

Sexual violence in
the Democratic Republic of Congo:
Gathering the evidence of Africa's forgotten war

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"[There is] a growing international consensus that sexual violence is a human rights violation, a global public health problem, and an impediment to recovery, development and peace."

Kofi Annan, Brussels 2006

Debates about the use of sexual violence as a weapon in war became evident with the war in Bosnia from 1991-1995, as well as the genocide in Rwanda in 1994. Simply stated, the understanding of sexual violence in war went from “an unfortunate byproduct” to a form of systematized means to destroy certain groups of the civilians, paradoxically as it might seem for genocide. Sexual violence in war thus became a political act and a crime against humanity that needed to be addressed in international law. Because sexual violence in most cases is directed at civilians, it makes it particularly important to focus on this subject, especially since sexual violence appears to be occurring in practically every war as we know it. Skjelsbæk⁴³ states that the conflict in former-Yugoslavia provided a unique opportunity to analyze the way sexual violence is used in war. Many researchers have studied this field leaving behind extensive literature on the case.

The war in the Democratic Republic of Congo (DRC) from approximately 1998 to 2004 has been acknowledged as the deadliest war in the world since the Second World War according to the Norwegian Refugee Council⁴⁴ but has gone largely unnoticed in the rest of the world. The war has led to widespread use of extreme violence, where sexual violence appears to be the norm rather than the exception. In this article, there will be a discussion of whether and possibly how the existing theories of sexual violence as a weapon of war based on the case of Bosnia have explanatory capacity when applied to the case of sexual violence under the war in the DRC. The focus of this article is to give an account of the different theories termed essentialist and constructivist to explain the use of sexual violence as a weapon of war, using the case of the Serbian policy, which recommended and commended the use of sexual violence as means to achieve military goals. I will argue that these theories based

on sexual violence can explain some of the acts in the DRC, but building theories about such a complex phenomenon of behavior will ultimately be difficult. At the same time, building theories about sexual violence in war based on empirical findings will be important in understanding the complex picture of such acts, as well as understanding the devastating and long-lasting effects they pose on society.

Defining sexual violence as a weapon in war

No matter how one defines sexual violence, it is always a matter of involuntary sexual contact. According to Skjelsbæk⁴⁵, sexual violence is first of all more than rape. It is a complex phenomenon that can include several other crimes like genital mutilation, enforced prostitution and sexual slavery. Secondly, the violent component of sexual violence expresses the aggression of the act and therefore is understood as violence with a sexual manifestation. Moreover, Skjelsbæk sees this manifestation also as a manifestation of power between the perpetrator and the victim. Thirdly, Skjelsbæk states that it is a crime in which both men and women are victims and specific groups are targeted because they belong to a particular faction of society. When it is used as a weapon in war, sexual violence can be systematic and organized from central authorities as well as normalized by dehumanizing the victims. As a weapon, it is usually both physically and psychologically damaging. Sexual violence, like genocidal rape, can be understood as a method of destroying an entire culture where rape and killings often work together.

Theoretical approaches to sexual violence in war

Generally speaking, essentialism is based on the understanding that some objects may have certain timeless and immutable characteristics, no matter how one defines them.⁴⁶ Constructivism is in clear contrast

⁴³ Skjelsbæk, Inger (1999) *Sexual violence in the conflicts in ex-Yugoslavia*, Ministry of Foreign Affairs, Oslo, Norway.

⁴⁴ Norwegian Refugee Council (NRC), 2006. *Flyktningeregnskapet 2006*, Archer, Thomas Collin & Skjetne, Toril (eds.). Published by NRC, Oslo, Norway.

⁴⁵ Skjelsbæk, Inger (1999). *Sexual violence in times of war: An annotated bibliography* International Peace Research Institute (PRIO), Oslo, Norway.

⁴⁶ Skjelsbæk, Inger (1997). *Gendered battlefields. A gender analysis of peace and conflict* International Peace Research Institute (PRIO), Oslo, Norway.

with the essentialist view in that it is based on an understanding that our social worlds are constantly changing and the way we define an object is through our subjective perceptions. According to Skjelsbæk, the overall goal for a constructivist is not to make competing descriptions of a phenomenon, but to create multiple ones.

