

**“They needed sex to have better morale on the battlefield”: A thematic analysis
of the causes of rape during the Bosnian War**

Annelise Shirley Walker

(Bachelor of Arts in Criminology and Psychology)

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I declare that this thesis is my own account of my research and contains as its main content work which has not previously been submitted for a degree at any tertiary educational institution.

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Author:Annelise Shirley Walker

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Abstract

Mass rape is the increased level of sexual violence that occurs during conflict in comparison to the levels carried out during times of peace. An increasingly prevalent phenomenon, mass rape affects thousands of women and men every year with damaging effects. Although many theoretical explanations of the causes of mass rape have been developed, very little empirical evidence has been created to provide support for these explanations. In this vein, this thesis aims to provide analyse which of the four main theoretical explanations most accurately explains the use of mass rape during the Bosnian War. Drawing on evidence from transcripts from trials conducted by the International Criminal Tribunal for the Former Yugoslavia (ICTY), a thematic analysis was conducted with themes of rape as a war strategy aimed at displacing the Muslim population and communicating ethnic superiority being found. In this regard, it was seen that the strategy theory and theoretical model of violations of international law most accurately explained instances of mass rape during the Bosnian War. These findings provide support for the prosecutions carried out by the ICTY as they indicate that rape was carried out as a direct command from those in charge, signifying that those in positions of power should be predominantly prosecuted due to their role in the conflict. In order to fully understand the underlying causes of mass rape, further research into additional conflicts would need to be undertaken.

Mass rape is a common phenomenon known to have occurred in conflict throughout time and can be defined as the wide spread sexual violence that is carried out during times of conflict in a systematic manner, disproportionately higher than the amounts carried out during times of peace (Gottschall, 2004). Mass rape can be divided into two distinct categories: Rape, which is the non-consensual penetration of the vagina, anus or mouth by a penis or object, and, sexual violence, a broader category including forced prostitution, sexual slavery and genital mutilation (Skjelsbæk, 2001b). Although they constitute separate categories, rape and sexual violence often occur simultaneously, indicating the wide scope of mass rape (Skjelsbæk, 2001b). Although mass rape occurs across numerous conflicts, there is not currently a consensus upon what the causal factors are (Farr, 2009).

Similar to rape carried out in times of peace, mass rape during war causes much psychological and physical damage to the victim (Card, 2003). As mass rape has typically been considered an unfortunate but inevitable side effect of war, the suffering of the victims has, historically, not been accounted for in studies of war (Kennedy-Pipe & Stanley, 2000). This lack of awareness leads to a lack of understanding of the additional violence and mutilation that many victims also face alongside rape (Mukengere & Nangini, 2009). This brutalised sexual violence often leads to serious health and fertility issues for the victim leading to a decrease in their quality of life, indicating the damaging side effects of mass rape (Swiss & Giller, 1993). Furthermore, mass rape is often carried out in strict patriarchal societies, resulting in societal shame and stigma being attached to the victim, further victimising them and making them more vulnerable to further victimisation, in essence creating a sexual violence cycle for the victim (Bosmans, 2007).

Although there are many theoretical studies proposing the causes of mass rape, very little empirical research into the causes and effects of mass rape have been conducted. Instead the large majority of the research focuses on the types and prevalence of mass rape in conflicts worldwide. There is very little consensus on these issues with some researchers claiming that rape is carried out in all wars (Farr, 2009); some advocating that it only occurs in weak states (Hayden, 2000); and others finding that it has been used as a method of social cohesion within armed groups who use abduction as a means of recruitment (Cohen, 2013). Similarly, the types of rape that exist within warfare differ with some arguing that they can be divided in the victims selected (Farr, 2009), the goal of the rape (Enloe, 2000) and the level to which it is deemed acceptable by the wider society (Baaz & Stern, 2009). These conflicting viewpoints upon the various types, and the prevalence of mass rape, raise the possibility that the explanations for mass rape may differ from conflict to conflict and illuminates the need for more in-depth analysis into the causes.

The majority of research into the area of mass rape is theoretical, due to the difficulty in accessing populations affected by rape (Card, 2003), looking at the causes of mass rape during warfare. Continuing the lack of agreement, the theories of mass rape can be divided into four main schools with each focusing on a different factor to explain what drives individuals to rape (Snyder, Gabbard, May & Zulcic, 2006). The biological school situates rape as a cause of human biology derived from evolution in which a male needs to relieve sexual tension (Cowan, 2006). In opposition to this, the feminist school argues that it is the underlying misogyny evident within society that allows men to represent their hatred of women in this violent manner during war (Seifert, 1994). Furthermore, under the strategy/social death school, rape is a key strategy of war used to attack and destroy an enemy

population (Olujic, 1998). Lastly, the multi-factorial school argues that other theoretical schools are too narrow in their scope by only focusing on one main factor and instead analyses the individualistic and societal factors that leads to rape (Gottschall, 2004). Although all of these foster debate upon the causes of mass rape, they fail in providing empirical data to substantiate their arguments.

It would seem that while support has been found with regards to the damaging nature of rape, both individually and societally, empirical research concerning the causes of mass rape is lacking. Although a large amount of theoretical literature exists for the causation of rape, very few empirical studies concerning this area have been carried out. As such, qualitative research into victims of mass rape may not only provide an in-depth look at the experiences of rape victims but also has the potential to make a valuable and much needed contribution to the understanding of the causes of rape.

The History of Sexual Violence During War

Defined as the forced “sexual intercourse and anal or oral intercourse or penetration by objects other than the penis” (Koss, Gidycz & Wisniewski, 1987, p.167), rape is phenomenon, predominantly carried out against women, that has been prevalent throughout history and across cultures (Card, 2003). Derived from the Latin word *rapere* meaning ‘to steal, seize or carry away’ (Diken & Laustsen, 2005), rape was historically conceived as a property crime committed against the male relation of the victim instead of a personal crime against the woman in question (Brownmiller, 1975). Ignoring the personal ramifications that rape has upon the victim, both physically and psychologically, this criminal definition of rape robbed the female

victim of her autonomy and created a silencing mechanism under which the female experience of rape was erased (Kennedy-Pipe & Stanley, 2000).

Although only receiving widespread attention relatively recently, mass rape during war can be seen as a by-product of war since the earliest recordings of conflict (Kennedy-Pipe & Stanley, 2000). Rape against the women of the enemy population has been recorded as far back as the first Crusade, which would suggest that war rape is not a new phenomenon (Tompkins, 1999). Historically, during war, rape was often linked with the concept of ownership, used as a way of claiming possession over the wives of defeated enemy troops as ‘spoils of war’ (Aydelott, 1993). European ruler did not enact laws condemning the use of rape in warfare until the 14th century, creating a climate in which rape law unpunished across numerous conflicts (Schott, 2011). As a result, rape was seen as an inevitable consequence of war, albeit an unfortunate one; a notion that allowed rape to continue unhindered and reinforced the normalisation of war rape (Snyder et al., 2006).

Although laws have recently been developed to condemn the use of rape in war, sexual violence has continued to be used in conflicts in the 20th and 21st centuries. World War Two saw rape occur both on the European and Pacific fronts with thousands of women victimised (Schiessal, 2002). In Europe, the Soviets carried out large-scale rape as their campaign moved West, culminating in the rape of approximately 95,000 to 130,000 women in Berlin alone (Wood, 2006). Similarly, the Japanese at the Pacific front, were notorious for their use of rape during the conquest of China with one eight week period being tellingly named the ‘Rape of Nanking’, during which an estimated 20,000 to 80,000 women were raped and executed (Brook, 2001). In addition to this, thousands of South East Asian women, predominantly Koreans, were forced into prostitution roles to serve as ‘comfort women’ to Japanese

soldiers to decrease the number of sexually transmitted diseases contracted (Min, 2003). This practice of war rape has continued throughout the 20th Century and into the 21st Century. Conflicts such as the Vietnam War (1955-1975), the Bangladesh War of Independence (1971), the Rwandan Genocide (1994), the Second Congo War (1998-2003) and Liberian Civil Wars (1989-1996; 1999-2003) are just some examples of conflicts in recent history that have all involved mass rape against civilian women (Tompkins, 1999). The frequency of mass rape across different conflicts indicates that perhaps an underlying cause for phenomenon exists.

Theories of the Causes of Mass Rape

The commonality of rape during war indicates that there must be a recurring cause that leads to rape being carried out during conflict. The need to explain the causation of mass rape has resulted in different theoretical explanations of rape being developed with little agreement being found. The theories that explain instances of mass rape can be divided into four schools: biological, feminist, strategy/social death and multifactorial models (Gottschall, 2004). These theories all differ in the factors that they choose to focus on as the predominant cause of wartime rape.

Biological theories. Also referred to as the ‘pressure cooker theory’ (Seifert, 1994), the biological theory of mass rape places causality upon males’ ‘uncontrollable’ sexual desire (Gottschall, 2004; Mullins, 2009b). The combination of biological drives for sexual release and the lack of condemnation of mass rape, due to the decreased level of law enforcement and order, are to blame for instances of mass rape under the biological theory (Snyder et al., 2006). Tied to the common rape myth that men cannot control their sexual urges (Cowan, 2000), the biological theory removes responsibility from the perpetrators, instead arguing that the phenomenon is

inevitable (Snyder et al., 2006). As a result rape is viewed as the “aggressive manifestation of sexuality” (Seifert, 1994, p. 35), as opposed to the more common view of rape as a sexual form of aggression. Rape is used under this model as a form of aggressive sexual selection in which men must procreate with as many women as possible to ensure that their genetic material is passed on to future generations (Jones, 1999; Vandermassen, 2011). As a result, women at the age of sexual maturity are predominantly targeted to create a new generation and introduce genetic diversification into small populations (Gottschall, 2004). Due to the inevitable sexual urges that males will feel due to increased aggression and testosterone during war (Snyder et al., 2006), mass rape is seen as a normalised and understandable act of soldiers, who are overworked and underpaid (Baaz & Stern, 2009).

One of the key criticisms of the biological theory of mass rape is that it does not provide adequate explanations for the differentiations between conflicts in the severity and prevalence of applications of mass rape (Snyder et al., 2006). As will be mentioned below (see sections 1.3 and 1.4), there are considerable differences in the levels and types of rape that occur worldwide (Cohen, 2013; Farr, 2009; Wood, 2006). Similarly, differences appear not only between conflicts but also between armed forces within one conflict, and even individual soldiers within the same armed group (Seifert, 1994). If the biological theories stipulate that mass rape is the result of increased sexual drive among soldiers, then it must be assumed that all men would commit rape during warfare, which evidently is not the case (Cohen, 2013). Furthermore, the biological theory does not adequately account for the brutalisation of victims’ bodies that often accompanies rape during warfare; if mass rape is only about biological urges then there would be no corresponding need to further attack the victim once that desire was fulfilled (Gottschall, 2004). Perhaps, the biological theory

is important in explaining certain typologies of rape such as Enloe's (2000) 'recreational rape' or Farr's (2009) 'opportunistic pattern' as it may explain the opportunistic sexual violence that men carry out to relieve sexual tension or boredom evident in some troops during war. Nevertheless, these theories fall short in providing a well-rounded explanation for all forms of mass rape, especially the systematic use of rape to achieve collective goals.

Feminist theories. In contrast to the biological theories, feminist theories do not lay causation within the male 'pathology' but instead attribute society's attitudes towards females as the foundation of mass rape (Skjelsbæk, 2001b). Feminist scholars argue that men are conditioned by society to feel hatred towards women due to hidden misogynistic tendencies that are created and endorsed by social structures (Snyder et al., 2006). Misogynistic values perpetrate rape myths within society, such as 'no means yes' or 'a woman wearing provocative clothing deserves to be raped' which are evident in all aspects of society including the criminal justice system (Torrey, 1990). Indeed, even during times of peace, numerous studies have found that approximately 35 percent of males have indicated that they would rape women if there were no consequences for their actions (Greendlinger & Byrne, 1987; Malamuth, 1981; Osland, Fitch & Willis, 1996). These men were also found to have higher levels of rape myth acceptance, were more likely to be sexually aroused by violence and reported more aggressive behaviour towards women than men who did not express a likelihood to rape (Briere & Malamuth, 1983; Malamuth, 1981). Furthermore, it has been found that the normalisation of sexual violence may increase the acceptance of violence against women. A study by Malamuth and Check (1981) found that men who had viewed videos that portrayed violent sex in a positive light had significantly higher levels of acceptance of violence against females than males

who had watched the control video. This indicates that perhaps it is not only sexual gratification that drives males to rape but rather the normalisation of violence against women in peacetime that drives this act.

