

Sexual Violence against Women during Conflict

Contemporary Considerations on Sexual Violence against Women for the
Destruction of the Lived Cultural Heritage



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Abstract

Wars have been fought as long as mankind can recall between various groups of people resulting in atrocious acts of violence. Following World War II, a shift occurred in academic thinking on war and warfare techniques. One of the notable shifts in academic thinking discussed in this work relates to the manner in which gender based violence during armed conflicts is perceived. This thesis attempts to further our understanding and advocate the meaningful use of sexual violence against women as a tool for the intentional destruction of the lived cultural heritage of communities. Through an extensive academic debate and theoretical analyses, sexual violence against women will be linked to the concept of destruction of lived cultural heritage in order to comprehend the relevance of the linkage to our academic understanding of sexual violence during conflicts and its consequences for the survival of communities.

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“Rape is cheaper than bullets.” (Amnesty International, 2010)

Introduction

Gender-based violence and developments

Wars have been fought as long as mankind can recall between various groups of people resulting in atrocious acts of violence. Following World War II, a shift occurred in academic thinking on war and warfare techniques. Progressively, the views on war and the “collateral damage” that ensues from conflicts between opposing groups changed. One of the notable shifts in academic thinking discussed in this work relates to the manner in which gender based violence during armed conflicts is perceived. From international perspective, gender based violence has always been considered as a “by-product” of war, mainly affecting girls and women in war-torn societies. As of the 1970’s, scholars and political agents, increasingly, began to comprehend the relationship between warfare methods and gender related human rights violations. Nevertheless, debates stayed in the backyard of academics and were disregarded internationally. In the course of the 1970’s, feminists contested the ignorance of the issue by international actors and agencies. Years of campaigning by feminists and scholars, the civil war in former Yugoslavia and the Rwandan genocide in the early 1990s, forced the issue to the forefront of not only international actors but the entire world (Heineman 2008:6). The magnitude of the atrocious acts of violence displayed by numerous media and through various articles around the world altered the traditional thinking on gender based violence during armed conflicts. Internationally, scholars, academics and political agents increasingly recognized the relationship between warfare methods and gender related human rights violations as techniques of warfare. It became apparent that violence against girls and women does not constitute isolated attacks but are systematically orchestrated. Differently said, various armed groups in civil conflicts specifically target the female gender as part of their style of warfare which involves rape, mutilation, torture and abduction of girls and women as sex slaves.

From the time when ancient mobs treated women as “spoils of war”, to World War II where Soviet troops raped German women; from the Japanese military who made use of “comfort women” to the sex camps in the Balkan in the 1990s, from the sexual violence during the Rwandan genocide in 1994 to the current atrocious violence women face in the Democratic Republic of Congo, and many other conflict zones around the world, it is clear that gender based violence has always been and will continue to be a feature of virtually all armed conflicts.

Aims and methodology

Although a substantial body of work has already been produced on the topic of gender-based violence and the issue has been discussed from multiple angles with fascinating conclusions, I would like to surpass the current scope of academic thinking on this type of violence. With this dissertation

I attempt to introduce another dimension into the academic debate. My intention with this thesis is to further our academic understanding of gender-based violence in conflict by examining the multilayered function I believe the violence constitutes of during armed conflicts. This work does not solely focus on the academic thinking of gender based violence in wartime as “weapon of war”, and the feminist view of the victimization and extreme vulnerability of women in armed conflicts, which (according to women’s rights activists) enable these criminal practices.

This piece is grounded in the belief that gender-based violence, notwithstanding the impact it has on the lives of women and their families, can be targeted in such a manner that it moves beyond the personae of the victim and their families, and destroy entire communities. I argue that perpetrators of gender-based violence specifically and consciously intend the destruction of the cultural heritage¹ of communities, and ultimately the demise of the community, through the sexual violence employed against girls and women. The devastating consequences of sexual violence in the lives of female victims, their families and within their communities threatens the existence of the culture of those communities, and can eventually result in the destruction of the lived cultural heritage of that particular community.

As such, this thesis poses the following research question;

- ❖ To what extent do combatants essentially exploit sexual violence as a means to deliberately destroy the lived cultural heritage of communities judged as enemies, and what is the rationale for this?

With the purpose of answering above-mentioned research question in a satisfactory manner, this central question needs to be analyzed from various perspectives with the aid of sub-questions such as;

- ❖ What are the existing theories, instruments and mechanisms addressing sexual violence against women, and what makes them inadequate to effectively deal with this subject?
- ❖ In what way is sexual violence against women inextricably intertwined with the notion of the destruction of cultural heritage?
- ❖ What is the relevance of connecting sexual violence against women to the destruction of the (lived) cultural heritage of communities and what is its added value to our present

¹ My emphasis.

The term ‘destruction of cultural heritage’ has been part of the course ‘Nexus: Conflict Studies and Human Rights’ taught by Berma Klein-Goldewijk at the Utrecht University. Although, this concept is normally linked to the natural environment I believe that it can also be linked to the human environment and include a human dimension. For this reason, I will make use of this notion in order to properly illustrate my arguments and further our understanding of this concept in relation to sexual violence against women.

understanding of and the manner in which various actors, institutions and agencies utilize the subject of sexual violence against women (i.e. rape)?

Analyses of these questions will be further rationalized throughout this thesis.

In support of intricate scrutiny, definitions and theoretical demarcations need to be established. At the moment there is no international agreement on the definition and acts that constitute gender-based violence. For the purpose of this piece, I will utilize the definition adopted by the UN in 1993 in the Declaration on the Elimination of Violence against Women, stating that “violence against women means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life (UN 1993).” In this piece of work, the emphasis lies on the ‘physical’ and ‘sexual’ part of the definition, specifically the sexual harm during armed conflicts. Although, the majority of research that focuses on this topic speaks of ‘wartime rape’, I have chosen the concept of sexual violence due to its broad and all-compassing meaning; i.e. it does not only cover the sexual penetration but also other forms of sexual acts. Keeping in mind that victims suffering from these human rights violations vary, including women and men, the discussion in this thesis involves sexual violence against the female sex.

Furthermore, though these techniques of war have been occurring around the world, my focus lies on the African context, in particular the Great Lakes region. In the past decennia, militia groups in the Great Lakes region, especially the LRA, have been known to display horrific and atrocious acts of violence towards the local population, primarily targeting women and girls. Realizing that there is no such thing as the² “African culture”, this thesis will for the purpose of the arguments put forward concentrate on the shared ethnic traits of the different cultures in central Africa. The choice for this region originates from my personal relation with the central African province. While this thesis’ focal point lays emphasis on the African environment, the arguments and the conclusion extend beyond the ‘African’ context and should be applied to conflict settings around the world where women suffer from gross human rights violations and whenever there is necessity for an appropriate analysis of sexual violence against women.

