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Wartime Rape: A Historical and Psychological Perspective of Sexual Violence against Women in Armed Conflicts

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ABSTRACT

The analysis of sexual violence against women during armed conflicts must first realize the interrelation between militarism and patriarchy. This interrelation then gives birth to the question of how the society has come to accept and normalize patriarchal values. It is through a constructive inspection of the patriarchal approach of religious texts and philosophical ideologies at various points in history that one can arrive at a psychological understanding of sexual violence against women as not mere sexual violence but as a consequence of assuming patriarchy as natural.

Keywords: *Patriarchy, Religion, Mythology, Philosophy, Sexual Violence, Armed Conflicts.*

I. INTRODUCTION

Meandering through the course of war history, from crossbows and swords of medieval period to atomic bombs of modern world; if there is one weapon of rage and power display that has retained its horrid staple position in various armed conflicts around the globe, it has been the sexual violence (regardless the politically victorious side) that the women of nations or communities embroiled in a conflict have had to endure. This undeniable, inevitable accompaniment of war was visible in the practice of Jauhar in Indian history (act of mass immolation by women to avoid capture, enslavement and rape by foreign invaders when facing certain defeat during a war)² as a widely accepted and even encouraged practice of protecting the ‘honour’ of the husband even after his death.

Has this acceptance of rapes in wartimes diluted the intensity of viewing sexual violence during armed conflicts as a more serious offence? What encourages or instigates the savagery of war to transcend its political, patriotic background and create a simultaneous ‘ethno-gendered’

¹ Author is a student at UILS, Panjab University Chandigarh, India.

² Lindsey Harlan, “Religion and Rajput Women: The Ethic of Protection in Contemporary Narratives”, *University of California Press*.(1992)

violence?

It is not easy to pose questions on an internalized phenomenon so deep rooted in our social and cultural setting. This makes the research and study of the origins of such norms and ideals imperative to be able to build a radical approach as to the dismantling of such unequal and violent structures.

This paper answers these questions in three main themes. The first examines the pattern of patriarchy in military society while the second focuses on tracing the ideological justifications for the same in the duo; religion and philosophical thought. The third theme analyses the emergence of liberal feminism as a political reset not having erased the cultural memory, thus not completely eradicating the menace of sexual violence against women.

II. MILITARY, MASCULINITY AND VIOLENCE

The ethno-gender violent reality of political armed conflicts is not something that can be chalked up under patriotic anger or even xenophobia. The system that provides the opportunity and accepts sexual violence as part of the aggression of war must be brought under check. It is the consequence of a systematic breakdown of the recruits and then subsequent buildup of soldiers in an environment of violence, machoism and manliness that cultivates the acceptance of sexual violence against women as an accompaniment of conflict, in fact even a right of pillage. The idea of 'patriarchal privilege' justifies the superiority of victorious men over women.

For the purpose of deconstructing the gendered view of military it is essential to first realize how intricately is the gender norms structure of the society a part of the military system. It is not false to say that the principles of patriarchy form the groundwork over which the ideals of militarism are built. Militarism then pushes the patriarchic beliefs and cultivates an institution that intensifies the idea of manliness, masculinity, sexual identity, dominance, aggression, and devaluation of emotion. Both institutions find their basis on common grounds in the concepts of power and oppression.³

This also makes one question the situation of the women in military. According to 2019 figures, women comprise only 3.8% of the Indian army; which is the world's second-largest army - compared to 13% of the air force and 6% of the navy.⁴ There are some 1,500 female officers compared to more than 40,000 male officers. These too, have mainly ended up doing almost

³Colleen Burke, Women and Militarism, Women's International League for Peace and Freedom. <http://www.wilpf.int/publications/womenmilitarism.htm> (1994)

⁴ Status of Women in Armed Forces', *Press Information Bureau Government of India Ministry of Defence* (07 January, 2019): <https://pib.gov.in/Pressreleaseshare.aspx?PRID=1558892>

everything but combat roles: women are still not allowed to serve in infantry and the armoured corps. In 2018 feminists were rattled by a statement by the former army chief and the current Chief of Defence Staff Gen Bipin Rawat. He was quoted claiming that *there weren't any women soldiers serving in front line combat positions because "a woman would feel uncomfortable at the front line"*. He also said that *women need to be "cocooned" from the eyes of subordinate soldiers*.