Similarly, rape is not prevalent in all societies but instead predominantly found in those with strong gender specific roles, and a low proportion of females in positions of authority (Sanday, 1981). In these cultures, and similarly during war, rape is not the result of sexual desire but instead a means to communicate power, control and male dominance to the victims (Sanday, 1981; Skjelsbæk, 2001b). This communication is structured to ensure the dominance of male discourse and creates an environment in which the feminine voice is silenced (Koo, 2010). Under this theory it is only during war, and the dissolution of laws and moral standards, that it is acceptable for this deep-seated hatred for women is able to take form in an acceptable manner leading to the increase in rape (Gottschall, 2004; Seifert, 1994).

Although feminist theorists largely focus on women victims, they also draw attention to the plight of male victims. Instances of mass rape are not explained as one between opposing genders but instead as a conflict between masculine and feminine identities (Skjelsbæk, 2001b). Patriarchal societies facilitate a hegemonic masculinity framework under which norms and institutions are constructed to ensure men's authority over women and perceived 'lesser' masculinities (Zurbriggen, 2010). Thus, 'dominant' masculine traits such as physical strength, sexual performance and the ability to protect women are desired over perceived feminine traits such as weakness, vulnerability and nurturing (Alison, 2007; Arkin & Dobrofsky, 1978). These values are amplified during war when masculinity is militarised with all other traits viewed as inferior and in need of destroying (Higate, 2007). The socialisation of soldiers during civil war breeds a hatred of femininity with training often involving

misogynistic language that normalises violence towards women (Baaz & Stern, 2009). As a result, perpetrators of sexual violence maintain their identities masculinised while victims are feminised and as a result, sexual violence is not only an act of aggression but also a transaction of dominant identities between the perpetrator and victim (Skjelsbæk, 2001a). Therefore, when men are raped, it is with the intention to de-masculinise them and to evoke masculine traits within the perpetrator, most importantly, power (Sivakumaran, 2007). Thus, rape becomes increasingly common when not only an individual's identity is tied to masculinity but also when a national identity is, with an attack seen as assault on the masculine nature of the culture as a whole (Bracewell, 2000).

Strategy/social death theory. Following the civil wars of the 1990s and the corresponding mass rapes, the most common theory used in literature today is that mass rape is an institutionalised strategy used to achieve a goal and destroy an enemy culture (Gottschall, 2004). Indeed a study by Maedl (2011) into rapes in the Democratic Republic of Congo, found that rape was used for a number of reasons with the overall aim of causing pain and humiliation within the victim. Rape is an effective war weapon and strategy as it capitalises on the patriarchal nature of many cultures and the corresponding code of honour that women represent (Olujic, 1998). This code of honour places emphasis upon the value of virginity and chastity in women as conditions for their martial value (Olujic, 1998). Rape divides families and cultures with blame often being placed on the victim; for the victim, a state of 'social death' occurs in which shame is heaped upon the family and associated culture often leading to ostracisation of the victim (Card, 2003). Furthermore, the repeated rape of victims in public exacerbates the stigma and humiliation attached to the victimisation (Mukwege, Mohamed-Ahmed, & Fitchett, 2010). Thus, war turns individual bodies

into representational bodies in which the attack on one is seen as an attack on the whole community (Milillo, 2006). This is especially true for female victims who, through their reproductive and nurturing roles, represent the birth of future generations and thus, the brutalised attacks upon them communicates the notion that their culture is not worth continuing and that the males are weak and cannot protect their women, effectively stripping them of their masculinity (Card, 2003).

The rape as a strategy theory was born out of the sexual violence that occurred during the Bosnian war where it was used to terrorise the Muslim population and drive communities from areas seeking to comprise the 'Greater Serbia' (Olujic, 1998). Used as a form of ethnic cleansing these rapes aimed to create elevated levels of humiliation and shame not only in the primary victim, but also in the secondary victims, the family members and communities (Mackinnon, 1994). Rape was thus used as a spectacle, it was rape to shame, rape to degrade and often involved forcing family members to watch or even participate (Mackinnon, 1994). Rape works as an effect tool of humiliation as often results in a loss of dignity and identity. A study by Mukamana and Brysiewicz (2008) interviewed seven victims of mass rape in Rwanda with themes of humiliation, loss of dignity and respect and loss of identity arising indicating the magnitude of effect that rape can have on a victim. Furthermore, the effect of mass rape was amplified in rape camps aimed at creating a new generation of Serbians (Goodhart, 2007). This aimed to create a generation of children who would destroy the culture from the inside out. In reality these large-scale rapes created a generation of children who were hated, excluded and abused by their Bosnian community members due to their Serbian heritage and nature of their birth (Erjavec & Volčič, 2010). The experiences of children born from rape are often invisible from international discourse upon the effects of rape, leading to their marginalisation more

and ignoring the fact that mass rape does not only effect the primary victims but also future generations (Watson, 2007).

Multifactorial models. Although the above-mentioned theories provide some insight into the causes of rape, many theorists feel that they are too narrow in their scope. Although feminist and social death theories are important in their analysis of the social context in which mass rape arises, some theorists claim they disregard the biological aspect too easily (Gottschall, 2004). Feminist theorists do not account for the fact that the majority of mass rape victims are females of reproductive age, as all females should be likely victims of rape if the sole reason for mass rape is misogyny (Gottschall, 2004). Similarly, biological theories also lack the legitimate explanations for the additional violence that often accompanies war rape (Snyder et al., 2006). As a response to these criticisms, the multifactorial models outline both the individualistic and societal circumstances that are required for mass rape to occur.

Circumplex model and violentisation theory. Seeking to analyse how genocide is carried out at the macro and meso levels, Winton (2005) applied the circumplex model of family functioning as an explanation of genocide. The circumplex model argues that families with disproportionately high (enmeshed) or low (disengaged) levels of cohesion; high (chaotic) or low (rigid) levels of flexibility and ‘unhealthy’ communication skills were more likely to experience family dysfunctions such as child abuse (Olson, 1995; Olson, 2000). Basing the study on 13 genocides from the 20th Century, Winton found that the majority of societies engaging in genocide showed high levels of cohesion and low levels of flexibility prior to the genocide. This lead to a totalitarian society in which a lack of flexibility by the government in response to social problems caused civilian unrest, resulting in the maintenance of violence to solve societal problems (Staub, 1999).

This study was then expanded upon by Winton and Ulu (2008) who combined the violentization theory (Athens, 2003) with the circumplex model to examine the use of violence in the Bosnian War, including the use of mass rape. The violentization theory examines the micro level components of violent behaviour in which the individual develops a propensity for violence (Athens, 2003). This theory divides the development of violence into four main stages: brutalisation, in which the individual experiences and learns violence; defiance, in which the perpetrator group adopt a belief system that maintains violence as a necessary avenue for achieving aims; violent dominant engagements, in which violent behaviour is carried out; and virulency, in which the group, and the individuals within it, comes to define themselves as violent. Winton and Ulu used ICTY trial transcripts to analyse the behaviours of the Serbian militias during the Bosnian genocide. They found that the militia groups had high cohesion and low flexibility, as seen as increasing the likelihood of violence under the circumplex model, and had gone through the violentization process in order to define themselves individually as violent offenders. This theory is important as it indicates that perhaps it is not only the individual perpetrator or the environment in which violence occurs that is important but rather the collaboration between the two.

The multifactorial model of wartime rape. Altering White and Kowalski's (1998) proximal confluence model to focus solely on martial rape, the multifactorial model of wartime rape by Henry, Ward and Hirshberg (2004) argues that individual, sociocultural and situational contexts must all be taken into account when explaining mass rape. These three factors relate to each other individually, and in collaboration, to create a circumstance in which individuals with a predisposition towards sexual aggression are able to carry out rape during war. Firstly, an individual's

developmental contexts (childhood experiences, personality and sexual preferences) creates a series of traits within the individual that predisposes them to aggressive sexual behaviour. This interacts with the sociocultural factors prevalent within a particular society (the influence of culture, mass media and community; myths regarding male dominance, sexual violence and misogyny) to create a system of internalised sociocultural factors that promote a normalcy of sexual violence. Secondly, the sociocultural factors interact with the widespread situational factors evident during war (aggressive war violence, death and the presence of disinhibitors) to create a subcultural context under which masculinity is valued and rape as a reward is normalised during warfare. Lastly, the individual and situational contexts interact to create a situational influence on the individual which allows them to not feel accountable for their actions. This links to Bandura's (1999) theory of moral disengagement under which techniques such as euphemistic labelling, advantageous comparisons, displacement and diffusion of responsibilities, disregard for consequences and the dehumanisation of victims, allows perpetrators to commit violence and violations of human rights during warfare. Henry and colleagues assert that the collaboration of these factors allow for an explanation of why individuals may commit rape during war when they may not have done so during times of peace. The multifactorial model is vast in its depth of differing factors that all play an equal and important role in the creation of circumstances under which rape is normalised.

The theoretical model of violations of international law. In a further extension of the multifactorial model, Roethe and Mullins (2009) created the theoretical model of international criminal violations to examine the multiple factors that lead to war crimes throughout the world. This model stipulates that international crimes, such as genocide and mass rape, occur because of a lack of barriers and an

increase in motivations that occur at the international, macro, meso and micro levels of society. This model argues that motivations and opportunities for crime arise and drive organisations towards crime while constraints and controls act as a barrier or block to potential criminal activity. Motivations are the complex psychological, social and cultural factors that drive organisations to commit crime. They can either be specific (the enhancement or maintenance of power) or general (the political marginalisation of a particular group) which can in turn result in specific motivations. Opportunities are the occasions in which the possibility for a crime to occur presents itself to a motivated offender. These opportunities are capitalised upon when it is easier to use illegal means as opposed to legal ones to achieve a goal. Conversely, a constraint is any social element that can potentially make a crime riskier or less successful, while controls are complete blockages to a crime. The absence of constraints and controls make it easier for organisations to carry out crimes without obstacles or punishment. Thus, international crimes only occur when there is a heightened level of motivations and opportunities, and a minimal level or absence of constraints and controls. Although individual perpetrators occur at the micro level of society, under this model it is equally important to analyse the factors that also drive individuals towards crime at the international, macro and meso levels to fully understand the influence that society exerts upon the perpetrators.

A study by Mullins (2009a) used the theoretical model of international criminal violations to explain instances of mass rape during the Rwandan Genocide. Using transcripts of trials, focusing on mass rape as a crime against humanity, from the ICTR, a thematic analysis was applied to examine what themes arose. Mullins found that at the international level no motivations or opportunities drove government forces towards mass rape but that they were also not constrained by the international

community. Conversely, motivations to commit mass rape arose at the macro, meso and micro levels for government forces. At the macro level, the collective threats to Hutu masculinity that arose out of the economic crisis of the Rwandan civil war lead to a campaign of masculinisation aimed at feminising the Tutsi with the specific motivation of the enhancement of power. Furthermore, at the meso level soldiers and militia members were motivated by commanding officers to commit mass rape through socialisation techniques that modified traditional values and made rape seem acceptable and even desirable. Lastly, the sexual desires and lack of power held by Hutu civilians acted as motivations for individuals at the micro level. These motivations were compounded upon by opportunities that arose from the lack of constraints and controls within a society embroiled in war. Indeed, instead of condemning and punishing mass rape, senior officers within the armed forces and government forces actively removed barriers to mass rape allowing it to be carried out unconditionally. Mullins' (2009a) study allows an in-depth insight into the multiple factors that contribute to mass rape and how the dissolution of a country into warfare can lead to opportunities arising for these acts. It is apt to remember that as a thematic analysis this study may only adequately explain the instances of mass rape in Rwanda. Therefore, the theoretical model of international criminal violations needs to be applied to further data to be adequately tested for accuracy.