The research for this piece of thesis originates from the literature studies and archival explorations that I have conducted in the past two months. Unfortunately, due to the absence of empirical data and research on this issue the majority of this paper is a combination of the analysis of existing literature on the topic of sexual violence against women during conflict, the international study of the concept of cultural heritage and personal theoretical thoughts. The presented arguments have been accurately and comprehensively shaped with the academic advice of Dr. Berma Klein Goldewijk. In

² My emphasis.

addition, Mensen met een Missie (MM), a small scale development aid agency that works with women from three continents on the issue of gender-based violence against women in conflict environments offered a large number of sources that aided in ordering my train of thought. Illustrated instruments and concepts include reflections of feminists and women's rights activists, international legal instruments, and global and academic understanding of sexual violence against women and the concept of lived cultural heritage. Essentially, I have drawn the conclusion from an extensive analysis of the available literature and critique concerning this subject.

The structure of this thesis will begin with an account of the existing international instruments on sexual violence against women and the progress that has been made on many levels in the past decades. Notwithstanding these accomplishments, the prevalent occurrence of sexual violence against women will be stated and the different forms, functions and purposes of sexual violence against women will be discussed. By recognizing the employment of these acts as a message sent to men rather than a sexual act exclusively targeted at women, I turn to the second chapter of this study. The second chapter will explore various feminist considerations and attitudes of women's rights activists. Arguments by feminists about the manner in which the sexual violence affects the lives of women will be scrutinized extensively. Criticism of feminists' and women's rights activists' narrow view of the concept of sexual violence against women and the victimization of women alone will evidently be presented. In this chapter, the central argument of this thesis will also be introduced by moving to a higher scope in the third chapter.

Chapter three will examine the theoretical concepts of 'culture', 'heritage' and ultimately the notion of 'cultural heritage'. Firstly, the historical background of the latter concept will be examined and its place in international legal instruments will be presented. Lastly, this third chapter will elucidate the inextricable connection of sexual violence against women with the destruction of (lived) cultural heritage of communities, and the subsequent decay of cultures of peoples and damage to their bonds with one another.

In the conclusion, a short summary will firstly be provided. In addition, the conclusion elaborates on the aim of this document to further our understanding and advocate the meaningful use of sexual violence against women as a tool for the intentional destruction of the lived cultural heritage of communities. Weaknesses and limitations of this thesis will also be reflected on.

Finally, I introduce an academic debate on the relevance of linking sexual violence against women with the destruction of (lived) cultural heritage.

'Men were made for war. Without it they wandered greyly about, getting under the feet of the women, who were trying to organize the really important things of life.' (Alice Thomas Ellis, 1977)

Chapter 1 Evolution of the understanding of sexual violence

1.1 International advancements

Although sexual violence during armed conflicts is not recent, within peace and conflict studies and in the international realm sexual assaults against women during armed conflicts have only recently been brought to the forefront of international attention. The shift in academic thinking has not only tremendously influenced the field of feminist studies and but also international human rights and humanitarian law.

With the progressive evolution of international humanitarian law and the gradually growing respect for human rights principles in the international realm international war crimes tribunals soon advocated the prosecution of perpetrators of sexual crimes during armed conflicts, i.e. rape. This indicated the recognition of rape during conflict as a punishable violation under international law.

Rape is foremost an individual act, and in domestic courts judged as such. Much debate arose in both the Rwanda and Yugoslavia Tribunals concerning prosecuting 'rape' during conflict and the suitable and all-encompassing definition of the word. In the end, it was agreed upon that "rape cannot be captured in a mechanical description of objects and body parts" and that the prosecution of the sexual violence is more important to end impunity (Cole 2008: 81). For international judicial purposes, the prosecution of rape was enabled by conferring the act with a collective component and connecting the sexual assault to international crimes such as crimes against humanity, genocide or war crime in order to prosecute rape at international criminal tribunals. In international law, sexual assault, in particular rape, needs to be proven in the context of 'rape as genocide', 'rape as a crime against humanity' or 'rape as a war crime' whereby perpetrators use sexual violence against victims with the intention "to destroy in whole or in part, a national, ethnical, racial or religious group"³ (Buss 2009:150 and Eboe-Osuji 2007: 251).

When rape victims ultimately appeared as witnesses at the international war crimes tribunal it marked a new era in the acknowledgment of sexual violence against women and girls as a weapon of war during armed conflicts. By allowing victims of sexual violence to testify about the horrible acts they experienced, the exceptional vulnerable role of women in conflict has been officially respected under international law. After centuries, women's outcry for justice had been heard by the international tribunal. Hereafter, a message was sent to perpetrators of sexual violence during conflict that the time of impunity had passed; they would be held accountable for their acts (Henry 2009:115).

³ Article II of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide.

1.2 Sexual violence; functions and objectives

Although, significant steps have been taken to bring rape during armed conflicts to a halt, sexual violence continues to be a feature of most armed conflicts. Sexual violence in violent conflicts takes different forms, and the violent acts serve multiple functions and objectives, as intended by the perpetrators of that violence against women. Its physical, psychological and societal consequences are destructive and long-lasting, and should therefore not be diminished.

In general, sexual violence during armed conflict involves rape; the penetration of a woman's genital parts by the perpetrator. As conflicts nowadays become more violent and the cruelties more barbarous, sexual violence entails more than penetration, which is why the remainder of this work will speak of 'sexual violence' rather than the unadorned act of 'rape'. For instance the rebel forces FDLR in the jungle of the Democratic Republic of Congo restrain women and insert sticks, machetes and guns into women's genital parts, shoot them in/on their private parts or burn them. The FDLR does not only rape but their goal is to torture the women as well (HRW 2009:81). Others have been killed after being raped in a violent manner.

Victims of sexual violence endure not only lasting injuries to their private parts but these injuries make future procreation impossible. The women will never be able to bear children and become mothers for themselves and their communities. However, rebels can also render a woman "unsuitable" for her husband or community by impregnating her. The societal consequences of such an act are destructive for the victims of sexual violence and their standing within the community. However, this will be discussed in the subsequent section. Anyway, Human Rights Watch (2009) warns for additional physical injuries to consider such as fistulas and other chronic incontinences resulting from the sexual violence. They also foresee the spread of sexual transmitted diseases, notably HIV/AIDS in war-torn zones where medical treatment is scarce.

The time rape (i.e. sexual violence) in conflict was viewed as an arbitrary act of violence has long gone. Instances still occur where random men take advantage of the extreme chaos, disorder, breakdown of legal mechanisms and the state of impunity in certain areas or states during armed conflicts to violate girls and women. However, these types of sexual violence are isolated and do not arise in systematic manners and are often not widespread. Currently, sexual violence by armed groups in conflict conveys manifold messages. Armed forces can blame certain populations for grievances of the past or support for the enemy and by sexually violating girls and women, they "punish" those who they deem responsible (Turshen, 2000:814). The violated women embody the enemy and their bodies become the vessel that is misused to communicate a certain message to the enemy (MacGinty 2004:867).

