

# Hidden Victims: The story of sexual violence against men in armed conflict

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MAITE VERMEULEN, SEP 4 2011

Male rape is a taboo subject; it happens but it is concealed by the victims who are too ashamed to speak out and by a society that is not prepared to listen. (Mezey and King, 2000: V)

As early as the ancient Persians, sexual violence against men and boys has been part of warfare. Murals from this period show the victors of battle parading with plates stacked high with their enemy's penises (DelZotto and Jones, 2002). This practice of emasculating the enemy is today still an integral part of armed conflict. Indeed, as DelZotto and Jones (2002) write, 'what greater humiliation can one man impose on another man or boy than to turn him into a de facto "female" through sexual cruelty?'

Over time, however, the topic of sexual violence against men has become a taboo in society, as the homophobic visions of Judaism, Christianity and the Islam became institutionalised (Jones, 2000). Nonetheless, male sexual violence in conflict settings still exists. The culture of impunity in war-torn societies fosters the use of these brutal tactics to obtain military and political goals.

Sexual violence against women has become a prominent issue in political, humanitarian, legal, and academic spheres in the past two decades. Sexualised violence against men, on the other hand, is still surrounded by 'a wall of silence' (DelZotto and Jones, 2002). Breaking down this wall, and treating the issue alongside sexual violence against women, is important to help these hidden victims of war, as well as to punish the perpetrators.

Typical of the discourse surrounding sexual violence, is the use of the term in such a way as to signal violence against women only. It is moreover wrongly used synonymously with the concept of gender-based violence. The World Health Organisation, for instance, states on its website that 'gender-based violence, or violence against women (VAW), is a major public health and human rights problem' (World Health Organisation, 2011). This is, however, not how these terms shall be used in this essay. Whereas gender-based violence will be defined as 'violence that is targeted at women or men because of their sex and/or their socially constructed gender roles' (Carpenter, 2006: 83), sexual violence is 'any violence, whether physical and/or mental, carried out through sexual means or by targeting sexuality' (Lewis, 2009: 3). Both terms can, and should, hence be used to signify violence against both men and women. Sexual violence is a part of gender-based violence, alongside such phenomena as forced conscription and sex-selective massacre (Carpenter, 2006).

This essay will explore why the discourse on wartime sexual violence only revolves around women and why men's experience of sexual violence is largely ignored. First, the different forms of sexual violence against men, the scope of the problem and the dynamics that drive the violence will be sketched. Then, the three aspects of the neglect will be discussed in turn: the under-reporting of the issue, relating to victim's experience; the under-recognition, describing the discourse in the international community in both policy, humanitarian and scholarly circles; and the under-punishment, exploring the gaps in the international law system. It will be concluded that a change of mindset is necessary to bring sexual violence against men in armed conflict to the forefront of political, humanitarian, legal and scholarly discussion to give support and justice to the victims.

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## I. Wartime sexual violence against men

### I.I Forms

Sexual violence against men is surrounded by misinformation and misunderstanding. Many social and health workers are only familiar with sexual violence against women, which often is rape. Harry van Tienhoven, working in the Refugee Health Care Centre in Utrecht, The Netherlands, has described how these “experts” hence assume that sexual violence against men takes the same form, that is anal rape (Tienhoven, 1993).

Anal rape is, however, only one of many forms of sexual violence against men. Victims may be forced to perform fellatio on the perpetrators or other victims, or may be anally raped using objects (Human Rights Watch, 2003). They may also be forced to rape other victims, including family members or the dead (Lewis, 2009: 14). This has been called ‘enforced rape’, or ‘forced incest’ (Sivakumaran, 2007: 263), and has been reported in Sierra Leone, among other conflicts (Carpenter, 2006: 95). There is also the concept of ‘rape plus’, the plus signifying infection with HIV/AIDS, which has been documented in Kosovo (Sivakumaran, 2007: 264).

Enforced sterilisation is another type of sexual violence. It has been extensively documented in the war in former Yugoslavia, where eyewitnesses and victims have reported castration through brutal means: ‘I saw how Muslims were forced to bite each other’s testicles off, their mouth filled with testicles and blood’ (ICTY Oral Proceedings cited in Lewis, 2009: 13).