Frequency of Mass Rape

These theories indicate that mass rape may indeed be a large-scale problem in all wars, yet this is not necessarily the case with mass rape being largely absent from some conflicts. Wood (2009) argues that rape is considered universal by many authors because the Academe only focuses on conflicts with evidence of mass rape instead of

also analysing conflicts absent of rape. Similarly, Farr (2009) notes that many conflicts contain armed groups, militias and state militaries that do not carry out mass rape. This is further supported in a study by Cohen (2013) examined the circumstances under which mass rape was carried out during war. Using data from the U.S. State Department Human Rights Country Reports on the 86 civil wars that occurred from 1980 to 2009, Cohen analysed how prevalent mass rape was, and in which type of conflicts it has occurred. She found that of the 86 conflicts studied, 18 involved large-scale rape, 35 had many instances of rape, 18 had isolated reports of rape and 15 had no reports of rape. This analysis alone indicates that mass rape is not common in all conflicts, however, sexual violence appears to be evident in some form in the vast majority of civil wars. Furthermore, Cohen examined the types of conflict that these large-scale systematic rapes occurred in. She found that mass rape was significantly more likely to be carried out in wars that used abduction or pressganging, by militia and government forces respectively, than in any other type of conflict. These conflicts, Cohen argues, are more likely to use mass rape because, similar to instances of gang rape during peacetime, rape is used as a form of social bonding that creates loyalty and cohesion within a group. This causes individuals who would not usually commit rape during peacetime to carry it out in the group setting in order to conform and belong as they begin to identify with the group more than with their own individual ethics (Meger, 2010). Nevertheless, the differing frequencies of mass rape in conflicts around the world, indicates that perhaps differing types of rape also occurs within each conflict.

Types of Mass Rape

Although the mainstream focus has predominantly been on mass rape as a strategy and weapon, there has been much contention over the differing types of rape that are consistent with mass rape. Enloe (2000) divides mass rape into three distinct typologies. The first, ‘recreational rape’, ties rape to practices such as forced prostitution where rape is carried out for entertainment purposes and is not used to achieve a specific military objective, such as the oppression of an enemy group, but instead to relieve boredom or sexual tension. The second, ‘national security rape’, common in countries such as Chile, Argentina and Guatemala during the 1970s, is carried out by governments to ensure that national security is upheld. Under this framework, rape is used to punish women who are perceived to threaten national security (e.g. dissident politicians), or strictly defined gender norms. Lastly, ‘systematic rape’, used in conflicts such as Bosnia and Rwanda, is used to incite terror in a population and to oppress and destroy particular ethnic groups. These three typologies, Enloe stipulates, indicate that there is not one type of mass rape evident worldwide, but that the type differs from conflict to conflict.

Expanding on Enloe’s (2000) rape typologies, a study by Farr (2009) presents four types of mass rape, focusing on the criteria needed within a country for each to occur. The first, ‘opportunistic pattern’ is similar to Enloe’s ‘recreational rape’ in that it is a socially normalised form of rape that is largely opportunistic in nature. This type of mass rape, Farr explains, is perpetrated by both rebel and government forces, occurs in the field and community (instead of in detention centres), and in countries that ranked highly on the Funds for Peace’s (2009) Failed States Index, indicating that issues such as high levels of civilian displacement, economic decline and violations of human rights were experienced within the country. The second pattern, ‘women

targeted pattern', is similar to Enloe's 'national security rape' as it is rape that is carried out specifically against women who act in a manner that is considered 'deviant'. Similar to the 'opportunistic pattern', this type of rape is more likely to be occur in the field and community, yet, this type is more likely to be solely carried out by rebel and state militia groups (as opposed to government forces) who frequently maintain fundamentalist religious beliefs, targeting women who they believe violate these.

Farr then divides Enloe's 'systematic rape' into two categories: 'Ethnic targeted pattern' and 'enemy targeted pattern'. Both are forms of rape that are predominantly carried out by government forces and are more prevalent in detention centres, where rape is used to punish individuals considered the enemy, however, these two forms of rape differ in whom they target. The 'ethnic targeted pattern', as the name suggests, is predominantly carried out against members of a different ethnicity. This situates the 'ethnic targeted pattern' within the social identity theory (Tajfel & Turner, 1986), where extreme 'outgroup prejudice' results in violence committed against those who are not conceived as part of the 'ingroup' (Fearon & Laitin, 2000; Sofos, 1996). Meanwhile, the 'enemy targeted pattern' finds rape carried out against women based on their political ideation that is in conflict with the attacking armed force. Social dominance theory (Sidanius & Pratto, 1999), can be used to explain the 'enemy targeted pattern' in which the group-based hierarchies formed by individuals are upheld with the dominating group using violence to ensure they maintain power. Uniquely, the 'enemy targeted pattern' is the only pattern in which the most powerful rebel group involved in the conflict carries out very few instances of rape. Farr explains that this is because the rebel forces in these conflicts often receive large-scale support from civilian women, leading to the lack of rape due

to a refusal to ostracise a large fraction of their support base. These differentiations are important as they indicate why some conflicts may be more likely to have widespread rape due to the different societal conditions arising during the time of the conflict.

Individual conflicts do not fit neatly into one category just because these distinct categories exist and thus, it may happen that different types of mass rape occur within the context of the same prolonged conflict (Farr, 2009). A study by Baaz and Stern (2009) examined the instances of mass rape in the Democratic Republic of the Congo through semi-structured group interviews with 193 officers and soldiers from the Forces Armées de la République Démocratique (FADRC), one of the largest rebel groups in the DRC's civil war (Baaz & Stern, 2008). Baaz and Stern (2009) found that instances of rape could be divided into two subtypes: Lust/normal rape and 'evil' rapes. The lust/normal rapes were carried out as result of denied access to sexual relations through legitimate means due to their lack of resources and free time. Similar to Enloe's (2000) 'recreational rape', these rapes were not seen as morally wrong, but instead viewed as a normal, unfortunate consequence of war. Alternatively, 'evil' rapes are characterised by the brutality associated with the rape, including the use of objects and consequent murder of victims. Baaz and Stern found that these 'evil' rapes were motivated by a desire to humiliate others and arose from the moral disengagement of combatants that often accompanies war and violence. They argue that the 'evil' rapes are the projection of the suffering and frustration that perpetrators have felt during the war, which is characterised by the humiliation and fear that they too want their victims to feel. Due to its destructive nature, this form of rape is considered immoral by both the military and society as a whole. Although, Baaz and Stern state that 'evil' rapes do not fit into any of Enloe's categories, it could

be seen to fall into her ‘systematic rape’ category as it is used to incite terror and as an expression of hatred (Baaz & Stern, 2009). These different typologies of rape indicate that there is not one individual commonality among rape both between and within conflicts. Therefore, it seems reasonable to argue that rape may have different theoretical explanations for the causes depending on the conflict.

History of the Bosnian conflict.

Falling under Farr’s (2009) ‘ethnic targeted pattern’ the mass rape carried out during the Bosnian War is one of the most researched in this area. Bosnia declared independence from the Yugoslavia state on the 2nd of April, 1992, with the European Commission recognising it as an independent nation on the 6th of the same month (Gallagher, 2003). The Bosnian nation was predominantly made up of three main ethnicities: the Bosnian Serbians (Serbs), Bosnian Muslims (Bosniaks) and Catholic Croats with tensions evident between the three (Olujic, 1998). This tension dissolved the state into civil war. A large proportion of the violence carried out by factions of Serbs with the intention of connecting the Northern, Eastern and Western parts of Bosnia with the Serbian mainland and parts of Croatia, thereby, creating an ethnically homogenous state comprised of Serbians, referred to as the ‘Greater Serbia’ (United Nations Security Council, 1994). Lasting for three years, the Bosnian civil war resulted in the death of approximately 100,000 people, the displacement of 2.2 million people and the rape of between 15,000 and 20,000 women making it the most damaging war in Europe since World War Two (Tompkins, 1999).

In order to achieve this goal of the ‘Greater Serbia’, the Serbian government, military and multiple militia groups implemented policies with the direct intent of ethnically cleansing the area (Allen, 1996). One such policy was the use of rape to

terrorise the population. A report conducted by the United Nations (1994) found that five distinct patterns of rape were used in the Bosnian War to create a climate of fear and terror. In the first pattern, sexual violence was used in conjunction with looting and intimidation and was carried out by individuals or small groups. The second pattern saw rape being used during fights for territory with women often raped publically, making the population too afraid to return to the area. Civilians were then rounded up and divided by sex and age before being taken to detention centres. While in these detention centres women were raped by soldiers, camp guards and paramilitary troops, in the third pattern, due to the unrestricted access they had to the women. In the fourth pattern, victims, both male and female, were raped with the intent of inciting terror and humiliation as a concentrated part of the ethnic cleansing campaign, Victims were raped frequently, by numerous people, with some females raped with the specific intent of impregnation. The last pattern saw women being detained in hotels or civilian houses with the sole purpose of sexually entertaining the soldiers. Although these patterns were not only carried out by the Serb forces, the United Nations found that they were more likely to use rape camps and hold women in houses as sex slaves than the Muslim forces, indicating a more pervasive campaign by the Serbs (United Nations, 1994). This wide scale sexual violence that was evident during the Bosnia War highlighted the need for a concentrated response by the international community against instances of mass rape due to the systematic and devastating nature of rape during the Bosnian War (Olujic, 1998).

The United Nations response to rape. Although used as evidence in the Nuremberg and Tokyo Trials conducted after World War Two (Tompkins, 1999), rape was not legally defined as a war crime until the Fourth Revision of the Geneva Convention in which it stated that women would be protected against “rape, enforced

prostitution, or any form of indecent assault” (Geneva Convention No. IV, 1949, Article 27). Even with this definition of rape as a war crime, it was not until the asymmetric wars of the late 20th Century that occurrences of mass rape began to be recognised by the international law (Meron, 1993). Asymmetric warfare is the attack by armed forces on civilians, instead of enemy soldiers, used to achieve a specific aim such as displacement of enemy populations (Diken & Laustsen, 2005). In particular, the Bosnian civil war, mentioned above, involved a systematic form of rape that highlighted the need for sexual violence to be prosecuted as a war crime (Tompkins, 1999). This resulted in the United Nations Security Council’s Resolution 827 establishing the International Criminal Tribunal for the Former Yugoslavia (ICTY) as a means of prosecuting war crimes committed in the Former Yugoslavia, with a particular emphasis placed on abuse against women and children (Niarchos, 1995; United Nations, 1993). The creation of the International Criminal Tribunal for Rwanda (ICTR) followed this under Resolution 977, prosecuting war crimes in Rwanda including the widespread use of rape (United Nations, 1995; Farwell, 2004).

As a result, the first conviction for mass rape as a war crime was passed down by the ICTR in 1998 leading to the first definition of rape during war (Farwell, 2004). Focusing on the aggressive nature of sexual violence, the ICTR defined rape as the “physical invasion of sexual nature, committed on a person under circumstances which are coercive” (*Prosecutor v. Akayesu*, 1998, paragraph 688). This was further expanded on by the ICTY in 2001 when three Bosnian Serbs were convicted for the rape and torture of Muslim girls in Foča, as crimes against humanity, indicating that systematic rape used during warfare would not be tolerated (McHenry, 2002; van Boeschoten, 2003). In contrast to the ICTR, the ICTY chose to focus on the sexual nature of rape, defining rape as an act that denied the ‘sexual autonomy’ of the victim,

focusing on the penetrative aspects of the act (Esboe-Osuji, 2007). This discrepancy in the definition of war rape is one of the many issues that has arisen in the study of this phenomenon.