Sexual violence can also be employed for revenge or as a means of discouraging certain people from joining or supporting certain rebel fractions or the government (Clark, Matthew 2009). The girls are not only publicly sexually assaulted within their communities but also visibly disgraced by forcing the victims to strip and walk around naked in their villages for everyone to see (Mullins 2009:731). These acts constitute not only torture for the victims but they also destroy the families and communities because the naked body of a woman is sacred in these communities, and only for the husband's eyes. Another merciless attempt to destroy family and community bonds is to have male relatives sexually violate their female family member. Fathers, brothers and uncles are forced to sexually assault their daughters, sisters and nieces, in order to break the resistance of the men in the communities; send a message of inadequacy of the men and the community to protect themselves and their women and children; and disrupt the ties that families and communities share.

Demonstrations of gender power relations of sexual violence occur mostly when high officials of armed forces reward themselves and their men with girls and women. Through the imprisonment of women in camps, the troops enslave the women for their personal sexual pleasures. The purpose of this sexual violence is not only for the soldiers to satisfy their sex drives but it also serves as a socialization method. By committing these sexual acts together, the men in the forces bond. Card (1996; in Mullins 2009:731) identifies this process as the 'homosocial bonding'. Through this process, the men are taught about the (military) codes of the troops and the types of violence and extent of brutality that is expected of them. The homosocial bonding process creates a relationship between the troop members and unites the individual members into a bonded group. As a result of the bonding process, men become more willing to engage in other types of violence, as a group.

With the strong and widespread beliefs in occult powers in central Africa, many combatants have come to associate certain supernatural powers to the act of rape. Various rebel groups strongly believe that by raping women in general, but virgin girls in particular, this enhances their feelings of confidence during combat. Furthermore, they are of the convinced that the sexual act of rape can also render them invincible from the enemy and his bullets. An explanation for this credence lies in the belief that through the sexual deed and the interchange of sexual fluids the combatants are bestowed with supernatural abilities that hinder the enemy from injuring them. In this regard, the troops can ignore the destructive consequences of their acts and come to consider rape to be acceptable and advantageous.

Generally, violence in conflict is utilized to injure the enemy in any fashion (Collins 1974 in Hooks and Mosher 2005:1636). The same is even truer with sexual violence during armed conflict. The use of sexual violence as a technique of war suggests demoralizing, humiliating and dehumanizing the enemy to such an extent that they are incapable of continuing the battle and ultimately surrender or lay down their weapons. The technique of war is achieved through the sexual attacks against girls

and women by the enemy forces. The sexual violence “is a message that is passed between men”; the victory of one armed force over another (Buss 2009:148). I will further elaborate on this technique of war in the next chapter where I move away from the physical effects of sexual violence as described in this chapter into the psychological and societal consequences for the victims. The psychological and societal aspects will be discussed in relation to feminist’s and women’s rights activists’ thinking of sexual violence in conflict.

“Man’s discovery that his genitalia could serve as a weapon to generate fear must rank as one of the most important discoveries” (Feminist thinker Susan Brownmiller, 1975:14)

Chapter 2 Feminist considerations on sexual violence and aggression against women

2.1 Feminist scrutiny and societal consequences

The significant acknowledgment of rape as an unacceptable and punishable crime under international law sent a message not only to the perpetrators but also to women and many women’s rights activists around the world of the advancement of the status of women in international law. Rape has in many feminist circles continuously been viewed as instrumental and as an expression of power. Feminists have long contended for gender-based violence in conflict to be accepted as rather premeditated and deliberately targeted at girls and women and should therefore be considered as a technique of war (Bauman 2000:98 in Hooks and Mosher 2005:1628). In addition, many women’s rights activists argue that the sexual attacks inflicted upon female civilian populations for centuries have always been planned and systematically conducted as humiliation and terror tactics. Women’s rights activists acknowledged in advance that rape during conflict moves beyond the notion of satisfying sexual cravings of armed forces or rebels in conflict zones (Mullins 2009:732). Rather they accept rape as a form of sexual violence against women, utilized as a means of achieving specific goals by armed forces (Buss 2009:149).

As previously illustrated; sexual violence during conflict serves a rationale. Women’s rights activists commit themselves in the struggle against the human rights violations girls and women face in war-torn zones. They argue that the sexual violence plays out gender power relations and aspects of domination over women. Feminist activists place the female victims at the center of the debates. Since girls and women constitute the majority of the attacked group, they are the ones that should be protected. Furthermore, feminists emphasize the consequences of the sexual attacks in the lives of the victims. Victims endure physical and psychological harm of losing their dignity, self-worth and personal security for the rest of their lives.

The societal byproducts women continue to face after the attackers have long gone or the conflict has been resolved is the main reason women’s rights activists promote women’s rights (Henry 2009:128). Women’s rights activists strongly attribute the sexual violence and its societal consequences to the women’s status in these often suppressive societies. In these societies, women are often objectified and considered as property of fathers and/or husbands which makes them easy

targets. In addition, many of these communities do not openly discuss sexual violence, and victims are never encouraged to denote their experiences, not even secretly to one another.

Enemy troops understand that by sexually and publicly desecrating the “property” of men (i.e. the women), women lose their value, and become useless to husbands or fathers. When rumors surface about the sexual violence of a particular person, the assaulted woman will be ostracized by the community or chased away by her father or husband. For the first, the daughter is of no value to him anymore because the father’s wealth lies in the cultural custom of marrying off his daughter as a virgin or at least not defiled by the enemy. Moreover, the family honor is stained and to restore it, the sexually assaulted daughter needs to depart the home.

For the husband, in order to save his own male dignity within his community he needs to separate from his wife or chase her away. The husband will be discounted by his community because he is living with a wife that has been “poisoned” by the enemy. In addition to being sexually violated, a nightmare for the husband presents itself when his wife carries the offspring of her perpetrator, which in many instances is blamed on the woman. Since the act of abortion is often dangerous and judged as sinful in these communities, women are often obliged to carry the pregnancy to term. This transgression is highly condemned by husbands because in these communities the success of men is measured by the presence of their successors. Through the process of procreation the wife gives her husband the most valuable gift, which will make him highly respected by the community. On the contrary, when a husband’s wife carries the child of, not even of another man, but of the enemy, his wife is spoiled and he loses his face in the community.

As for the community, they are often embarrassed for their inadequacy to protect a community member from a sexual attack from the enemy. The presence of the victim becomes a burden to and for the community. The community continues to be confronted with their failure and many community members shift their sense of inadequacy to the sexually assaulted victim, by blaming her for her inadequate rejection of the assailant. However, generally, victims will be shunned from various communal activities and processes, and eventually ostracized from their communities. A number of victims even “decide” to desert their communities as a result of the finger pointing and the prejudice.