Other kinds of sexual violence against men include sexual slavery, as happened in Liberia (Johnson et al., 2008: 688), and forced masturbation of the captors, which was documented in Sri Lanka (Peel et al., 2000). The infamous Abu Ghraib case in Iraq showed victims forced to undress, while being sexually threatened (Sivakumaran, 2007: 266). There are also numerous examples of genital violence in such conflicts as Croatia (Oosterhoff et al., 2004), Sri Lanka (Peel et al., 2000) and Northern Ireland (Adams, 5 June 2004), like amputation of the penis and electroshock or beatings to the testicles.

### I.II Scope

The variety of countries named in the above section exemplifies that sexual violence against men is not limited to a certain type of conflict or culture. Wynne Russell (2007: 22) states that sexual violence against men and boys has been reported in 25 armed conflicts around the world. If the sexual exploitation of boys displaced by conflict is taken into account, the vast majority of the 59 armed conflicts listed in the 2007 Human Security Report qualify (Russell, 2007).

The scarce academic literature on the topic consistently points to the lack of exact numbers regarding the scale of the violence, as most evidence is anecdotal. Yet the academics who identify this gap in research have hitherto failed to fill it (e.g. Sivakumaran, 2007; Carlson, 1997). Nonetheless, a number of estimates have been made, some based on peacetime statistics, others based on research in post-conflict areas.

Peacetime sexual violence against men is not a perfect equivalent of sexual violence in wartime, yet as Dustin Lewis (2009: 11) points out, it may shed some light upon the scope of the problem. One research found that in a general household sample in the United States (US), 7.2% of men had experienced some kind of sexual assault (Stermac et al., 1996). An analysis of 120 US incidence studies of rape showed that 3% of men and 13% of women have been raped in their lifetime (Spitzberg, 1999).

A more relevant quantitative study to assess the scale of sexual violence against men in armed conflict can be found in the research by Johnson et al. (2008), undertaken in post-conflict Liberia. They found that among former combatants, 42.3% of females and 32.6% of males had experienced sexual violence, compared to 9.2% and 7.4% among non-combatants respectively.

The most telling data are taken from the war in the former Yugoslavia, as the trials before the International Criminal

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Tribunal for the Former Yugoslavia (ICTY) prompted the first thorough research into sexual violence in armed conflict, including sexual violence against men. In one assessment of a concentration camp in Sarajevo Canton, 80% of the 5,000 male prisoners reported having been raped (Mudrovic cited in Lewis, 2009: 11).

It should be noted that there is a higher prevalence of sexual violence against women, yet ultimately, both form part of the gender dimension of conflict. Discussion of both may contribute to creating a more nuanced approach to male and female roles in wartime. In the following section it will be demonstrated that much of the dynamics driving sexual violence against women in armed conflict, also underlie sexual violence against men.

## **I.III Dynamics**

Sexual violence in armed conflict can be explained through a number of interlinked rationales. In some cases, it is arbitrary – a result of the breakdown of social and legal frameworks (Oosterhoff et al., 2004: 70). In others, especially when targeted against women, it may be used for personal gratification, military training or rewarding of soldiers (Wood, 2006: 321-328). In most cases, however, it is a systematic weapon of war – used to further political or military goals (BBC News, 2008), which may include displacing populations, eliciting information or ethnic cleansing (Smith-Spark, 2004).

The dynamics underlying the use of sexual violence as a war tactic are twofold: they rely on structures of power and dominance and processes of emasculation of the individual and the group. Ruth Seifert, in her analysis of rape<sup>[1]</sup> makes the important point that 'in the act of rape the perpetrator's sexuality is not an end in itself. Rather, it is used as an instrument in exerting violence' (Seifert, 1992). Indeed, sexual violence is all about power and dominance over the victim. Female rape can be seen as a form of male-to-male-communication, stressing how men fail to protect their women from harm, thereby dominating them (Seifert, 1992). When men are made to watch sexual violence against their female relatives, this secondary victimisation is particularly effective (Turner, 2000: 105).

This communication is arguably even more invasive when men themselves are the subject of sexual violence. Men are considered to represent strength and power, able to protect others. Hence, male sexual violence both empowers the masculinity of the perpetrator and disempowers the victim and his community (Sivakumaran, 2007: 268). Especially when the violence is performed in public, this may spread fear in the community (Oosterhoff et al., 2004).