The Current Study

The numerous theoretical explanations highlight a predominant gap in the literature on mass rape in that very little empirical research has been conducted to analyse which theoretical explanation of mass rape is the most accurate. In this regard, this study has one primary aim, to ascertain the most accurate theory, of the six outlined above, at explaining instances of mass rape during war. Due to the differing types of rape implemented during war, as outlined by Enloe (2000) and Farr (2009), this thesis will not focus on all conflicts involving rape but will instead solely focus on the instances of sexual violence carried out in the Bosnian War. The salience and notoriety of the Bosnian conflict allows for an in-depth understanding of the rape to be reached due to the large numbers of victims willing to discuss their experiences, which may have been absent in other conflicts. Although it is noted that all three factions involved within the Bosnian War carried out rape against civilians, this thesis predominantly focuses on that carried out by the Serb forces, though rape carried out by Muslim forces is also noted. Similarly, although it is understood that both male and females experience sexual violence during war, this study predominantly focuses on the rape executed against female victims, although, sexual violence experienced by men is also touched upon where relevant.

In order to achieve the aim outlined above, this study relied on transcripts from four trials carried out by the ICTY resulting in the conviction of eight individuals for the crimes against humanity, specifically for the use of rape as a crime

against humanity. The data collected from these transcripts was then analysed using a thematic analysis based on grounded theory principles to develop themes that may indicate which of the theories outlined above best explained the instances of mass rape within Bosnia. Using these themes, this thesis aims to answer the research question: ‘What theoretical explanation for mass rape most accurately accounts for the widespread sexual violence carried out during the Bosnian conflict?’

Method

Selection of Transcripts

This thesis relied on the transcripts from the ICTY as the source of evidence for the thematic analysis that was conducted. The ICTY maintains two primary databases that contain all the information needed to conduct criminal cases for violations of international law (Pimental, 2003). The Electronic Disclosure System (EDS) is the private database for the ICTY and contains documentation only available to court personnel (Vukušič, 2013). In contrast, the ICTY Court Records Database is a public database and contains all indictments, evidence exhibits, relevant photographs, maps, redacted trial transcripts and court ruling for all trials that have appeared before the ICTY (Vukušič, 2013). These documents are all available in English and French and are uploaded to the database approximately one week after the trial date (Elias-Bursać, 2012). This database, in opposition to the EDS does not contain confidential information that may disclose details about protected witness and as a result contains many redacted transcripts (Vukušič, 2013). Even with these redactions, the ICTY Courts Records Database contains valuable information contained within testimonies from victims of war crimes (Pimental, 2003). Nevertheless, it is important to remember that these testimonies are largely based upon the prosecutions construction of reality and the defence’s counter to these

arguments (Mullins, 2009a). As a result, witness testimonies only provide a small insight into the experiences of a small proportion of victims and therefore, cannot be said to represent the experiences of all victims.

The ICTY, along with the ICTR, was the first international court to prosecute rape as a war crime and crime against humanity (Farwell, 2004). As of February 2014, 30 individuals, in 22 cases, have been convicted of crimes of a sexual nature (ICTY, n.d.a.). Furthermore, due to their advancement of gender crimes in the international justice arena, five cases were defined by the ICTY as ‘landmark’ cases (ICTY, n.d.b.). This thesis relies on four out of these five trial transcripts as the source of data. Descriptive information for the four transcripts used in this thesis can be found in Table 1. Of the five landmark cases, the case of Prosecutor vs. Furundžija was not included in this study as the trial was largely conducted in a series of closed session trials, in order to protect the witness, and therefore, the transcripts did not provide sufficient information and could not be used. The other four transcripts, comprising of testimonies from 46 witnesses, were selected for data analysis due to their in-depth and varied information that they provided about the experiences of some rape victims from the Bosnian war. As it was the victims’ experiences and understanding of the mass rape that occurred during the war that was needed, only the testimonies from the prosecution’s witnesses were used.

Table 1.

Descriptive information about trial transcripts

Trial Name	Primary offending location	Number of witness testimonies used	Ethnicity of defendants
Prosecutor vs. Kunarac, Kovač and Vuković (FWS)	Foča	20	Serbian
Prosecutor vs. Tadić (PWS)	Prijedor	11	Serbian
Prosecutor vs. Kristić (SWS)	Srebrenica	5	Serbian
Prosecutor vs. Mucić, Delić, Landžo and Delalić (CWS)	Celebići	10	Bosnian Muslim

Methodological Design

In order to understand why rape was committed during the Bosnian War, a thematic analysis developed from grounded theory principles was used as the methodological design. Developed out of Glaser and Strauss's (1967) research on the experiences of dying patients in hospice care, grounded theory was presented as a counter to the dominance of positivism in social science research (Suddaby, 2006). Grounded theory aims to develop theories through observation of the differences between the event and how 'actors' involved in the event interpret it (Glaser & Strauss, 1967). Consequently, grounded theory is more appropriate to be used as a methodology in some contexts than others depending on the question being asked. It is more suited in research that aims to understand how actors construct meaning out of subjective experiences (Suddaby, 2006) and is therefore, an appropriate choice for the current study.

Thematic analyses predominantly implement an inductive approach to research in which theories are created from observation as opposed to the confirmation of hypotheses used in deductive approaches (Braun & Clarke, 2006). As a result, thematic analyses often approach research with a limited prior literature background due to the fear that it will bias the findings of the study (Allan, 2003). In any case, Suddaby (2006) argues that a common misconception of grounded theory is that a researcher must enter into the study with no prior knowledge of the area being studied. Indeed, most grounded theory studies would be difficult to conduct without a clear research question as a starting point, which can only be adequately developed from prior understanding (Suddaby, 2006). Instead, relevant literature can be used to narrow the required data and to provide an understanding of relevant theories and studies found in this area (Braun & Clarke, 2008). Although prior information may influence the study, the researcher must be aware of their epistemological standpoint in order to understand how this may influence the themes that are developed (Sudday, 2006).

Although qualitative research may be positivist or interpretivist (Lin, 1998), this thesis adopts an interpretivist theoretical perspective in the analysis of data. Falling within the constructivism epistemological framework (Crotty, 1998), interpretivism is largely concerned with the individual's experiences of events and is tied to the idea that there is no one true external reality, but that instead it is linked to an individual's interaction with the world (Jonassen, 1991; Kane, 2004). Interpretivists argue that although a positivist stance could be applied to the natural sciences in which there is one true reality, this is not true for the social world as individuals' experiences of the world may influence their actions differently for each individual (Schrag, 1992). As such, the results are said to be idiographic, in

comparison to the more nomothetic research of the positivist school, in that they are not generalizable to other populations (Cohen, Manion & Morrison, 2007). This in-depth study of one phenomena result in research that prescribes meaning to the events that individuals experience within their lives (Schrag, 1992). This allows for research that has a deeper understanding of the complexity behind phenomena and the importance that individuals place upon these (Kane, 2004). This results, in information rich research with an emphasis on the personal as opposed to the generalised results found in positivist research (Hay, 2011).

Procedure

In line with the 2009 study conducted by Mullins (2009), regarding the causes of mass rape during the Rwandan genocide, this study used the publicly available transcripts from the ICTY that focused on instances of sexual violence. As mentioned above, four of the five ‘landmark’ cases were selected as representative of the instances of sexual violence during the Bosnian war. The ICTY Court Records Database was used to find relevant transcripts for each of these cases with the key terms ‘rape’, ‘sex’ and ‘penis’ used to exclude irrelevant transcripts. These transcripts were then downloaded and were condensed to only include significant information about the sexual violence that occurred. Trial transcripts were then printed out and a thematic analysis based on grounded theory principles was conducted. To begin with, the transcripts from the Prosecutor vs. Kunarac, Kovac and Vukovic case were coded line by line. This coded data was then compared within the codes and to other codes in order to analyse the differences and similarities both between and within codes in a technique known as constant comparison (Corbin & Strauss, 2008). Collation of codes into potential themes was then carried out and additional data from the other

three cases were used to review these themes, modify and create new themes as the need arose. Once all data was coded, then themes were defined and named and were analysed in the context of relevant literature. The practice of memoing (Corbin & Strauss, 1990) was implemented throughout the study to keep a track of the ideas, conceptual relationships and questions that arose from the data. This allowed for a more systematic approach to the thematic analysis.

Analysis of Results

Rape as a Systematic War Strategy

Systematic rape is any rape used in a distinct strategic manner by armed forces to incite terror and fear within a population to achieve a specific aim (Shanks & Schull, 2000). In the case of the Bosnian Serbs this systematic rape was characterised by the purposeful selection of victims and the pattern of repeated rapes, suggesting that this was supported throughout the military hierarchy. This created a climate of fear, terror and control in which the Muslim population felt unsafe and were, as a result, forced to flee the area involuntarily.

In order to create this environment of fear, rape was frequently used in a repetitive, purposeful manner. Victim testimonies suggest that rape was carried out in a strategic pattern with rapes occurring consistently on a daily basis:

Q. Did soldiers continue to take out women from this place?

A. They did... Every day, the same scene would be repeated (FWS 95, April 25, 2000, p. 2217).

In the beginning, I was taken out mostly every evening, and during the last days I was taken out every evening (FWS 105, June 13, 2000, p. 4227).

Muslim victims also recounted the regularity that they experienced rape with many women being subjected to sexual abuse multiple times throughout one day. When asked to estimate how many times they had been raped during the war, victims estimated:

Perhaps 50 times, 60, I don't know (FWS AS, May 18, 2000, p. 2002).

I would say more than 150 times in the course of those 40 days (FWS 95, April 25, 2000, p. 2208).

These rapes were also perpetrated over prolonged periods of time. Thus, the impact of these rapes was increased due to the extended attacks that the women were forced to endure. Victims often spoke about being raped for sustained periods of time:

Some would stay the entire night; some would stay three days; some would stay three or four hours. It depended. All of them stayed for longer periods of time (FWS 51, March 27, 2000, p. 1136).

He forced me to lie down there and did whatever he felt like doing. He put his penis in my vagina, and this went on through the night, with some breaks perhaps, and that went on all night (FWS 105, June 13, 2000, p. 4237).

This pattern of rape was further consolidated by the purposeful selection of victims. Young females under the age of 20 were primarily targeted due to their reproductive status, an important point which will be discussed in more detail further on. Victims were predominantly chosen due to their vulnerable status, with the victims primarily being selected from women separated from male detainees:

They would be taking out girls first, and then when another group would arrive and there were no more girls left, then they would be taking out young women (FWS 105, June 13, 2000, p. 4266).

Apart from the age, they also were taking women who were placed in the rooms of either the store of the big hall where they were separated from men (PWS Vasif Gusic, August 6, 1996, p. 4669).

The frequent and prolonged rapes that were carried out during the Bosnian War indicate a substantial pattern of offending behaviour within the Serb forces. This directly links to the social death theory of mass rape, which argues that rape is the institutionalised strategy used in a systematic manner to achieve a goal (Gottschall, 2004). The manner of how mass rape was used to achieve the goals of displacement and destruction of enemy culture will be discussed in more detail further on, outlining the resulting feelings of humiliation and shame within the victims, the communication of control and dominance from the offender and the creation of a new Serbian generation all resulting in the goals of displacement and destruction.

Institutionalised policies. The data provides support for the systematic nature of rape in Bosnia through the commentary by trial witnesses on the hierarchical support for rape throughout the Serb armed forces. This support by those high up in the military is evident with rape often carried out as the direct result of orders from those in charge. Witness L, a guard at the Trnopolje camp, described numerous occasions at which his superiors forced him to rape Muslim victims:

Dragicevic pressed me with his foot on my back so that I penetrated the girl. Then after that penetration Dusko Tadic told Dragicevic not to let me off the girl until I came off, until I ejaculated (PWS L, August 13, 1996, p. 5252).

Dragicevic raped that girl and then stood up, and then I was ordered to take my clothes off and also to perform the rape of that girl (PWS L, August 14, 1996, p. 5274).

I came to protect them from others, but Dragicevic and Dusko Tadic and Zoran Karajica forced me to do what I should not have done, that I had to kill, that I had to rape girls (PWS L, August 15, 1996, p. 5413).

