be studied, because during these two wars rape was used systematically in order to carry out a genocidal policy (Matusitz, 2017; Mullins, 2009). These two cases are the first cases ever where rape was considered genocidal and perpetrators were prosecuted (Rittner & Roth, 2012). These two cases are the first two genocides where genocidal rape is widely documented. A large amount of research on genocidal rape is based on these two cases (Skjelsbæk, 2012; Matusitz, 2017; Snyder et. al., 2006). This thesis, however, will explicitly look at how assumptions of gender play a role in implementing rape as a policy during war. This thesis will therefore be more concerned with the causes of genocidal rape, rather than the consequences. Most of the research is done about either BiH or Rwanda (e.g. Diken & Bagge Lausten, 2005; Mullins 2009a; Mullins 2009b), but this thesis will include a comparative chapter of the two cases. Matusitz (2017) has done a comparative study where he included Rwanda and BiH, but it was not solely focused on those two cases nor was it solely focused on assumptions of gender. For this reason, the research question is formulated the way it is. This thesis will consist of a multiple case study on BiH and Rwanda and discourse analysis will be done through examine the data, which consists of victim testimonies, scientific literature and court indictments.

### **1.3 Scientific and societal relevance**

Genocidal rape is a topic that has been researched ever since the 1990s after the genocides in BiH and Rwanda. The research is mostly concerned with the consequences of genocidal rape on the macrolevel and is usually bound to one context (e.g. Burg & Shoup, 2000; Jefremovas, 1991). There are different theories on wartime rape, one of them is genocidal rape (Gottschall, 2004). Gottschall's article outlines the general trends within genocidal rape theory, but as he himself rightfully mentions, supporters of this theory 'may be confusing the consequences of wartime rape with the motives for it' (Gottschall, 2004, p.132). Alongside that, Morus (2012) noticed that almost all of the research that has been done on wartime rape in BiH and Rwanda has been focused on the ethnical differences. The issues connected to gender that precede the conflict are less of a focus in the literature (e.g. iacobelli, 2009; Hamel, 2016). That is why this research will solely focus on the assumptions of gender, the gender issues that precede genocidal rape, and how these gender issues influence the use of genocidal rape during conflict. Furthermore, by doing a multiple case study, the findings can be compared to one another and therefore conclusions can be drawn that transcend context. Some authors, that have had a focus on

gender, have transcended context (see Matusitz, 2017; Berry, 2018). However, these studies do not incorporate the same data as this thesis will (i.e. victim testimonies and court indictments) and do not have the same research angle. This thesis therefore differs from the other comparative studies in methodological approach and data. Moreover, this thesis is not concerned with finding an 'one size fits all' theory, but rather find concepts that draw from empirical data out of two different cases. The goal of these concepts is to show that there are certain commonalities between cases that are that are geographically significantly apart, and differ in culture

In October 2017, Human Rights Watch (hereafter: HRW) released a report on the mass rapes of Rohingya women. In the report is stated that the Myanmar's security forces have committed these rapes as a part of their ethnic cleansing campaign (HRW, 2017). Ethnic Rohingya women were repeatedly harassed by Myanmar's military forces, they raped and sexually assaulted women and girls. The attacks were usually done before and during a village was attacked and during an attack of the village (HRW, 2017). The government of Myanmar has obstructed humanitarian access in the state where these women live. Because of this negligence, the reproductive organs of the women could be damaged, they may be impregnated from the rape without knowing so, or they could be infected with HIV (HRW, 2017). It could be that these attacks were merely a spoil of a larger conflict that is going on in Myanmar, but since the attacks are systematically and aimed at a specific group it is more likely to be part of a genocidal policy. The case of the Rohingya women is a very recent case of genocidal rape, HRW has recognized the rape as part of a genocidal policy, but it is one of the few institutions that does so. It is still important to study genocidal rape so institutions will recognize it sooner. This case proves that it is not a practice of the past but that is very much present and under researched. It is also important to recognize that the rape is in the context where rape is enforced as a policy of genocide because it is not happening widespread. That is why in this thesis the influence of the social field on the use of genocidal rape will be researched. The cases that have a central place in this thesis are BiH and Rwanda. These were the first two cases that rape was recognized as an act of genocide and punished as a crime against humanity (Buss, 2009). These cases, alongside with the court documents, can show how intentions to use rape as a weapon of genocide manifest in different social fields. Moreover, they provide clearance for how the intentions are recognized in the international criminal courts. If this is more researched, cases like that of the Rohingya women may be categorized as such and consequences can be limited or even prevented by earlier intervention.

## 1.4 Theories

Since the twentieth century there has been a shift in the way war is conducted. Before this shift wars were usually between two states, with geo-political or ideological interests. After the shift wars became more intrastate and identity groups (i.e. religious, ethnic) claimed to represent the parties of the conflict. How wars were fought also shifted; old wars were decided through decisive battles, whereas in new wars battles were rarer and more about controlling populations (Kaldor, 2013; Demmers, 2012). These two distinctions are very important for this thesis, because the shift to asymmetrical tactics and ideology driven conflict are at the basis of genocidal rape. Rather than armed groups that were battling each other, civilians and irregular groups (i.e. rebels, paramilitaries) became the main target of attack (Demmers, 2012). Violence is a form of conflict, and the way violence is carried out is important to help understand which assumptions or values during peacetime have influenced the use of violence. (Demmers, 2012; Whitehead, 2007). That is why assumptions on gender can influence the way violence is carried out during new wars. The study of war in relation to gender is long and inconsistent (Goldstein, 2003; Cohn, 2013). Before the shift to new wars, the man was to validate his courageousness and women were less likely to be armed or to be associated with the battle. The role of women during war seemed to be contained to that of grieving mothers and wives (Goldstein, 2003; Elshtain, 1995). One of the reasons for the association of the male sex and battle is the fact that fighters are mostly male, approximately 97 percent of the soldiers are male (Goldstein, 2003).

Throughout history, war has been viewed as a “male game” and defeat was associated with feminization. A way of feminizing the enemy was done through raping the women that were part of the enemy group (Goldstein, 2003; Elshtain, 1995). Rape has always been a part of war, but it was mostly considered to be a spoil of the conflict. Women were claimed as prizes of war, enslaved or been abducted as brides (Smith, 2004). Only in recent years it has been recognized that it has affected the development of cultures as well as the individual (Skjelsbæk, 2012; Morus, 2012). In some cases, it has even taken on a genocidal character, harming women so they cannot conceive, or purposefully transmitting deadly sexual transitive diseases (Wood, 2006). Genocidal rape, in some contexts, is considered to be a crime against the women’s male relatives, rather than a crime against them (Smith, 2004; Morus, 2012). The women are the physical victims, but the actual targets are the men of the social field these women belong to. The goal is to undermine them and weaken

their morality by showing them that they cannot protect what is “theirs” (Morus, 2012). Meaning that the women of that social field are possessions of the men in that social field. This is a clear example of how assumptions and values during peace influence the way violence is carried out. Though rape during wartime does not exclusively target women, they are the main victims. It raises the question if women are perceived as full members of society during peacetime. MacKinnon (2007) wonders if women are actually included as human beings in the Universal Declarations of Human rights. She states that it is not the case, women are still victims of sexual abuse, domestic violence, and systematic sexual objectification. If the women were included as human beings these problems would not have been unaddressed in the document. According to MacKinnon (2007) the only way there can be complete equality between the sexes is to view women as actual human beings. This world has tolerated and condoned gender-based violence and discrimination, which leads to the conclusion that the world is mostly male dominated (Rittner, 2012).

## **1.5 Methods**

This thesis is a qualitative multiple case study research. A qualitative approach suits the goal of the research question, because the research question is concerned to uncover the relationship between genocidal rape used in conflicts and the influence of pre-existing gender assumptions. This thesis will include more than one case because that will allow for an analysis within and across settings (Baxter & Jack, 2008). Because this thesis aims to transcend the contextual boundaries of one case, using two cases will help to a certain extent generalize the findings across various cases that are in the same category, thus breaking loose from the context (Gerring, 2007). The two cases that are going to be researched, as mentioned above, are BiH and Rwanda. These two cases are selected by the *typical-case method*, as found in the work of Gerring (2008), the cases are chosen for their representativeness of the phenomenon. This will help deepen the analysis and uncover the within- and between-case variance (Gerring, 2008). The data that will be used for the analysis are official court indictments of the perpetrators that were indicted for genocidal rape, these are retrieved from the official websites of the ICTY and the ICTR. The other data consists of victim testimonies. The testimonies for BiH will be extracted from the book “Women’s side of War” (2008) published by NGO ‘Žene u Crnom’ in Belgrade. The testimonies of Rwandan victims are found on the official website of the United Nations (hereafter: UN). Rwandan women that are victims of rape during the genocide have given statements to UN workers. Lastly, scientific research that is done on the cases

will be used to offer context and reinforce the other data that is mentioned above. To do the analysis as efficient as possible, it will be structured according to concepts. These concepts are further divided into research indicators, which will help to draw comparisons between the cases. These concepts are the most important because these are the three themes that the literature seems to agree on. The methods section will further explain the use of a multiple case study and why it is fitting with this thesis. Afterwards the implications of the methodology and the justification of the cases will be discussed, followed up with a justification for the data that will be used. Finally, the research indicators will be further explained.

### **1.6 Outline of the thesis**

This thesis will start out by outlining a theoretical framework on the subject of genocidal rape. The most important theories that will be discussed are those of new wars, genocidal rape, gender assumptions and on the social field. The most important overlapping concepts will be formulated in the theoretical framework and will function as the basis for the research indicators. The concepts are: *macro-level humiliation*, *importance of female virginity*, and *change of genetical makeup*. After that the methodological chapter will follow, where multiple case study method and its limits will be discussed. Furthermore, the research indicators will be discussed and operationalized, the indicators are respectively: making the act public, attack on family honor, undermining masculinity, keeping the rape silent, not eligible for marriage, ethnicity linked to genetics, and destroying the ability to procreate. The chapter that follows is the analysis, the case of BiH will first be analyzed, then the case of Rwanda, and that will be followed by a chapter that compares the two cases and their commonalities will be determined. After that the conclusion will be given and a reflection will follow the conclusion.

## 2. THEORETICAL FRAMEWORK

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This chapter will elaborate on the theories concerning genocidal rape. There are multiple views on the occurrence of genocidal rape during conflict. The theories that are used in this thesis incorporate influences of the social field on the use of the policy. The theories are macro-level related and examine the position of women during peace time and how this has influenced the way violence was shaped during the conflict. The theoretical framework will start off with giving a short introduction of new wars, and what changed in the way warfare is conducted. Then, the assumptions of gender in history, drawing on Mill's essay of 1861 about gender equality, will be discussed. The reasoning for outlining the assumptions of gender in history is that it heavily affects the way contemporary assumptions are formed. After that the genocidal rape theory will be discussed. In this chapter multiple theories will be discussed in order to distil important concepts that will function as the basis for the analysis. These concepts will be used to analyze the empirical data, they will include the core themes of the theory, respectively *macro-level humiliation*, *importance of female virginity*, and *change of the genetical makeup*.

### 2.1 The shift to 'new wars'

Whenever people think of conflict, the first thing that comes to mind is an armed conflict between two states or proto-states. Before the twentieth century this was the case, states waged war against other states for geo-political, secessionist or ideological reasons. The term "old wars" refers to a stylized form of war where the solution is either negotiation or victory by one side (Kaldor, 2013). As mentioned in the introductory chapter, a shift took place in the way wars were waged. New wars theory is 'about the changing character of organized violence and about developing a way of understanding, interpreting and explaining the interrelated characteristics of such violence' (Kaldor, 2013, p.4). There are four distinctive differences between old and new wars. The first one involves the actors of war. In old wars, armies of two (or more) states would battle one another, usually not near civilians. New wars, on the other hand, are fought between groups in one state and implicate a combination of regular armed forces and irregular groups such as rebels or guerilla armies (Kaldor, 2013; Demmers, 2012). The second distinction is in the goals of the wars, old wars were mostly fought for geo-political interests, secessionist intentions, and ideological reasons. New wars are fought based on the idea of identity, these so-called identity groups are usually groups where people share

religion or ethnicity (Kaldor, 2013; Demmers, 2012). The third difference is the warfare tactics. Old wars were decided through decisive encounters, while new war battles are rarer and more about controlling populations and implicate civilians as well.

Asymmetrical warfare tactics are usually used, this means that civilians are attacked by combatants that are armed (Kaldor, 2013). The fourth distinction between old and new wars is the forms of finance. Old wars were usually financed by states through for example taxation, new wars are subsidized by other sources because the state is usually destabilized (Kaldor, 2013).

In addition to the four differences mentioned above, there are some new elements in contemporary conflicts, which mainly have to do with globalization and technology. The first element is that of the increase in destructiveness and accuracy of military. New technology has made symmetrical war (which is war between similarly armed parties) more destructive and difficult to win (Kaldor, 2013). The second element is the new form of communication. New wars are mostly very local, but the global connections are much more extensive than in the past. Diaspora links, criminal networks, presence of international agencies make it easier to mobilize people for their causes. The new ways of communication have made it also easier to spread propaganda that can evoke fear and panic in people (Kaldor, 2013; Demmers, 2012). The third element is the transforming state, the role of the state is different in organized violence. The model of war has also changed drastically since the old wars (Kaldor, 2013). The model underpins both policy and scholarship, it entails political, economic and military logic. In new war contexts, it is more about accessing resources in a state, rather than changing state behavior.

Competition, then, seems to be based on identity, so this in turn explains military tactics (like population displacement) (Newman, 2004). Ethnic homogenization is an important goal in new wars (Newman, 2004; Kaldor, 2001). As mentioned before, the primary objective of violence in new wars is the deliberate targeting of civilians and the displacement of civilians. Strategies as ethnic cleansing, using child soldiers in (guerrilla) armies, and systematic war time rape as a weapon of war, are strategies that primarily target civilians. The two cases for this thesis fall under the “new war” category. The conflicts in BiH and Rwanda were conflicts where groups with different social identities battled one another and civilians were targeted mainly by non-state actors (Skjelsbæk, 2012).

## **2.2 The Social Field**

A social field is a group of people that generate rules, customs and symbols internally, but is also subjected to other forces from the larger society by which it is surrounded (Falk Moore, 1973). The boundaries of a social field are created by the people who are a part of the group. The field is made of individuals and institutions that occupy the networks that link social positions in society (Levitt & Schiller, 2004). The concept of social field does not refer to phenomena on the individual level but solely to phenomena at the social level. The social field emerges from the occurrence of social interaction (Wilkinson, 1970). The reason why social field fits this thesis better than any other concept is that a social field has fluid boundaries and is not necessarily contained to national borders (Levitt & Schiller, 2004). The two cases, BiH and Rwanda, involve groups that lived in one society (nation) but differed when it came to certain customs, symbols and societal rules. For this thesis the social field is an important factor. In the social fields the assumptions of gender are formed and adhered to. The social field thus has a large role in influencing the use of genocidal rape.

