

**Discussion Paper 1  
Sexual Violence in Armed Conflict: Understanding the Motivations**

*The literature on sexual violence during war has yet to provide an adequate explanation for its variation across wars, armed groups, and units.*

E.J. Wood

*[Scholars] agree that the only way to attack wartime rape is to identify the factors and conditions that promote it.*

J. Gottschall

## **Framing the issue**

What are the motivations for sexual violence in war? Is there a common framework or distinct categories to define the various reasons why rape and other forms of sexual violence are carried out against civilians in conflict? Once reasons for rape and other forms of sexual violence are known will this assist in developing interventions that could be carried out to either prevent or mitigate these crimes?

Sexual violence is a common feature of armed conflicts. Differences exist between and, in some cases within, conflicts in terms of the extent to which sexual violence is used as well as the manner in which it is perpetrated. An improved and more comprehensive understanding of the principal motivations for sexual violence, both in a general sense and in relation to a given context, is critical to the development of effective strategies for prevention and response.

Sexual violence in conflict takes a variety of forms, including “individual rapes, sexual abuse, gang rapes, genital mutilation, and rape-shooting or rape-stabbing combinations, at times undertaken after family members have been tied up and forced to watch.”<sup>1</sup> Sterilisation, sexual slavery and forced prostitution are also common forms of wartime sexual violence.

## **Brief review of the literature**

We reviewed 16 studies<sup>2</sup> which provide insight into the different motivations underlying the use of sexual violence in armed conflict. One key conclusion to be drawn from this review is that considering sexual violence in conflict as either “opportunistic” or as “a method of warfare” is too simplistic. On the contrary, sexual violence in conflict is motivated and perpetuated by a complex mix of individual and collective, pre-meditated and circumstantial reasons. Indeed, a range of explanations have been advanced as accounting for the use of sexual violence in armed conflict.

Building on the work of Jonathan Gottschall<sup>3</sup>, and based on our own review of the literature and communication with different scholars, we propose to place these explanations within four main theories:

- A. Gender Inequality Theory
- B. The Psycho-Social and Economic Background Theory
- C. The Strategic Rape Theory
- D. The Biosocial Theory

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<sup>1</sup> Pratt, Marion and Werchick, Leah. *Sexual Terrorism: Rape as a Weapon of War in Eastern Democratic Republic of Congo: An assessment of programmatic responses to sexual violence in North Kivu, South Kivu, Maniema, and Orientale Provinces*. USAID, 2004

<sup>2</sup> This discussion paper is not based on an exhaustive review of the literature. The paper and annexed literature review is intended as a basis for discussion, not to provide the answers to the questions raised. Several of the papers referenced cover historical overviews as well as comparative assessments of the explanatory power of different theories for explaining sexual violence in conflict.

<sup>3</sup> Gottschall, Jonathan. “Explaining Wartime Rape.” *Journal of Sex Research* 41, no. 2, May 2004

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**A. Gender Inequality Theory** - Unequal power relations, discrimination and misogyny in patriarchal societies are exacerbated by the promotion of aggression and violence during war.

According to Ruth Seifert<sup>4</sup>, sexual violence is not sexually driven, but rather a sexual expression of aggression. Patricia Rozée<sup>5</sup>, and Groth and Birnbaum<sup>6</sup>, examining motivations for rape in peacetime, also propose explanatory models belonging in this category.

Seifert<sup>7</sup> proposes five theses to explain the cultural models which influence the behaviour of individual perpetrators.

- War is presented as a ritualised, finely regulated game. Violence against women in the conquered territory is conceded to the victor in the immediate post-war period as one of the **'rules' of this game.**
- Abuse of women is perceived as an **element of male communication.** Seifert states, "Rape can be considered the final symbolic expression of the humiliation of the male opponent...it communicates from man to man...that the men around the women in question are not able to protect "their women"."
- Rapes result from the **masculinity associated with armed forces**, which is exaggerated in times of conflict. Constructions of masculinity in armies become equated with power, and within this culture, lead to an inclination to rape.
- Rapes aim at **destroying the opponent's culture.** According to this theory, women assume especial significance in the existence of a community due to their central role in the mainstay of the family, through which continuity in the culture and the society is ensured. By striking at the heart of the community structure, the attacking side destroys its opposition.
- Rape is culturally-rooted **contempt of women** that is acted out in times of crisis and thus rape results from a pre-existing animosity, which can be acted upon with a high likelihood of impunity.