This sexual violence carried out by Witness L is also viewed as a form of obedience in line with Milgram's (1963) obedience principle in which individuals commit acts of violence when instructed to by authority figures. Furthermore, this enforcement of mass rape by Witness L on orders from his superiors may fall under the brutalisation stage of the circumplex and violentization model in which an individual learns to commit violence through experience (Athens, 2003). Nonetheless, upon further reflection, it is evident that this model does not accurately explain the instances of rape described within the evidence as Witness L does not appear to reach the defiance and virulency stages of the violentization model as he never internalises the violent behaviour as a key characteristic of his personality, instead seeming to rebel against the notion of violence as evident in the last quote above. Despite this, there could be a possibility that Witness L did indeed internalise these personality characteristics and was just trying to display a positive portrayal of himself, thus, indicating the difficulty in ascertaining the accuracy of this theory. Regardless, the testimony by Witness L is seen to contradict the findings of Winton and Ulin (2008) who found that the Serbian militia forces internalised the violent behaviour as aspects of their personality. As will be discussed in the limitation section of this thesis, it is hard to accurately reflect the internalisation of the violence, or indeed the motivations of the individuals due to the

fact that Witness L was the only perpetrator, within the data, to have provided evidence. As a result, the rejection of the circumplex and violentization model is largely based upon one witness and may have differed if further evidence was available yet, still indicates that perpetrators of mass rape can be coerced into the act.

There is indication that at the meso level of society, rape was institutionalised within the Serb armed forces. Indeed, rape was not carried out by Serb civilians, but instead by Serb soldiers with the direct support from those in positions of power:

Women were being taken out by the Serb military and, unfortunately, they were raped during that period of time (PWS Vasif Gutic, August 6, 1996, p. 4664).

Q. You told us a few moments ago that the soldiers would ask Zaga [leader of the Serbs in Foca] things like whether they could go to Partizan to take out girls. What was Zaga's response when he was asked this question?

A. Yes, he told them yes, they could do it.

(FWS 175, May 18, 2000, p. 3483).

This institutionalised rape was further consolidated by the role that the police force played within the conflict. The evidence points to the fact that the police had an in-depth knowledge of the rapes being carried out against the Muslim women and not only refused to condemn the action but provided justifications for the actions of the soldiers:

Q. These people guarding you, were they in soldier uniform or did they have different uniform?

A. They had these police-like uniforms. They had uniforms like that. They had army uniforms too.

(FWS 51, March 27, 2000, p. 1142).

Q. Did the guards try and stop the soldiers?

A. Yes. On one occasion, one of them tried to stop the soldiers, but they said that they had been given certificates from the chief of police.

(FWS 95, April 25, 2000, pp.2217-2218).

And on this certificate, apparently, it was written that they needed sex to have better morale for the battlefield (FWS 95, April 25, 2000, p. 2219).

This indicates that at least at the meso level of society, opportunities for the armed forces to rape were not only available to the soldiers but also indeed explicitly created by those in positions of power. This is particularly evident in the example of the guard, in the second quote above, who tried to stop the soldiers from raping the women but was over-ridden by the creation of a 'justification' from the police chief as a created opportunity. This is similar to the findings of Mullins (2009a) who found that armed forces during the Rwandan Genocide actively sort to decrease constraints that threatened to make instances of mass rape more difficult. As a result, rape during the Bosnian War was not a spontaneous event but instead a concentrated military strategy.

This notion is further consolidated when the Rampart-91 (RAM) plan is taken into account (Diken & Laustsen, 2005). Implemented in 1991 and authorised by Serbian officers, the RAM plan is a manual outlining the methods needed to ethnically cleanse Bosnia of all Muslims (Diken & Laustsen, 2005). The development of this plan came in the aftermath of a study of Muslim culture and the perceived discovery of the weakest points within the culture (Salzman, 1998). The RAM plan stipulated that the Muslim religious and social structures were weakest in relation to women and children and as a result, the raping of these groups would crush the

Muslim men's morale, thus, making them easier to dominate (Salzman, 1998). This was done specifically to create fear and panic in order to cause the Muslim population to retreat away from the territories involved in war (Allen, 1996). Women were seen as the ideal targets for attacks by the Serbs as within Muslim communities a traditional proverb states "as our women are, so also is our community" (Zalichic-Kaurin, 1994, p. 171), indicating that any attack upon the females within the Muslim community would be perceived as an attack upon the community as a whole. As rape is viewed as the most intense attack that a woman can endure due to its intimate nature, it can be regarded as a personal attack upon the Muslim culture, making it an effective strategy of war (Diken & Laustsen, 2005).

Consequences of complaining. This acceptance, and support, of rape by authorities created an environment in which victims were powerless to stop the attacks against them. Furthermore, not only did the police chief provide soldiers with justifications for their rapes but he also perpetrated rape as well. Rape in this regard was used against women who had complained about being raped by soldiers. This positions rape as a means of punishment for individuals who tried to rebel against the control exerted over them. It also communicates to subordinates the behaviour expected in regards to treatment of Muslim women. Witnesses often recounted the consequences of one victim going to complain to the Secretariat of Internal Affairs (SUP, the police force in Bosnia at the time) about the rapes experienced by the women at the Foča camp:

Q. Do you recall specifically by whom she was taken out?

A. Yes. It was the chief of SUP at the time in Foca, Dragan Gagovic.

(FWS 50, March 29, 2000, p. 1257).

She thought that could be for the best, if she went in and complained. But, in fact, nothing -- it didn't improve anything... After that, the rapes did not -- the number of rapes did not decrease. On the contrary, it increased (FWS 105, June 13, 2000, pp. 4243-4244).

The fact that this woman was taken away and raped after complaining, and the number of rapes increased as a further consequence, indicates that not only were the police providing the soldiers with opportunities for rape, they were also actively quashing attempts at the creation of constraints by the victims by informing the Serb soldiers of anyone who rebelled against the control that was tightly exerted over the victims. This is further support for the notion that rape was a concentrated tactic used by the Serb forces against the Muslim population as it indicates that they were willing to ensure that no victims who complained were helped, communicating that resistance to the Serbs was useless.

This message that complaining was futile was not only communicated by those in positions of power but also sent by members within the Serb population, indicating that a hatred of the Muslim population permeated all facets of the wider community. The evidence suggests that when victims complained to Serb civilians they were also treated with disdain.

At the end, she [the journalist] told them to keep quiet, because if they speak about it [the rapes], that they would be fucked and killed (FWS 96, April 27, 2000, p. 2533).

Furthermore, after the three girls complained about their experiences to a local journalist, mentioned in the quote above, they were taken away and never seen again, thus, reinforcing the idea that complaining was dangerous for the victims:

After the three girls who were taken away, after that journalist, who could I complain to? Me and all the others, we thought that they had been killed so who could we complain to? (FWS 95, April 25, 2000, p. 2337).

The resulting consequences of complaints of rape communicates to victims that they are not worth listening to and that their complaints are worthless. This aims to dehumanise the victims and as a result, make them easier to control and therefore, less likely to rebel or cause problems against the attacking side (Nodstrom, 1996). The lack of interest in the complaints, and indeed, the subsequent punishment of complaints indicates to the victims that all resistance is futile and would instead result in additional suffering, thus, decreasing their future chances of resisting the attacks against them (Nodstrom, 1996).

This message that rape was normalised and that resistance to it was futile was not only communicated to the victims but also to those within the community who tried to help the Muslim victims. A Serb doctor who was working at the Trnopolje camp, recalled what he was told when he complained to the senior doctor about the high number of women they were treating for the side effects of violent rape:

This is the war, this is what happens in war and there is nothing we can do about it
(PWS Dr. Azra Blazevic, June 13, 1996, p. 2531).

This acceptance of rape by the wider community as an unfortunate consequence of war absolves the population of any responsibility for their inaction. This compliance can be explained by the 'group justification' theories, which maintain that conflict arises to protect the interests of a particular group (Jost, Banaji & Nosek, 2004). In particular, Sidanius and Pratto's (1999) social dominance theory explains the use of violence, including rape, against enemy groups by the military and the seeming

compliance by the community as a whole. Social dominance theory stipulates that societies are structured around group-based social hierarchies in which a dominant group in society receives the majority of the positive materials and symbolic statuses in detriment to the subordinate groups who receive a disproportionate amount of the negative social value. As a result, conflict and oppression, is born out of the need of the dominant group to maintain this societal dominance. Consequently, aggregated institutionalised discrimination is enforced to ensure that particular groups receive disproportionate power in society. When this hegemonic distribution of power is challenged by the subordinate group, the dominant group uses systematic violence to reinforce the status quo. As this violence ensures that the general population of the dominant group maintains their position of power, they are complicit with the violence against the group who aims to remove their power (Sidanius & Pratto, 1999). This indicates that very few constraints arose at the micro level of society, with individuals within the Serb ethnicity preferring to accept rape due to the justification that it was maintaining their positions of power. Interestingly, this is in contrast to the findings of Mullins (2009a), who found that rape carried out in the Rwandan Genocide by the Hutus was, at the micro level, motivated by the overall lack of power within society that the Hutus held. This may indicate that although Roethe and Mullins (2009) model may provide a general model for why rape occurs in conflict, the motivations, both general and specific, may be different within each conflict.

Displacement of the Muslim Population

The above theme indicates that there is some primary support for the theoretical model of violations of international law (Roethe & Mullins, 2009) as an explanation for the mass rape in this study. As a result, this means that the

motivations for rape, both general and specific must also be analysed. The themes developed from the data indicate that the foremost specific motivation for rape committed by the Serb armed forces, was the displacement of the Muslim population. This specific motivation was further consolidated by the general motivations of the oppression of the Muslim population and the creation of an environment of fear as the victims became too afraid to return to the area in which they were victimised.

The evidence indicates that rape was predominantly carried out in detention centres after the victims had been rounded up. Stigmayer (1994) argues that detainment camps existed during the Bosnian War to serve three purposes. Firstly, they acted as a collection point from which the population was deported. Secondly, the population was combed through and any perceived dangerous individuals or seemingly potential threats were killed. Thirdly, they created a climate of fear in which all individuals within the population did not want to return to the area in which they were detained again. The use of detainment camps, largely run out of places such as high schools, was commonly mentioned by victims:

Q. Were you told what the purpose was of bringing Muslim girls to that house?

A. Everyone knows why. For sexual abuse. What else?

(FWS 78, April 19, 2000, p. 2130).

Q. Were you at the high school voluntarily or did you have a choice?

A. I don't know what the choice would be. Of course nobody was there voluntarily; all forcibly.

(FWS 96, April 27, 2000, p. 2523).

This resulted in an environment unfit for inhabitation by the Muslims, resulting in them leaving the area, not voluntarily, but instead driven away by fear. Numerous victims recounted the fear that typified their lives, leading them to leave Bosnia:

We were just trying to figure out who would be next killed or taken away. We were just waiting for that to happen. And that's why people were in such a hurry. That's why people wanted to leave as quickly as possible (SWS C, March 23, 2000, p. 1114).

I did not leave voluntarily, but I could not wait to leave Foca. I had great problems and I had to besiege people to help me get out. That is to say that I left out of fear, if that's what you call 'voluntarily' (FWS 183, May 22, 2000, p. 3711).

These quotes indicate that rape was just one of the many tactics used by the Serbian forces to remove the Muslim population from the area. Although relying on tactics such as rape, murder and detainment, the strategy used by the Serb forces can be considered one of ethnic cleansing, not genocide, as it aimed to claim territory instead of exterminate the entire Muslim culture (Salzman, 1994). Regardless, the use of rape could be seen to be a part of the systematic strategy to create the greater Serbia, a region throughout the land mass of Serbia, Bosnia-Herzegovina and Croatia, devoid of any non-Serb citizens (Salzman, 1994). Rape, therefore, in this instance fits within the strategy theory of mass rape, in which rape is used to achieve a particular goal, in this case territorial claim (Gottschall, 2004). Under this framework, rape is seen as a legitimate means of displacing the population through shame and humiliation and the fractures that it creates within the victimised society (Mackinnon, 1994).

Humiliation and shame. Rape can be viewed as the most invasive method of assault that an individual can sustain, with the victim's body literally being entered,

resulting in a personal attack on the victim's sense of safety and self-worth (Diken & Laustsen, 2005). This attack on the victim's sense of self-worth produces feelings of humiliation and shame with many victims describing the feelings of disgust they felt after experiencing rape:

I undressed. I felt embarrassed. I wished I was dead. I felt very uncomfortable (FWS 105, June 13, 2000, p. 4237).