## **2.3 Women as mere possessions**

In 1861 John Stuart Mill wrote an essay on this inequality between the sexes. In several ways, Mills essay exceeds the zeitgeist of the 1800s. Mills essay was one of the first philosophical essays to tackle the subject of inequality between the sexes. Mills essay voices the socioeconomic disabilities that are still relevant in different contemporary social fields (Annas, 1977; Mendus, 1989). The imbalance in power that Mill describes in his essay is very often what leads to rape, in peace- and wartime (Nikolic-Ristanovic, 1996). The female body in this case becomes a part of the battleground, where the woman's sexual identity and socio-political background make her a possible victim of rape (Skjelsbæk, 2012). In chapter two of his essay Mill (1980) describes the sense of ownership men have felt over women. A father could marry his daughter to any man of his pleasing and the women did not have a choice but to follow orders. Mill (1980) rightfully points out that marriage is the end destination for women, it is all they are allowed to aspire. After being married the women were at the complete mercy of their husbands. For a very long time it marital rape was not considered a crime, and married women that were raped by a man that was not their spouse, could get punished with death (Smith, 2004). This importance of this essay lies in the fact that it points out that women were only valued as possessions of men. Since then the times have changed and women are legally and socially

in a far better position in society. However, gender inequality in social institutions is still very present and created by the people that live in those societies (Cohn, 2013). Social institutions embody a multitude of phenomena in society. It can be long-lasting norms, customs, cultural practices, traditions, formal and informal laws (Ziegler, 2011). These institutions shape the opportunities for men and women in their lives. There are still countries where women are ranked as second-class citizens because they have for example no autonomy in their family, or they do not have the same legal rights as their male counterparts (Ziegler, 2011). Some customs in post-modern society reflect inequality, consider for example the fact that in certain social fields, grooms pay for their brides as a compensation to the wife's family for losing their daughters productive and reproductive value (Turshen, 2001). The concepts of virtue and honor of the family makes objects of women. Due to social norms, that were shaped upon ideas of inequality, gender-based violence, no physical authority over their own bodies, and sexual assault is still actual (Mackinnon, 2007; Ziegler, 2011).

#### **2.4 Genocidal rape theory on the macrolevel**

Systematic rape with genocidal intentions is not a new phenomenon. The paradigm, however, shifted towards viewing rape as a strategy for genocide only after the genocides in BiH and Rwanda. After these two cases it became apparent that rape could no longer be regarded as a by-product of war. Rape became an act of war and genocide, and individuals were held accountable for it in international court (Sajjad, 2012; Wood, 2006; Turshen, 2001; Gottschall, 2004). Murdering people is not the only way to commit genocide, destroying a group's identity by decimating cultural and social bonds is also a way to commit genocide (Card, 1996). This is what happens when rape is used as a tool in certain social fields, it affects a social field on a macrolevel instead of just the individual. The consequences of genocidal rape can be roughly divided into two categories. The first category relates to the psychological part of genocidal rape, it spreads fear in order to control the civilian resistance. Raping women in front of other women and men sends a message to all the civilians. The men feel hopeless and emasculated because they were unable to prevent it (Matusitz, 2017; Gottschall, 2004; Morus, 2012), the women feel damaged or afraid that it might happen to them as well (Turshen, 2001; Diken & Bagge Lausten, 2005; Gottschall, 2004). The second category refers to the physical side of the policy of genocide. The consequences aim at affecting the social field in its core, examples of this may be carrying out rapes publicly so that it is known among the civilians that the

women of that social field are being raped. Another example is forced impregnation, this would mean that the next generation will have “mixed ethnicity” (Gottschall, 2004; Diken & Lausten, 2004; Russell-Brown, 2003; Hubbard, 2012). Both of the categories indicate that there are certain conceptions about gender roles in the social fields where genocidal rape took place. Therefore, it is important to look the mechanisms at the macrolevel, in order to understand why rape would be used as a tool in war.

#### ***2.4.1 Macro-level purpose***

During genocidal conflict rape can have a macrolevel purpose. Rape during war time can be central to a policy or war strategy. As a tool it can fulfill the narrative of genocide and ethnic-cleansing by leading to death, breakdown of the community and the change of genetic makeup of the next generation. Once rape is recognized as a tool of war women are intentionally sought out and are legitimate targets of the conflict (Kuhlken, 2012). The latter can also include the intentional transmission of sexual diseases (Waller, 2012; Russell-Brown, 2003; Hubbard, 2012). Mackinnon (1994) rightfully states that it is not raping to control the enemy, but it is rape done under control of a certain policy. The two most important factors of genocidal rape are ethnicity and gender, it is genocidal rape when a specific ethnicity and gender is under attack. Sexual violence during wartime also affects men, but whenever it takes on genocidal forms it is usually aimed at women (Waller, 2012), therefore the rape of men will not be taken into account in this thesis. Thus, certain women are being attacked by certain men for a particular set of reasons (Russel-Brown, 2003). Another aspect that distinguishes genocidal rape from rape as a spoil of war, is that the rape in itself is not committed for sexual pleasure of the individual. Instead it is used as an asymmetrical warfare tactic, a violent act that is perpetrated towards members of the enemy group (Russel-Brown, 2003). It is reported that Rwandan officers have ordered their soldiers to rape the women instead of murdering them, implying that it is far worse to rape them. The perpetrators aim to undermine the position of the women in their family and society (Lyons, 2001). Genocidal rapes may include the intent to change the genetical makeup of the enemy’s new generation. In some cases, during conflict women were abducted, raped, and held captive until they were pregnant and past the point of abortion. Because in those social fields it is believed that the identity of the next generation is passed on by the father, the children born out of the rape would belong to the social field of the perpetrators. The women that became pregnant through rape would not be a desirable candidate to procreate within their own ethnic group. Women are thus not sexual objects of desire, but mere vessels through which a policy genocide

could be carried out (Russel-Brown, 2003; Turshen, 2001). Soldiers can go out on individual rapes or in groups and forcing women out of their houses. They can rape the women in public to humiliate the men for not being able to protect them (Turshen, 2001; Morus, 2012). In summation, rape by military is directly related to policy and functions of formal institutions, that is why it is distinct from other types of rape during warfare and it can have a macro-level purpose (Turshen, 2001).

#### ***2.4.2 Consensus in the different theories on genocidal rape***

Ever since the mass rapes in BiH and Rwanda, a consensus has been built that rape is a weapon that equals bombs, pistols, and even propaganda that is used during war. Weapons are used strategically and with a certain intent, in those two wars, so was rape. All theories on mass rapes during war agree on the point that rapes are not done incidentally, but functionally. Thus, rapes are not done for the sake of the individual, but to serve the collective (Gottschall, 2004). The second point of consensus is that individual sexuality of soldiers is not a factor in the decision to commit the crime of genocidal rape. The last point of agreement is the assumption that the use of genocidal rape is influenced by social sociocultural factors instead of biological factors (Gottschall, 2004; Skjelsbæk, 2012). Specifically, strategical rape theorists claim that rape is a tactic that is executed by soldiers to serve larger military objectives, like demotivation of the enemy (Gottschall, 2004). Even though not every scholar agrees that commanders order their soldiers to rape, there is a clear implication of intent, the acts are coordinated and logically implicated in their warfare tactics (Gottschall, 2004). The theories of genocidal rape are mostly based on the effects that the mass rapes have had on societies/cultures. This means that it is clear from the effects of genocidal rape that the rapes were executed with the strategical intention of committing genocide.

Some of the intentions that are outlined in the literature are: spreading of terror, diminishing resistance of the civilians, humiliation and the emasculation of soldiers from the opposite social field. Spreading terror relates more to inflicting fear on the social field that is under attack. The rapes are done in such a way that the oppositional force feel that they have to flee the place where they live (Skjelsbæk, 2012). The other intentions are more of genocidal nature, the mass rapes of women served the goal of demoralization of the men (Gottschall, 2004; Morus, 2012). The people that enforced the tactic wanted to dismantle the opposite social field by impregnating the women or harming them in such a way that they could not reproduce, and thus changing the genetic makeup of their enemy,

committing biological genocide. Another intent is the splitting of familial atoms, again by impregnating women. The last one is that the females that are raped have a chance of being abandoned/disavowed by their families or community (Gottschall, 2004; Diken & Lausten, 2004). All these intentions are driven by certain assumptions of gender within social fields. There is a certain need to protect the virginity of a female for the status of her social field. A woman needs to be desirable for marriage, but when she is raped, she will not be considered to be desirable in the social field (Turshen, 2001). Thus, the way a group of people that are connected to each other by geography or ethnicity defines honor in relation to itself, is an important factor if rape would be a successful policy of genocide. In a context where there is a great importance on the honor of a woman, the rapes have a larger impact in shattering the group (Hubbard, 2012). Examples of importance of the honor of women might be a large emphasis on purity, chastity, and a need to protect them (Snyder et. al. 2006).

## **2.5 Understanding the implications of the social field on genocidal rape**

As mentioned before, the intentions of genocidal rape can be classified into two categories concerning the social field. The first category is more the psychological side of genocidal rape and the second more on the physical side. The psychological intentions of genocidal rape relate to invoking fear in the enemy group. The men are meant to feel emasculated because they could not protect the members of their group and the women are meant to feel damaged and afraid that it might happen to them (Morus, 2012; Gottschall, 2004). The second category is about the physical side of genocidal rape. Leaving women unable to procreate means that the next generation will not be born and therefore a group might cease to exist, and thus contributing to ethnic cleansing or genocide. Another way that rape contributes to genocide is that the genetical makeup of the group changes if the women are impregnated by the enemy group's men. In some instances, it is believed that the male passes on the ethnicity of the next generation, so the children born from rape would have the perpetrators ethnicity (Russel-Brown, 2003; Turshen, 2001; Gottschall, 2004). It is important to recognize that most theory on genocidal rape emphasizes ethnicity. Although it is a large part of the problem, gender has an even larger influence on the use of genocidal rape (Morus, 2012). The assumptions of gender roles in the social field, prior to the conflict, have a significant impact on whether or not rape is used as a tool for genocide. In certain social fields during times of peace the virginity of a female is related to their cleanliness and proof of good behavior. These notions are enhanced during

times of conflict because they become very important for war strategies (Turshen, 2001). All forms of gender-based violence, in all contexts, are connected (Rittner, 2012; Morus, 2012). The status of a female in society is much more fragile during times of conflict (Skjelsbæk, 2012). They can be victimized in a strategical way in order to commit genocide, ethnic cleansing or break the morality of male soldiers (Gottschall, 2004). Thus, the way women are perceived within their social field during peacetime dramatically affects the way they are treated during times of conflict (Turshen, 2001; Rittner, 2012; Morus, 2012). To understand why rape may be used as a tool in wartime, it is very important to understand what the social norms are within that social field.

## **2.5 Concepts**

There are three important concepts distilled from the aforementioned theory on genocidal rape. The concepts represent the different aspects in which assumptions of gender in a social field can influence the use of genocidal rape. In the cases of BiH and Rwanda it has been clear and established by the court that rape was used as a weapon of genocide. In both cases perpetrators were sentenced with charges of systematical rape during the wars (Matusitz, 2017; Turshen, 2001). The concepts are: *macro-level humiliation*, *importance of female virginity* and *change of genetical makeup*. In the following chapter these concepts will be operationalized. The concepts are not mutually exclusive, they are rather mutually reinforcing.

### ***Macro-level humiliation***

The first concept is built around the *macro-level humiliation*. Although it may seem that this concept is about the consequences of genocidal rape, it is in fact about the intentions and influence of the pre-existing assumptions of gender. In social fields where women are perceived as possessions of men, they are prone to rape in order to humiliate and emasculate the men of that group. Men are seen as the protectors of the women, so when the women are raped it's the men's fault that they weren't able to protect them (Matusitz, 2017; Morus, 2012; Gottschall, 2004; Turshen, 2001; Lyons, 2001). This way the core of their masculinity is damaged, and the men feel wounded themselves by this crime. In these social fields a man's honor and the female sexuality seem interconnected, the attack on the female body is a direct attack to the male members of her family (Skjelsbæk, 2012). The message that is intended to send is that the men are not strong enough to protect what is theirs, which leaves their morality damaged. Having not been able to protect the

women that belong to the same social field damages their honor and they may even experience a sense of defeat. Thus, the act of rape is a way of communicating that the men are not “male” enough, and therefore are a humiliation to their social field (Snyder et. al., 2006; Skjelsbæk, 2012). Thus, raped women stand as a metaphor for a feminized and defeated social field (Diken & Bagge Lausten, 2005). In some social fields, men identify with their role as agents of the nation, they perceive it as their duty to protect. When looking at it from a biological perspective the women carry the next generation, thus symbolically they produce the nation. It’s the job of the men to define the physical limits and protect its sanctity (Mostov, 1995).

By raping an individual, the group is the victim of terror, destabilized, and disgraced (Matusitz, 2017; Nichols Haddad, 2010; Kitharidis, 2015; Iacobelli, 2009). Humiliating a group are attempts to lower that group below the level of human beings. Humiliation is close to dehumanization because one group aims to damage the core and humanity of the rival group (Kaufman, Kuch, Neuhaeuser & Webster, 2010). Raping women is in some social fields perceived to be an attack on their family’s honor, female chastity and continency was linked to family honor (Radacic, 2011; Snyder et. al., 2006). To make sure that other members of the social field knew that the rapes were happening, the rapes were done publicly. This contributed to the macro-level humiliation because in a direct way, because the rapes could not be stopped. Examples of this may be the broadcasting of mass rapes in the media, or forcing people were to watch (Matusitz, 2017; Sjoberg, 2006; Russell-Brown, 2003). In most cases the victims were not killed but kept alive so that the people closest to her would have to live with the humiliation of being raped in public (Russell-Brown, 2003). Other than the macro-level implications of humiliation, it can also be intended at the individual that is the victim of rape. Humiliating a woman by raping her in front of others has the effect of creating fear among the rival group. This way the rival group is controlled by the perpetrators.

Thus, in the case of macro-level humiliation both men and women are affected. The use of rape has the intention to weaken the moral of the people, so they could be defeated more easily. This particular concept, and its research indicators, function to test if macro-level humiliation has an influence on the use of rape as a policy of genocide. This means that if in a social field a raping the women is perceived to be a direct attack and humiliation for the men and the women, it has an influence on the use of it as a policy of genocide. This will be measured by analyzing the data for the following research indicators: *making*

*the act public, attack on family honor, and undermining masculinity*. For both BiH and Rwanda these three research indicators will be used to see if and/or how *macro-level humiliation* influences the use of genocidal rape. For this concept victim testimonies, ICTY and ICTR court indictments, and scientific literature will be used.