Besides the difficulties victims face by their community members, feminists also warn for the absence of appropriate judicial mechanisms that facilitate horrible living conditions whereby victims continue to live with their perpetrators in the same villages or areas. The ignorance by and gender biases within these (often) patriarchal communities enrages women’s rights activists (Byrne and Senehi 2009: 7 in Sandole and Byrne et al. 2009). To them the patriarchal structures within these communities represent a vicious cycle and the perpetuation of these human rights violations against women (Turshen 2000:817). Women’s rights activists envision a grim future for sexually assaulted

girls and women in these communities. Feminists concluded that by shunning these women from their communities, it functions not only as social suicide through the destruction of all their ties with their communities but the victims also suffer from economic deprivation because of their livelihoods which are mostly connected to community life. These practices make these girls and women more vulnerable and expose them to further abuse. In time, many of these women sell their bodies or ultimately end up dead (HRW 2009:74). Women's rights movements continue to fight these gender injustices victims of sexual violence endure and they dedicate their work to the reinsertion of female victims back into their abandoned communities. These movements maintain that the only manner to bring these practices to an end is to elevate women's rights and abolish discriminatory customs and regulations (Turshen 2000:818).

2.2 Criticism on feminists and appreciation for womanhood in West African communities

Though, the illustrated feminists' observations hold truth in them, the intention of this critique is to move away from the victimization of women alone into a broader scale. Before reaching this level, I must first state that I believe feminists and women's rights activists continue to place too much emphasis on the victimization of women and the female sex as the primary target. There is a growing number of scholars who are also gradually examining the effects of sexually assaulted women in the lives of their husbands and communities, and male rape victims during conflicts. However, this particular subject falls outside the scope of this thesis.

Women's rights activists need to acknowledge that the targeted and systematically planned sexual assaults against these women are not only⁴ directed at the women as the primary enemies, but often aimed at the men, i.e. fathers, husbands and fiancés of the attacked women and girls. The attacks serve as messages sent to the men by their enemies, of not only humiliation but also as a form of defeat. Sexual violence functions in many cases as a means of striking the enemy there where it hurts the most; the home. The social status and honor of African men rests upon the institution of their home, and family life represents the most significant union in African society. African women symbolize this family life, and by assaulting women, the men are also attacked in their honor and pride.

Women's roles in these often proclaimed "backward" communities have for decades now been heavily criticized by (mainly) Western feminist movements. These critiques will not be reiterated nor will this piece of work provide the reader with certain moral judgments about the cultures of these girls and women. This thesis intends to look further than the subordinated roles of women and argue that women's functions in the public and private realm in these cultures are not solely based

⁴ My emphasis.

on subjugation and oppression but encompass also various qualities, meanings and skills that are considered crucial for family and community life (Jabri 1996:45).

The negative and oppressive image feminists portray with reference to the functions and status women represent in these communities should be set aside and we should also explore the positive and rewarding position women fulfill in these communities. Womanhood in these communities does not only signify inferiority and subordination in society. Although, men are considered as the head of the family, women are the necks that make the heads turn. Even if women are treated as possessions, they constitute the most⁵ valuable assets families have and feminists need to take this notion into account. Feminists need to recognize the cultural value of women in these societies. Owing to their precious value, women are exceptionally protected and deemed imperative for the continuance of family life and the survival of community life.

What becomes clear is that combatants deliberately convey their (political) messages through the bodies of girls and women by sexually assaulting them. The primary explanation for the sexual violence does not only lay in the vulnerable position of women in these communities, as put forward by many women's rights activists. The inherent cultural and social value to being a woman in these communities cause the sexual violence. In other words, the cultural significance communities bestow upon their women; the manner in which women are valued; what communities read in the value of their women, all these characteristics implicate girls and women into violent conflicts or civil wars through sexual violence (Klein-Goldewijk 2009⁶).

The aforementioned arguments do not serve to diminish the trauma women and girls undergo but rather to clarify that I believe nowadays the ultimate goal of the perpetrators is to destroy entire communities and their lived cultural heritage. By examining the significance of women and womanhood in these cultures and within their communities, I will illustrate that rebel groups purposely target girls and women as a means to destroy the lived cultural heritage of their enemies or of certain peoples. The central argument on the destruction of cultural heritage through sexual violence against girls and women will be further discussed in the following chapter.

⁵ My emphasis.

⁶ Lecture Nexus-course, December 17, 2009.

“Much of our highly valued cultural heritage has been acquired at the cost of sexuality.” (Sigmund Freud, 1856-1939)

Chapter 3 The inextricable relationship between sexual violence against women and the destruction of the lived cultural heritage

3.1 The concept of cultural heritage and its human dimension

Scholars have long argued for an indirect correlation between sexual violence against women and the societal effects of these assaults on the communities. However, the focal point lies not only on the indirect impacts sexual attacks against girls and women have on the communities. According to my argument, sexual violence does not only influence⁷ community structures via the effects these acts have on the lives of women residing in these communities and the consequences for their family life but sexual violence is knowingly⁸ employed by opposing rebel groups with the intent to destroy the lived cultural heritage of communities. In other words, essentially, sexual violence is deliberately deployed as a tool for the destruction of the lived cultural heritage of a community. The manner in which sexual violence is being deployed during conflicts ultimately results in the destabilization of populations and destruction of bonds between families and within communities. To properly address the contention laid out, first we must retrace the history of the concept of cultural heritage in the international realm.

In the same manner as sexual violence against women in conflict settings has undergone decades of academic and international scrutiny, cultural heritage has been on the international agenda after WWII. The substantial destructions of cultural heritages during WWII resulted, after the establishment of the United Nations, in the immediate creation of the United Nations Educational, Scientific and Cultural Organization (UNESCO). UNESCO initiated the groundwork for the protection of cultural heritage in the 1972 Convention Concerning the Protection of the World Cultural and National Heritage. The UNESCO convention promotes not only the recognition of cultural heritage and advocates the required protection and preservation of cultural heritage but through its acknowledgment and codification into international instruments, UNESCO has also identified the concept of cultural heritage as a cultural right under international human rights.

In order to further our understanding of the importance of cultural heritage as a cultural right and the manner in which it is related to the key argument of this study, it is necessary to first dissect the concept of ‘cultural heritage’ and specifically analyze its theoretical framework .

⁷ My emphasis.

⁸ My emphasis.

The notion of 'culture' in cultural heritage stands for those shared ideas, customs, traditions, languages, emotions and symbols that certain groups of peoples have in common (Dupree 2002:978). While people are not constrained by culture, aspects of culture however shape the manner in which people interact with one another, and the intrinsic values people share with another. Hanson (2005: 65) describes culture as "the glue that holds society together" because cultural characteristics are commonly agreed upon and stand at the foundation of daily social life, economic, political and ideological structures. Although, many societies consider culture as a static practice passed on from generation to generation, culture is an expression of a particular period, by a particular class, community, or population (thefreedictionary.com).