I felt like a lowlife, dirty (FWS 175, May 18, 2000, p. 3589).

I was all in tears... I only said: "Oh, fuck you, God, in case you exist. Why did you not protect me from this?" (CWS Milojka Antic, April 3, 2000, p. 1780).

This shame was especially poignant within Bosnian society, and to a greater extent the Muslim community, due to the emphasis placed upon a woman's reproductive role and the importance of the continuation of the husband's genetic material (Olujic, 1998). This motherhood role places restrictions upon women within these societies with the marriageability of a woman being defined by an individual's 'purity' and virginal status (Card, 2003). As a result, women who do not conform to this stereotypical virginal female are perceived as 'damaged good' and face ostracisation and further victimisation from their own communities (Mukwege, Mohamed-Ahmed, & Fitchett, 2010). This emphasis on virginity sees women shamed if they cannot conform to the idealised version of a bride, regardless of the non-consensual nature of the act (Weitsman, 2008). This perceived transgression against the societal moral standards is viewed not only as a shame upon the women but upon her family and community as a whole (Olujic, 1998). This collective shame that society experiences due to the violation of social norms was evident during the

Bosnian War with witnesses experiencing feelings of shame even when they had not been raped:

We all felt bad. I felt very bad, seeing how they would come in helpless. And we sort of shared this sorrow and tragedy with them (FWS 96, April 27, 2000, p.2560).

Furthermore, due to the importance of virginity within the Bosnian society, mentioned above, the implications for women who were previously virgins before being rape was understood by all, thus, reinforcing the shame:

But she was a virgin before, and she had never been with a man, and she said that she would never get married, and so it was very difficult for her (CWS Grozdana Cecez, March 18, 1997, p. 529).

This collective shame, permeated through the victim population due to the patriarchal nature of the Bosnian society prior to the war. The patriarchal nature of society works to reinforce the male positions of power and denotes the protection of women due to their vulnerable status (Alison, 2007). In this respect, masculinity is also held hostage to gendered expectations with males expected to protect women from all harm (Alison, 2007). As a result, when women are raped it is not only to shame the woman, but to also shame the men within the community for being unable to protect their women, denoting their lack of masculinity (Bracewell, 2000). In this regard, rape is not only about shame but also about the communication of power and the demasculinisation of men (Koo, 2010).

Furthermore, this patriarchal society that existed within Bosnia prior to the war, lead to an environment in which sexual intercourse outside of marriage was considered so immoral and shameful that rape victims felt that they could not speak

about their experiences due to the fear it would shame their families. The data supports this, with many women having knowledge of other victims who refused to talk about their experiences of rape after the war:

Rape as an act in our region, this is a patriarchal environment and it is a terrible act, so that these victims attempted to hide these as much as they could (PWS Adil Jakupovic, August 6, 1996, p. 4668).

There were some women there, they never uttered a word about this. Neither did their families, as if nothing had happened. They didn't talk about it. For women this is really a shame (FWS 192, May 15, 2000, p. 3112).

Even when victims did discuss their experiences, they were very selective in what and whom they divulged information to:

But, unfortunately, there's a lot of truth that I simply will not be able to speak about as long as I live (FWS 105, June 13, 2000, p. 4223).

And she said "I'm too shamed to tell my father what happened to me" (FWS 51, March 27, 2000, p. 1181).

This silencing mechanism that rape causes within victims is evident with many rape victims choosing not to divulge their experiences to their families, to save them from the expected shame. This silence may have caused more damage for the victims who, as a result, are required to experience the pain and shame of the rape alone (Kelsall & Stepakoff, 2007). This self-silencing can be seen as a form of attempted protection for the victims as they attempt to forego the negative reactions that are expected due to the patriarchy mentioned above. These negative reactions, and subsequent shaming,

may act as a form of secondary victimisation in which the victim is blamed for their suffering, thus magnifying the overall impact of the act upon the individual (Ahrens, 2006). As a result, victims may experience detrimental consequences from disclosing their experiences causing further trauma from those who were meant to help them (Ahrens, 2006). As victims are therefore, unable to receive the help they need, this silence may serve to traumatise the victim further, thus, prolonging their silence (Ahrens, 2006). In this regard, serves as an effective strategy due to the shame and humiliation that is caused both within the individual and the community, a notion that was capitalised upon within this conflict.

Power, domination and control. In a similar vein, the evidence also suggests that rape was used as a means of exerting control over the victims and their community. During the period of detainment, women were stripped of their free will and treated as little more than objects for the perpetrators to use in a manner that they saw fit. In order to strip women of their free will and control their actions, physical abuse was frequently used against women who resisted, teaching them to behave accordingly in the future, or face further repercussions. The use of power and force to control women was a key area discussed by many victims:

Well, what else could I do after Tuta's slaps and all the rest? I had to take my clothes off (FWS 95, April 25, 2000, p. 2331).

Everything I went through, as well as the other girls, occurred not through my will or my acquiescence but by the use of force, power and strength (FWS 132, April 26, 2000, p. 2423).

This complete control over the victims communicated to them that they were powerless, thus reinforcing the feelings of shame and humiliation that accompanied

rape. As one doctor at the Trnopolje camp explained, the use of rape, and subsequent control over the victim's lives, led to the loss of hope in victims:

When the rapes started everybody lost hope, everybody in the camp, men and women. There was such fear, horrible (PWS Adil Jakupovic, August 6, 1996, p. 4671).

This use of rape as a means of exerting power and control over the Muslim population can be explained by Roethe and Mullins' (2009) theoretical model with the motivations at the macro level aiming to ensure that the position of power that the Serbians had previously experienced was maintained. This also ties into social dominance theory (Sidanius & Pratto, 1999); society as a whole was motivated to control and dominate the Muslim population in order to ensure that the status quo was maintained. Once again, this aim to maintain power through the use of rape is in contradiction to the findings of Mullins (2009a) who found that the Hutu militias used rape as a means of generating power for themselves. As a result, in the Bosnian context the control that was exerted over the victims allowed the armed groups to easily placate the victims and as a result remove them from the region more easily to ensure that they created the region of the Greater Serbia.

Furthermore, these notions of power and control were further communicated to the victims through gang rapes with many victims discussing being raped by multiple offenders consecutively in order to communicate the control over the victims:

They divided themselves up. Some of them would come up for oral sex. Others would anal -- sit behind, so that there were always two of them at the same time (FWS 95, April 25, 2000, p. 244).

Q. Was that the only one who raped you at that time?

A. In that hall I just counted up to ten, because that was the order they made. I counted up to 10, and I don't know how many there were after that number. There could have been about 20 of them. I don't know.

(FWS 75, March 30, 2000, pp. 1389-1390).

This use of gang rape during the Bosnian War is may be explained by the research of Cohen (2013) who found that gang rape was used during war as a form of social bonding. Cohen argues that gang rape was used to create loyalty and cohesion within armed groups as soldiers are forever bound to those who have broken social norms in collaboration with them. Although the evidence in this study is consistent with Cohen's study, further investigation is needed to examine the creation of loyalty and cohesion through gang rape in the Bosnian context. This is further supported by Franklin (2004) who argued that gang rape during peacetime positions the female victim as a prop, whom the perpetrators use to assert their masculinity and heterosexuality, with the climate of fear being used as a means of bonding. Furthermore, Sanday (1990) argues that the rape culture in place during peacetime creates an environment in which females are depicted as guilty for being the victims of gang rape. As a result, gang rape serves to control acceptable feminine behaviour, teaching females to be vigilant with their actions around males to ensure that they are not the victims in the future. This translates to wartime where victims are seen to associate the region with their victimisation and therefore, choose to not live there anymore to ensure that they are not victimised again in the future, thus, fulfilling the goals of the attacking group.

This notion of gang rape as a form of controlling acceptable feminine behaviour ties into the feminist theories of mass rape. The role of gang rape during war is seen to reinforce the overt masculine traits that are perceived as dominant and powerful in society (Card, 2003). The collective attack on women depicts men as powerful and in control, key masculine traits, while ostracising those who do not want to participate as homosexual and feminine (Franklin, 2004). This is translated to war where rape is not viewed as an overtly sexual act but instead one that communicates power and control that males hold over their victims (Skjelsbæk, 2001b). Similarly, due to the symbolic role that females play within society as the 'creator' of a new generation, gang rape is seen as a form of domination, not only against the primary victim, but against the culture as a whole (Card, 2003). This creates a silent dialogue between the cultures of the ease of domination and the superior masculine nature of the attacking group.

Ethnic superiority

Rape was further used as a method of exerting the ethnic superiority of the attacking group over that of the victimised culture. Rape was used as a means to dehumanise the victims and make them seem sub-human. This notion of dehumanisation is supported by Bandura's (1999) theory of moral disengagement which argues that soldiers are only able to commit violent and genocidal acts after a process of dehumanisation has occurred. This dehumanisation is achieved through the creation of the distinct 'us versus them' dichotomy in which the enemy is depicted as lesser through ethnic slurs. This is further supported by the social identity theory which explains that ethnic violence is often an extreme characterisation of outgroup prejudice in which those in the 'ingroup' perceive the 'outgroup' to be a threat and

react violently to protect their status (Fearon & Laitin, 2000). The perceived superiority of the Serbian culture by the Serb soldiers was evident in Muslim victims' testimonies:

He cursed me and mentioned derogatory names and we should all be killed since we did not want to be controlled by Serbian authority (PWS Suada Ramic, July 18, 1996, p. 3752).

They were cursing our balija mothers, "You'll all be butchered. You will be burned in acid. This is our Serb fatherland. This is Greater Serbia" (SWS Bego Ademovic, March 29, 2000, p. 1589).

And he said that I should be pleased, that I should see how a Serb fucked better than a Muslim did (FWS 183, May 22, 2000, p. 3682).

This use of ethnic terms during forced sexual intercourse communicated to the victims that not only are the Serbs more superior in the overall environment but that they are more proficient sexual partners as well, tying into the notions of masculinity and virility. This is also seen to tie into the notions of shaming the Muslim male population for being demasculated and unable to protect their women (Snyder et al., 2006). This sends a direct message to the enemy population that they are weak, and feminine, in need of protection from the masculine energy, in this regard the Serbian population (Card, 2003). This ties the strategy and feminist theories together in that it explains the communication of male dominance over the other population. In this case, it uses the importance of masculinity, as outlined in the feminist theories (Zubriggen, 2010), while the strategy theory allows an explanation as to why the use of rape is an important way of communicating between the cultures (Milillo, 2006).

Creation of a new generation. The main manner in which the Serbian forces used rape to communicate their ethnic superiority was through the forced impregnation of women. Rape was used as a way to pass on the Serbian genetic material to future children carried by the victims of rape. The patriarchal nature of Bosnia prior to the war ensured that it was not the genetic material of the mother that is important but instead the ethnicity of the father (Erjavec & Volčič, 2010). As a result, rape of women by multiple men was carried out to increase the likelihood of impregnation:

Zaga [leader of the Serbs in Foca] was saying that I would have a son and that I would not know whose it was, but the most important thing was that it would be a Serb child (FWS 183, May 22, 2000, p. 3683).

Q. Did they say anything to the girl?

A. They told her that no girl would leave the camp without and not be pregnant (PWS L, August 15, 1996, p. 5277).

This form of rape functions as a way of asserting ethnic superiority over the Muslim population as it communicates that the Muslim culture is not worth continuing and the women would be better used as vessels for Serbian genetics (Salzman, 2000). The forced impregnation was as a systematic plan by the Serbians to enforce ethnic cleansing upon the Muslim population by destroying them from the ‘inside out’ (Goodhart, 2007). This indicates a concentrated strategy by the Serbs with the slogan *rodit ces cetnika* (You will give birth to a *chetnik* soldier) being used by the Serbs raping the Muslim women (Meznaric, 1994). This creation of the population can also be seen as a concentrated plan tying into the frequent rapes mentioned above. Rape only results in pregnancy between one and four percent of the time from a single rape,

meaning that the Serbs would need to rely on multiple rapes in order to increase the likelihood of impregnation occurring (Salzman, 2000). This is further encapsulated by the fact, that once women were impregnated they were held until it was too late for them to safely undertake an abortion (United Nations, 1994). Furthermore, this resulted in an effective strategy with many children born as a result of rape during the war being treated with distrust by their community (Erjavec & Volčič, 2010). As a whole they were seen to represent the notion of war and violence, due to their conception being enforced and into the future, serving as a constant reminder to victimised communities (Nodstrom, 1996). In this instance, it can be effectively argued that the strategy theory of mass rape best describes the use of rape within the Serbian run camps to ensure the destruction of the Muslim population and the superiority of the Serbian culture.