### ***Importance of female virginity***

The sense of being damaged after the rape does not refer to physical damage, it is about the psychological consequences for the women. As mentioned above, the value that is attached to a female's chastity leads to rape having an impact on a macrolevel, instead of just on the individual level (Snyder et. al., 2006). It could lead to the victim being perceived as a morally inferior being by the people around her (Matusitz, 2017; Diken & Bagge Lausten, 2005; Mullins, 2009b). In some social fields raped women are ostracized because they are a shame to their family. There have even been cases where women were murdered because they were raped (Turshen, 2001). Diken & Bagge Lausten (2005) therefore correctly state that the rape victim suffers on a macrolevel level as well, as they are condemned by a social field that usually is highly patriarchal. In these social fields, women might be considered to be unfit for marriage and motherhood after they have been raped. One example of this is that many female rape victims have indicated that they were afraid of telling their husbands or families of the altercation, because they were afraid that they would be rejected or even murdered by them (Diken & Bagge Lausten, 2005; Mullins, 2009b). In an interview, a victim of genocidal rape recounted that she 'felt [like she] wanted to die because [she] felt [like she] wasn't worth anything anymore.' (Turshen, 2001, p.60).

Raped women are perceived to be "abject", in social fields that have are highly patriarchal (Matusitz, 2017; Diken & Bagge Lausten, 2005). Abjection refers to some kind of pollution or filthiness. After the crime, the victim becomes abject, damaged, and maybe not even a complete worthy human being. A woman carries this with her for the rest of her life and so do the people around her. They do not want to be associated with something that is unclean, therefore the woman in question cannot fulfill her identity as a daughter, sister, mother, or wife (Matusitz, 2017; Cheldelin, 2011). The women become "damaged goods" that cannot be re-used (Cheldelin, 2011). To put it in other words, by polluting the women of a social field so that nobody would want to be associated with them, the next generation would be smaller in numbers or even cease to exist. The fact that much emphasis is placed on female chastity showcases a large influence of the assumptions on gender in the use of genocidal policy. The victims may be perceived as

morally inferior by the people around her, they are “not clean” or “tainted” because they lost their virginity before marriage (Snyder et. al., 2006). They are no longer virtuous and eligible bachelorettes, or if they were married when they were raped it could even be considered as adultery (Bijleveld, Morssinkhof & Smeulers, 2009). Women that are victims of this crime are condemned by a social field that is highly patriarchal (Diken & Bagge Lausten, 2005).

This particular concept, and its research indicators, function to test if the importance of female virginity has an influence on the use of rape as a policy of genocide. If the chastity of women is linked to the honor of a social field, thus putting a large importance on the virginity of women, it has an influence on the use of genocidal rape. The following indicators will be used to analyze the data for this concept: *keeping the rape silent* and *not eligible for marriage*. For this concept victim testimonies and scientific literature will be used.

### ***Change of genetical makeup***

Social fields are built on a specific power relationship between the people that belong to that field (Levitt & Schiller, 2004). In new wars, the different identity groups in one state are in conflict with each other. Based on the group that one belongs to, they can be driven away, murdered or raped (Demmers, 2012). The constant state of conflict and implication of civilians in the conflict influences the shaping of genocidal rape policy. For the mere reason that women are a part of a social field they were the victims of a rape policy. Women have also been subdued to forced impregnation during conflict. By impregnating them the next generation becomes ‘contaminated’ (Matusitz, 2017, p.836). Contamination in this context means that the ethnicity of the next generation would be mixed with the ethnicity of the opposite group. Thus, the ethnicity is considered to be passed on through patrilineal lineage (Russel-Brown, 2003; Turshen, 2001). In societies where this is very important and thought of as legitimate it has serious consequences. The women carry their rapists’ child and are rejected by their community (Diken & Bagge Lausten, 2005). In some occasions the perpetrators have told their victims that they were going to deliver children of their ethnicity (Matusitz, 2017). Systematically raping women contributes to the goal of genocide in a way that it fractures the social cohesion of the enemy group, and thus breaks the foundation of the group (Nikolic-Ristanovic, 1996).

This particular concept, and its research indicators, function to test if perceived change in the genetical makeup has an influence on the use of rape as a policy of genocide. This

means that if in a social field ethnicity is considered to be passed on by male's only, it has an influence on the use of it as a policy of genocide. This will be measured by analyzing the data for the following research indicators: *ethnicity linked to genetics* and *destroying the ability to procreate*. For both BiH and Rwanda these three research indicators will be used to see if and/or how *change of genetical makeup* influences the use of genocidal rape. For this concept victim testimonies, ICTY and ICTR court indictments, and scientific literature will be used.

### **3. METHODOLOGY**

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#### **3.1 Introduction**

The aim of this thesis is to give explanations about why rape is implemented as part of a genocidal policy. The theoretical outcomes in the previous chapter provide background information on the topic and will function as a framework through which the data will be viewed. This thesis has an inductive research model. In this chapter the methodological procedures that are used to analyze the data will be outlined. Secondly, the sources and data that will be used in the analysis are outlined. Lastly, an operationalization of the research indicators will be given, these indicators are derived from the concepts and the theoretical framework.

#### **3.2 Multiple Case Study**

Case studies allow a researcher to study individuals, phenomena or historical events in depth. Because this thesis is concerned with making some general claims about the use of wartime rape in different contexts it is important to research more than one case. A multiple case study allows for an analysis within and across settings (Baxter & Jack, 2008). By doing a case study of two cases the inferences can be generalized across various sets of cases of the same type (Gerring, 2007). A case study falls under qualitative research and facilitates a researcher to explore phenomena within their own contexts using different data sources (Baxter & Jack, 2008). By using different data sources, the issue is not approached from one angle. Because of this a case study allows multiple facets of the phenomena to be known and understood to the researcher (Baxter & Jack, 2008). The depth of the analysis that a case study offers is its most pivotal aspect for this thesis. Depth, for this thesis, refers to details, richness, thickness, and the degree of variance that is accounted for by an explanation (Gerring, 2004). Depth and a holistic approach are needed to understand how assumptions of gender influence the use of genocidal rape. Case studies help establish clear causal pathways of a phenomenon. Causal arguments cannot stand on causal effects alone, there needs to be a clear connection between X and Y. The study of one, or some, case(s) may allow to locate the underlying factors between a structural cause and its effect (Gerring, 2006). One of the most important features of a case study is that it allows for a deep analysis. Depth in this case refers to completeness or a variance that is accounted for by an in-depth analysis (Gerring, 2004). Taking this in

consideration, a case study is best suited for this thesis because it is concerned with the mechanisms that lie underneath the use of genocidal rape as a policy.

However, there are downfalls to doing a case study. Firstly, case studies per definition include only a small number of cases of a more general phenomenon. This influences the external validity of the research, a cross-case analysis would include a larger population and the sample would represent the population much better (Gerring, 2006). Moreover, the external validity is less secured in a case study it is important to be careful with the conclusions that are drawn from the analysis. Making general conclusions about the subject will be more difficult and the conclusions are always colored by the context of the cases. However, the internal validity is much more secured than it would be in its cross-case counterpart. By doing a multiple case study that it is easier to establish a causal relationship in the cases that are being studied (Gerring, 2006). In order to minimize the bias of the researcher and chances of having biased conclusions that case studies can bring, this thesis will use *Case Study Research* (2007) by Gerring as the basis for the multiple case study.

### **3.3 Implications of the research methodology and justification of the cases**

The multiple case study is best suited for this thesis because it is concerned with finding a causal relationship between the social field and the use of rape as a policy during genocidal conflict. Research that is done before (e.g. Hamel, 2016) has mostly been pre-occupied with the consequences of rape as a policy in genocide. Other research was focused on proving the rape can be used in a structural manner (e.g. Iacobelli, 2009). The focal points of this thesis are the pre-existing assumptions of gender that influence the use of genocidal rape, these assumptions transcend their context. The general misconception about case studies is that their findings cannot be generalized. In reality, however, the findings can be generalized if the cases are selected appropriately (Flyvbjerg, 2006). Therefore, the two cases of genocidal rape that are very well documented are chosen to analyze: BiH and Rwanda. Making a choice about the cases for a case study hinges upon the way the phenomenon is situated within the population. The case selections build on prior cross-case analysis or assumptions about the broader populations (Gerring, 2008). The cases in this thesis are selected by the *typical-case method*, this involves a causal model of the phenomenon of interest. Seeing as the outcome is already identified, the *typical-case method* serves the intention to expose a causal relationship (Gerring, 2008). Cases that are

especially representative for the phenomenon contribute to uncover the causal mechanism, and help to deepen the analysis (Gerring, 2004). Due to the interest in within-case and between-case variance, the *typical-case study* lends itself perfectly in choosing the cases. The cases of BiH and Rwanda lend themselves as typical cases, because the first perpetrators to be convicted for rape with genocidal intentions in international criminal courts came from these countries (Waller, 2012). These two cases have been the lead cases in many researches on the subject (Matusitz, 2017; Diken & Bagge Lausten, 2005; Wood, 2006; Henry, 2009).

### **3.4 The Analysis and the Data for the Analysis**

In this research model the possible mechanisms underlying the use of genocidal rape as a policy will be identified by researching court documents, victim testimonies, and scientific literature. To find out what those mechanisms are, the subjects of observation are the perpetrators, the victims, and the way the act was carried out. The court documents are available on the official websites of the International Criminal Court of Yugoslavia (hereafter: ICTY) and the International Criminal Court of Rwanda (hereafter: ICTR). The perpetrators are the people that not only did the rape but also enforced the policy. The only perpetrators that were the object of research were the ones that were indicted for genocidal rape in the ICTY and ICTR trials. The victim testimonies of the women from BiH were retrieved from the book “Women’s side of war” (2008), published by NGO ‘Žene u Crnom’ (Women in Black) in Belgrade and other verified testimonies found in various books or internet pages. The book contains graphic descriptions of the assaults and come directly from the victims themselves. The testimonies in this book are reliable because the stories are collected from different organizations where professionals have interviewed the women. The book also contains an extensive bibliography where they account for the interviews and stories they have used (Women in Black, 2008). The testimonies of Rwandan victims were retrieved from the official UN website (<http://www.un.org/en/preventgenocide/rwanda/education/survivortestimonies.shtml>) where the testimonies of the victims of rape in Rwanda are saved, the testimonies are without date and place. There were more victim testimonies of Rwanda (sixty-two) available than of BiH (twenty-five). Unfortunately, the dissemblance of the data between the cases could not be sorted. This is due to the fact that not the same amount of victim testimonies for BiH were available as there were for Rwanda. However, the testimonies of BiH contained significantly more information and were longer than those of Rwanda.

The victims that are the object of research are the ones that have given statements about the altercations. These women have recounted their stories to social workers, writers, and HRW reporters. The way the act was carried out is the third object to be studied. The way the act was carried out and what has been said during the act provides insight in the mechanisms that are at play during the conflict but also during peace time. The victim statements and court indictments were supplemented by literature about genocidal rape in BiH and Rwanda. The literature also offered context to the conditions of where the rapes happened.

An analysis consists of the segmentation and then the reassembling of the data in order to create findings. The analysis for this thesis is more oriented to themes, this is because themes can be more accurately compared to one another (Boeijs, 2009). After the data was thoroughly read, the process of coding could begin. The data was coded to establish in which category it belongs, the categories functioned as research indicators for the analysis. The research indicators that were extracted from the categories will be discussed in the chapter that follows. Axial coding followed the open coding. Axial coding is an abstract process whereby the most important themes of the data will be distilled (Boeijs, 2009). The themes that were found to be the most important are: *macro-level humiliation*, *importance of female virginity* and *change of genetical makeup*. The research indicators that emerged from open coding fit in these three themes. The first chapter of the analysis will analyze these themes in BiH, after that the analysis of these themes for Rwanda will follow. The last chapter consists of a comparison, which due to the themes could be done as accurate as possible. An important tool for analyzing the data to fit the themes is the discourse analysis. Discourse is largely defined as the fixation of meaning in a domain (Jørgensen & Phillips, 2011). Unlike structuralist approaches, discourse analysis can account for changes of a phenomenon. This is because discourse analysis treats language and practices as fluent concepts. Because the analysis is largely dependent on victim testimonies, language is the most important factor. The words the victims use must be understood within their context. Discourse analysis will allow for the theoretical texts on the subject to be tested and to see if they are congruent with the victim testimonies and court documents (Jørgensen & Phillips, 2011).

### **3.5 Research indicators**

The research indicators are divided into the three themes. The research indicators functioned as a tool to analyze the data in a systematic manner, so that it could be compared at the end. They will serve as evidence for the concepts, the absence or presence of the indicators discredits or proves that there is an influence of gender assumptions on genocidal rape. First the research indicators that belong to the theme of *macro-level humiliation* will be discussed, these research indicators are: making the act public, attack on family honor, and undermining masculinity. Secondly, the research indicators for the theme *importance of female virginity* will be discussed, these are: keeping the rape silent and not eligible for marriage. Lastly, the research indicators for the theme *change of genetical makeup* will be discussed, these are: ethnicity linked to genetics and destroying the ability to procreate. The indicators were not mutually exclusive, but rather mutually reinforcing, they all were part of the larger theme.

#### ***3.5.1 Macro-level humiliation***

There are several ways in which humiliation can manifest itself, one of them is making the act of rape public. There were cases that people were forced to watch or where it was broadcasted by the media. There is also the intent of undermining the masculinity of the men of the rival group, the attack on a family honor of the raped women that makes rape tool for humiliating the opposite social field. This theme was divided into three research indicators that were used in the analysis for the analysis.

Making the act public – It has been found that there were two reasons why women were raped either in public or why it was broadcasted on TV. One of the reasons is to scare the other people, however this is not relevant for this section. The other reason was to make it known to their social field that the women were being raped. There are examples of women that were raped in front of their families (Skjelsbæk, 2012). But the act was made public by propaganda or announcing that it was going to happen as well. This act contributed to the humiliation in the sense that it humiliated and degraded the women in the eyes of the social field. Making the acts public affected the society directly because they were made aware of the fact that it was happening. In many cases women did not speak up about the act that was committed (Skjelsbæk, 2012; Morus, 2012). By making the act public, the side that inflicts the rapes made sure that a larger public knew. If the data indicated that the acts were made public so the people from the opposite social field

knew it was happening, it is presumed that humiliation at the macro-level influences the use of genocidal rape during conflict.

Attack on family honor - Social fields that tend to be more patriarchal link a woman's virginity to family honor (Skjelsbæk, 2012). BiH and Rwanda were, before and after the conflict, patriarchal societies (Berry, 2018; Mullins, 2009b). Most of the women were kept alive after being raped, some of the reasons were because their families would have to endure the pain and 'humiliation' of their daughters being raped (Russell-Brown, 2003). The rapes contributed to break up families and societies by keeping the women alive and letting them back in their families with the children that they conceived through the rapes (Bijleveld, Morssinkhof & Smeulers, 2009). If the data indicated that the survivors did not want to tell their families, or they were banished by their families, it is presumed that humiliation at the macro-level influences the use of genocidal rape during conflict.