In addition to functioning as "glue", culture also confers humans with a personal identity. With this identity, humans develop a sense of belonging to a certain group of peoples, which endows them with a sense of having a place in the world where their presence has meaning. In times of extreme distress for instance during armed conflicts community members tend to reinforce their bonds and in order to make sense of the world they turn to the aspect of culture that emphasizes their personal identity and that of the community (Staub 2001:164). With the realization of belonging, there is also the other side of the coin which distinguishes people from one another. Peoples stress their cultural distinctiveness in order to highlight the dissimilarity with other groups of people; with other cultures (Hanson 2005:66). Brewer (2001:34) even argues that in collective societies, people accentuate distinctions more, which generates more distrust among certain groups in society than in individualistic societies. She claims that the probability of civil conflict in collective societies is therefore higher than in individualistic societies.

Those practices of culture that are passed on from generation to generation are known as the 'heritage' of a particular group of people. Heritage contributes to the continued existence of a culture through the transfer of myths, legacies, body of knowledge, texts, images, tales, artifacts and even sites that groups of people inherit from previous generations. The notion of culture as an ever-changing process applies also to heritage. The process of inheritance from ancestors undergoes many years and various phases of construction, arrangement and restructuring (Neil Parsons, 2006:669). The construction of heritage is perpetual and continuous even with current generations on a day to day basis.

For the remaining part of this thesis both the concept 'culture' and 'heritage' will continue to carry their expressive meaning but further utilized as the one element; cultural heritage.

Although, the concept of cultural heritage in the UNESCO Convention Concerning the Protection of the World Cultural and National Heritage relates to the natural environment and includes only monuments, groups of buildings and sites, this piece of work however contends that cultural heritage

also comprises of a human aspect through its inextricable connection with our personal identity. The importance of cultural heritage rests not only on the personal life of people and their sense of belonging to a community, but within the larger scope of society as well. On the societal scale, cultural heritage serves as a common (historical) attribute needing to be defended for the survival of the way of life of groups of peoples and communities. Francioni (2008:7) identifies the concept of cultural heritage as a cultural rights endowed upon people as part of their identity and that of their community. He makes the following point: "In so far as cultural heritage represents the sum of practices, knowledge and representations that a community or group recognize as part of their history and identity, it is axiomatic that members of the group, individually and collectively, must be entitled to access, perform and enjoy such cultural heritage as a matter of right."

Lowenthal (1995:8) also declares that cultural heritage confirms our personal identity and affirms our worth within the communities we live. Cultural heritage endows people with prestige, meaning, sense of superiority and power; it emphasizes peoples' narratives about their ancestors; it provides future generations with directions to create new or recreate previous traditions; and finally, it supports new generations with the manner in which they might want to arrange themselves and the construction of their communities. Jote (1994:19) highlights the uniqueness of cultural heritage in the lives of people with this quote: "Increasing recognition of the significance of cultural heritage as a source of information, knowledge, identity and continuity, and its important role in elucidating the various human civilizations have increased our awareness of our responsibility to preserve the heritage as intact as possible for succeeding generations. Failure to fulfill this responsibility would not only attenuate our links with the past, but would also deprive future generations of a great source of information, knowledge and identity." Through the ascribed exclusive and distinct nature of cultural heritage for each community and/or society, it has the potential to contribute to rationalizing the exclusion of outsiders who do not fit within the constructed cultural frame (Collins 1974:420 in Hooks and Mosher 2005:1636). Finally, Lowenthal (1995:7) recognizes the controversial nature of cultural heritage by concluding that people express exalting devotion to cultural heritage, to the extent that they take up arms to safeguard it.

Clearly, UNESCO's definition considers simply the tangible parts of cultural heritage, whereas this thesis delves into the intangible character of cultural heritage. The intangible nature of cultural heritage covers those skills, talents, practices and traditions that are not explicitly perceptible or obvious the same as sites and monuments are but rather shape the day to day routine practices that people interchange with one another and pass on to future generations. Recognizing these intangible practices as common to many different societies and communities however the detailed manner in which certain communities undertake these routines distinguishes them from other communities. Thanking the distinctive fashion in which these practices are exercised they are conferred with symbolic and cultural meaning which renders them idiosyncratic for that specific community. As a

result, the intangible practices are intricately linked to the cultural heritage of a particular community.

3.2 Analysis of presented linkage

In order to stretch the concept of cultural heritage to incorporate sexual violence against women, we must connect these two concepts together. The adhesive that binds these two constituents is the argument laid forward in the previous chapter reasoning that due to the various qualities and the social value of women in these communities combatants deliberately employ sexual violence against girls and women to destroy the lived cultural heritage of the community the perceived enemy belongs to. For the reason that women's social value and their qualities are considered crucial for the constitution of family life and the survival of community life combatants specifically target women to devastate communities. This argument holds a twofold reasoning.

In the first place, the inherent cultural and social value bestowed upon women in these communities contribute⁹ to the sexual violence. Communities imbue meaningful cultural significance to women residing in their communities. In these communities, women are the standards by which morality is judged (Dupree, 2002: 978). Armed forces sexually assault girls and women because they are aware of the fundamental meaning of the female gender in these communities. The female gender is acknowledged for its major organizing power of every aspect of life; shaping of everyday relationships and practices; and their capacities as well as their vulnerabilities (Snyder, 2009: 46 in Sandole, Byrne, Sandole-Staroste and Senehi, 2009). The armed forces recognize that by sexually assaulting the women, they eradicate women's social meaning and render them worthless to the community. Evidently, when women are dishonored by the enemy, they are judged by the community as having lost their (communal) value and the assaulted women can no longer contribute to the future of the community. By losing their standing within the community the women eventually will either be ostracized or abandon the community by their own initiative. Seeing that women are the standards in which communities judge their cultural relevance and dignity, and with the departure of women from communities, the communities lose their dignity and their cultural rights. Mullins goes as far as to claim that sexual violence destroys the reputation of the community and its memories. With regard to genocide that ensues after the widespread sexual violence against women during conflicts, Mullins (2009: 732) asserts that the final experiences of the community become "horrible", and the manner in which they are remembered by their people and other communities is tarnished.

Secondly, women in "African" cultures are viewed as holy and the center of the home. African women significantly contribute to the survival of the values and traditions of the lived culture through the various eloquent functions they perform in family life and within their communities.

⁹ My emphasis.