For male victims of sexual violence, their masculinity and their victimisation are incompatible (Stanko and Hobdell, 1993). Hence, they are emasculated, no "real men" anymore, because "real men" would have resisted the attack (Sivakumaran, 2007: 270). The male victim is tainted with feminine and/or homosexual characteristics, which may have even greater significance in times of conflict, when constructs of masculinity are more pronounced (Seidler, 2006). Ironically, these feminine/homosexual attributes only adhere to the victim, while the attacker is viewed as more masculine through his domination (Lewis, 2009: 7; Allen, 1996: 27-28).

Prevention of procreation through enforced sterilisation may further add to the emasculation of the victim and the entire community. It may be used for ethnic cleansing, as happened in the former Yugoslavia (Carlson, 2006), where only men were seen to carry ethnicity (Carpenter, 2006: 89). One man testified before the International Court of Justice that 'they [Serb torturers] were deliberately aiming their beatings at our testicles saying "you'll never make Muslim children again"' (Oral Proceedings cited in Lewis, 2009: 13). Indeed, sexual violence is more prevalent in conflicts of identity (Skjelsbaek, 2001: 79).

The effects of male sexual violence on the victim break down into physical problems, including sexually transmitted infections and impotence (Carlson, 2006); psychosomatic problems, such as sleeplessness, anxiety, deep feelings of shame and guilt, suicidal thoughts and post-traumatic stress disorder (Turner, 2000); and psychosocial problems, like marital stress and drug or alcohol abuse (Oosterhoff et al., 2004: 71). Victims may also start to doubt their sexual orientation, as they may have had an erection or ejaculated during the assault (Peel, 2004: 67).

## **II. Under-reporting – the victims**

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Having established the forms, scale and dynamics of wartime sexual violence against men, the taboo surrounding it will now be further analysed. The aforementioned lack of data on the prevalence results from a large-scale under-reporting on the part of the victims. In a survey of 40 sexually abused men in the United Kingdom, only 5 men had reported their assault to the police (Walker et al., 2005). A combination of shame, confusion, guilt, fear and stigma contribute to this under-reporting (Pino and Meier, 1999). Men feel they should cope “like a man” (Mezey and King, 2000: 142). This applies in peacetime, and possibly even more strongly in wartime, when, as Sivakumaran (2007: 255) points out, ‘men tend to self-identify with masculine stereotypes more strongly’. As mentioned above, the strong image of masculinity and the weak image of victimisation are in contrast (Stanko and Hobdell, 1993).

Moreover, the victim may struggle with, what Sivakumaran (2005) dubs a “taint” of homosexuality attached to male/male rape. Combines with societal stigmatisation this causes a further disincentive to report the crime. Especially in armed conflicts, to cast this emasculating “taint” may be the intention of the perpetrator. To further complicate this scenario, homosexual activity, regardless of consent, is illegal in many countries, such as Zimbabwe (Hill, 09 June 2003) and may even attract the death penalty, like proposed in Uganda (Human Rights Watch, 2009).

These stereotypes are not the only hindrance for the reporting of male sexual violence. Victims may also be unable to find the right words to express themselves (Andersen, 2008). As R.J. McMullen (1990: 83) writes, English is ‘bereft of terms and phrases which accurately describe male rape’.

The final point to take into account here is the crude fact that many victims die from the consequences of the assault, and their remains may not show signs of sexual violence (Oosterhoff et al., 2004: 73).

## III. Under-recognised – the international community

From the 1970s, feminist groups have been advocating a wider recognition of sexual violence in war. However, they were not taken seriously by the international community until the conflict in Bosnia-Herzegovina in 1992 (Askin, 1997). DelZotto and Jones (2002) have convincingly argued that this can be explained by the construction of the new ‘Post Cold War Identity’ of the US and its allies. In the new framework of international relations that emerged after the collapse of the Soviet Union, the West adopted the discourse of feminist groups and non-governmental organisations (NGOs) to further its strategic goals: the enemy was portrayed as “barbarian” and the West as the “gentlemen” protecting the women. By institutionalising the recognition of war sex crimes against women, the military and diplomatic involvement in specific regions could be justified (DelZotto and Jones, 2002).

This institutionalisation culminated in the move from the issue of sexual violence from the humanitarian into the “high politics” realm, with the adoption of Resolution 1325 by the United Nations Security Council. This document called ‘on all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse’ (United Nations Security Council, 31 October 2000). By making gender-based violence a security problem, it was ‘imbued with a sense of importance and urgency’ (Carpenter, 2006: 85).