Undermining masculinity – Masculinity was undermined by genocidal rape because the men were made to feel like they could not protect 'their' women. It was a form of humiliating the men for either not being strong enough or masculine enough. This humiliation could only manifest itself if in the social field women are perceived to be possessions of men. The attack on women was by default linked to the honor of men with the same ethnic background the woman was part of (Skjelsbæk, 2012; Skjelsbæk, 2001). The undermining the masculinity of the men in those social fields had another function. Both in the conflict of BiH and Rwanda there was a clear 'gendercide', mostly (young) men were purposefully targeted and killed by the perpetrators (Jones, 2000). The rape contributed to the emasculation of the male enemy combatants and civilians, it shattered their willpower and diminished the resistance (Bijleveld, Morssinkhof & Smeulers, 2009). This way the ultimate goal of the 'gendercide' could be reached more easily. If the research indicator is found in the data it suggests that when the masculinity is undermined by rape, it is presumed that humiliation at the macro-level influences the use of genocidal rape during conflict.

### ***3.5.2 Importance of female virginity***

Rape did not just have physical consequences for women, women felt damaged on a psychological level as well. The psychological consequences were either intrinsic, which means that they may have experienced forms of Post-Traumatic Stress Disorder or other experience of distress, or the psychological trauma was enforced or fed by their social

environment. Their social environment often condemned them for being raped. The main reason for this was because of the importance of female virginity in those social fields. If a female lost her virginity before marriage, in some social fields she lost her worth as well (Skjelsbæk, 2012; Snyder et al., 2006). Women would be considered to be unfit for marriage and motherhood after they had been raped. One example of this is that many female rape victims have indicated that they were afraid of telling their husbands or families of the altercation, because they were afraid that they would be rejected or even murdered by them (Diken & Bagge Lausten, 2005). Many women that have come forward have expressed that they did not want to make it known to their family because they feared that they would be rejected by their family. Another reason for the silence was that the women feared that they may not be eligible for marriage if people were to know that they were raped.

Keeping the rape silent – As explained above there were women that did not want to speak up about their experience because they feared that their family would reject them (Diken & Bagge Lausten, 2005; Gottschall, 2004). This relates to the research indicator ‘*Attack on family honor*’. Because in certain social fields female virginity is linked to honor, disgracing that would affect most people around them as well (Skjelsbæk, 2012). Women that have told their stories or have given victim testimonies gave them under aliases or remained completely anonymous. ‘*Women’s side of war*’ (2008) is a book that has collected victim testimonies where the women remain anonymous or give testimonies under aliases. Thus, if the victims express that they do not want to come forward because they are afraid of rejection of their family, it is presumed that the importance of female virginity influences the use of genocidal rape during conflict.

Not eligible for marriage – In certain social fields genocidal rape could have influenced whether or not the women were eligible for marriage. The women that are raped may have already been married or may have been single, nonetheless rape effected the women in both cases. One of the effects that it had on married woman was that their husbands left them, and the effect it had on single women was that they were perceived to be “damaged goods”, they were deemed to be not eligible for marriage. This created a wedge between men and women and decreased the chances of a social field to renew itself through procreation (Gottschall, 2004). Not being eligible for marriage was not only determined by the perception of the society these women lived in, but also how the women perceived themselves. It may have been so that the woman felt blemished by the rape because she

lost her virginity. Thus, if the women are found to be not eligible for marriage in their social field because they were raped, it is presumed that the importance of female virginity influences the use of genocidal rape during conflict.

### ***3.5.3 Change of Genetical Makeup***

Whenever rape during a war has been related to genocide it was accompanied by the proof of forced impregnation of women. For both BiH and Rwanda, the cases in court where people were indicted for genocidal rape, there were charges of forced impregnation (Nichols Haddad, 2010). It is documented that there were camps in BiH where women were raped and only released after their pregnancies had progressed far enough, that it could not be terminated safely anymore (Takševa, 2015). The forced impregnation is all linked to assumptions of gender, the perpetrators wanted to change the genetical makeup of the next generation

Ethnicity linked to genetics – This research indicator is very straightforward; the perpetrators forcibly impregnated the women, in order for them to live with the child and/or to change the genetical makeup of the next generation. Whenever ethnicity is linked to biology the female body can be a field where the war is fought on. In some social fields it is believed that the genes of the father determine the ethnicity of the child (Russell-Brown, 2003; Turshen, 2001; Skjelsbæk, 2001). If in a social group ethnicity is believed to be linked to genetics, it is presumed that the change of genetical makeup influences the use of genocidal rape during conflict.

Destroying the ability to procreate – The other common thought is that women are the bearers of a given culture/ethnic group. Their abilities to procreate can be destroyed or manipulated, for example by sexual mutilation or terminating any possibility to procreate. The biological basis for an ethnic group/social field can be compromised (Skjelsbæk, 2001). Thus, if the ability to procreate is destroyed by the enemy group, it is presumed that the change of genetical makeup influences the use of genocidal rape during conflict.

## 4. ANALYSIS

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### 4.1 Introduction

Rape was used systematically to gain power over the rival group during the conflicts in BiH and Rwanda, it was used as a form of violence (Sharlach, 2000). According to Whitehead (2007), the way violence is carried out is a manifestation of a particular culture wherein it occurs. This is a very important notion for the analysis. The intentions for using rape as a part of the genocidal policy are important to understand. They have to do with assumptions of gender roles that existed in the social fields prior to the conflicts. Most of the victims find themselves in a male-dominated, patriarchally organized society. Even in times of peace their own identity as a human being is most of the times questioned (Waller, 2012). This analysis will tap into the notions and derive from the consequences, if the pre-existing gender roles influenced the use of genocidal rape in those two cases. The analysis will start off with the case of BiH, the data will be arranged according to the concepts. First, a context of the social fields in BiH will be given. Second, the concept of *macro-level humiliation* will be discussed. This concept will be analyzed on the basis of the research indicators that were mentioned in the methodological chapter. Third, the concept of *importance of female virginity* will be discussed, this will also be done on the basis of the research indicators. After that, the concept of *change of genetical makeup* will be discussed, the concept will be analyzed based on the corresponding research indicators. Lastly, a conclusion of the analysis will be given. In the chapter after that the same will be done for Rwanda. The analysis will end with a comparative chapter of the two cases, where the research question that is posed in the introduction will be answered.

## 4.2 BOSNIA AND HERCEGOVINA

Before the conflict BiH was a part of Yugoslavia, a socialist federal state, where the different regions had autonomy. BiH was a republic in Yugoslavia where there was a lot of shared values between the Bosniaks, Serbs, and Croats. There was a high rate of interethnic marriages as well, people lived peacefully with one another (Clarke-Habibi, 2018). Most gender conceptions were shared amongst the three social fields, the way women were treated during the conflict is an expression of those notions. It is important to discuss the context of where the genocidal rape was enforced, because violence must be understood in its context (Whitehead, 2007). The assumptions of gender before the conflict are crucial to understand how rape can be used as a tool for genocide. That is why for BiH and Rwanda the social fields before the conflict are elaborated on.

Before the conflict men were always seen as figures of power, the women were always under the patronage of a man and were expected to remain mostly at the home (Evangelista, 2011). Before the conflict, the social fields within BiH were patriarchic, the women functioned as a link between a man and the next generation, i.e. be a mother to their children (Berry, 2018). Furthermore, women were always under the patronage of a man. When they were unmarried, they were under the patronage of their fathers, and when married under the patronage of their husbands (Snyder et. al., 2006). In early Yugoslavia the family was structured according to the *zadruga* principle, a conjoined home of multiple families where a patriarch was at the head (Somerville, 1965). The women in the *zadruga* were ordered to do tasks that were related to their gender by society. They were the ones that took care of the household. All of these examples mentioned above showcase the actual status of a woman in the social fields at that time, their status was that of a possession and a servant (Berry, 2018). These principle of the *zadruga* was relevant well before the conflict, and after the socialist revolution women gained more legal rights. Even though the women were more emancipated under socialism, after the death of Tito, Yugoslavia's leader, their position in society was set back again. The most important function of a woman in society became motherhood again (Berry, 2018). Moreover, women were viewed as possessions that were supposed to be protected by men. Protection of women related to all the women of the social field, if the men could not protect "their" women it was perceived as a weakness (Skjelsbæk, 2001; Morus, 2012).

It is very important to note that female chastity is a symbol of honor in the social fields of BiH. Not only does the literature (Diken & Bagge Lausten, 2005; Bijleveld, Morssinkhof & Smeulers, 2009; Jefferson, 2004) reflect this, but multiple victim testimonies (see Appendix A-1) have indicated the importance of female virginity and the honor it represented for their families and social fields. Female virginity is often synonymous with “purity”, if a woman lost her virginity before marriage, she would be considered to be impure and the honor of the family would be damaged (Snyder et al., 2006; Jefferson, 2004). There have been instances where women that were sexually active before marriage, with consent or even if they were raped, were rejected by their family and their social field (Diken & Bagge Lausten, 2005; Bijleveld, Morssinkhof & Smeulers, 2009).

The last most important assumption of gender in the social fields of BiH is the assumption that only the father passed on the ethnical legacy of the next generation. As described above, in the early days of Yugoslavia BiH was a patriarchic society, but even after the social reforms some assumptions still were prevalent in the social fields. One of these is that the ethnicity of the next generation is passed on through patrilineal lineage. Therefore, if the father of the child was a Bosniak, Serb or Croat, that would determine to which social field the child belonged (Berry, 2018; Weitsman, 2008; Sharlach, 2000). In these cases, it did not matter from which social field the mother was, the child’s ethnic background would be determined through patrilineal lineage (Takševa, 2015).

In the early 1990s, after Yugoslavia had officially fallen, it initiated the most lethal conflict in Europe since World War II (Skjelsbæk, 2012). After BiH declared its independence the conflict began, and the Bosniaks, Serbs, and Croats became hostile to one another. The conflict resulted into the deaths of approximately 100.000 people, displacement of about two million people and the rapes of tens of thousands of women and girls (Weitsman, 2008). Because the conflict was so well documented by different sources of news media, the atrocities that were committed became apparent to the rest of the world. It was made known that there were so called ‘rape camps’ (Skjelsbæk, 2012, p.63) that were a variation on the well-known concentration camps of Nazi Germany (Skjelsbæk, 2012). These so-called rape camps were set up in various different locations; schools, restaurants, hospitals, factories, and other buildings alike were used to detain women. It is still not determined how much of these camps there were but there were at least four to six major ones, there are no statistics on how many women were detained in these camps. One well known example of such a camp was the one in the city of Foča (Skjelsbæk, 2012; Weitsman,

2008). There is still a stigma on the women that were victims of genocidal rape, women that tell their story are sometimes even marginalized (Matusitz, 2017). A consequence of this is that few women speak up about their trauma, but some women have spoken up and have even testified in court (Takševa & Schwartz, 2018; Berry, 2018). For the case of BiH, whenever ‘rape’ is mentioned, the act of penetrating the vagina and/or mouth with a penis and/or other object is meant. For this part of the analysis only the case of BiH will be discussed. The analysis will be structured on the basis of the research indicators that are outlined in the methods section. The data consists of the following documents: twenty-five victim statements, twenty-four indictments provided by the ICTY, these documents will be complemented by scientific literature. The three different types of documents will be analyzed together to see whether or not the concepts influenced the use of genocidal rape during the conflict of BiH.

#### ***4.2.1 Macro-level humiliation***

To determine whether or not *macro-level humiliation* influenced the use of genocidal rape, the data will be analyzed with the research indicators. The three research indicators will be examined in the following order: making the act public, attack on family honor, and undermining masculinity. The indicators will be analyzed in separate chapters where the victim testimonies, indictments and literature will come together to conclude if *macro-level humiliation* had an influence in the use of genocidal rape in BiH.

#### **Making the act public**

In analyzing the data, it is found that “making the act public” was manifested in two ways. The first is where the perpetrators made other people watch the women of the social field they belonged to being raped. During the war in BiH it was very common for women and girls to be raped in front of people. Ten out of twenty-five women (see Appendix A-2) have told in their testimony that they were raped in front of others. Sometimes they indicated that it was in front of family and sometimes it was in front of other militias. In one of the testimonies, the witness recollects that

“A soldier came over and yelled at me – “You, come here!” I didn’t even [realize] he was calling me. Then he made my father come and stand in front of me. It wasn’t until I saw the tears in my father’s eyes that I understood what was about to happen. They were going to take me away [to be raped], and they wanted him to see.” (see Appendix A-3)

It seems that the rapes were carried out in front of others, or made known to them, intentionally. The quote mentioned above is especially exemplary because it reflects the notion found in the literature (Morus, 2012; Snyder et al., 2006) about how the visibility and knowledge of the rapes contributed to the humiliation of men that were part of the targeted social field. Furthermore, six indictments (see Appendix B-1), on multiple counts, contain examples of victims that were explicitly raped in front of other people, or by multiple people at the same time. In one of the indictments there is a description of a victim that was subjected 'to repeated incidents of forcible sexual intercourse. On one occasion, she was raped in front of other persons, and on another occasion she was raped by three different persons in one night. (...)' (see Appendix B-2). Skjelsbæk (2001) rightfully notices that rape was used as a communication form, the Serb men that raped Bosniak women communicated to their male counterparts that they were not able to protect "their" women. Furthermore, victims of rape also witnessed other victims being raped intentionally. Count 31 in the case of the prosecutor V. Dusko Sikirica states:

'In all camps [in this indictment specified as: Keratem, Omarska and Trnopolje], detainees were continuously subjected to or forced to witness inhumane acts, including murder, rape and sexual assaults, torture, beatings and robbery, as well as other forms of mental and physical abuse.' (see Appendix B-3)

It is not clear from the victim statements or indictments whether or not this was done to scare the other victims, it contributes to letting people being able to identify the women that are raped and spreading the knowledge of these rapes. The link between making others watch and therefore making it known to a wider public that the rapes are being committed causes huge grief and humiliation to the social field. The women that were always under the rule and protection of the man have been violated, and they could prevent it from happening. Rape thus was used as a tool to humiliate the other people in BiH.

As mentioned before, making the act of rape public was intended to let the people know that it was happening. There is however another factor to this indicator, namely that of announcing that rape is going to happen to larger groups or ordering people to execute the rapes. Two victims (see Appendix A-3) mentioned that that the men told them they were ordered to do it and/or that it had to happen. However, eight different counts in three indictments (see Appendix B-4) reflect that either somebody ordered the rapes or that the rapes were announced to happen. There was a plan that was allegedly written by

Serb army officers, that described that rape was going to be part of their policy of ethnic cleansing (Skjelsbæk, 2012). The plan and orders were thus given from higher-up, which is congruent with the two witness statements and the indictments. Planning out the rapes and announcing that rape is happening contributed to making the act public, spreading the knowledge functioned as a communication tool, it sent a message to the men of the opposite social field. They could not protect “their” women, and thus contributes to the macro-level humiliation of the social field. Making the act public contributed a great deal to the macro-level humiliation because it was a form of communication, it was a way to attack and demoralization of the men in that social field.