**B. The Psycho-Social and Economic Background Theory** - A nation's or armed group's history and psycho-social dynamics is examined to find triggers for sexual violence.

An example would be to look at the present-day widespread perpetration of sexual violence in the Democratic Republic of the Congo (DRC) by examining how the pre-European intra-African slave trade, the European slave trade and colonial rule, along with post-colonial intra- and inter-state wars have laid the foundation for the present situation where DRC has become known for the epidemic-like proportions and brutality of sexual violence, especially in the east of the country.

In her up-coming work on DRC, Jennifer Leaning of the Harvard Humanitarian Initiative will look at the **historical and socio-economic patterns** that have led to the following characteristics of DRC society today – and assess to what degree they contribute to the epidemic-like proportions of sexual violence:

- Young men have through generations **been prevented from accomplishing the traditional tasks** of: inheriting or acquiring land, thus creating wealth, thus using the wealth to afford a bride, thus being able to marry in the respectable and traditional way, and thus become an adult.
- **The only available source of remuneration is the military** or in the pay of some kind of rebel group and DDR has always been incompletely carried out, leaving men with guns and no jobs.
- **Women have been slowly acquiring skills and status** while men have not been able to acquire women by respected and appropriate pathways because they are too poor, too unskilled and too jobless.
- Hence there has been a **growing sense of futility among young men** and a growing rage at women, who are unavailable through normal means and who are humiliating the men by being more able survivors, in many cases even by selling sexual favours.

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<sup>4</sup> Seifert, Ruth. *War and Rape. Analytical Approaches.* Women's International League for Peace and Freedom, 1992.

<sup>5</sup> Rozée, Patricia. "Forbidden or Forgiven? Rape in Cross-Cultural Perspective". In *Psychology of Women Quarterly*, vol.17, 1993

<sup>6</sup> A.N. Groth with H.J. Birnbaum, *Men Who Rape. The Psychology of the Offender.* New York, Plenum Press, 1980.

<sup>7</sup> Seifert, Ruth. *War and Rape. Analytical Approaches.* Women's International League for Peace and Freedom, 1992.

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Another relevant example is Muñoz-Rojas and Fresard of the ICRC<sup>8</sup> who identify four factors that may influence combatants to commit atrocious acts in conflicts.

- **Group conformity:** Dilution of individual responsibility, prioritising the esteem of comrades over the esteem of society, as well as dehumanisation of “others” are all phenomena of group conformity that may lead combatants to commit acts they as individuals would perceive as immoral and wrong.
- **Obedience to authority,** including the importance of examples set by leaders; and lack of orders to obey the law as much as explicit orders to break it. In the DRC for example, combatants may be given days off to rape and pillage.
- **The spiral of violence:** Combatants who have taken part in hostilities are subject to trauma and humiliation and are prone to “lash out” and commit crimes against others. They see themselves as victims of violence as well.
- The progressive nature of **moral disengagement**, i.e., the gradual breakdown of cultural values by breaking taboos.

Related to this, Elisabeth Jean Wood<sup>9</sup> suggests four units of analysis that should be examined in order to explain why (and how) a certain armed group perpetrates sexual violence:

- The armed group leadership.
- The hierarchy of the armed group.
- The smaller units of the armed group, in which combatants have personal or face-to-face relations with each other.
- The individual combatant.

Looking at these different units of analysis, Wood finds that the relevant elements to examine at each level for explaining promotion or prevention of sexual violence by a given armed group are:

- Sanctions and norms constraining or endorsing sexual violence (norms should not be assumed to be static but seen as evolving over the course of the conflict).
- Access to civilians.

**C. The Strategic Rape Theory.** Considered by some as the most influential of the four, claiming that sexual violence is used to achieve strategic aims.

Robert Last<sup>10</sup>, Pratt and Werchick<sup>11</sup>, Thomas and Regan, and Leaning and Gingerich<sup>12</sup> belong in this category. Jennifer Leaning and Tara Gingerich<sup>13</sup> examine the strategic use of rape in war, and list the following reasons for why it may be seen as an effective tool to achieve military objectives:

- It **creates a sense of fear** in the civilian population and restricts freedom of movement and economic activity.
- It can **instil flight** which facilitates the capture of land and killing of male civilians who are left more vulnerable to attack when fleeing.
- It **demoralises the population** and reduces their will to resist and prolongs their forced exit from the land.