In light of these strategic motives, not all victims of sexual violence received equal consideration. The political attention of the West has only been focused on certain groups of female victims, most notably those in the Balkan and the Middle-East. Indeed, the Bush administration framed the war against the Taliban regime in Afghanistan in 2001 as a war ‘against people who are mean to women’ (John Zogby cited in DelZotto and Jones, 2002). It is unsurprising then that men are excluded as a potential group of victims by these political elites, who have a ‘highly gendered understanding of who is to be secured’ (Carpenter, 2006: 85)[2]. Exemplary of this exclusion are the asylum policies of Western countries. When DelZotto and Jones (2002) examined 36 US asylum cases of women versus 44 cases of men, they found that all but two women were asked whether or not they would face sexual danger in their country of origin, whereas none of the men were asked equivalent questions.

The strategic motives may explain why political elites do not recognise wartime sexual violence against men as a serious problem, yet the question remains why, in humanitarian circles, NGOs also still largely ignore the issue. DelZotto and Jones (2002) identify that there are 4,076 NGOs that address war rape and sexual violence. Yet only

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3% of those mention men in their literature, and a quarter explicitly denies that sexual violence against men is a serious problem. It has been argued that NGOs are highly politicised, with many of these organisations relying on governments and private enterprises for the majority of their funding (Zaum, 2009). Hence, their agendas need to be in line with the agendas of the political elites.

Another reason for this lack of grass-roots action to support male victims of sexual violence in conflict regions, is that many healthcare and social workers are not sufficiently trained to recognise the signs of sexual assault in men (Tienhoven, 1993). The stereotype that sexual violence can only be inflicted on women also influences these workers (Donnelly and Kenyon, 1996), and many types of sexual violence do not leave permanent visible damage (Carlson, 2006: 21). Moreover, healthcare workers may classify what happened to their patients as 'torture' or 'abuse', failing to provide sufficient counselling and recognition of the underlying problems (Carlson, 1997).

Finally, with stereotyping and ignorance characterising the political and humanitarian discourse, the scholarly sphere does not fare much better. Some key-scholars on the issue of rape warfare plainly exclude men as possible victims, thus reinforcing the stereotypes underlying the very problem (e.g. Seifert, 1992; Skjelsbaek, 2001). Others mention the possibility of male victims in passing (Allen, 1996: 27), and many excuse themselves from exploring the topic further by pointing out the lack of data (e.g. International Humanitarian Law Research Initiative, 2009). There are, however, some exceptions, most notably Sandesh Sivakumaran, who explored the issue of male sexual violence in armed conflict thoroughly though by no means exhaustively.

## **IV. Under-punished – the international law system**

Sex crimes during conflict have long been seen as an integral part of warfare. The Nuremberg Trials saw no convictions based on sexual violence (Carlson, 2006: 17). The 1977 Additional Protocol II to the 1949 Geneva Conventions was the first international legal document to address wartime sexual violence (Csete and Kippenberg, 2002). It outlaws 'outrages upon personal dignity, in particular humiliating and degrading treatment, rape, enforced prostitution and any form of indecent assault' (United Nations, 8 June 1977). Rape is, however, not explicitly recognised as a grave breach of the Convention. Catherine Niarchos (1995: 675) describes this as 'illuminating: among the crimes seen fit to include as grave breaches, and which presumably rated more attention than rape, are forcing a person to serve in the forces of a hostile power and destruction and appropriation of property.'

Though no amendments have been made to the Geneva Conventions, advances in international law have been made. The ICTY established a leading model for the investigation and prosecution of wartime sexual violence, under the auspices of Agnes Inderhaug, head of the Sexual Assault Investigation Team. Building on a plethora of testimonies of female rape survivors, the ICTY found in its Celebici judgement that sexual violence is torture when it is executed by an official for reasons of punishment, eliciting information, intimidation or discrimination (Oosterhoff et al., 2004: 71). This was an important classification, for it allowed sexual violence to be tried as torture, which is a grave breach of the Geneva Conventions (Thomas and Ralph, 1994), or where particularly systematic, as a crime against humanity (Meron, 1993: 427).

In 1998, the International Criminal Tribunal for Rwanda also took an important step towards a more inclusive approach to sexual violence, by broadening the definition of sexual violence to include acts that did not constitute physical invasion of the body, penetration or even contact, such as forced nakedness (Zawati, 2007: 31). Considering the many forms that sexual violence against men can take, this broader definition is a more appropriate and gender-neutral one.