### **Attack on family honor**

The attack on family honor presents itself in two different manners in the data of BiH. The first is the rape of a victim specifically in front of the family, and the second is that the victim indicates she is not able to face their family afterwards. As mentioned in the introductory chapter of this analysis, whenever the virtuousness of a woman was violated, it damaged the family as a whole (Snyder et al., 2006). Some of the women even chose not to testify during the ICTY trials because they were afraid that their family would face reprisals if they testified (Jefferson, 2004). However, some victims were raped at home in the presence of their parents, husband or children. Six victims (see Appendix A-5) confirm to have been raped in front of their family. There are no indictments that indicate that perpetrators intentionally raped women in front of their parents. One of the victims states that ‘They raped me, my aunt and my mother. They forced my mother to watch as I was raped, to look how they took their pleasure with me. I was raped by two of them.’ (see Appendix A-6) Mennecke & Markusen (2004) confirm, in their article of the genocide in BiH, that there were many more cases like the one mentioned above. As mentioned above, family honor was directly linked to women and their chastity (Snyder et al., 2006). There is even a witness that stated that her ex-husband tormented her about the rape and as a consequence she divorced him (see Appendix A-7). Moreover, “dishonor” is a word that is used by some of the victims to describe the rapes. One of the victims did not say she was raped; she said she was dishonored. Another victim spoke of the dishonoring of her daughter. The attack on family honor also seems to be very clear in the language. Since most of the witness statements were of women that were in the camps, the numbers of victims that are raped in front of their family is relatively low.

Seven victim statements (see Appendix A-8) indicate that the victims were not able to face their family after they were raped, this is linked to family honor. One of the victims explained that when the UN-workers wanted to give the address of her son to her daughter that [she knows her daughter] wouldn't be able to face him again' (see Appendix A-9). When she is asked if she has seen her husband after the conflict, she answers that she has not and that she does not want to. She then continues 'Well, at least he's spared the embarrassment of my shame. It would kill him to know how they tainted me.' (see Appendix A-10) This statement relates directly to family honor, she spoke clearly of embarrassment and shame, indicating that family honor has been violated. The literature suggest that women embody that family honor and that the damage can be done to the relationship of the women and their family by dishonoring them (Sharlach, 2000; Snyder et. al., 2006; Skjelsbæk, 2001). Even in international law, for the longest time, cases of wartime rape were almost exclusively treated as crimes against men and family honor (Mertus, 1999). Some sources even suggest that a large number of Serb and Croat women do not want to come forward about their experiences because it would damage that honor (Takševa & Schwartz, 2018). Moreover, multiple victim testimonies (see Appendix A-11) indicate the importance of their chastity to their family's honor. Therefore, it can be concluded that if female chastity is linked to the honor of the family, raping the women would damage that honor.

### **Undermining masculinity**

The notions in the Bosnian social fields about femininity and masculinity have a large influence on this indicator. Matusitz (2017) and Berry (2018) confirm the idea of the man as protector, they state that the rapes sent a message to the men of that social field: they are too weak to protect their women. They also stress that they way to send the message is to rape the women in front of them. Two victim statements (see Appendix A-12) also confirm this, they stated that they were raped in front of their fathers. One of them stated that they put her father in a room so he could witness the rape. In the social fields in BiH being able to protect women from harm is a part of the masculine culture (Skjelsbæk, 2001). By attacking their masculinity, the men would get demoralized. As mentioned above, it is believed that a larger number of Serb and Croat women were raped during the war, but that they do not speak up about it in order to retain the honor of their families and men in general (Takševa & Schwartz, 2018). However, this topic is almost exclusively found in the literature and not the other data. In the indictments, this indicator explicitly occurs in combination with the other two. Where the other two indicators were clearly

present, this indicator is not present in all the data. This means that the influence of this indicator on *macro-level humiliation* cannot be determined with certainty.

#### ***4.2.2 Importance of female virginity***

To determine whether or not the *importance of female virginity* influenced the use of genocidal rape, the data will be analyzed with the research indicators. The two research indicators will be examined in the following order: keeping the rape silent and not eligible for marriage. The indicators will be analyzed in separate chapters where the victim testimonies, indictments and literature will come together to conclude if the *importance of female virginity* had an influence in the use of genocidal rape in BiH.

##### **Keeping the rape silent**

This research indicator relates to women that keep the rape from their community because they feel social pressure. They have, of course, told their stories to an interviewer anonymously, this indicator relates to the parents and/or the people around them. The women expressed shame for what happened to them, if they were virgins, they would mourn the loss of their virginity and if they were married, they would feel like they have committed adultery. The fear of rejection by their social field accompanied those feelings (Diken & Bagge Lausten, 2005; Bijleveld, Morssinkhof & Smeulders, 2009). Five victims (see Appendix 1m) have openly stated that they did not tell their spouses or family about what happened to them. The women are very unanimous about keeping the rape from other people because it caused them embarrassment, or they were afraid of being stigmatized. One of the witnesses stated: ‘I never want my parents to know about this. I also have a boyfriend, but I can’t tell him. I’m so afraid of what people would think of me and say about me.’ (see Appendix A-13) Another victim told the interviewer that she had seen that all the women who were with her in a bus were dishonored. The interviewer followed up by asking her if they had talked about it, she replied with: ‘No, you do not speak about such things.’ (see Appendix A-14) The number of women who were raped during the conflict in BiH cannot be established for certain because many women choose not to talk about the rape. They choose not to talk about it because it has social consequences for them and their families (Snyder et al., 2006). According to several interviews conducted by HRW, many women did not tell their husbands about the rape because they were afraid of being rejected (Diken & Bagge Lausten, 2005; Berry, 2018). The fact that they feel ashamed or afraid of being rejected related to the importance of their virginity in the social field. Because they have either lost their virginity, or they think

that they have committed adultery, their “worth” in society drops. This research indicator is very present and reflects the fact that female virginity was important in BiH.

### **Not eligible for marriage**

Not being eligible for marriage has proven to be an important aspect. For a long time women in BiH were only valued for their relationship to men. In BiH the women’s most important position was that of mother and wife. A woman even got more status in the social field when she gave birth to sons, because this would carry on the family’s name and honor (Berry, 2018). Women that were tainted, i.e. lost their virginity before they were married, would be considered not eligible for marriage (Diken & Bagge Lausten, 2005). Six victims (see Appendix A-15) reflected in their statements that they felt tainted by the rapes. One of the witnesses explained: ‘Suddenly I realised what had happened. I realised I was perverted, raped and deformed for life.’ (see Appendix A-16) A sense of being tainted is related to the fact that they lost their virginity, because there are cultural notions attached to virginity that relate to the value of these women (Turshen, 2001). A victim statement reflects that the perpetrators were excited to know that they were tainting the women:

‘He asked if I was a virgin. I said I was. He was glad because as my first male he would leave a mark on my life. I still cried, begged and implored him not to do it to me.’ (see Appendix A-17)

The rejection of the other gender within their social field, because they were raped, was a real fear for the women. This fear was cultivated by the Serb-militia and furthered their policy of genocide. The eligibility of a woman to get married drops if she has been raped, which confirms that in BiH importance on virginity was an important theme.

### **4.2.3 Change of genetical makeup**

To determine whether or not the *change of genetical makeup* influenced the use of genocidal rape, the data will be analyzed with the research indicators. The two research indicators will be examined in the following order: ethnicity linked to genetics and destroying the ability to procreate. The indicators will be analyzed in separate chapters where the victim testimonies, indictments and literature will come together to conclude if the *change of genetical makeup* had an influence in the use of genocidal rape in BiH.

### **Ethnicity linked to genetics**

The three different social fields in BiH are considered to be three different ethnicities. During the conflict in BiH forced impregnation was widespread. The camps, that

functioned as rape camps, Bosniak and Croat women were forcibly impregnated and only released when abortion was no longer possible (Waller, 2012). Fifteen victims (see Appendix A-18) state that they were held in rape camps, and thirteen indictments involve such rape camps, where forced impregnation was a policy. The forced impregnation contributed to genocide in two manners. The first one is that it “occupied” the wombs of the women and they could not get pregnant by men of their own ethnicity (Sharlach, 2000). The second one, which is more important to this analysis, is that the children born out of the rape are considered to be of Serbian ethnicity, because it is believed that ethnicity is passed along through the father, as explained in the first chapter of this analysis (Weitsman, 2008). The intention of the impregnation was to create a new generation that belonged to the social field of the perpetrator, so the next generation of Bosniaks or Croats would cease to exist. This is something that came back in the indictments and victim testimonies as well. Five victim statements (see Appendix A-19) indicated in one way or another that ethnicity was linked to genetics or hinted to forced impregnation. Even though only five statements indicate forced impregnation, more victims could have been implicated in the policy because a large portion of them were sent to rape-camps. One of the victims confessed that she was pregnant from the rapes. Three victims mentioned that the perpetrators told them that they would give birth to “Serb babies” now. One of them said:

“A few days later, six soldiers came in and all of them raped me. They cursed me, insulted me, said there were too many Muslim people and said a lot of [Bosniak women] were going to give birth to Serbian children.” (see Appendix A-20)

Two indictments also indicated that the soldiers during their attacks mention that the women are going to give birth to “Serb babies”. The first indictment stated that “Both perpetrators told her that she would now give birth to Serb babies.” (see Appendix B-5) The second indictment stated that “During [the rape], he said that she would give birth to good Serbian children.” (see Appendix B-6). It can be said with certainty that forced impregnation was a policy that contributed to genocide, because of the belief that ethnicity is passed on by the father.

### **Destroying the ability to procreate**

Some women that have endured genocidal rape either had their reproductive organs damaged so they could not procreate or have been infected with a disease that they pass on to the next generation. There is not much data on women that suffered genital mutilation or exhaustion during the conflict in BiH. One out of twenty-five statements

(see Appendix A-20), and two out of twenty-four indictments (see Appendix B-7) indicate that there were women suffering from genital exhaustion. The literature is more focused on forced impregnation than on genital mutilation. One of the indictments states:

“On or around 13 August 1992, most detainees were released from Partizan and deported to Montenegro. The women who left on the 13 August convoy received medical care for the first time in Montenegro. Many women suffered permanent gynaecological harm due to the sexual assaults. At least one woman can no longer have children. All the women who were sexually assaulted suffered psychological and emotional harm; some remain traumatised.” (see Appendix B-8)

This count suggests that in the rape camps there were cases of genital exhaustion. But because the policies were to forcibly impregnate women it seems counter intuitive that they would mutilate the women so that they wouldn't be able to procreate. It therefore seems that these women have suffered this as part of the many rapes and the bad conditions in the camps, and that it was not specifically intended that way. Therefore, there is not enough evidence that this indicator was relevant during the BiH conflict, or that it was a large part of the change in genetical makeup.

#### ***4.2.4 The concepts***

For concept one, which looks at the macro-level humiliation, both indicators “making the act public” and “attack on family honor” were found in all the data for BiH, whereas “undermining masculinity” was only found in the literature. It seems that for this concept only the first two indicators are important and do indeed reflect gender assumptions of *macro-level humiliation* of the social field influences the use of genocidal rape. Making the act public functions more as an act during the conflict but it contributes greatly to the macro-level humiliation. If the men did not perceive themselves as the protectors of their possessions, i.e. the women in their social field, rape could not contribute to a macro-level humiliation. The same mechanism works for “attack on family honor”, if women and their chastity did not reflect the honor, rape could not contribute to *macro-level humiliation*. Therefore, it can be concluded that assumptions of *macro-level humiliation* in BiH did influence the use of rape as a tool of genocide.

The second concept looked at the way women were perceived after they were raped, the two indicators, keeping the rape silent and not eligible for marriage, are very present in the data and are both derived from the gender assumptions that preceded the conflict.

They both heavily rely on the importance of virginity of the women in these social fields. The women felt like they were tainted, or that they lost something and that their worth as a human dropped. Women choose not to talk about the rape because they feel a social pressure, the social pressure of being this virtuous being. Some of the militias have even expressed their enthusiasm when they knew their victim was a virgin. It seems that for BiH, the importance that female virginity has in the social fields influenced the use of genocidal rape.

The analysis of concept 3 looked at how ethnicity is linked to genetics. In BiH, ethnicity was perceived to be passed on only by the father, and it very much it influenced the use of genocidal rape during conflict. The other research indicator, destroying the ability to procreate, was not as relevant as the fact that ethnicity was linked to genetics. This research indicator only presented itself in one branch of the data, therefore it cannot be certain that this is important for the change of the genetical makeup. However, it is very important to emphasize that because ethnicity in BiH was considered to be passed on through patrilineal lineage, change of genetical make up is an important influence on the use of genocidal rape during the conflict. Not only did all the data reaffirm this indicator, it also reaffirms the assumptions on gender as described in the first chapter of this analysis.

### 4.3 RWANDA

Rwanda was under colonial rule for a period of time in history. During that time women were expected, just like in the early years of Yugoslavia, to be concerned with the household. For married women, motherhood was a primary duty (Berry, 2018). However, this applied to a lesser extent on the poorer (mostly Hutu) women. These women were expected to do hard work on the land and to provide for their families in that sense. Both rich and poor women were expected to get married, where they would move from under the patronage of their father to the patronage of their husband. In fact, the social identities of women in Rwanda were directly derived from the men in their lives (Jefremovas, 1991). It was very important for women to fall in line with the norms of chastity, premarital sexual relations or pregnancies were very stigmatized. There have even been instances where male family members murdered a woman because she was pregnant before marriage (Berry, 2018; Zraly, Rubin & Mukamana, 2013). Women that were unmarried and labeled as promiscuous were called *femmes libres*. These women were largely socially marginalized, deemed to be mistresses of married men and were not considered to be eligible for marriage because of their perceived promiscuous nature (Berry, 2018). Supposedly, in the post-colonial times, women got more legal rights than they did while under colonial rule. However, it seemed to be more of a façade because the social norms did not change alongside the law. Women who were unmarried were still considered to be under the rule of their father, and married women were continued to be treated as possessions of their spouses. They had to ask their husband's permission to open bank accounts, if they had an income their husbands were legally permitted to use that money (Berry, 2018; Jefremovas, 1991). Because women were perceived to be the possessions of men, they also fall under their protection. Just like in BiH, if the men were not able to protect the women from any harm, it would be considered to be humiliating to them and their manhood (Hubbard, 2012).