The lived¹⁰ component of cultural heritage presents itself in the capabilities and skills of the women living in these communities. Besides the meaningfulness of women within their communities, women also undertake various tasks and possess certain skills that contribute to the continuance of the lived cultural heritage. In spite of feminists' negative views of the lived aspects of women's roles as described in the previous chapter as a result of the gender inequalities present in these communities, Parsons (in Caldwell and Mestrovic(2008: 277) argues that the gender roles are not only part of the repression by the male gender but rather "informed by biological, psychological, social, and cultural distinctions of gender." He contends that people become "socialized" to the gender roles through the family and the overall existing social systems. Thus, these gender roles performed by women within their communities cannot be simply dismissed by feminists as oppressive systems but these gender roles perform functions that move beyond the subjection of women. Parsons' (in Caldwell and Mestrovic(2008: 277)) account argues in favor of the gender roles because they serve as a means to organize social life, and provide "social solidarity for the family as well as the larger society and culture."

Along with these skills and functions belong the abilities of women to create warm families and be perfect companions to their husbands, socially and privately (Meekers, 1992:66). Women can engage in social life in such a manner that they uplift community members in distress; reunite members in disagreement; and provide emotional support to the community. In most communities, females transfer knowledge to future generations and take care of the children. Unlike in the West, motherhood is in this part of the world not so much considered as a burden but rather as a privilege. Women realize that they do not only take care of the children but that the practice of raising children entails also the process of shaping children's cultural identity through the transfer of knowledge of ancestral traditions and moral values. Furthermore, both girls and boys are educated in the basic practical crafts that carry the history of the community. Crafts, such as the manufacture of garments and instruments; the preparation of food; the practice of traditional medical treatments; and means to generate sustenance for survival through agricultural work. In agreement with the reasoning discussed in this chapter, Parsons (in Caldwell and Mestrovic(2008: 277) also recognizes that the " 'expressive' feminine role is linked to care-giving and mothering duties aimed at providing emotional support and a sense of belonging (incorporation) to the group. At its base, the 'expressive' feminine role is concerned with the welfare of others." Considering women's contribution to the lived culture of the community and the community's transfer of heritage, logically the sexual violence by militias makes women incapable of performing their functions and "forces" communities to hinder women from carrying out their gendered roles.

¹⁰ My emphasis.

Moreover, during conflicts, women perform all the manual labor at home and for the community; they take care of the elderly; and many other tasks conducted by men are replaced by women. While conflict brings about the collapse of economic systems in many societies and communities due to the dominance of males in charge of these systems, families and communities become economically dependable of women and female labor for their survival, whenever men take up arms. Meredith Turshen (2000:820) surpasses the typical economic consequences of conflict and intertwines the economic effects to sexual violence against women. She presents a twofold analysis by identifying the financial consequences for women's living standards, in particular, and the economic destitution for the men and their community, in general.

At first, Turshen (2000:820) asserts that "The economic dimensions of violence against women are harder to address than the health consequences or even the political consequences of loss of status or standing in one's community. (...) For African women whose economic self-sufficiency is tied to their community standing, the political and economic consequences of violence are inextricably intertwined." The sexual violence against women contributes to the situation where women are forced to abandon their communities and sustain themselves by any means. A majority of these victims end up in the sexual exploitation domain, with their lives destroyed.

In the second place, Turshen (2000: 804) states that in these communities "women's value resides in their productive and reproductive labor power and in their possessions and access to valuable assets, such as land and livestock." Through procreation, women contribute to the growth of the population, and the transfer and continuation of community assets and resources to future generation. With the sexual violence against women combatants target women as biological and social producers of communities (Snyder, 2009: 46 in and Byrne et al. 2009). The objective of combatants is to cause the ostracism of women which undermines the (wo)manpower of communities to support their families and the community during conflict. In addition, through the consequences of the sexual violence families lose the ability to generate future assets for their families and the communities, and eventually they lose their claim to hereditament. By means of sexual assaults against women perpetrators of the sexual violence have succeeded in hindering the process of inheritance from generation to generation. The community is unable to accordingly transfer the cultural knowledge, traditions, history and assets to future generations. The transfer of their lived cultural heritage is impeded upon through the sexual violence against girls and women. Through this impediment the identity of a culture of a particular people comes to a halt. Parsons (2006: 668) accordingly states that " a people without a past is a people without a soul. (...) A nation without a culture is a nation without a soul." Furthermore, the French anthropologist Veronique Nahoum- Grappe (2002 in Femke van Zeijl, 2007: 10) calls it "destroying the future". She is in agreement with the central argument of this thesis that militia groups are aware that the practice of sexually desecrating women is a powerful tool to disrupt family ties and destroy community bonds. With the inability of women to

properly pass on the (lived) cultural traditions and teach moral values, a collapse of social and moral structures within communities follows.

In conclusion, ultimately militia have become conscious of the latest method of warfare by sexually attacking women in the knowledge that such acts will cause severe damage to the lives of the assaulted women and their families, and on a larger scale destroy the long-term lived cultural heritage of a community, which in the final analysis constitutes genocide.¹¹

¹¹ Although, this wording stems from the Rome Statute of the International Criminal Court, article 2(b)(iv), relating to the natural environment, I deemed it to be applicable to the subject of this thesis. Because of the undeniable impact of sexual violence against women to the human nature and its cultural community, the strong language of this phrase of the Rome Statute of the International Criminal Court appropriately applies.

“Since we all came from a women, got our name from a women, and our game from a women. I wonder why we take from women, why we rape our women, do we hate our women? I think it’s time we killed for our women, be real to our women, try to heal our women, cus if we dont we’ll have a race of babies that will hate the ladies, who make the babies. And since a man can’t make one he has no right to tell a women when and where to create one” (Tupac Shakur, 1971-1996, sic)

Conclusion

First of all, the conclusion starts off by acknowledging the fact that for the past decades significant progress has been achieved in the way various agents and institutions have dealt with systematic rape and other forms of sexual assaults against women. Scholars and feminists have long advocated for the investigation of human rights violations against women in conflict settings and the international community has established legal instruments and institutions for the prosecution of perpetrators of wartime rape.

Even though many nations experience challenging times during conflicts, international pressure has successfully alerted nations to adopt legal instruments on the national level to fight the issue of wartime rape. Nowadays, perpetrators of the sexual crimes against women are brought to justice in national as well as international tribunals, and NGO’s are taking action to assure the reinsertion of the victims of sexual violence into community life and societies. Thanks to these developments, the healing process of female victims is being properly carried out. However criticism to uplift developments on this critical subject does not lack.

Studies on the subject of sexual violence during conflict tend to remain on the problem of wartime rape; the employment of that act as a weapon of war; and the consequential outcomes of those human rights violations. This thesis sought to address the subject of sexual violence utilized by opposing combatants as an instrument to destroy the lived cultural heritage of communities.