III. ORIGINS OF PATRIARCHAL PARADIGM

The concept of masculinity cannot be limited to the typical male behaviours or sexuality. It is not just a matter of individual identity but of the organization and representation of the social.⁵ It is also this omnipotence of the phenomenon that makes it not open to change as any change sought in the concept of militarism must therefore be a change sought in the social norms and its widely accepted patriarchal ideals.

Hierarchy of gender has been the predominant method of maintaining the order of society and the origins of the same can be traced back to religious texts and mythological stories. But has society always functioned on such gender differentiation? Building on the research by Hansen, Jensen⁶ which points that cultural norms and beliefs shifted as societies became agricultural, this research paper does not contest that the interflowing streams of class, race, ethnicity, age, sexual orientation, and nationality do not shape the complex modalities of social experience; however, this paper seeks to point out that gender constitutes a fundamental factor creating human difference and still remains one of the most ignored philosophically.

Not considering the post 20th century distinction in religions as Abrahamic faiths (clubbing Judaism, Christianity and Islam) and ‘othering’ a mythological polytheistic faith like Hinduism, this paper considers Hinduism and Judeo-Christianity as religions as well as mythologies.

Much like most other religions, Judeo-Christianity projects a spiritual, moral supremacy to one gender when it proclaims God to be alone, “eternal, omnipotent, omnipresent, omniscient, just, good, compassionate, merciful and benevolent” and masculine. Two pivotal metaphors of womanhood in this faith include first the theory of creation of Eve from the rib of Adam and the depiction of Eve, created at the same time as Satan, as a temptress who seduced Adam into eating the forbidden fruit. More the relation of Eve with serpent (sin) was defined, deepened

⁵Breines, Ingeborg, Raewyn Connell, and Ingrid Eide, eds. “Male roles, masculinities and violence: A culture of peace perspective”, *UNESCO*, 2000.

⁶Hansen, Casper Worm, Peter Sandholt Jensen, and Christian Volmar Skovsgaard. "Modern gender roles and agricultural history: the Neolithic inheritance." *Journal of Economic Growth* 20.4 (2015): 365-404.

the notion that the weak, lustful women had to subjugate themselves to the wiser and superior male. This established the supremacy of the male over female who were created not just from him, but for him to dominate as well.

With the invasion of East, there was an undeniable impact of the Judeo-Christian patriarchal concepts on the gender norms cultural structure. Western philosophy held Indian men as feminine, in fact 'not man enough' was the argument used for colonial rule. This is not to say that the East had no prior gender notions. The construction of Indian 'masculinity' goes back to ancient times and three texts mainly stand out in their manner of dealing with maleness; Kamasutra, Manusmriti and Mrchakatika. In addition to these, Kalidas' treatment of the masculine in Shakuntala and Kumarsambhava cannot be ignored.

Hindu mythology, too, is nowhere short of females depicted as greedy, lustful, untrustworthy, demure and weak. Depictions of grandeur of Goddess Lakshmi, intellect of Saraswati, strength of Goddess Kali and divinity of Goddess Parvati do not take away the reality of Kakayi, Shroopnakha, Menaka, Sita, Draupadi and Ahilya. While polyamorous relations of Krishna are lauded there is a Sita who has to walk through fire as a proof of purity.