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<sup>8</sup> Muñoz-Rojas, Daniel and Fresard, Jean-Jacques. *The Roots of Behaviour in War: Understanding and Preventing IHL Violations*. ICRC 2005

<sup>9</sup> Wood, Elisabeth Jean. *Sexual violence during war: toward an understanding of variation*. Draft manuscript, to be published in 2008.

<sup>10</sup> Last, Robert. *An examination of the usage of systematic sexual violence as a weapon of warfare and tool of repression in non-international armed conflicts*. University of Nottingham, 2000.

<sup>11</sup> Pratt, Marion and Werchick, Leah. *Sexual Terrorism: Rape as a Weapon of War in Eastern Democratic Republic of Congo: An assessment of programmatic responses to sexual violence in North Kivu, South Kivu, Maniema, and Orientale Provinces*. USAID, 2004

<sup>12</sup> Leaning, Jennifer and Gingerich, Tara. *The Use of Rape as a Weapon of War in the Conflict in Darfur, Sudan*. Program on Humanitarian Crises and Human Rights, Harvard School of Public Health, 2005.

<sup>13</sup> Ibid.

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- It **tears communities apart** by breaking family and community bonds (thus diminishing the reproductive capacity of the community) and by “pollution” of the blood line.
- It is **a strategy to encourage aggression**: commanders can utilise tolerance of rape to “accelerate brutality in attacks of their troops against the enemy.”

In addition to these reasons, the authors also refer to other explanations for the use of rape in conflict:

- Rape as a **reward or spoil of war**.
- Rape as a **boost to morale**: providing troops with access to sexual relations in order to improve troop morale.
- Rape as **punishment or as an outlet for rage**. Isolated instances of atrocities committed against civilians, involving civilian massacres or rapes or both, have been reported throughout the history of war. Explanations vary with circumstances but key themes appear to be the underlying brutality of the battle, chronic dehumanization of the enemy, and failures of command to contain feelings of acute rage and hatred.

Leaning and Gingerich, as well as Wood, also suggest circumstances where an armed group will find it in its strategic interest to *prohibit* sexual violence towards civilians, especially if the armed group depends on civilians for information, food and protection, or aims to govern that group of civilians when the conflict ends.

**D. The Biosocial Theory** - that sexual desire is the main motivation for rape, but is regulated by socio-cultural factors.

Jonathan Gottschall<sup>14</sup> cites Thornhill and Palmer<sup>15</sup> as the main theorists representing this school of thought. They hold that given the cross-cultural and cross-historical prevalence of sexual violence in war, and given that the primary victims of wartime (and peacetime) rape are women at “peak physical attractiveness”, they conclude that a prominent motive for wartime rape is **the sexual desire of individual fighters**.

Gottschall argues however, that “the variability of wartime rape across conflicts and the fact that many soldiers with the option to rape apparently choose not to, decisively rules out the view of wartime rape as a blind genetic drive that is, and ever will be, expressed when men meet to fight and kill. This **variation is best explained as a result of socio-cultural influences**.” He concludes that genetic and socio-cultural explanations cannot be seen as mutually exclusive alternatives.

**In conclusion**, we can see from the above, as well as from the attached literature review, that few of the works referenced fit neatly into one of the theories mentioned above. Although having one main assumption or focus of study, they all mention a mix of strategic and opportunistic, individual and collective motives. They do, however, point us in the direction of developing a common framework or categories for comparing causes and methods of different manifestations of wartime sexual violence.

## Research Gaps

Elizabeth Jean Wood<sup>16</sup> reviews the variation in the prevalence and forms of sexual violence during war, and assesses the arguments advanced in the literature to explain this variation. She finds, as does Gottschall, that the theories advanced to date have inadequate explanatory power. She suggests the following research gaps:

- **Establish the patterns for variations in sexual violence**, including the relative frequency of different patterns. Groups or conflicts where sexual violence does not occur should not be neglected here. Wood suggests some key distinctions between such “negative cases”.

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<sup>14</sup> Gottschall, Jonathan. “Explaining Wartime Rape”. *Journal of Sex Research* 41, no. 2, May 2004

<sup>15</sup> Thornhill, R., & Palmer, C. *A natural history of rape*. Cambridge, MA: MIT Press, 2000.

<sup>16</sup> Wood, Elisabeth Jean. *Sexual violence during war: toward an understanding of variation*. Draft manuscript, to be published in 2008.