Just like in BiH, in Rwanda it seems like there is honor attached to the female chastity. If a woman were to lose their virginity, they would lose the respect of the people in their community as well (Mukamana & Brysiewicz, 2008). The importance of female virginity is also emphasized in the victim statements, seven victim statements (see Appendix C-1) directly emphasize that they feel less worthy because they lost their virginity. Marriage was something that a woman was supposed to aspire to, that goal would have been compromised if she was not a virgin before the marriage. Women that were more

independent would be punished by institutions, they would, for example, be sent to “reeducation centres” where they would be subdued to harm so they would be punished for not conforming to the norm (Berry, 2018). Therefore, it was very desirable to be a virtuous woman that was still eligible for marriage (i.e. a virgin).

The last most important assumption of gender concerns the offspring. The value of women in Rwanda lay mostly in their child bearing capacities. Their most important function is to be the link between the man and his offspring, naturally women who bore sons were more respected (Berry, 2018). Just as in BiH, ethnicity was considered to be passed on by the male parent, the offspring is always related to the father rather than the mother (Zrally, Rubin & Mukamana, 2013; Mukamana & Bryciewicz, 2008). Therefore, it did not matter whether the mother was Tutsi or Hutu, the children would belong to the social field of the father.

The genocide that lasted a hundred days in Rwanda cost the lives of 800,000 people. The genocide arose from preceding tension between the Hutu and Tutsi populations. The genocide was set off when the airplane of president Habyarimana was shot down, and all passengers died. Although it has never been established who made the attack, the Rwandan Patriotic Front (hereafter: RPF) was blamed for it (Skjelsbæk, 2012; Smeulers & Hoex, 2010; Desforges, 1999; Strauss, 2013). When the genocide started, a group called the ‘Interahamwe’, was formed. This group was comprised of soldiers, police and ordinary people. The violence almost exclusively came from these types of groups and was in many cases ordered from sources that varied from political leaders to local radio stations (Smeulers & Hoex, 2010; Strauss, 2013). Alongside the widespread violence was a very overt policy of sexual violence against Tutsi women. The rapes were not as organized or performed in camps as they were in BiH (Mullins, 2009a), still it is estimated that in the tens of thousands of women were sexually violated by the militia (Berry, 2018). It was done in such a systematic and widespread matter that rape was deemed more as the rule, not suffering under sexual violence was the exception (Skjelsbæk, 2012; Heineman, 2010). One of the reasons that it was so widespread, and also done by civilians, is that it was propagated in such a way, that the Hutu man believed he was entitled to violate the Tutsi woman. The women were perceived to be the properties of a man and thus there were a lot of forced marriages and a lot of women were forced to bare children of these man (Skjelsbæk, 2012). In that sense, just like in BiH, the rapes were an expression of the patriarchy, but it was also an expression of the difference of ethnicity. Hutu women were

portrayed as very virtuous women, that were there to be married to and to cherish and love, while the Tutsi women were seen as seductresses that will seduce a Hutu man to try and gain knowledge for the RPF (Skjelsbæk, 2012). They made notions of gender differ inter-ethnically so the Tutsi women would be the target of the rapes. For the case of Rwanda, whenever ‘rape’ is mentioned, the act of penetrating the vagina and/or mouth with a penis and/or other object is meant. For this part of the analysis only the case of Rwanda will be discussed. The research indicators as discussed in the theoretical framework will be analyzed with the data that is found for Rwanda. The data consists of the following: sixty-two witness statements, eight-teen indictments provided by the ICTR and scientific literature.

#### ***4.3.1 Macro-level humiliation***

The research indicators in this chapter relate to the first concept, *macro-level humiliation*. The indicators will be discussed in the following order: making the act public, attack on family honor & undermining masculinity.

##### **Making the act public**

In analyzing the data, it is found that “making the act public” has two ways of manifesting itself. Just like for BiH, people in Rwanda were forced to witness the rapes of the women. In addition to that, the rapes were widely announced to the people and were imposed from above, by people that were in charge. Nine victim statements (see Appendix C-2) indicate that the rapes happened in the presence of other people. The rapes that these women described are those in front of people they did not necessarily know. Raping women in front of people was a largescale practice during the genocide (Smeulers & Hoex, 2010). One of the victims stated the following:

‘Myself and two of my cousins, aged nineteen and seventeen, were abducted by the killers and kept for a week at the roadblock where, we were raped by anyone who felt like it. Each day we were raped in full view of everyone.’ (see Appendix C-3)

Five indictments (see Appendix D-1) confirmed that women were raped in front of other people. In the case of Prosecutor v. Muhimana it is even indicated that Muhimana’s modus operandi was to rape Tutsi women in front of other people. Count 6.C(i) of the same indictment states that Muhimana made people that walked by watch as he raped a Tutsi woman, and afterwards showed her sexual organs to the passerby’s. This in itself contributed to making the rape public, in order to humiliate the social field that was targeted. It was very conventional that rapes were carried out in public, and mostly in front

of the Tutsi refugees, to make known that rapes were occurring, and they were targeting Tutsi women (Mullins, 2009a). During the genocide, there were rapes that were considered to be “spoils” of the war, these rapes did not fit in the narrative of the genocide. However, when the rapes had genocidal intentions they were almost exclusively carried out in public (Lindner, 2000). As mentioned in the introductory chapter, the rape of a woman was considered to be an attack on the men of that social field as well, it was used as a way to humiliate them. Due to the high rate of women raped in public and the fact that it seemed to be a policy of some perpetrators, it is determined that the public rapes functioned as a way of communicating and humiliating the men of that social field.

Ten indictments (see Appendix D-2) of the ICTR state that the rape was ordered from higher up, or by the indicted perpetrator in question. In one of the indictments it is stated that ‘members of the Interim Government generally instigated, encouraged, facilitated, or acquiesced to, among others, the militia, Interahamwe-MRND, soldiers, and gendarmes raping and sexual violating Tutsi women.’ (see Appendix D-3). The ten indictments all state that orders to rape were also given on the spot, and that afterwards the militia adhered to the orders. Mullins (2009a) distinguishes the rapes during the Rwandan genocide into three categories, one of those categories are rapes with genocidal intentions. Within that category he states that the local powers had a direct involvement in stimulating and executing the rapes. There are even instances of women in Rwanda that gave orders to militia to rape the Tutsi women. Even though the announcements and orders were very public, only three victim statements (see Appendix C-4) indicate they were aware of the fact that the rapes were ordered. In addition to ordering men on the spot to rape Tutsi women, propaganda about the sexuality of the Tutsi women was widespread. Hutu men were informed that rape was a good way to retaliate against the Tutsi’s (Wood, 2006). Announcing that the rapes were going to happen/ordering or engaging others to rape had a big part during the genocide in Rwanda. The other civilians were indirectly informed about what was happening to the women, which contributed to the macro-level humiliation because they could not prevent it.

### **Attack on family honor & Undermining masculinity**

These two research indicators have not been very prevalent in the data, they did not present themselves in a direct manner as in BiH. In total, only four out of sixty-two victim statements (see Appendix C-5) indicated that the rapes were a part of undermining masculinity or attacking family honor. In the indictments there was no proof for these

two indicators at all. This could indicate that these two indicators are not relevant for Rwanda, but they are mentioned in the literature and there are different factors that link with the “attack on the family honor”. It could very well be that these particular victim testimonies did not include family honor, but if the victims were asked specifically about family honor that it would have come up.

The women in Rwanda had a high risk of being shunned by their family when they lost their virginity before marriage, which can indicate that they have dishonored their family (Mullins, 2009b). The rapes did not just affect the family ties, most of the other social contacts were affected by it as well. One of the victims (see Appendix C-6) very explicitly said that the people around her did not accept her because she was raped. There seems to be honor attached to the virginity of the women; when they lose it outside of marriage, they lose the respect of the people in their community (Mukamana & Brysiewicz, 2008; Jefremovas, 1991). One of the victims that gave a statement told the interviewer that ‘[the militia] reached my house [and] they demanded identity cards. And then despite the presence of my husband and their neighbours they instantly began to rape me.’ (see Appendix C-7). It seems to be that the woman was raped intentionally in front of her husband and the neighbours, to damage the family honor. As mentioned in the introduction of this chapter, family honor is linked to the female chastity. Seven victims (see Appendix C-8) indicate that losing their virginity was shameful. There are gender assumptions here that influence the use of rape as a tool of genocide. It does not seem to be a direct factor, or one that is heavily present, but it can also not be said that it does not have any influence at all.

Mullins (2009b) concludes that the rapes during the genocide had multiple intentions. One of these intentions was to damage the moral of the Tutsi men by making them feel like they could not protect the women. However, other statistics show that most men were murdered before or during the rapes of women (Mukamana, Brysiewicz, Collins & Rosa, 2018). Because they were murdered on the spot it seems that undermining their masculinity is not directly present.

#### ***4.3.2 Importance of female virginity***

These research indicators link to the second concept, *importance of female virginity*. This concept is divided into two research indicators: keeping the rape silent and not eligible for marriage. The analysis for this concept shall be divided accordingly.

### **Keeping the rape silent**

This indicator will only include witness statements and literature, because it is inherent to the victims themselves and is not reflected in the indictments. Keeping the rape silent has had different reasons for manifesting itself, the most prevalent one has to do with the social pressure women feel. Because there are stigma's on women that have sexual relations before or outside of marriage, the victims tend to intentionally hide the fact that they were raped (Bijleveld, Morssinkhof & Smeulers, 2009). Twelve victims (see Appendix C-9) indicated that they did not tell the people around them about what happened to them during the genocide. One of the victims stated that she did open up about the rape eventually, but that it was received very poorly by the people around her:

'The initial response of those I spoke with only made me feel worse. Some people tried to make me understand that I was responsible for what had happened to me, that I should never have gone into exile, that I should have escaped the Interahamwe.' (see Appendix C-10)

The stigmatization of raped women had a large influence on them to keep it silent. The victims also did not disclose the fact that they contracted HIV from the rapes, because they did not want to admit that they were raped. In Rwandan society rape carried a social stigma, there have been women that were rejected by their family because they were raped during the genocide (Bijleveld, Morssinkhof & Smeulers, 2009). This has contributed to the destabilization of the social field of the Tutsi's. Most of the women did not even tell their close friends what happened to them and realized after a while that the same had happened to their friends as well (Lindner, 2000). The women felt that they were not able to share their pain, the victim statement above confirms this notion. The stigma's that accompany the women that have spoken up about the rape seem to be based on assumptions of gender. Virtuous women, or virgins, were more accepted and desired in the social fields in Rwanda. Therefore, it seems that keeping the rape silent is a consequence of these assumptions, and thus reaffirms the importance of virginity in the social fields.

### **Not eligible for marriage**

Not being eligible for marriage has proven to be an important aspect. Just as in BiH, the social status of a woman in Rwanda was usually dependent on whether or not they were married. Being married improved the social status of a woman, if they were not married, they were expected to behave virtuously. If women lost their virginity before marriage, they were considered to be tainted or less valued. Ten victims (see Appendix C-11) stated

that they felt tainted after the rapes, they stated that the feeling came from within and from the fear that nobody would “want” them. One of the victims even stated that ‘[the perpetrator] said he would protect me if I agreed to be his wife. I had no choice. He had already raped me and could keep me if he wanted to.’ (see Appendix C-12). The women that were not married but have lost their virginity felt as though they lost their identity as a virtuous girl (Mukamana & Brysiewicz, 2008). Because the women feared they would not find a husband after they lost their virginity, their only option seemed to be to stay with their rapist (Mullins, 2009b). Moreover, the victims were reminded by others that because they were raped, they had lost their “worth”. One of the victims stated that when she sought refuge with a Hutu family, the man that was supposed to protect her raped her, she said that ‘[the perpetrator] knew through his wife that [the victim] had been raped by several men, so he told [her]: “Come here, you’ve got nothing to save,” meaning that he wasn’t the first.’ (see Appendix C-13). This enforces the idea that whether or not a woman is virtuous and eligible for marriage depends on their status as a virgin (Jefremovas, 1991). One of the indictments even states that the perpetrator in question had commanded his subordinates to ‘not keep [the victims] as wives, but rather rape them to make a difference (...)’ (see Appendix D-4). The difference in this case can relate to the fact that they would “taint” the women and make them less desirable for the men of the social field to which they belonged. Since before the conflict the main function of women in Rwanda was motherhood and being a wife, as mentioned in the introduction of this chapter, that function was disturbed because they lost their virginity. This research indicator was prevalent in the data and reinforces the assumption of the importance of female virginity.

#### ***4.3.3 Change of genetical makeup***

These research indicators link to the third concept, *change of genetical makeup*. This concept is divided into two research indicators, respectively: ethnicity linked to genetics and destroying the ability to procreate. The analysis will be done on the basis of these indicators.

##### **Ethnicity linked to genetics**

During the genocide of Rwanda, the two biggest groups were considered to be of different ethnicities. The women who were raped expressed that they thought it had everything to do with them being of Tutsi ethnicity (Hamel, 2016). Because of the belief that that women do not pass on ethnicity to the next generation, they were victims of forced

impregnation (Mullins, 2009b). The perpetrators forcibly impregnated women so they could give birth to “Hutu babies” (Zraly, Rubin & Mukamana, 2013). There are approximately 5000 or more babies born from the genocide, it is even considered to be a gross underestimate. Most of the women in Rwanda were very reluctant to disclose that they were pregnant from the rapes they endured (Bijleveld, Morssinkhof & Smeulers, 2009). Fourteen victims (see Appendix C-14) confirm in the statements that they were pregnant from the rapes. One of the victims that had a baby born out of rape got married after the genocide. She said that there were no problems between her and her husband in the beginning, but that it soon changed. Her husband told her ‘that he didn’t want the child of an Interahamwe, so [she] should give [the child] to the Interahamwe and let them take care of her.’ (see Appendix C-15). The social field perceived the children to be of the ethnicity of the perpetrator. Another victim confirms the notion that the children born out of rape were considered to be of the perpetrator’s ethnicity: ‘Everybody hated me for nurturing a militia’s child and my Uncle used it as an excuse to throw me out of his house where I was staying.’ (see Appendix C-16) The children born out of rape were not accepted, sometimes not even by the mothers. The most echoed statements about the children were that they reminded them of “their sins”, they were considered to be unwanted children of the militia. The children born out of rape always were associated with the perpetrator’s DNA, they were always considered to be the children of the militia (Mukamana & Bryciewicz, 2008). Forced impregnation was a part of the genocide, and the children born out of the rapes seem to be more associated with the perpetrator than the mother. Forced impregnation during the genocide of Rwanda is linked to the assumption that the children that are born out of that rape will belong to the social field of their fathers.