IV. POLITICAL FEMINISM V CULTURAL FEMINISM

Genocide, racial crimes, torture and other abuses have been long denounced as war crimes while rape has been downplayed as an unfortunate side effect of sending men to war. The second half of the 20th century, documented rape cases in more than 20 military and paramilitary conflicts. In the 1990s, rape was used as an instrument of ethnic cleansing in the former Yugoslavia and as a means of genocide in Rwanda. 1971 witnessed Pakistani soldiers fighting to suppress Bangladesh's independence and terrorizing the Bengali people with night raids. Several reports came out calling out the sexual violence perpetrated by the troops with women being raped in their villages or carted off to soldiers' barracks.⁷ A similar example can be given of Turkish troops participating in the 1974 invasion and occupation of Cyprus. In one instance, twenty-five girls who reported their rapes by Turkish soldiers to Turkish officers were then raped again by those officers.⁸

In recent times, the international community has started to recognize the need to cover the memory gap created in the history books by considering the women's point of view of a war. Ringelheim proposes that there is a 'split memory' between genocide and gender; there is a

⁷Susan Brownmiller, *Against our Will : Men, Women, and Rape*, Simon & Schuster. Pelican Books, 1986

⁸European Commission Of Human Rights, "Report of the Council of Europe on Human Rights in Cyprus", Page no 121-122 (London: 1980)

gap that needs to be addressed in the versions of traditional history and a woman's version of it.⁹ Placing the experiences of women as the primary voice of understanding war history gives the opportunity to reflect on the depth of a catastrophe not as a mark on the collective honour rather it brings the focus on a woman's human experience of it.

In the late 20th century, perhaps owing to the prevalence of rape in the Balkan and Rwandan conflicts, the international community started viewing rape as a strategy and weapon of war, and the need to prosecute such acts under existing international law realized. The primary statute, Article 27 of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War (1949), already contained language protecting women "against any attack on their honour, in particular against rape, enforced prostitution, or any form of indecent assault"; this protection was extended in an additional protocol adopted in 1977. In 1993 the United Nations (UN) Commission on Human Rights (replaced in 2006 by the UN Human Rights Council) declared systematic rape and military sexual slavery to be crimes against humanity punishable as violations of women's human rights.¹⁰ In a resolution adopted in 2008 the UN Security Council affirmed that "rape and other forms of sexual violence can constitute war crimes, crimes against humanity or a constitutive act with respect to genocide."¹¹

This research paper argues that while such legal steps allow for the crime to not go unpunished, what the real need of the hour is to bring the root causes under check. While liberal feminism provides a political freedom to women by giving them rights and measures to protect them as well, what is needed is a radical approach that questions the ideals of masculinity, violence, male dominance and supremacy in the society. It is only through such means that one can begin the long journey of erasing the 'cultural memory' of gender norms and incorporate the true phenomenon behind all political feminist agendas- equality.

V. CONCLUSION

The general argument presented in this paper demonstrates the relationship between these belief systems and militarism around the world. Adopting a constructive perspective, the paper places institutions and norms as an integral part in the construction of identities, interest and meaning in political life.¹²

⁹Ringelheim, Joan. *Gender and Catastrophe*, London: Zed Books (1996).

¹⁰UNHRC, *Rape and abuse of women in the territory of the former Yugoslavia*, Commission on Human Rights resolution 1993/8, E/CN.4/RES/1993/8

¹¹UN Security Council, SC Res 1820 of 2008, S/RES/1820 (2008)

¹²Locher, B. and Pru"gl, "Feminism and Constructivism- World's Apart or Sharing the Middle ground" *International Studies Quarterly*, (2001)

This research paper does not belittle various feminist movements and strong advocates of feminism that have popped up from both genders who have accosted the prevailing gender norms and sought to bring about a liberal change by putting women on an equal 'legal' footing as men.

It asserts that a true effective change in the position of women cannot come about by addressing only social norms addressed to females. Gender is not a one way phenomenon; the gender norms are not only toxic and regressive in their understanding and representation of females but also of males. While the idea of a demure and submissive female needs to be eradicated, there is a simultaneous need to demolish the aggressive dominant attributes attached to male gender if one is to expect any actual reduction in the sexual violence against women