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- **Within-case contrasts**, especially where one party does not “mirror” the use of sexual violence by the other (e.g., more country-specific case studies). Studies of differences between sub-units of the same armed group would be an effective way of controlling for otherwise confounding variables. She also suggests comparing the internal dynamics of armed groups to other small-group dynamics where sexual violence sometimes occurs, such as fraternities, urban gangs and sports teams.
- **The study of perpetrators** of wartime sexual violence. Inger Skjelsbaek<sup>17</sup> suggests to build such studies on existing studies of peacetime perpetrators of sexual violence, as well as existing studies of perpetrators of other war crimes.
- The phenomenon of **“epidemic-like” sexual violence** - what triggers the escalation of sexual violence? Positive feedback mechanisms or escalating revenge are suggested as possible triggers. Wood also suggests looking at epidemiological models of analysis.

Wood also points to some findings that can be used to influence research questions:

- Armed groups with a high proportion of female combatants engage less in sexual violence. They are also identified as having high levels of internal discipline.
- Democracies rarely engage in widespread sexual violence.
- Men are targeted in some settings but not in others.
- There have been instances of female perpetrators of sexual violence.
- There is a growing literature looking at variation in training, in internal discipline, in sources of supplies, and other potential explanations of the observed variation in sexual violence and other human rights violations.

We have built on this to identify the following research gaps/ questions:

1. Developing a common framework or distinct categories to define the various reasons why rape and other forms of sexual violence are carried out against civilians in conflict may be useful to meaningfully compare motivation across conflicts, armed groups and units.
2. Look at the DRC as a case study of how sexual violence has reached epidemic-like proportions.
3. How can improved understanding of the causes of sexual violence in conflict be used to improve our prevention and response efforts?
  - It will be relevant to assess the effectiveness of current prevention efforts and to look at what lessons can be drawn from efforts to prevent general violations of international humanitarian law (IHL), work to prevent military-on-military sexual violence,<sup>18</sup> as well as work to prevent sexual violence in peacetime, to see how it can be applied to work specifically to prevent sexual violence in conflicts.
  - Christopher Horwood<sup>19</sup> also suggests looking to HIV prevention work to find potential prevention and behaviour-change strategies.
  - A recent Wilton Park conference has looked at different options for interventions by peacekeeping forces.<sup>20</sup> Further research on prevention can also build on that work.
4. Several of the articles reviewed warn against researching sexual violence separately from other human rights and IHL violations, and stress the need to look at how and why sexual violence is perpetrated in connection with other violent acts.

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<sup>17</sup> Skjelsbæk, Inger. *Why Rape? Perpetrators, Punishment and Social Narratives; A social psychological study of supranational criminal prosecution of sexual violence offenders from the former Yugoslavia*. Post-doc Proposal, International Peace Research Institute, Oslo (PRIO), February 2008

<sup>18</sup> See for example Hillman, Elisabeth. *Front and Center: Sexual Violence in U.S. Military Law* (Draft manuscript, n.d.)

<sup>19</sup> Horwood, Christophe. “Perpetrators and Motivation: Understanding Rape and Sexual Violence in War”. In *The Shame of War: Sexual Violence against Women and Girls in Conflict*, IRIN 2007.

<sup>20</sup> *Women Targeted or Affected by Armed Conflict: What Role for Military Peacekeepers? Summary Conference Report*. UNIFEM, DPKO, UN Action against Sexual Violence in Conflict, Wilton Park, Governments of UK and Canada, 2008.

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**Review of the Literature**