Essentialism

Brownmiller⁴⁷ claims that men's structural capacity to rape, together with women's structural vulnerability, is as basic to physiology as the primal act of sex itself. *All men keep all women* in a state of fear because of men's ability to use their genitalia as a weapon to generate fear. According to Brownmiller, war provides the perfect psychological condition for men to let out their contempt for women. The very 'maleness' of the military confirms for men that women are peripheral and bystanders to the action in the center ring. The military needs "real" men, which in turn means that in the war-zone, a man needs to suppress feelings of insecurity, gentleness and other characteristics that are usually associated with femininity. The use of sexual violence in times of war can therefore be perceived as a way of maintaining a patriarchic structure in society. According to Brownmiller, men see the rape of "their women" as the ultimate humiliation and as a part of the enemy's conscious effort to destroy them. It is stated that quite often, family members are forced to watch the rape of their wife/daughter, sometimes simply because of proximity, but more often as a part of the plan where the rape is also an act against the husband or father. The women in Bosnia, whatever their ethnic or religious background and whatever fighting zone they are in, are forced into another identity; victims of rape in war. The women become a symbol of the nations defeat, like damaged property.

According to Allan⁴⁸, Brownmiller fails to explain the Serbian policy in the way she

states; that crime of rape is a crime of violence based on gender relations in a patriarchic society, which in turn makes it an inevitable act in every war. In Brownmiller's analysis, culture is reduced to patriarchy alone and it ignores the fact that the violent crime of rape can be committed by and harm anyone, regardless of gender. Further, Allan states that the assumption that the Serbian policy of genocidal rape is just another example of mass rape in war is bent logic. The reason is that sexual violence in Serbian policy was a systematic weapon to destroy an entire culture in terms of the people, their places, their history, and their future. Impregnation too was a major weapon, not just rape. Skjelsbæk⁴⁹ argues that the militarized masculinity in a patriarchic society cannot solely explain why some women are subjected to sexual violence and others are not as well as to provide an explanation of why men are victimized in a patriarchic society. It also only captures the view of the perpetrator and not the victim or the transaction between them. This position will now further be discussed under constructivism.

Constructivism

The constructivist approach focuses specifically on the way certain groups are targeted in war situations. According to Nordstrom⁵⁰, the goal of such "dirty wars", as was the one in Bosnia, is to produce terror in order to undermine the political will, where the violence and murder against the most vulnerable groups, especially women and children, in society is allegedly the target to inflict most terror. With military power and the capacity for destruction, the terrorized people are assumed to do the bidding of their aggressor. Nordstrom further states that in such wars, dehumanization of the enemies is what counts, not the death of them as the goal, where humiliating the body and the person is both the means and the goal. It is, however, difficult to understand how this

⁴⁷ Brownmiller, Susan (1975). *Against our will. Men, women and rape*, Bantam Books, USA.

⁴⁸ Allan, Beverly (1996). "Rape warfare. The hidden genocide in Bosnia-Herzegovina and Croatia." University of Minnesota Press, USA.

⁴⁹ Skjelsbæk, Inger, (2001) "Sexual violence and war: Mapping out a complex relationship." *European Journal of International Relations* 7, 2001 pp 211-237.

⁵⁰ Nordstrom in Karamé, Kari H. & Torunn L., Tryggestad, (2000). *Gender perspectives on peace and conflict studies*, Published by the International Peace Research, Oslo (PRIO) and the Norwegian Institute of International Affairs (NUPI), Oslo, Norway.

aggression is supposed to be maintained by the regime, as violence is a sign of political decay. But it might be exactly this combination that makes the point of combining violence and political weakness, where harming children and women is a low military risk that simultaneously causes vast social trauma.

Skjelsbæk argues that sexual violence during war-time is seen as a transaction of identities between the perpetrator and the victims, where their social identities become situated. There exist certain constructed ideas in society about masculinity associated with dominance and power and femininity as the opposite. The perpetrators are masculinized by empowering their identity and the victim is feminized by victimizing his or her identity. The logic of the aggressor appears to be that those who have become feminized, i.e. the defenseless women and men, are subjects for abuse and those who have been abused have become feminized. This is in opposition to the essentialist view that gender identity is a static entity, where all men are masculine and all women are feminine. Instead, there is a symbolic interaction between the perpetrator and the victim.

In the case of Bosnia, specific groups were targeted, especially Muslim women. The Bosnian Serb identity became masculinized associated with power and domination. Gendering the ethnic groups in Bosnia was a way to ascribe power to the warring groups. Further, Skjelsbæk⁵¹ states that the women are the primary transmitters of culture with their role in communities and family and the Serbian policymakers are hence seeking to affect women's cultural role and not the individual victim herself. The deconstruction of the Muslim culture can be seen as the central objective of the Serbs war action, because it is only when one destroys the opponent culture that a decision can be forced. Furthermore, sexual violence becomes a weapon that breaks down the social fabric of society and hence a strategy to break down resistance. The shame and guilt followed by sexual violence is precisely what makes it such an effective weapon.