Lewis (2009) identifies three types of international law, International Criminal Law (ICL), International Humanitarian Law (IHL) and International Human Rights Law (IHRL), that are concerned with wartime sexual violence and assesses whether these protect male victims. His analysis shows that particularly IHRL fails to protect men, as it defines sexual violence in terms only applicable to women and children.[3] This is caused by the aforementioned conflation of the terms "gender-based violence" and "violence against women" (Lewis, 2009: 19).

Male victims are thus forced to look within the other two fields of law, ICL and IHL, to file charges. Though often still

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women-specific, ICL and IHL contain instruments that are 'worded capaciously enough to implicitly include men as a category of victims' (Lewis, 2009: 20). Under these forms of law, sexual violence against men can be prosecuted as part of genocide; as a crime against humanity, including rape, torture, sexual slavery and enforced sterilisation; or as a war crime, such as grave breaches of the Geneva Conventions.[4]

The 2001 Tadic case before the ICTY saw the first international conviction regarding sexual violence against men in armed conflict (International Criminal Tribunal for the Former Yugoslavia, 7 May 1997). An analysis of the sentencing patterns at the ICTY, however, shows that sexual violence against men has been punished less severely than similar violence against women (King and Greening, 2007).

The prosecution of perpetrators of male sexual violence in wartime is thus not straight-forward. The consequential climate of impunity has, according to some authors, contributed to its becoming "epidemic" (Amnesty International, 2001; Oosterhoff et al., 2004; Callamard, 1999). In the same line of thought, Lewis (2009: 49) concludes that 'explicit recognition in international instruments would [...] put potential perpetrators on notice that sexual violence against men is just as serious a crime as it is against women'. Indeed, the importance of providing recognition and justice to male victims of sexual violence in armed conflict cannot be overstated. Yet to say that perpetrators – rebels and combatants on the ground – consider the possibility of being prosecuted under international law, seems unrealistic.

## Conclusion

Sexual violence is arguably one of the worst types of violence, targeting a person's identity, as well as the identity of his or her group (Brownmiller, 04 January 1993). The psychological consequences often far outlive those of other forms of violence (Russell, 2007). Progress has been made to address wartime sexual violence against women, yet men remain a hidden category of victims. This is caused by a combination of under-reporting on the side of the victims, under-recognition by politicians, humanitarian workers and academics, and under-punishment through gaps in the international legal system.

This essay has by no means tried to downplay the severity of the issue of sexual violence against women, nor against any other vulnerable group (Csáky, 2008). It rather argues for a more equal treatment of all categories of victims. The exposure of male-directed sexual violence in conflict will help to emphasise the broader phenomenon of sexual violence against women and girls, for what it really is: 'not "boys being boys" but an exercise in power and humiliation' (Russell, 2007).

## Discussion

The scant literature that identifies the problem of male sexual violence in wartime has not researched any broader implications of the phenomenon, nor has this essay for a lack of space and resources. Future research could focus on the impact of male sexual violence on post-conflict reintegration of combatants and civilian men forced to rape relatives; its contribution to such practices as prostitution, survival sex or human trafficking; and its affect on the incidence of sexual violence against women and children, including refugees and child soldiers (Russell, 2007). Moreover, it has not yet been established whether the needs of survivors differ between the sexes. Research into the kind of treatment that would benefit male victims of sexual violence has hitherto been scarce and only focused on peacetime situations (e.g. Mezey and King, 2000). It is important to be aware that all of these issues need to be addressed without unintentionally reinforcing existing stereotypes of gender-roles and homosexuality, which underlie the violence in the first place.

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[1] Seifert consistently excludes men as potential victims.

[2] It should be noted that the UN Office of the Coordination of Humanitarian Affairs organised a research meeting on the topic on the 26<sup>th</sup> of June 2008 (United Nations Office of the Coordination of Humanitarian Affairs, 2008) to inform more effective interventions. However, to date, no concrete results have been realised (Bechler, 2008).

[3] It should be noted that many relatively liberal societies have, until very recently, also excluded men as potential rape victims in their national laws. The United Kingdom for instance, only changed to a more inclusive wording in 1994 (Lewis, 2009: 19).

[4] Lewis (2009) also notes that perversely, in some countries, men may be more protected against sexual violence in wartime than in peacetime. In 86 countries and 6 provinces homosexual acts are illegal, whether consensual or coerced (Daniel Ottosson cited in Lewis, 2009: 18).

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# **Hidden Victims: The story of sexual violence against men in armed conflict**

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