In summation of this work, it has firstly been established that the recognition of rape by the international community and prosecution of rape in international tribunals has undergone a long struggle. In particular an all-compassing definition including all (sexual) acts turned to be problematic for the prosecution of this crime. However, the determination by the international community to end the impunity of wartime rape overcame all obstacles, and made it possible for victims of wartime rape to testify at the international tribunal. Furthermore, it has been argued that sexual violence against women during conflict comes in different forms and serves multiple functions and purposes such as or for revenge, as a deterrent, as punishment, as a demonstration of gender power relations, for the satisfaction of sexual drives, as a ‘homosocial bonding’ method, and as part of occult beliefs to enhance feelings of confidence and indestructibility during the battle. The first chapter concluded by stating that it is important to acknowledge the destructive nature of sexual

violence and that its physical, psychological and societal consequences should therefore not be diminished.

The second chapter presented a critical account of feminists and women's rights activists reasoning of rape and sexual violence against women. Feminists' long struggle for the recognition of rape as a means of achieving specific goals by armed forces and women's rights activists' commitment to girls and women in war-torn zones pointed up.

In addition, the chapter discussed the implications of the sexual violence for the female victims, their fathers/husbands, and the community. Women's rights activists strongly attribute the consequences of the sexual violence to the ignorance by and gender biases within the patriarchal communities however I slightly disagreed with this view. The criticism against the feminists pertained to their narrow view of the sexual violence against women and their victimization. In this chapter, the thesis moved closer to its central argument; that the primary explanation for the sexual violence lies in the cultural significance communities bestow upon their women; the manner in which women are valued; what communities read in the value of their women, and as a result of all these characteristics combatants intentionally¹² sexually assault girls and women.

The final chapter explained the theoretical link of sexual violence against women with the destruction of the lived cultural heritage. At first, the history of cultural heritage was traced back and the theoretical framework of the concept of 'culture' and 'heritage' were independently scrutinized in order to understand their significance and connectedness to sexual violence against women. This final chapter concluded that combatants sexually assault women because women shape family and community life through the skills and functions they carry out and the meaning communities bestow upon them. Combatants deliberately target women sexually in order to destroy the lived cultural heritage of a community which constitutes genocide.

In accordance with the reasoning put forward, this thesis has a twofold aim.

In the first place, my intent is to further the scientific and international understanding of sexual violence against women. Due to the destructive long-term physical, psychological, and social effects of sexual violence on the victims it is of utmost importance to competently deal with this act of human rights violation. The argument presented by feminists on the victimization and subjugation of women, and the theory of wartime rape as a technique of war to solely target the men, both of these analyses do not suffice anymore. Although, the various functions and objectives of acts of sexual violence exploited by combatants create confusion and disagreement within the international realm and between researchers, I am in agreement with Horowitz ((2002:17 in MacGinty, 2004: 861)) stressing that combatants rely on this confusion of the international community in order to conceal

¹²My emphasis.

their structured objective to destroy the lived cultural heritage of communities through sexual violence against women.

The lack of understanding of the link between sexual violence and the destruction of cultural heritage by the international community and (feminist) scholars needs to be adjusted. This thesis emphasizes the need to extensively study the subject of sexual violence from a broader scope due to the dexterousness and widespread use of sexual violence against women by combatants during conflicts. With the ability of sexual violence to distort families and destroy bonds within communities, sexual violence should no longer be viewed from a narrow perspective but rather from a larger scale, i.e. that of the destruction of the entire community.

The first step to the acknowledgment of sexual violence as a means to destroy the lived cultural heritage, and eventually cause the decay of an entire community is to identify the structures behind these human rights violations and internationally come to an agreement on the fact that the main objective of sexual violence is not solely the abuse of women and the defeat of men but the destruction of the lived cultural heritage. Through the destruction of the lived cultural heritage combatants destroy in the long run the entire culture and community of peoples.

In the second place, the aim is to advocate the recognition and enhance the awareness of sexual violence against women as acts purposely employed for the destruction of the lived cultural heritage of communities. As a result of the lack of proper analysis of the subject and its connection to the lived cultural heritage, various international agents, agencies, institutions and organizations are unable to properly address this issue. International organizations such as NGOs in conflict settings that apply themselves profoundly to the aid of female victims of sexual violence can only conduct their activities effectively and successfully if the theoretical frameworks on the use of sexual violence have been appropriately addressed. In the same way that feminists place too much weight on women and their victimization, NGOs' activities center too much around girls, women, and in some instances around children born out of the sexual violence. However, unlike feminists, the work of NGOs in these surroundings is structured around the limited analysis of sexual violence by scholars and the international community. By correctly addressing the theoretical complications posed by sexual violence against women and connecting it to the destruction of the lived cultural heritage of communities, it will permit NGOs to tailor their aid to the problems of the entire community and result in effective tactics, rather than the current limited focus on the harms of female persons.

Furthermore, with a meaningful use of the concept of sexual violence in relation to the destruction of the lived cultural heritage human rights organizations can start with the acknowledgment of the subject of sexual violence against women for the drive of destroying the lived culture of a community on a larger scope, nationally as well as internationally. A number of prominent actors and institutions on the national and international level need to apply themselves rigorously to the promotion of and lobby of this subject. Aside from human rights organizations' responsibility and dedication to

promulgate the issue to a broader public, the international community's accountability lies in the creation and promotion of international legal instruments and mechanisms. These advanced mechanisms would contribute to the relief and improvement of the activities performed by various international and national actors and agencies in the fight against sexual violence as a method of destroying the lived cultural heritage of peoples.

A limitation to the argument in favor of establishing novel international legal instruments would point out the existence of available legal instruments such as the 1949 Fourth Geneva Convention that specifically protects women against wartime rape¹³ and the UNESCO Convention Concerning the Protection of the World Cultural and National Heritage promoting the preservation of cultural heritages of peoples. In defense of the first legal instrument, the Geneva Convention takes cultural aspects of women such as honor and concepts of family rights and customs into account, closely relating to the theoretical assumptions on lived cultural heritage put forward in this thesis¹⁴. Notwithstanding this realization and the presence of international legal instruments, this dissertation persists in asserting that current legal mechanisms continue to be limited in their approach of sexual violence against women. In particular, the larger image of this human rights violation against women in relation to the destruction of the lived cultural heritage is somewhat lacking.

In appendix I, I present a banal example of an international legal instrument that incorporates the problem of sexual violence deployed as a means to destroy the lived cultural heritage of communities. I have altered the wording of the preamble of the 1972 Convention Concerning the Protection of the World Cultural and National Heritage to make it fit the subject of sexual violence against women. I believe that a document of this kind will not only demonstrate the international community's recognition of sexual violence against women as acts for the destruction of the lived cultural heritage of communities but will also make it easier to accordingly address this topic in the future¹⁵. Nevertheless, further comprehensive analysis of the legal aspects of the subject falls outside of the scope of this thesis and should therefore be scrutinized by legal experts and institutions.