**Topic 1: Sexual violence in armed conflict – understanding the motivations**

No.	Author/Title/Source/URL	Abstract
1	<p>Baaz, Maria Eriksson Stern, Maria</p> <p><b><i>Why do Soldiers Rape: Gender, Violence and Sexuality in the DRC Army</i></b></p> <p>University of Gothenburg.</p> <p>Draft manuscript.</p>	<p>The article explores “the ways soldiers in the DRC speak about the horrific amount of rape committed by the armed forces in the recent war.... It focuses on the reasons that the soldiers give to why rape occurs.” The authors conclude that rape in the DRC cannot be explained “either as an unavoidable aspect of (African) warring or simply as a ‘weapon of war’.”</p> <p>Baaz and Stern cite the work of Cynthia Enloe (2000: 111-127) who outlines three main forms of “militarised” rape:</p> <ul style="list-style-type: none"> <li>• <i>Recreational rape</i>: a belief in men’s (heterosexual) biological need for sexual release underlies the rationale for this form of rape.</li> <li>• <i>National security rape</i>: used to punish, humiliate, torture, seemingly ‘subversive’ women for threatening national security (and identity) through their perceived challenges to the strictly defined notions of femininity and masculinity.</li> <li>• <i>Systematic mass rape</i>: an instrument of ethnically specific oppression and generalized terror which can be seen as a particularly effective means to humiliate (feminize) enemy men by sully ‘his’ women/nation/homeland, and proving him to be an inadequate protector</li> </ul> <p>However, the authors do not find that the testimonies of the soldiers they interviewed fit these categories. Rather, the soldiers identify two categories of rape:</p> <ul style="list-style-type: none"> <li>• lust rape: the “inevitable” consequence of what happens when a “real” man is deprived of the possibilities to have sex (no money and no leave). He must use force to embody that masculinity – even though partial and failed.</li> <li>• evil rape: not a reflection of sexual needs, but of frustrations arising from hunger, poverty, neglect and the craziness of war, and connected to abnormal and deviant masculinity of “a man totally emasculated by his sufferings and no longer using ‘his organ’.”</li> </ul>
2	<p>Chong, Sarah</p> <p><b><i>Rape as a Weapon of War</i></b></p> <p>Association of Women’s Rights in Development (AWID). December 2005</p> <p><u>Full Text Available at:</u></p>	<p>Chong presents the following possible explanations for sexual violence in armed conflict:</p> <ul style="list-style-type: none"> <li>• Opportunism resulting from the deterioration of protective police and legal systems.</li> <li>• Women suffer sexual violence “(...) due to their symbolic status and bearers of honour within the community.”</li> <li>• To assert dominance over the enemy: “(...)as women’s sexuality is perceived as being under the protection of the men of the community, its defilement is an act of domination in asserting power over the males of other communities or groups under attack”.</li> <li>• A means of torture: “(...) with the intent to degrade, intimidate and punish for actual or alleged actions.”</li> </ul>

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	<p><a href="http://www.awid.org/members/reports.php?id=31">http://www.awid.org/members/reports.php?id=31</a></p>	<ul style="list-style-type: none"> <li>• As a tool for ethnic cleansing: for example, forced impregnations aimed at destroying ethnic identities.</li> <li>• As a result of patriarchal and militaristic cultures which become exaggerated in situations of armed conflict. “The already present patriarchal hierarchies and values, intersect with those of militarisation which promotes the construction of gender relations that underlie war rape. Hence, women are viewed as the property of men which needs to be defended, whereby the chastity of women and paternity of children become the main driving points for the protection of women.”</li> </ul>
3	<p>Gottschall, Jonathan</p> <p><b><i>Explaining Wartime Rape</i></b></p> <p>Journal of Sex Research 41, no. 2 (May 2004)</p> <p><u>The full article is available at:</u> <a href="http://findarticles.com/p/articles/mi_m2372/is_2_41/ai_n6112867">http://findarticles.com/p/articles/mi_m2372/is_2_41/ai_n6112867</a></p>	<p>Finding that there is consensus among scholars studying sexual violence in warfare that “the only way to attack the problem of wartime rape is to identify and understand the factors and conditions that promote it”, Gottschall identifies four main theories for wartime rape:</p> <ol style="list-style-type: none"> <li>1. <i>The feminist theory</i>. States that misogyny in patriarchal societies is exacerbated by the promotion of aggression and violence during war.</li> <li>2. <i>The cultural pathological theory</i>. A nation’s or armed group’s history and culture is examined to find triggers for sexual violence.</li> <li>3. <i>The strategic rape theory</i>. Currently the most influential of the four, claiming that sexual violence is used to achieve strategic aims.</li> <li>4. <i>The biosocial theory</i>. Holds that sexual desire is the main motivation for rape, but is regulated by sociocultural factors.</li> </ol> <p>“While the first three theories emphasize different causal factors for wartime rape, they are firmly unified in their ability to decisively rule out sexual desire as a major causal factor. Moreover, proponents of the first three theories generally contend that rape in war is the result of social and cultural influences particular to given types of societies, and argue against explanations based upon "human nature." These theories differ only in the identification of which sociocultural factors are most responsible. On the other hand, the biosocial theory suggests that researchers must consider not only sociocultural factors but also the evolved sexual psychology of human males, and it emphasizes that sexual desire is likely to be a primary influence on a soldier's decision to rape.”</p> <p>Gottschall evaluates each of these theories according to the following criteria: first, <i>descriptive power</i> (is there good "theory/data fit?") and second, <i>parsimony</i> (does the theory account for information with the fewest numbers of assumptions and posits?). He concludes that while the first three theories all represent valuable contributions to understanding the issue, the biosocial theory is the one best fitted to explain the widespread perpetration of sexual violence in war, across time, culture and types of conflict, and the one with the highest likelihood of producing effective prevention strategies.</p>
4	<p>Hillman, Elizabeth L.</p> <p><b><i>Front and Center: Sexual Violence in U.S. Military Law</i></b></p>	<p><b>Looking at efforts to address military-on-military sexual violence</b> within the US armed forces, Hillman finds that:</p> <p>“Sexual violence is a fundamental problem in warfare and in military culture, both historically and in</p>