This strategy to produce a new generation was seemingly absent from the experiences of Serb women raped by Muslim soldiers. Indeed, many victims instead recounted the experience of being anally raped or having their attacker ejaculate outside of the vagina, thus, removing the intent to impregnate:

Q. Mrs Antic, did he penetrate your vagina?

A. Yes.

Q. Did he ejaculate?

A. Yes.

Q. Did he do that inside your body?

A. No. On the lower part of my stomach

(CWS Milojika Antic, April 3, 1997, p. 1779).

He told me to turn around and to kneel. He climbed on to the bed then and he started to rape me in my anus (CWS Miloka Antic, April 3, 1997, p. 1784).

This distinction between the rape carried out by the two forces indicates that although Muslim forces used rape to humiliate women and exert their control, it was not used in the same concentrated manner with the same aim as that carried out by the Serb forces. Although still creating feelings of humiliation and shame within their victims, and possibly by extension the Serbian population, the evidence does not support the notion that the Muslim troops were attempting to create a new Bosniak population to the destroy the population from within. Similar to the Serb forces, the Bosniak forces instead relied on the use of mass rape to humiliate and degrade the Serb population. As this study only used the transcripts from one trial prosecuting Muslim offenders, in comparison to the three used for the data on Serb practices, these findings may have been different if more data was used. However, the report released by the United Nations (1994) indicated that although all sides, Bosnian, Serb and Croatian, used rape as a weapon during the war, it was more concentratedly and systematically used by the Serbian forces with the intent to rid the area of non-Serbs in comparison to the rape carried out by the Muslim forces.

De-masculinisation. Although the data does not support the notion that the Bosniak forces used rape to enforce the impregnation of Serb victims, it could also be seen that sexual violence was used against male victims in order to assert the Muslim power and superiority over the victims. Sexual violence committed against men is viewed as a manner of reasserting the masculinity of the offender and stripping the victim of their masculine status situating them as instead feminised (Sivakumaran, 2007). In opposition to the rapes carried out against women, which were largely conducted in private, sexual violence against male victims was often carried out in the public sphere, in front of other detainees and guards. Witnesses often recounted

watching sexual violence that was occurring or having to carry out sexual acts in view of others:

One of the brothers had to put the other brother's member in his mouth, because Zenga threatened that he would kill them both unless he did it (CWS Hristo Vukalo, August 14, 1997, p. 6300).

Q. What were you ordered to do at that time? Were you ordered to lick his arse Mr.

H?

A. Yes.

Q. Was Mr. G ordered to suck his penis?

A. Yes.

Q. Was the next order for Mr. G to bite his testicles?

A. Yes.

Q. At that time what were the people around the canal yelling?

A. They were yelling "Bite, harder, harder".

(PWS H, July 24, 1996, p. 4308).

These public displays of sexual violence serve several aims. Firstly, it exerts the Muslim authority of control and domination over the victim. This then, serves to demasculate the victim and attributes them with feminine traits such as weakness and vulnerability (Arkin & Dobrofsky, 1978). Similarly, this serves to create power and control within the perpetrator, predominantly masculine traits, and serves to reinforce the superiority of the Muslims (Sljesbæk, 2001a). Equally, as the perpetrators are not physically involved in the sexual acts, but only ensuring that they occur, this allows them to separate themselves from the act and achieve a moral superiority over the victimised group by believing that members within their group would not engage in these acts (Card, 2003). This ties into the perceived normality of heterosexuality that

exists within many societies. Under this spectrum, the heterosexual relationship is seen as normal and natural with anything that goes against it viewed as going against the social norm (Zurbriggen, 2010). As a result, even enforced homosexual acts can cause the victims to be ostracised and shunned by their communities for going against the agreed societal accepted behaviour (Olujic, 1998).

Secondly, similar to the rape carried out against women, this public humiliation serves to send a message to the individual and their community as a whole (Card, 2003). The individual becomes acutely aware that other individuals who they frequently interact with have been witness to their humiliation, ensuring that they cannot escape their victimisation (Card, 2003). The message is further sent to the community that they are easy to dominate, as those who are meant to be strong protectors have been so easily overwhelmed (Zubriggen, 2010). Furthermore, due to the salience of the experiences of individuals within the individual's ethnic group, witnesses are able to imagine themselves as the victim, serving to damage the community as a whole through secondary victimisation (Diken & Laustsen, 2005).

This damage to the community is further reinforced through instances of sexual torture, and the deliberate destruction of the sexual organs that was carried out by the Muslim forces. Serbian male victims recounted experiencing sexual torture in front of other detainees:

He wound it [the fuse] round my anus. He put one end inside and the other round my penis... Then he lit it. I have a scar there from this fuse. He did this in front of all the prisoners in the hanger, in the middle of the hanger near the door. All the prisoners could see what Zenga was doing to me, how he set light to this fuse (CWS Vaso Dordic, Jul 7, 1997, p. 4358).

He did the same thing to Risto Vukalo, the same thing with the fuse, the same case. He would wrap it around his waist. He would light it in the same manner and he would run around until it was all burnt out (CWS Mirko Dordic, July 10, 1997, p. 4765).

It has been found that sexual torture can have lasting consequences for the male genitalia, resulting in damage to both its sexual and urinary function (Norredam, Crosby, Munarriz, Piwowarczyk & Grodin, 2005). Similar to when rape is carried out against women, sexual violence and torture is used against men to inflict lasting psychological and physical damage upon the victim (Oosterhoff, Zwanikken & Ketting, 2004). Furthermore, a study by Oosterhoff, Zwanikken and Ketting (2004) found that male victims of sexual trauma during war are less likely to seek help and their perpetrators are less likely to be prosecuted, thus, increasing the damage perpetrated against them. As the penis is seen as a symbol for the masculinity of a male, a direct attack upon it is not only seen as a physical attack but sends the message that they are not worth the masculine status and instead should be feminised (Carlson, 2006). This reinforces the notion that the perpetrators are more masculine, and therefore more superior, to the victimised group reasserting the power of the Muslim group in this instance.

Discussion

The primary aim of this study was to discover which theoretical explanation of mass rape most accurately explained the sexual violence that was carried out during the Bosnian War. In order to achieve this a thematic analysis was carried out on the transcripts from four trials conducted by the ICTY. Three of these transcripts were conducted based on violence carried out by the Serb forces, with the other one focusing on Muslim perpetrated rape. It has been found that two theories have been

supported with the others rejected due for a number of reasons. As a result, the rejection of the biological theory, feminist theories, circumplex model and violentization theory, and multifactorial model of wartime theories will first be discussed before reinforcing why the strategy/social death theory and theoretical model of violations of mass rape best explain rape in this instance.

Rejection of Explanations for Mass Rape

In this study it was found that wartime sexual violence was not accurately represented by the biological and feminist theories, and the circumplex and violentization theory and multifactorial model of wartime rape. The biological theories of mass rape are seen to fall short of explaining the instances of rape in Bosnia due to the insistence that it is the by product of sexual desire (Snyder et al., 2006). As a result, this deposits the causes of rape at the individual level, thus disregarding the influence and affects that society and armed forces can have upon occurrences of sexual violence (Seifert, 1994). The theme of the systematic nature of rape, actively dissuaded the notion that rape was the result of individual urges, instead providing ample evidence that rape was a result of the Serb armed forces as outlined in the RAM plan (Salzman, 2000). Furthermore, although the rape committed by the Muslim forces was not as clearly the result of an overarching strategy implemented by the force as a whole, the use of sexual violence against male victims can be seen as a collective act against an enemy culture. This indicates that the biological theory falls short in actively explaining the instances of mass rape in the context of the Bosnian War as it too heavily relies on the male physiological desires as a means of explaining mass rape while actively disregarding the societal aspects, an important area found in this study.

Furthermore, the feminist theories, although instrumental in providing an explanation for why male victimised sexual violence may be perpetrated, fall short in explaining the instances of the rape in this Bosnian context. Rape under the feminist theories is depicted as the result of a hatred felt towards all women hidden during peacetime due to social norms and laws (Snyder et al., 2006). If feminist theories truly explained mass rape, then the dissolution of social norms during war would result in an environment in which all men carried out rape against all women, due to the apparent latent hatred they feel for women based upon their female status (Gottschall, 2004). As a result, the feminist theories may accurately explain instances of ‘women targeted pattern’ as defined by Farr (2009) as this is the attack upon women for their gender and challenge to the perceived gender norm, yet, it lacks proficiency when applied to the rape carried out during the Bosnian War, due to the selection of victims on the basis of culture. Nevertheless, the feminist theories may be important in providing some insight into why rape is such an effective weapon of war. Under the feminist theories the superiority of masculinity within a patriarchal society is understood to contribute to the causes of rape (Skjelsbæk, 2001b). As a result, it is seen within the data that the victimisation of men and the humiliation of men for not being able to protect their women serves to ensure that rape effectively attacks cultures (Bracewell, 2000). Nevertheless, the feminist theories fall short of actively explaining the causes that lead to mass rape in the Bosnian conflict.

Similarly, although important in highlighting the multiple levels of factors that must be taken into account when explaining the causes of mass rape, the circumplex and violentization theory, and the multifactorial model of wartime rape fall short of fully explaining the rape carried out during the Bosnian War. Although Winton and Ulnu (2008) found support for the circumplex and violentization theory in their study

on violence carried out by Serbian militia groups during the Bosnian War this thesis did not find support for the model in the context of sexual violence. Although both this study and Winton and Ulu's study relied on transcripts from the ICTY as the source of data, the current study did not find evidence of the cohesion of the Bosnian and Serbian societies prior to the war, or evidence to support that the Serb armed forces underwent a violentization process. This may be due to the fact that this thesis was solely looking at testimonies in relation to experiences of sexual violence, thus removing much of the contextual data. Furthermore, the majority of the testimonies, bar one, was from victims of mass rape instead of perpetrators making it hard to fully ascertain if the process of violentization was undertaken. At least in the context of Witness L it is evident that the processes of brutalisation and violent domination engagements were undertaken in which the perpetrator is taught violent acts and carries out the acts. In any case, there is no evidence to suggest that virulency, in which the perpetrator was seen to internalise the violent acts as a part of their personality, was achieved. As a result, the model presented by Winton and Ulu fails to accurately account for the instances of mass rape found within this study.

Furthermore, the multifactorial model of wartime rape as presented by Henry and colleagues (2004) provides an in-depth explanation for why mass rape occurs in war, yet cannot be found to adequately explain the rape from the Bosnian War. Similar to the biological theories, this study relies on individual explanations for war rape, as well as sociological and situational, which cannot be accurately verified in this study due to the predominant focus upon victims' testimonies. Due to the nature of criminal court cases, the perpetrators maintained their innocence throughout the trial and therefore, did not provide any context into why they committed rape during the war. Furthermore, this model relies on the developmental context of the individual

when explaining their micro level motivations for rape, which would be hard to ascertain from transcription data. Nevertheless, this is not to state that this model on a whole is completely incorrect. The evidence does seem to support the creation of the subcultural context within the Bosnian society in which masculinity was valued and rape was normalised. Furthermore, the situational influence of war upon the perpetrator, as outlined in the model, is seen during this conflict through the apparent dehumanisation techniques used to provide justification for the actions carried out. Similarly to the other theories mentioned above, this theory does not adequately explain the systematic rape carried out during war, falling sort of explaining the meso factors that contribute to instances of mass rape.