### **Destroying the ability to procreate**

Some women that have endured genocidal rape had their reproductive organs damaged so they could not procreate or were infected with a disease that they pass on to the next generation. There is some evidence that suggest that Hutu men intentionally spread HIV during the genocide in Rwanda (Mullins, 2009b). The victim testimonies do not explicitly reflect that there was a strategy, but twenty-five women (see Appendix C-17) disclosed that they were infected with HIV after the rapes. A handful of the victims have said that they think they have HIV, but they do not want to get tested. None of the perpetrators, however, is indicted for the intentional spread of HIV. However, there were no perpetrators indicted by the ICTR, that have told the victims that they were going to

intentionally infect them with HIV. However, Donovan (2002) states that the perpetrators did tell the victims that they were going to infect them with HIV, so they would have to live with the disease for the rest of their lives. Even though HIV was and sometimes still is a death sentence, it seems that in this context it had another function. The women that were infected with the disease ultimately had to tell their spouses that they have been infected, and thus tell them about the fact that they were raped. Some of the victim testimonies capture this dilemma, the women said they knew that they were infected but did not know how to tell their spouses. They did not want to let their husbands know that they were raped. Infecting the women with HIV does not necessarily have an underlying gender assumption, it does however contribute to the destruction of procreation and therefore is relevant to mention.

Moreover, it was a common practice during the genocide to thrust sticks in the vaginas of women after they were raped (Mullins, 2009a). Three victims (see Appendix C-18) state that they were mutilated, or knew women that were mutilated, during the genocide. The women were mutilated with different objects, for some it was with a stick and for others with a machete (Mullins, 2009a). There are four indictments (see Appendix D-5) that involve genital mutilation. One of the indictments even indicates that genital mutilation was ordered by people from higher ranks:

‘Sylvestre GACUMBITSI [travelled around] announcing with a megaphone 'Search in the bushes, do not save a single snake Hutu that save Tutsi should be killed ...Tutsi girls that have always refused to sleep with Hutu should be raped and sticks placed in their genitals...’” (see Appendix D-6)

There were different accounts of genital mutilation, sometimes breasts were amputated and sometimes the vagina was penetrated with sharp objects (Donovan, 2002). Genital mutilation seems to be more of an expression of aggression, than an expression of gender related issues. It was however very prevalent during the conflict and is therefore important to mention.

#### ***4.3.4 The concepts***

The most important research indicator for concept 1 is “making the act public”. There was enough evidence from the victim statements, indictments and literature to conclude that “making the act public contributed to the macro-level humiliation of the Tutsi’s as a social field. Attack on family honor was less present in the victim statements, but

according to the literature it was an important factor during the genocide. The gender assumption that lies underneath these two indicators seems to be the that women were under the patronage of men; by publicly disgracing them the men failed as protectors and thus the social field was humiliated on a macro-level. Just as in BiH, undermining masculinity did not seem to be very relevant in the data and therefore is not considered to be an important research indicator.

Concept two seems to be confirmed for Rwanda, both research indicators are present in the data. Keeping the rape silent is connected to the importance that the social fields put on chastity and virginity of women. Marriage was considered to be an important event in a woman's life in Rwanda, being raped compromised the chances of getting married. Virtuous women were more accepted and desired in the social fields in Rwanda. Therefore, it seems that keeping the rape silent and not being eligible for marriage are consequences of these assumptions, and thus it reaffirms the *importance of female virginity* in the social field and its influence on the use of genocidal rape in Rwanda.

In the analysis of concept three it has been apparent that ethnicity was directly linked to genetics. There is overwhelming evidence found that the first indicator is an important factor of the *change of genetical makeup*. The underlying assumption of gender is in this case that only men contribute to the expansion of the social field. The destruction of procreation had less to do with gender assumptions and more with physical harm. Women were purposefully infected with HIV or genitally mutilated to the point that they were not able to bear children anymore. The *change of genetical makeup* seems to have influenced the use of genocidal rape in Rwanda

## 5. COMPARATIVE ANALYSIS OF THE RESULTS

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### 5.1 Introduction

In the previous two chapters the two cases are analyzed with the help of the research indicators. However, the two cases are analyzed separately. To determine if the concepts are valid, this chapter will compare the two cases and see which indicators are important for both cases. If the research indicators are prevalent for BiH and Rwanda, the concepts are more likely to be confirmed. The following chapter will start with discussing the research indicators of concept one, then the research indicators for concept two will be discussed, after that the indicators for concept three will be discussed. Lastly, the research question that was posed in the introductory chapter will be answered. For the discussion of the concepts, the results that are used are strictly from the previous two chapters and so there will be no new results introduced.

### 5.2 Concept 1

For both BiH and Rwanda humiliation on a macro-level is an important concept. In both cases there were tendencies within the social fields to perceive rape as a humiliation to the whole group. The way the rapes were executed also indicated that it served the purpose of *macro-level humiliation*. The latter showed much similarities, in both conflicts the first indicator, making the act public, was very prevalent. The victim testimonies also showed similarities in the fact that most women were raped in front of other people. However, making the victims themselves watch while another victim was being raped seemed to be more prevalent in BiH than in Rwanda. This was partly due to the fact that there were camps set up specifically to rape the women. In these camps the women were forced to watch how other victims were subjected to rape. This was not the case for Rwanda, there were no camps and there is no evidence of other victims intentionally witnessing the rape of others. Announcing that the rape was going to happen was a practice that occurred in both cases. Perpetrators made it known to victims and the social field that the rapes were happening. For both cases the social fields also were aware of the fact that it was used as a strategy. This topic is important in contributing to the macro-level humiliation. The literature was used to offer context to the indicator. There was a general consensus that making the act public contributed to the humiliation of the social field. When women were attacked the whole ethnic group seemed to be attacked. Announcing that rape is happening and literally carrying the act out in front of people are acts that showcase the

intentions of making the act public. Making the act public, therefore, contributes to the *macro-level humiliation* of the social field.

The other indicator for this concept is attack on family honor. There was more evidence in the data for BiH than for Rwanda, but the literature did confirm that attack on family honor is an important indicator for Rwanda as well. The data for the case of BiH indicated that the act of the rape was carried out intentionally in front of the family of the victims, in order to taunt them. The literature mentions that family honor is intertwined with the chastity of the women in that family. Rape therefore lends itself as a tool to attack the honor of the family, if carried out in public or in front of the family. The word “dishonor” was also used frequently in literature and by the victims in their statements. This indicates that honor is attached to the chastity of women, one of the victims never mentioned rape itself but referred to it only as “dishonoring”. The victims and the literature also indicated that the women were so ashamed after they were raped that they could not face their family. However, there was very little evidence for this in the case of Rwanda, most of the evidence found stems from the literature. This can be because when the victims were asked to give their statements were mostly about their experiences during the genocide, rather than the implications the rapes had on them. There was however literature found for this indicator. Women that lost their virginity before marriage are less respected by their community. There have also been cases where the women that were raped during the genocide were shunned by their family, this can also indirectly be related to family honor. Because there is no overwhelming evidence in the case of Rwanda it cannot conclusively be said that attack on family honor is an important indicator. However, taking into the account that the victim testimonies of Rwanda did not include the implications of the rapes on the victims, it is presumed that attack on family honor is an important influence on the *macro-level humiliation*.

Undermining masculinity is the last indicator for this concept. The evidence found for this indicator is underwhelming, most of it is found in the literature. Just like for the last indicator, more evidence for this is found in the case of BiH. In both cases the phrase “protection” is very prevalent, in both cases it is perceived as the responsibility of the men to provide protection. For both cases the intention of the public acts of rape was to make the men feel like they could not protect the women and damage their moral to fight. However, most of the evidence is found in the literature, so it cannot be conclusively be said that it is an important influence on the *macro-level humiliation*.

Humiliation at the macro-level seems to influence the use of genocidal rape during conflict. The cases have demonstrated that there can be a pre-existing pattern in a social field whereby rape can scatter the existing social cohesion. Humiliation is very interwoven with the assumptions of gender roles in a social field. Because the man is seen as a protector and the women are viewed as possessions that must be protected by men, rape can be used as a weapon of genocide. Therefore, *Macro-level humiliation* is an important theme that can be applied to both cases.

### ***5.3 Concept 2***

For both BiH and Rwanda it seemed to be the case that women would lose their “worth” or be perceived as “damaged goods” if they lost their virginity before marriage. The two indicators, keeping the rape silent and not eligible for marriage, were present in both cases. In both cases the victims felt social pressure and that they would be judged because they were raped. Moreover, in both cases there were victims that kept it from their spouses, even though it took place before they were involved with them. The desirability of a woman to be taken as a wife also dropped after they were raped, some victims stated so themselves and the literature reinforced that assumption.

Keeping the rape silent and not eligible for marriage seemed to be very related to each other. Most of the women felt shame, did not want to tell their families or social surrounding. As mentioned earlier, they intentionally kept the rape from their spouses. The literature brought context to this matter, because they feared rejection, they did not tell their husbands or families. The fear for rejection was turned in reality in some of the cases in Rwanda, where women were chased out of their family for being raped. In BiH women did not want to talk because they feared that it would have consequences for their family. In both BiH and Rwanda it is very important for women to marry, the literature showed that marriage and procreation is one of the most important tasks of a woman. By raping the women, they become “tainted” and therefore undesirable as a spouse. That is how the social field can be dismantled on the long term, and therefore it contributes to a genocidal policy. The importance of virginity seemed to be a very important influence the use of genocidal rape.

In social fields where the *virginity of women* is very important, genocidal rape can damage the social field in its core. There must be pre-existing tendencies within a social field to

find a woman less desirable as a spouse if she had lost her virginity before marriage. Raping a woman can disconnect her from her social field. Therefore, it is determined that *the importance of virginity* influences the use of genocidal rape.

### **5.4 Concept 3**

The two research indicators for concept three were present in both cases. Both BiH and Rwanda were patriarchal before and at the time of conflict. The idea that the ethnicity of the next generation is passed on through patrilineal lineage was prevalent in both cases. Moreover, forced impregnation was in both cases part of a larger policy of genocide, ensuring that the next generation belonged to the ethnicity of the perpetrator. The intentional spread of HIV and the genital mutilation did not relate to gender assumptions, but it was nonetheless prevalent and contributed to genocide. The research indicators were manifested differently in the two cases. Ethnicity linked to genetics was present in both cases, whereas destroying the ability to procreate was more and almost exclusively present in Rwanda.

In BiH forcibly impregnating women was a policy and there were special camps that were set up to further this policy. Multiple perpetrators have said to the victims that they would give birth to the children of their own ethnicity. As presented in the chapter of BiH there is an overwhelming amount of evidence that women were impregnated because of the idea that ethnicity is passed on through the father. In Rwanda there were lots of children born out of rape, however it was not orchestrated in the same way as it was in BiH. In Rwanda it is found that the people that survived the genocide do not accept the children that were born out of the rape, because they were considered to be the children of the perpetrators. Thus, in both cases ethnicity is linked to the genes of the father, but it presented differently. In BiH the perpetrators themselves labeled the children to be of their ethnicity, and in Rwanda the social circle of the victims and sometimes the victims themselves labeled the children to be that of the perpetrator. But in both cases the assumption was that ethnicity was passed on by the father.

Destroying the ability to procreate was more present in Rwanda than in BiH. In Rwanda both genital mutilation and intentionally spreading HIV was a common practice during the genocide. Most of the victims indicated that they had contracted HIV after the rapes. Perpetrators have told their victims that they were going to infect them with HIV so they would have to live with the disease forever. In BiH there was no proof of the practice of

intentionally spreading HIV at all, therefore this cannot be considered to be an important topic for this indicator. Genital mutilation was ordered and announced to the victims beforehand in Rwanda, women's genitals were mutilated by thrusting a stick or other sharp objects in them. For BiH there was not enough evidence to indicate that genital mutilation was part of the intentions of the perpetrators to cause a genocide. There was only one victim statement and two indictments that indicated that genital mutilation occurred, therefore it cannot be considered to be systematical. This indicator therefore does not seem to be an important part of the *change of genetical makeup*. For the case of Rwanda, it does seem to be important, but it does not transcend that context and therefore cannot be extended to the concept.

The pre-existing ideas on ethnicity and gender do influence the use of genocidal rape during a conflict. If it is believed that ethnicity is passed on through the father, it is more likely that women will be forcibly impregnated. Their offspring is then considered to be of the ethnicity of the father and will belong to that ethnic group. It cannot for certain be said that the *change of genetical makeup* influences the use of genocidal rape during conflict. However, the assumption that ethnicity is linked to genetics was very important in both cases and cannot be dismissed.

### ***5.5 Answering the research question***

At the beginning of this thesis, in the introductory chapter, a research question was formed. That question is: *How do assumptions of gender within a social field influence the usage war time rape as a policy of genocide, looking at the cases of Bosnia and Hercegovina and Rwanda?*

To answer this question three themes that relate to assumptions of gender in the social fields of BiH and Rwanda were discussed. It has been established that the three themes influenced the use of genocidal rape in both cases. *Macro-level humiliation* was steered by the assumption that women were possessions of men. The rapes of the women functioned as a way to communicate to the men that they have failed to protect what was theirs, and therefore causes humiliation to them. *Importance of female virginity* is an important theme, in both cases overwhelming evidence of its prevalence was found. The idea that women lose their worth to men if they lost their virginity before marriage was present in both cases and influenced the use of genocidal rape during the conflicts. Lastly, the *change of genetical makeup* was steered by the assumption that ethnicity is passed on through patrilineal lineage. The idea that only men pass on the ethnicity to the next generation influenced the use of

genocidal rape in both conflicts. Therefore, assumptions of gender seem to have an influence on the use of genocidal rape because they determine what the consequences are for the social field as a whole. Table one gives an overview of the results of the data coding. Due to the assumptions of gender before the conflicts, the rapes during the conflicts were not just an attack on the individual, but on the whole social field. Because calculated policies such as forced impregnation and carrying out rapes in public, it becomes apparent the implementation of genocidal rape as an asymmetrical warfare tactic is indeed influenced by assumptions of gender.

**Table 1. The results of the data coding**

	<b>Bosnia</b>	<b>Rwanda</b>	<b>Total</b>
<i>Codes</i>			
<i>Making the act public</i>	16	26	42
<i>Attack on family honor</i>	6	3	9
<i>Undermining masculinity</i>	3	2	5
<i>Concept 1 totals</i>	<b>25</b>	<b>30</b>	<b>56</b>
<i>Keeping the rape silent</i>	4	9	13
<i>Not eligible for marriage</i>	6	2	8
<i>Concept 2 totals</i>	<b>10</b>	<b>11</b>	<b>21</b>
<i>Ethnicity linked to genetics</i>	6	13	19
<i>Destroying the ability to procreate</i>	7	32	39
<i>Concept 3 totals</i>	<b>13</b>	<b>45</b>	<b>58</b>

## 6. CONCLUSION

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This thesis has focused on wartime rape, and how gender assumptions influence the usage of it as a tool for genocide. The use of rape as a policy of genocide is not a new practice, but in the 20<sup>th</sup> century it gained more notoriety (Mullins, 2009). The documentation of the rape in Rwanda and BiH, awakened an interest in the phenomenon. A report of the UN confirmed that rape was indeed used as a tool of genocide during the conflicts in BiH and Rwanda (Kuhlken, 2012). Rape could only be used as a weapon of genocide because it was damaging on a macro-level, instead of only on the individual level (Skjelsbæk, 2001). The two cases are chosen because they are highly documented and the first two cases where rape was considered to be an act of genocide in international courts (Rittner & Roth, 2012). This thesis tries to give an answer to the question: How do assumptions of gender roles and sexuality within a social field influence the usage war time rape as a policy of genocide, looking at the cases of Bosnia and Hercegovina and Rwanda?