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	<p>University of California Hastings College of the Law. Draft Manuscript.</p>	<p>contemporary military operations. It is a problem, however, to which the U.S. armed forces have responded: with good-faith efforts to measure the damage, adapt law and policy, educate service members and commanders, and prosecute criminals. But those responses have largely failed, in part because of resistance within military institutions to cultural change, but also because the very structure of law in which those reforms operated was built on cases that see women as vulnerable yet dangerous, soldiers as male and overpowering, and accountability as a slippery slope rather than a clear-cut principle. More aggressive criminal prosecution of military sexual violence through current models, which dramatically under-prosecute male-on-male assault, threatens to exacerbate this problem by portraying yet more women as victims and yet more soldiers as rapists.”</p>
<p>5</p>	<p>Horwood, Christopher</p> <p><b><i>Perpetrators and Motivation: Understanding Rape and Sexual Violence in War</i></b></p> <p>in IRIN, <i>the Shame of War: Sexual Violence against Women and Girls in Conflict</i>. (2007)</p> <p><u>The full publication will be available at: <a href="http://www.irinnews.org/IndepthMain.aspx?IndepthId=53&amp;ReportId=71974">http://www.irinnews.org/IndepthMain.aspx?IndepthId=53&amp;ReportId=71974</a></u></p>	<p>Horwood examines several academic articles as well as reports from human rights organisations to provide an overview of the different attempts at understanding motivations for sexual violence in conflict.</p> <p>On the one hand, the author claims that “rape in war routinely serves a strategic function ... for achieving particular military objectives”, and is implemented with tacit or explicit approval of political and military leaders, to:</p> <ul style="list-style-type: none"> <li>• punish (the individual or social group)</li> <li>• intimidate (the individual or social group)</li> <li>• destabilise and/or demoralise communities</li> <li>• drive people from their land (such as in Rwanda where rape was used as a means of genocide)</li> </ul> <p>In Rwanda the consequences of rape were exacerbated by a high HIV infection rate in the rape survivors, as was the case for Acholi women raped by LRA soldiers in Northern Uganda. The women complained that spread of HIV was an intentional strategy, and therefore one of the motivations behind the rapes. However, Horwood does not find any evidence that this was actually the case.</p> <p>Horwood refers to Allen (Rape Warfare, 1996) who cites a Serbian military strategy document according to which the decisive targeting of women and children was considered to be key in forcing Bosnian to leave their areas of residence. Horwood argues that orders to target women and children as a means of instilling flight increased the soldiers’ brutality as they knew that news of their actions would travel to the surrounding villages. He also holds that is important to look at rape as one of many expressions of violence against civilians; one that is often carried out in a context of violence and human rights violations directed towards whole families or villages.</p> <p>On the other hand, Horwood also maintains that opportunity, rising from a destruction of norms and accountability, combined with male libido and a culture of machismo, also helps to explain sexual violence in conflict. The use of “bush wives” is a clear example of sexual abuse that is prevalent in conflicts but not motivated by military strategy. Horwood claims that: “in the absence of a particular military strategy, rape tends to be more common amongst armies/ armed groups that lack discipline or operate in small groups with more independence and lower accountability to command structures”.</p>