Strategy/Social Death Theories and the Theoretical Model of Violations of International Law

The analysis indicates that two theories work in collaboration to most accurately explain the instances of mass rape that were carried out during the Bosnian War. The strategy/social death theory most accurately explains why mass rape is used during war, while the theoretical model of violations of international law provides a basis of the societal and individual processes that allow mass rape to explain. The strategy theory stipulates that sexual violence is used during war in a systematic manner to achieve a specific goal (Gottschall, 2004), in the example of the Serb armed forces to claim territory from the Muslim population, and to assert the ethnic superiority of both groups. Within the data rape is largely used as a means of terrorising the population and creating an environment of fear, shame, humiliation and control, but also a means of communicating the power of the attacking group to the population as a whole (Bracewell, 2000). As explained by strategy theorists, this

draws on the symbolic nature of rape as not one only perpetrated against the primary victim, but used to attack the social structures of the culture as a whole (Olujic, 1998). This serves to create feelings of shame and a resulting stigmatisation within the victim thus, dividing the culture (Milillo, 2006). As a result, the systematic, purposeful rape carried out by the Serb armed forces, and to a lesser extent the Muslim forces was used to weaponise fear and humiliation and destroy hope within the individual to achieve the above mentioned goals.

Furthermore, although the strategy theories accurately explain why rape was used during the Bosnian conflict, it does not explain what societal circumstances are in place to allow rape as a strategy to occur. Under the strategy theory, rape would be used a strategy in all wars due to its effective nature in dividing the enemy. As seen in research rape is not common in all war (Cohen, 2013; Wood, 2009), thus, insinuating that some conflicts must be more susceptible to use rape as a strategy. Roethe and Mullins' (2009) theoretical model of violations of international law of international law provides an explanation for why mass rape is allowed to occur in a conflict and accurately explains the Bosnian situation. In this study it is evident that an increase of specific and general motivations existed for the Serbian forces both at the meso and macro level with the general motivation of marginalisation and oppression of the Bosniaks leading to the specific motivation of the maintenance of power and the control of territory. Due to their positions of power as armed forces it can also be seen that these forces created many opportunities for mass rape to occur. This is particularly true when the consequences of complaining for victims is taken into account and the role of the police with helping the Serb forces commit mass rape indicating that opportunities for mass rape were actively created, and any potential constraints and controls were eliminated due to their

positions of power. It was also found that there were very few constraints and controls at the micro level and increased opportunities at this level yet, as mentioned above, more research would need to be conducted to accurately ascertain the individualistic motivations for rape. Furthermore, although little evidence within the data provides insight into the motivations, opportunities, constraints or controls that may have existed at the international level, it could be argued that the lack of solidified international law regarding rape during war created an opportunity for the Serb forces to commit mass rape without fear of repercussions.

These findings are in line with the study conducted by Mullins (2009) who found that rape carried out during the Rwandan Genocide was most accurately accounted for by the Roethe and Mullins' (2009) model. Mullins also found that prior to the war there was an increase levels of opportunities and motivations at the international, macro, meso and micro levels with relatively few constraints and contrasts acting as barriers to the act. This study also found that at the meso level rape was carried out in response to orders and acceptance from those high in the military hierarchy, a similar theme found in the Mullins study. In the Bosnian conflict, sexual violence was not perpetrated predominantly by a group who had historically been marginalised as was the case in the Rwandan Genocide. Instead, rape within the Bosnian conflict was carried out in line with the social dominance theory (Sidanius, & Pratto, 1999), with the Serb seeking to maintain their position of power within the society.

Therefore, it can be argued, that the motivations and opportunities to successfully use mass rape as a strategy to achieve the goals achieved, outweighed the possibilities of the constraints or controls acting as blockages to the act. This indicates that the strategy theory and theoretical model of violations of international law work

in collaboration to accurately explain how and why mass rape was used during the Bosnia War. Under these theories rape is used to achieve specific aims and is able to occur due to an environment in which few constraints were in place to stop these attacks with the benefits outweigh the consequences.

Implications

These findings provide a deeper understanding of the causes of mass rape than many other studies conducted in this area. This study has found that the theoretical explanations for mass rape as not a well defined as previously thought with this study finding that the collaboration of two theories best described sexual violence in the Bosnian conflict. Due to the interpretivist nature of this study, it was not undertaken to achieve generalisability for all instances of mass rape or as a predictive tool but instead as an explanatory study for the phenomena (Schrag, 1992). As this study provides an in-depth understanding of the instances of sexual violence during the Bosnian War, this results in a deeper understanding of the phenomenon in a particular context that has been lacking from empirical research. This understanding of rape as a war crime and the factors contributing to the implementation is instrumental as it has previously been overlooked by criminologists (Mullins, 2009). As a result, this study indicates the need for further study to be conducted in this area to ensure that this crime is actively understood. Nonetheless, it does provide an indication of factors and theoretical approaches that may be adopted when looking for more generalisable results.

Furthermore, this study provides support for the prosecutions carried out by the ICTY. As rape is defined as a crime against humanity and a war crime under the legislative power of the ICTY (United Nations, 1993), this study gives weight to these

definitions by supporting the notion that rape is the concentrated strategy implemented by armed forces in this context. As a result, it is evident that only prosecuting those in positions of power within the armed forces is legitimate due to their role in actively carrying out the sexual violence through their attempts to ensure the increased levels of opportunities and decreased levels of constraints, as outlined by Roethe and Mullins (2009) model. In this regard, rape was not only the actions of individual soldiers as the biological theories claim, but instead the result of military policy, supporting the notion of selective prosecution.

Limitations

The thesis was restricted by three limitations and as a result the findings would have been strengthened if they had been eliminated. Due to the sensitive nature of this thesis, and the often inaccessibility of rape victims due to the shame and stigmatisation associated with rape (Card, 2003), the data for this study was obtained using transcripts from the ICTY, however, the use of transcripts has been found to be contentious as they do not accurately reflect the experiences of rape victims (Henry, 2009). Trial transcripts are seen to act as a representation of the prosecutions version of truth, with a particular narrative being constructed throughout (Mullins, 2009). As a result, victims are forced to recount their experiences of rape in a manner that fits with the judicial definitions of rape (Mullins, 2010). This is extended to the witnesses chosen to testify in court cases with those who are viewed as more 'truthful' selected (Henry, 2010). This requires victims to recount their experiences in a manner that will be judged as the most truthful and, therefore, they must cater their testimonies to fit within the narrowly defined notions of rape in line with the legal definitions and rules of evidence (Mertus, 2004). In this regard, testimonies are told in a fragmented,

disrupted manner, with victims often being disrupted by the prosecution of defence to confirm factual evidence (Henry, 2009). Furthermore, due to the aim of a criminal court to either establish guilt or innocence, the consequences and effects of rape upon the victim are not viewed as important as the facts, resulting in data that contains less depth, making a thematic analysis more difficult (Henry, 2010). As a result, the results found may have been strengthened if interviews were conducted with victims instead of relying on transcription data.

Furthermore, this thesis largely relied on the testimonies of victims, with only one perpetrator's testimony being used. As a result, the accuracy of some of the theories was hard to ascertain due to their focus on the individualistic factors that could not be completely analysed in this study. Although rape victims can provide some insight into why they believed they were raped (Mullins, 2009), it is difficult to truly understand the individual's motivations for carrying out rape without relying on evidence from their perspective. As a result, this thesis found that the strategy theory and theoretical model of violations of international law most accurately explained instances of mass rape in the Bosnian context. If more perpetrator's testimonies were used this may have resulted in more support being found for other theories, in particular the multifactorial model of wartime rape, yet, due to the nature of court cases in which the perpetrator is attempting to prove their innocence, it would be nearly impossible to obtain testimonies for their explanations for rape. Even so, this still remains a perceived limitation of this study.

Lastly, this research relied on a thematic analysis based upon the grounded theory principles and, as a result, cannot be generalised to explain war rape in conflicts other than the Bosnian War. Thematic analyses adopt an idiographic standpoint in that they aim to understand unique phenomena instead of producing

generalisable results (Thomae, 1999). This is viewed as a fundamental weakness by positivist researchers who assert that research should be based upon the scientific model with data that represents the whole population (Wicks & Freeman, 1998). As Enroe (2000) and Farr (2009) asserted, rape has been used in different conflicts for multiple reasons and as such, the theoretical explanations for each may differ from the ones found in this study, a fact that a standard thematic analysis can neither confirm nor deny. Although a more positivist study may have resulted in a broader understanding of war rape in all conflicts, it would not have provided as in-depth understanding of the specific Bosnian conflict and therefore, may have resulted in a weaker understanding of war rape in this context.

Future Research

Although much research has been conducted on the theoretical explanations of mass rape, this area of study is sorely lacking for empirical research verifying the proposed theories. As a result, it would be logical to conduct future research into the causes of mass rape in conflicts around the world. Wood (2009) argues that as research is largely focused on instances of mass rape in countries in which rape is systematically used, then it would be apt to further look at other conflicts to analyse the reasons why rape is used when conducted in a less systematic manner. Furthermore, the Bosnian rape was conducted easily due to the lack of constraints and controls at the micro, meso, macro and international levels and due to increased levels of opportunities and motivations and therefore, it would be apt to analyse if similar motivations and opportunities were found in other conflicts to test if Roethe and Mullins' (2009) study is truly representative of mass rape in general.

Furthermore, in the case of specifically Bosnia it would be apt to conduct research into the individualistic motivations and opportunities for mass rape to further support the findings of this research. Until an in-depth study based on the analysis of the perpetrators of mass rape is carried out it would be difficult to truly analyse the extent to which individual's are driven towards rape. A more in-depth analysis of the perpetrators of rape, instead of the victims may allow for a more concentrated look at the factors that lead to this type of offending, perhaps illuminating the strengths of the other multifactorial studies that were seemingly absent in this study.

Lastly, in cases such as Bosnia, it would be important for future research to focus on the less well known rape carried out by the non-dominant force. In the context of Bosnia this would result in a deep understanding of why mass rape was used by the Muslim forces. This study focused largely on the rape carried out by the Serb forces, although data on the rape carried out by the Muslim forces was also found, and this may indicate overall differing reasons for mass rape. Even within this study it was found that sexual violence was used in differing ways by the Serbian and Muslim forces, with the former using it to conquer land and the latter to exert their power over the Serb civilians. It would also be important to look at rape carried out by the non-dominate forces in other conflicts.

Concluding Comments

Mass rape remains a wide reaching problem in conflicts around the world with little empirical understanding of what causes armed forces to use it. This study contributes to the literature on mass rape by highlighting the causes of mass rape in one particular conflict, the Bosnian War. Consistent with the findings by Mullins (2009), this study also found support for the theoretical model of violations of

international law (Roethe & Mullins, 2009), as the most accurate explanations for the large-scale sexual violence that was implemented throughout the conflict. This thesis also found, as the Mullins study did, that rape occurred due to the decreased levels of constraints and controls, and the increased motivations and opportunities at the international, macro, meso and micro level. In this regard, however, the motivations for rape were found largely to ensure the maintenance of power through the creation of the Greater Serbia region. In contrast, the Mullins study found that rape carried out by the Hutu militias groups was fuelled by the motivation of enhancing the social power of a historically marginalised group. This contrast indicates that although similar explanations may be found for the use of sexual violence in numerous conflicts, the underlying motivations may differ and therefore, should be analysed on a case-by-case basis.

Although, this thesis found results in line with the Mullins (2009) study it also found support for the strategy/social death theories as an explanation for mass rape in the Bosnian context. The strategy theory, as the name suggests, provides a causal explanation for rape as the direct result of a systematic military strategy implemented by armed forces (Gottschall, 2004). In this context, rape was used as a means to create an environment of fear and terror with the specific goals of creating the Greater Serbia region and to communicate the ethnic superiority of the attacking group. This resulted in victims being systematically chosen and raped over frequent periods in order to invoke fear and shame within the victim. As the rape in the Bosnian conflict was explained most accurately by two different theories, then it may be also seen that a numerous theories may also explain rape in other conflicts. As a result, further research must be carried out to analyse the theoretical explanations for sexual

violence in different conflicts, as, due to the interpretivist nature of this thesis, the findings cannot be generalised to all mass rape.

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