During the Bosnian war, Serbian military officers developed what has been termed the Ram plan, which was the first official document that established "ethnic cleansing" as a military policy, according to Allan⁶. A central passage from the Serbian Ram plan needs to be quoted in order to understand the logic of sexual violence as a weapon used in the Bosnian war:

"Our analysis of the behavior of the Muslim communities demonstrates that the moral, will, and bellicose nature of their groups can be undermined only if we aim our action at the point where the religious and social structure is most fragile. We refer to the women, especially adolescents, and to the children. Decisive intervention on their social figures would spread confusion among the communities, thus causing fear and then panic, leading to a probable [Muslim] retreat from the territories involved in war activity". (Allan, 1996:57)

The ultimate humiliation for the Muslim women would be to give birth to a Serbian child out of wedlock. Overlooking of course the genetic part of this process, according to Allan, the Serbian author's logic of this policy was to erase all identity characteristics of the woman other than as a sexual container. Mass rape and impregnation became a programmatic goal for extremist Serbs and a systematic part of their genocide. Looking at this aspect as random results of "natural" or "deep-seated" urges of individual rapists would therefore be wrong. Surviving such an act is a destiny hardly preferable to death, because the victim's suffering is prolonged and reinforced. For the victim, the outcome of such an act is to never become the person he/she was prior to the abuse thereby internalizing the Serb illogic. Similarly, according to Wieviorka⁵¹, sexual mutilation has a profound symbolic meaning. The shame followed by an assault is a message from the aggressor. The joy of a ruined body combined with the symbolic dimension is something the population

⁵¹ Michel Wieviorka, (2004). *La violence*. Baland, Paris.

clearly understands. The message is directed against a group and is always visible, not only for the present but also for the future. Hence, the mutilation becomes practical, like a post-mortem punishment.

Comparing the evidence with the case of the DRC

Compared with the Bosnian case, the incidence in the DRC has only more recently been covered by Western researchers and most of the sources used here are reports and not theoretical literature as is the case with the Bosnian example. This is also why it will be interesting to see how much the theoretical approaches from the Bosnian experience can explain the acts of sexual violence in the DRC.

According to USAID⁵², the reports about sexual violence *before* the war in the DRC were mostly at the level of rape conducted by male “admirers” when young girls left their homes in order to gather firewood etc. These incidents could be resolved by marriage between the victim and the perpetrator or in a form of paid compensation to the victim’s family. This, however, exemplifies the patriarchic system in the DRC, which will be further discussed below. After the war started there was a noticeable rise in the number of sexual violence cases reported with a dramatic change in terms of brutality and mutilation against the victims. As one HRW⁵³ worker stated “Whatever the number [of rapes], it’s a systematic pattern of abuse”. The effect of the war in addition to deteriorating the infrastructure, economy and legal system, is the breakdown of the social structures and protection, which increases the vulnerability for becoming victims of sexual violence.

Generally speaking, the soldiers and rebels in the DRC have used sexual violence as a means to scare people into submission, punishing them for allegedly supporting an opposing group, and sometimes as a gratification for the soldiers. From most of the reports that have been used in the study,

the targeted victims appear to be attacked during daily life when they are out doing daily activities and the militias often encircle villages and rape women and girls of all ages publicly and collectively. The USAID report states that the majority of the documented attacks in the eastern part of the DRC, were motivated by the desire to control and inflict humiliation on the local population. These findings correspond with the other reports on the subject. In line with Skjelsbæk’s theory of social constructivism, there is a transaction of the power structure between the perpetrator and the victim where the perpetrator gains control and the victim is disempowered.

Brownmiller’s assumptions of patriarchy can to an extent be applicable in the case of the DRC when compared to the case of Bosnia. Women and girls are seen as second-class citizens in the DRC and subordinate to men. This is exemplified further in the USAID report in which researchers state that in the Congolese law, rape is considered a crime against the *honor* of the husband, not a crime against the woman herself. The women and girls who have been raped in the DRC suffer a significant loss of status and the stigma followed by such an act forces women to flee their district. USAID has termed the sexual violence against the women as “social murder”, since the Congolese women’s values are so closely related to virginity, wifehood and child bearing. The discrimination of women in the DRC is linked to the sexual violence they have been subjected to as well as the lack of counter actions from authorities. Further, the Congolese authorities themselves represent a threat to the girls and women, which again makes any formal investigation difficult. This level of patriarchy found in the DRC is rather extreme as compared to that of Bosnia. Such discriminatory laws against women, functioning or not functioning, are not found in Bosnia. A further analysis of the patriarchic structure in the DRC is needed to understand the use of sexual violence as a weapon in war.