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		<p>Horwood cites how Groth and Birnbaum (Men Who Rape, 1980) identify 3 groups of (peacetime) rapists, with separate primary motivations, namely those who use rape to:</p> <ul style="list-style-type: none"> <li>• Exert power, and express mastery, strength, control and authority.</li> <li>• Express and discharge anger and rage: to defile, degrade and humiliate the victim. Often more brutal than “power rape”.</li> <li>• Punish and destroy the victim for sadistic reasons, a combination of the previous two.</li> </ul> <p>Horwood raises the question of whether these categories apply to soldiers, with the high levels of power and impunity that they enjoy in a conflict situation. They suggest that in a combat situation these three categories merge as soldiers are “encouraged to indulge in emotions of anger, power, sadism and sexual opportunism.”</p> <p>He also cites Camille Paglia (Sexual Personae (1992)) who argues that it is a mistake to look at society as creating rapists through a patriarchal culture. She argues that the primary driving force for rape is sexual, and that society provides norms and rules to protect women from men’s desire to rape.</p>
6	<p>Last, Robert M.</p> <p><b><i>An examination of the usage of systematic sexual violence as a weapon of warfare and tool of repression in non-international armed conflicts.</i></b> Nottingham University, 2000 Full text available at: <a href="http://burmalibrary.org/docs/Bob-Last3.html">http://burmalibrary.org/docs/Bob-Last3.html</a></p>	<p>Last focuses on the use of sexual violence as both a weapon of warfare, i.e. in order to actively achieve a specific political or military objective, and as a form of heinous repression by which the civilian population is dominated, though in practice the distinction between the two concepts may be somewhat fine. Last argues that it is of the utmost importance to recognise that sexual violence may happen systematically; that it is deliberately planned or officially sanctioned by senior military or government figures for the achievement of a specific objective.</p>
7	<p>Leaning, Jennifer Gingerich, Tara</p> <p><b><i>The Use of Rape as a Weapon of War in the Conflict in Darfur, Sudan.</i></b></p> <p>Program on Humanitarian Crises and Human Rights, Harvard School of Public Health (2005)</p>	<p>Leaning and Gingerich argue that sexual violence is much more likely to be applied as a strategy in “highly communalized wars, where the division between civilian and combatant has collapsed and widespread hatred of an ethnic group has been allowed to prevail.” They argue that in conflicts between formal forces or where there is a perceived need to “win hearts and minds”; rape is not perceived as a useful military strategy: “In these settings, in fact, the use of rape is balanced against the likelihood that widespread rape will render troops unruly. Furthermore, widespread rape by one side in a conflict can galvanize the other side’s resistance.”</p> <p>The authors primarily examine the strategic use of rape in war, and list the following reasons for why it may be seen as an effective tool to achieve military objectives:</p> <ul style="list-style-type: none"> <li>• It creates a sense of fear in the civilian population and restricts freedom of movement and economic activity.</li> <li>• It can instil flight which facilitates the capture of land and killing of male civilians.</li> </ul>

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		<ul style="list-style-type: none"> <li>• It demoralizes the population and reduces their will to resist and prolongs their forced exit from the land.</li> <li>• It tears communities apart by breaking family and community bonds (thus diminishing the reproductive capacity of the community) and by “pollution” of the blood line.</li> <li>• It is a strategy to encourage aggression: commanders can utilise tolerance of rape to “accelerate brutality in attacks of their troops against the enemy.”</li> </ul> <p>In addition to these strategic reasons, the authors also refer to other explanations for the use of rape in conflict:</p> <ul style="list-style-type: none"> <li>• Rape as a reward or spoil of war.</li> <li>• Rape as a boost to morale: providing troops with access to sexual relations in order to improve troop morale.</li> <li>• Rape as punishment. Isolated instances of military atrocities committed against civilians, involving civilian massacres or rapes or both, have been reported throughout the history of war. Explanations vary with circumstances but key themes appear to be the underlying brutality of the battle, chronic dehumanization of the enemy, and failures of command to contain feelings of acute rage and hatred.</li> <li>• Rape reports to incite revenge. Reports of rape and abuse inflicted by enemy soldiers upon one’s countrywomen can be used to encourage aggression as revenge.</li> </ul> <p>Leaning and Gingerich also looks at the circumstances under which rape has been perpetrated by armed groups in Darfur:</p> <ul style="list-style-type: none"> <li>• In the days leading up to an attack: Surrounding the village, Janjaweed soldiers attack girls and women collecting water or firewood</li> <li>• During an attack on a village: Going from house to house, or rounding up everyone, killing the men and boys and raping the women and girls. Most rapes are committed in front of other members of the family and community. Many women and girls have also been abducted during an attack on their village, to be held captive and gang-raped for days.</li> <li>• In pursuit of women and girls fleeing the scene of attack. Fleeing women and children have often been left behind by the men in their village, as the latter are likely to be killed if caught whereas the women are more likely to be raped. There are, however, reports of sexual violence being directed towards men and boys as well, and the authors suggest that these cases are likely to be underreported.</li> <li>• In and around IDP camps. Both the Janjaweed and Sudanese forces, as well as those responsible for the protection of camps, have raped women and girls who left camps to collect water and firewood.</li> </ul>
8	<p>Muñoz-Rojas, Daniel Fresard, Jean-Jacques</p> <p><b><i>The Roots of Behaviour in War:</i></b></p>	<p>The article identifies 4 catalysts for committing atrocities that hold relevance to explaining motivations for sexual violence in armed conflict:</p> <ul style="list-style-type: none"> <li>• Group conformity: Dilution of individual responsibility, prioritising the esteem of comrades over the</li> </ul>