To answer the question mentioned in the previous paragraph, several theories were outlined in the theoretical framework. The theories were very diverse but there seemed to be consensus on three general concepts. The concepts have lent themselves to research how assumptions of gender influence the use of genocidal rape. The first concept is *macro-level humiliation*, where rape is perceived to be a humiliation the social field where the women belong to. The second concept is that of the *importance of virginity*. The women that were raped during the conflict were perceived to be “tainted”, “damaged”. This consequence is based upon the idea that to a man, a woman loses her worth when she loses her virginity. The third concept entails the *change of the genetical makeup* by forced impregnation. In social fields where there is a common belief that ethnicity is passed on through the father, it is more likely that rape can be used as a tool of genocide. To test these concepts a multiple case study has been done. The data for the analysis consists of victim testimonies, trial indictments and scientific literature.

The two cases were discussed separately, and in the last chapter of the analysis they were compared. The comparative analysis of the cases offered an answer to the question that was posed in the first paragraph. If there are certain pre-existing assumptions of gender roles, it is presumed that it influences the use of genocidal rape during conflict. The humiliation on a macro-level that is caused by rape is influenced by assumptions about

the role of the man as protector. The men were the protectors of their chastity, and the women that were raped were considered to have dishonored their families and their social field. The importance of virginity was present in both cases, the women that were raped were considered to be damaged or tainted by themselves and their social field. Raping a woman can disconnect her from her social field, therefore it has proven to be an effective tool of genocide. In both cases ethnicity is considered to be passed on through the father, and the rape had a physical end, that is forced impregnation. Their offspring is then considered to be of the ethnicity of the father and will belong to that ethnic group. The concepts, and therefore the concept, are not mutually exclusive. In the analysis it has become apparent that they are interwoven and can reinforce one another.

This thesis has shown that there are themes of genocidal rape that transcend one specific context. Because this thesis was focused on that and solely on assumptions of gender that have influenced the use of genocidal rape, it has added new perspectives on genocidal rape. Existing literature (e.g. Diken & Bagge Lausten, 2005; Mullins, 2009b) mostly focused on either one case or did not have a sole focus on assumptions of gender. The findings of this thesis add to the understanding of genocidal rape. This understanding can contribute to understanding contemporary cases of genocidal rape.

## 7. REFLECTION

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From the beginning this thesis has set out to examine how gender assumptions influence the use of genocidal rape during conflict. The most important overall assumption of this thesis is that the way violence is carried indicates which the norms and values prevail in that social field. The three most important concepts presented themselves similarly in both cases, and therefore transcended the contexts. The general conclusion that can be drawn is that macro-level humiliation, importance of female virginity, and change of genetical makeup are concepts that influence the use of genocidal rape, regardless of context. The three concepts cannot be seen as predictors of whether genocidal rape will be used during conflict, but they can be helpful in establishing the concept of genocidal rape during conflict. This research deviates from what is normally researched about genocidal rape, this has one important reason. This research is solely focused on assumptions of gender. Belonging to a social field, or ethnicity, is a very important factor of genocidal rape, but those factors often cannot transcend their context. Assumptions of gender, however, have proven to be stateless. The scientific relevance lies in the fact that the findings could be applied to other cases, the findings are to a certain degree generalizable. As mentioned in the introduction, there are still conflicts where asymmetrical warfare tactics like genocidal rape are used. There is still more that needs to be understood about this subject. The knowledge of the assumptions of gender that lie underneath genocidal rape will assist in the understanding of it. It could very well be, that the more genocidal rape is understood, the sooner it can be identified as such, and the sooner it can be stopped.

The strength of the theory that was chosen was that it was very diverse, this contributed to the strength of the three concepts. The theory varied in information about genocidal rape, but the literature all agreed on these three concepts. The strength of the methodology that was chosen, the multiple case study, lied in the fact that it allowed for a comparison between cases and for a generalization of the findings. The case selection, that was done with *typical-case method*, deepened the analysis and contributed to uncovering the between-case variances. The analysis benefitted greatly from the fact that these two cases were covered extensively. The analysis could go in depth, more so than if the cases were not selected by the *typical-case method*. However, there were limits to the chosen theory and methods. The strength of the theory was also part of its limits. There is lots of information about genocidal rape, it sometimes seemed that this research was not going to be relevant or new at all. Most of the literature was written by either western men or women. This

research would have probably benefitted from some more diversity in scholars. The methods for this thesis were rather limited in scope, the external validity would have been more secured if more cases would have been researched. Because of this, it is not possible to say that the findings are completely generalizable. The chosen data also had its limits, the victim statements and indictments sometimes fell short. Not all the victims were asked the same questions, the victims mostly summarized what happened to them. The indictments were very useful, but some parts were redacted, and it only showed a summary of what the perpetrator was indicted for. Not all indictments were the same, some contained more information and were very useful. However, some perpetrators were indicted on rape charges, but in the indictment those charges were redacted.

There is still much more that needs to be researched and understood about genocidal rape. Follow up research into other cases, based on gender assumptions, would be very beneficial for the subject. There are still many cases, like Kosovo, the Rohingya, and the Yazidi, that are under researched. The three concepts that are mentioned in this research are by no means the only assumptions of gender that influence the use of genocidal rape.

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## APPENDICES

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### Appendix A:

Victim testimonies of Bosnia and Hercegovina.

1. J.H (1998); Sanski Most (2000); Mirsada (n.d.); Saida (1998); Stolac (2000); Prijedor (2000); Another woman's story (n.d.)
2. Besima (1993); Fatima (1) (1992); J.H. (1998); "In front of my parents" (1998); Bijeljina (2000); Višegrad (2000); Sanski Most (2000); Fatima (2) (n.d.); Witness 87 (2000); Witness 75 (2000)
3. Fatima (2), (n.d., par. 5) found on: <https://www.srebrenica.org.uk/survivor-stories/breaking-the-silence-fatima/>
4. Suada (1992); Stolac (2000)
5. J.H., (1998); "In front of my parents", (1998); Bijeljina, (2000); Višegrad, (2000); Sanski Most, (2000); Fatima (2) (n.d.)
6. J.H. (1998, p.66) Found in: Women's side of war (Women in black, 2008)
7. Mirsada, (n.d.)
8. Besima, (1993); Fatima (1), (1992); J.H., (1998); "In front of my parents", (1998); Saida, (1998); Višegrad, (2000); Sanski Most, (2000); Prijedor, (2000)
9. Fatima (1), (1992, p. 47). Found in: Women's side of war (Women in Black, 2008)
10. Fatima (1), (1992, p. 45). Found in: Women's side of war (Women in Black, 2008)
11. J.H (1998); Sanski Most (2000); Mirsada (n.d.); Saida (1998); Stolac (2000); Prijedor (2000); Another woman's story (n.d.)
12. "In front of my parents" (1998); Sanski Most (2000)
13. "Her story", (1993); "In front of my parents", (1998); Fatima (1), (1992); Besima, (1993); Sanski Most, (2000)
14. "Her Story", 1993, par. 3). Found on: <https://ninaberman.wordpress.com/2010/11/05/bosnia-archive-tuzla-hospital/>
15. Besima (1993); Fatima (1) (1992); Saida (1998); Prijedor (2000); "Her Story" (n.d.); J.H. (1998)
16. Prijedor (2000, p.92), Found in: Women's side of war (Women in Black, 2008)

17. Saida (1998, p.70), Found in: Women's side of war (Women in Black, 2008)
18. The statements, respectively: Besima (1993); Enisa (1992); J.H. (1998); Sena (1998); Saida (1998); Višegrad (2000); Kalikovnik (2000); Stolac (2000); Kozarac (2000); Mirsada (n.d.); "Another woman's story" (n.d.); "M's story" (1993); Witness 87 (2000); and Witness 75 (2000)
  19. "Her story" (1993, par. 2). Found on:  
<https://ninaberman.wordpress.com/2010/11/05/bosnia-archive-tuzla-hospital/>
20. "Her story" (1993)

## Appendix B

### Court indictments of Bosnia and Hercegovina

1. The Prosecutor V. Miroslav Bralo (2005); The Prosecutor V. Dragoljub Kunarac and Radomir Kovac (1999); The Prosecutor V. Zejnil Delalic, Zdravko Mucic, also known as “Pavo” Hazim Delic, Esad Landzo, also known as “Zenga” (1996); The Prosecutor V. Dragan Nikolic (2003); The Prosecutor V. Zoran Vukovic (1999)
2. Count 24 in the case of “The Prosecutor V. Zejnil Delalic, Zdravko Mucic, also known as “Pavo” Hazim Delic, Esad Landzo, also known as “Zenga”” (1996).
3. The Prosecutor V. Dusko Sikirica et al. (2001), count 31, p.6
4. The Prosecutor V. Radoslav Brdanin (2003), count Banja Luka; the Prosecutor V. Anto Furundzija (1998), count 26; the Prosecutor V. Dragoljub Kunarac and Radomir Kovac (1999), count 5.1, count 5.5, count 11.3
5. The Prosecutor V. Dragoljub Kunarac and Radomir Kovac (1999, p.5), count 6.1
6. The Prosecutor V. Gojko Janković, Dragan Zelenović and Radovan Stanković (1999, p.15), count 7.17
7. The Prosecutor V. Radoslav Brdanin (2003); The Prosecutor V. Zoran Vukovic (1999)
8. The Prosecutor V. Zoran Vukovic (1999, p.9), count 7.7

## Appendix C

### Victim testimonies of Rwanda

1. Albertine (n.d.); Ange (n.d.); Berthe (n.d.); Chantal (n.d.); Dévota (n.d.); Rose (n.d.); Sylvie (n.d.)
2. Adoline (n.d.); Alice (n.d.); Bernardette (n.d.); Cecile (n.d.); Dotilla (n.d.); Dorsella (n.d.); Julie (n.d.); Jossaine (n.d.); Thelma (n.d.)
3. Adoline (n.d., par 1) found on:  
<https://www.un.org/en/preventgenocide/rwanda/assets/pdf/survivor-testimonies/31%20-%20Adoline%202009.pdf>
4. Bazire (n.d.); Julie (n.d.); Thelma (n.d.)
5. Alice (n.d.); Bernardette (n.d.); Cécille (n.d.); Drosella (n.d.)
6. Emma (n.d.)
7. Cécile (n.d., par. 1) found on:  
<https://www.un.org/en/preventgenocide/rwanda/assets/pdf/survivor-testimonies/89%20-%20Cecile2009.pdf>
8. Albertine (n.d.); Ange (n.d.); Berthe (n.d.); Chantal (n.d.); Dévota (n.d.); Rose (n.d.); Sylvie (n.d.)
9. Alexia (n.d.); Albertine (n.d.); Alice (n.d.); Asthérie (n.d.); Bernardette (n.d.); Emma (n.d.); Epiphania (n.d.); Gratia (n.d.); Julie (n.d.); Mushimire (n.d.); Scholastique (n.d.); Sylvie (n.d.)
10. Emma (n.d., par.10), found on:  
<https://www.un.org/en/preventgenocide/rwanda/assets/pdf/survivor-testimonies/82%20-%20Emma2009.pdf>
11. Alphonsine (n.d.); Ange (n.d.); Albertine (n.d.); Chantal (n.d.); Dévota (n.d.); Gratia (n.d.); Julie (n.d.); Mushimire (n.d.); Rose (n.d.); Sylvie (n.d.)
12. Chantal (n.d., par.5) found on:  
<https://www.un.org/en/preventgenocide/rwanda/assets/pdf/survivor-testimonies/40%20-%20Chantal%202009.pdf>
13. Dévota (n.d., par.6) found on:  
<https://www.un.org/en/preventgenocide/rwanda/assets/pdf/survivor-testimonies/72%20-%20Devota2009.pdf>
14. Agathe (n.d.); Agnes (n.d.); Alexandria (n.d.); Albertine (n.d.); Berthilde (n.d.); Clarisse (n.d.); Dianne (n.d.); Dotilla (n.d.); Emma (n.d.); Gratia (n.d.); Jacqueline (n.d.); Laetitia (n.d.); Mushimire (n.d.); Tabithe (n.d.)

15. Clarisse (n.d., par. 6), found on:

<https://www.un.org/en/preventgenocide/rwanda/assets/pdf/survivor-testimonies/86%20-%20Clarisse2009.pdf>

16. Jacqueline (n.d., par. 5) found on:

<https://www.un.org/en/preventgenocide/rwanda/assets/pdf/survivor-testimonies/90%20-%20Jacqueline2009.pdf>

17. Agathe (n.d.); Agnes (n.d.); Alexia (n.d.); Alberthe (n.d.); Alice (n.d.); Alfonsine (n.d.); Alodie (n.d.); Bernardette (n.d.); Berthe (n.d.); Berthilde (n.d.); Concilla (n.d.); Daphrose (n.d.); Dotilla (n.d.); Drosella (n.d.); Emma (n.d.); Gratia (n.d.); Jewel (n.d.); Julie (n.d.); Marcelline (n.d.); Marjorie (n.d.); Mushimire (n.d.); Rose (n.d.); Sylvie (n.d.); Valentina (n.d.); Violet (n.d.)

18. Cécile (n.d.); Darlene (n.d.); Mushimire (n.d.)

## Appendix D

### Court indictments of Rwanda

1. The Prosecutor V. Bisengimana (2000); The Prosecutor V. Akayesu (2001); The Prosecutor V. Kajelijeli (2001); The Prosecutor V. Muhimana (1996); The Prosecutor V. Musema (1999)
2. The Prosecutor V. Akayesu (2001); The Prosecutor V. Bisengimana (2000); The Prosecutor V. Kajelijeli (2001); The Prosecutor V. Kamuhanda (1999); The Prosecutor V. Muhimana (1996); The Prosecutor V. Musema (1999); The Prosecutor V. Ngeze (1999); The Prosecutor V. Niyitegeka (2000); The Prosecutor V. Semanza (1999); The Prosecutor V. Serushago (1998)
  3. The Prosecutor V. Niyitegeka (2000, p. 55), count 6.60
  4. The Prosecutor V. Bisengimana (2000, p.9), count 3.26(i)
5. The Prosecutor V. Gacumbitsi (2000); The Prosecutor V. Kajelijeli (2001); The Prosecutor V. Muhimana (1996); The Prosecutor V. Niyitegeka (2000)
  6. The Prosecutor V. Gacumbitsi (2000, p.5), count 21