¹³ Article 27 of the 1949 Fourth Geneva Convention states;

Protected persons are entitled, in all circumstances, to respect for their persons, their honour, their family rights, their religious convictions and practices, and their manners and customs. They shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof and against insults and public curiosity. Women shall be especially protected against any attack on their honour, in particular against rape, enforced prostitution, or any form of indecent assault.

Without prejudice to the provisions relating to their state of health, age and sex, all protected persons shall be treated with the same consideration by the Party to the conflict in whose power they are, without any adverse distinction based, in particular, on race, religion or political opinion.

However, the Parties to the conflict may take such measures of control and security in regard to protected persons as may be necessary as a result of the war.

¹⁴ The advantage of the Convention Concerning the Protection of the World Cultural and National Heritage has extensively been discussed in the third chapter.

¹⁵ See appendix I.

Though there are abundant possibilities for the creation of many other international legal mechanisms that could accurately deal with this matter, still the legal question remains on how international law and tribunals can cope with this large scale human rights violation whenever it amounts to bringing this issue before international legal institutions. In other words, would the manner in which sexual violence that leads to the destruction of the lived cultural heritage, and the eventual demise of the culture of peoples be brought to court in the same manner as with the prosecution of this type of violence as genocide, war crime or crime against humanity? For the reason that these three atrocity crimes understand the traumatic effects of sexual violence against women, and its nature to “profoundly disrupt social relations because it violates the very foundation of those relations, the human” as Campbell (2004:336) puts it should it not be sufficient to deal with the prosecution of the sexual violations correspondingly?

A last group of contributors to this subject, comprises of scholars and researchers such as myself who, similar to NGOs and the international community, need to fulfill their share of the work to further our understanding and advocate the understanding of sexual violence against women as a tool to enable the destruction of the lived cultural heritage of peoples and communities, as well. One of the first attempts embarked upon is introduced in this thesis. Recognizing the weaknesses of certain arguments laid forward, a certain bias due to the lack of existing empirical investigations on this subject and admitting (with certain cases) premature and arduous criticism of various actors with years of experience in this field and international institutions and mechanisms, I persist in the belief that scholars and researchers represent the forum that can best field remaining queries and structure this subject appropriately for future exploration. The activities of this group, through international lobbying and pressure, can advance the meaningful use of the concept of sexual violence in relation to the destruction of the lived cultural heritage by all relevant actors and institutions specialized in this subject. Ultimately, international identification of the linkage and advanced acknowledgment of this subject lies in the exploration and promotion of empirical research. Therefore, this thesis recommends the development of empirical observations and pragmatic analysis of the relation between sexual violence against women and the effects to the lived cultural heritage of communities, leading to its destruction.

This dissertation has defended the urgency to accurately address this subject in order to associate its exploitation as a tool for the destruction of the lived cultural heritage of communities; to properly bring the human rights violations against women to an end by developing and broadening the modus operandi of sexual violence against women; not to solely involve the female gender but focus on methods that include entire communities. Nevertheless, the question regarding why this thesis persists in convincing its audience of the explicit nature of and consideration for sexual violence against women as a means of destroying the lived cultural heritage of peoples or communities lingers. Differently put: why should the audience of this work concern itself with the need to connect sexual violence against women with the destruction of lived cultural heritage and address this issue

specifically, especially considering the existence of studies, mechanisms and international legal instruments to fight sexual violence against women, as previously illustrated.

Besides above-mentioned essential reasons such as the destructive character of the sexual assaults and their severe damage to women, their families and communities, this subject needs attentiveness from scholars, feminists, NGOs and the international community because sexual violence against women purposely employed with the intention to destroy the lived cultural heritage of communities inextricably holds meanings that define, epitomize and preserve our identities and carry the history and traditions of our people.

The intention of this thesis is not to leave its readers with substantial queries. However, the questions raised in this conclusion alert us of the need for supplementary examination and the necessity for an extensive body of work by researchers and other international experts on this subject. Consequently, the complications sexual violence against women utilized for the destruction of the lived cultural heritage poses continues to demand our highest attention because it affects the present lives of women and their families, our future identities and traditions, and eventually can distress the survival of our communities.

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- Convention Concerning the Protection of the World Cultural and National Heritage, 17 October 1972, Paris.
- Declaration on the Elimination of Violence Against Women – 48/104, 20 December 1993, Geneva.
- Fourth Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War. 12 August 1949, Geneva.
- Rome Statute of the International Criminal Court, 17 July 1998, The Hague.

Appendix I

The utilized and adjusted wording stem from the preamble of the 1972 Convention Concerning the Protection of the World Cultural and National Heritage.

“Noting that communities and their lived cultural heritage are increasingly threatened with destruction not only by the traditional causes of decay and the process of tainted memories, but also by the employment of sexual violence by combatants who aggravate the situation with even more formidable damage or destruction”

“Considering that the sexual harm done to women and their consequent ostracism or departure from their communities constitutes a harmful impoverishment of the lived cultural heritage of communities”

“Considering that protection of women at the national level often remains incomplete because of the lack of resources or the refusal by nations”

Appendix II

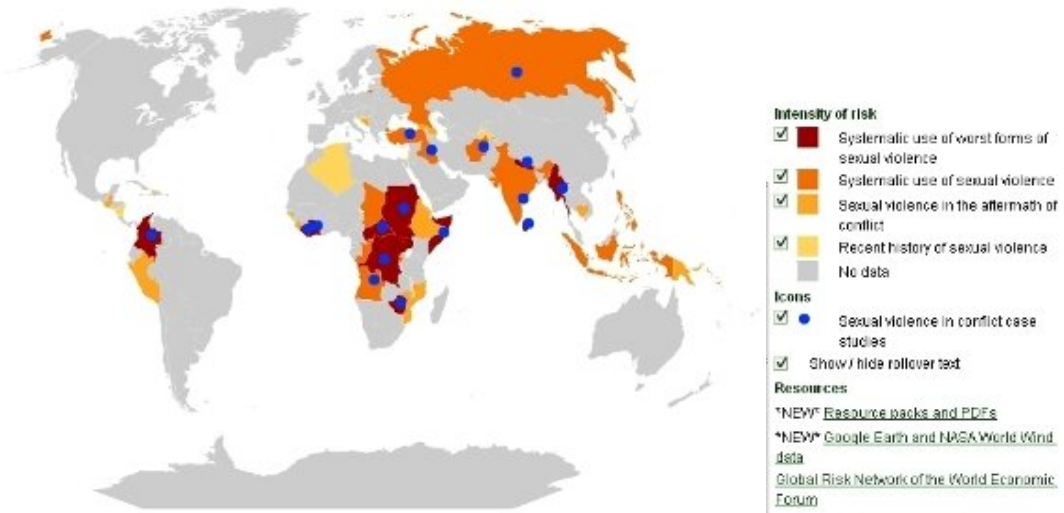


Figure 1. Global map of sexual violence in conflict