⁵² USAID/DCHA assessment report, January 9-16, 2004. Sexual terrorism: Rape as a weapon of war in eastern Democratic Republic of Congo. Downloaded from:

<http://www.peacewomen.org/resources/DRC/USAIDDCHADRC.pdf>

⁵³ Human Rights Watch (2002) *The war within the war. Sexual violence against women and girls in Eastern Congo.* <http://www.hrw.org/reports/2002/drc/Congo0602.pdf>

Children have been a particular target group for systematic rape and sexual torture in the DRC.⁵⁴ The empirical evidence from such cases of sexual violence towards minors in the DRC shows extreme brutality against children as young as the age of four months. In many of the reports, researchers find that the threat of sexual violence against girls and boys can be a way of forcing children into the warring groups, as well as using sexual violence against the recruited child soldiers. Few of the theoretical and empirical frameworks from the case of Bosnia, discuss the way in which children are subjected to sexual violence as it was mostly aimed at women with reproductive capacity, even though the passage in the Ram plan quoted above, recommends targeting children. Nordstrom's analysis however correctly points out the vulnerability of children (and women) in war situations. According to Ulriksen⁵⁵ however, the fighting groups in the DRC are, to a more or less degree, politically weak and none of the groups are assumed to be strong enough to win the war. Although targeting the children in this conflict is a low military cost, it is at the same time associated with high social costs. Brownmiller's assumption that it is the winning side that is doing the raping does not adequately cover this aspect of the situation in the DRC.

Ulriksen has termed the war in the DRC close to a medieval time war in Europe. Brownmiller states that the opportunity to rape and loot were among the few advantages foot soldiers in the medieval times had, because payments from their leaders were highly irregular. But even today, as Brownmiller states, once the soldier is handed a weapon and told to kill, he is given permission to steal and give vent to his submerged rage against all women who belong to other men, and this is the soldiers' satisfaction of the conquest. According to USAID, the sexual violence against the

Congolese civilians has been used as a method of gaining access to valuable and sometimes scarce resources. Looting and raping are occurring findings in all the reports used in this study, not surprisingly considering the vast amount of natural resources found in the DRC as well as the factor of impunity considering acts of sexual violence. This way of seeing sexual violence in war makes it more a matter of lust than a strategic weapon in warfare. The brutality of the cases reported on sexual violence, however, makes it hard to believe that it has anything to do with lust, but this is a complex debate and the lack of data on the subject makes it inconclusive.

Sexual violence used by the Serbian perpetrators was aimed at enforcing a decision on the people in Bosnia where the goal for the Serbian policy makers was to create a "Greater Serbia". The war in the DRC is characterized by Ulriksen as a web of wars, rather than one war or a civil war. The aim of the warring groups, in terms of their use of sexual violence is hence less clear. However, there are obviously some of the same goals of conquering and controlling territories by using extreme measures like sexual violence against the civilian population. The violence against unarmed civilians increases the power of the perpetrators, as the social constructivist approach suggests.

Conclusion

The understanding of sexual violence in war as an "unfortunate by-product", a bomb that misses its target, does not fit the theories of sexual violence as a weapon in war. As Stiglmayer⁵⁶ states, the civilian victims of sexual violence are then reduced to nullities. Rather, in military history the civilian victims have often constituted the path to military victory. Overlooking the acts of sexual violence in war makes the weapon even more effective. Overall, sexual violence is indeed effective as a weapon of destroying people's physical as well

⁵⁴ Watchlist, April (2006) *Struggling to survive: Children in armed conflict in the Democratic Republic of Congo*. Downloaded from: http://www.watchlist.org/reports/dr_congo.report.20060426.pdf

⁵⁵ Ståle Ulriksen is a researcher at the Norwegian Institute of International Affairs (NUPI) with expertise on the war in the DRC. Telephone interview in 2006-11-05.

⁵⁶ Stiglmayer, Alexandra (ed.), 1993. *Mass rape. The war against women in Bosnia-Herzegovina* University of Nebraska Press, Lincoln and London.

as social well-being.

The Bosnian atrocities have received disproportionately more attention from Western researchers in terms of the magnitude of the conflict as compared to the case in the DRC. More analysis is needed in order to cover the overall picture of the situation in the DRC. Every single act of sexual violence in Bosnia and the DRC can probably not be explained by one simple, unitary theory since they are individual acts with multiple, personal and situational motives. The function of sexual violence in war depends on the historical and cultural context and must be discussed accordingly to a concrete case. The Serbian ideology of ethnic cleansing and genocidal rape is not found in the DRC, at least not in the same centralized degree. Furthermore, the findings in the DRC are multiple and the theoretical approaches can often find some empirical evidence to support the researchers ideas, but a holistic understanding of the situation will be hard to find in one theory alone, especially in the case of multiple warring groups. There is also a need for more data on the subject to say something more conclusive about the systematic pattern of sexual violence as well as a more comprehensive analysis of the conflict situation.