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	<p><b><i>Understanding and Preventing IHL Violations. ICRC 2005</i></b></p> <p>Full text available at: <a href="http://www.icrc.org/Web/Eng/siteeng0.nsf/htmlall/p0853/\$File/ICRC_002_0853.PDF!Open">http://www.icrc.org/Web/Eng/siteeng0.nsf/htmlall/p0853/\$File/ICRC_002_0853.PDF!Open</a></p>	<p>esteem of society and dehumanisation of “others” are all phenomena of group conformity that may lead combatants to commit acts they as individuals would perceive as immoral and wrong.</p> <ul style="list-style-type: none"> <li>• Obedience to authority, including the importance of examples set by leaders; and lack of orders to obey the law as much as explicit orders to break it. DRC example: days off to rape and pillage.</li> <li>• The spiral of violence: Combatants who have taken part in hostilities are subject to trauma and humiliation and are prone to “lash out” and commit crimes against others. They see themselves as victims of violence as well.</li> <li>• The progressive nature of moral disengagement, i.e., the gradual breakdown of cultural values by breaking taboos.</li> </ul>
9	<p>Olujic, Maria B. University of Zagreb</p> <p><b><i>Women, Rape, and War: The Continued Trauma of Refugees and Displaced Persons in Croatia</i></b></p> <p>Anthropology of East Europe Review Vol. 13, No. 1 Spring, 1995 Special Issue: Refugee Women of the Balkans</p> <p>Full text available at: <a href="http://condor.depaul.edu/~rrotenbe/aeer/aeer13_1/Olujic.html">http://condor.depaul.edu/~rrotenbe/aeer/aeer13_1/Olujic.html</a></p>	<p>Olujic notes that rape has been used as a tactic of terror in many wars. Rape was a weapon of terror as the German Hun marched through Belgium in World War I; gang rape was part of the orchestrated riots of Kristallnacht which marked the beginning of Nazi campaigns against the Jews. It was a weapon of revenge as the Russian Army marched to Berlin in World War II, it was used when the Japanese raped Chinese women in the city of Nanking, when the Pakistani Army battled Bangladesh, and when the American G. I.'s made rape in Vietnam a standard operating procedure aimed at terrorizing the population into submission.</p> <p>The author notes that in Bosnia-Herzegovina and Croatia, acts of rape were not only attacks against women but also humiliated the husbands, brothers, fathers, and sons of the victims because they demonstrated the men's inability to protect their women. This humiliation was especially intense in the Balkans where the honour/shame complex is so strong and female chastity is central to family and community honour.</p>
10	<p>Pratt, Marion, Werchick, Leah</p> <p><b><i>Sexual Terrorism: Rape as a Weapon of War in Eastern Democratic Republic of Congo: An assessment of programmatic responses to sexual violence in North Kivu, South Kivu, Maniema, and Orientale Provinces</i></b></p> <p>USAID - 2004</p> <p>Full Text Available at: <a href="http://www.peacewomen.org/resources/DRC/USAIDDCHADRC.pdf">http://www.peacewomen.org/resources/DRC/USAIDDCHADRC.pdf</a></p>	<p>Based on a three-week assessment, this report addresses rape and associated violence against civilians in the multiple regional and civil wars that have plagued the eastern provinces of the DRC.</p> <p>Perceived as a particularly effective weapon of war and used to subdue, punish, or take revenge upon entire communities, acts of sexual and gender-based violence have increased over time. They have comprised individual rapes, sexual abuse, gang rapes, genital mutilation, and rape-shooting or rape-stabbing combinations, at times undertaken after family members have been tied up and forced to watch. The perpetrators have come from among virtually all of the armies, militias and gangs implicated in the conflicts, including local bands and police forces that attacked their own communities.</p> <p>The authors also presents the work of Patricia Rozée (in Psychology of Women Quarterly, vol.17, 1993) who has identified various categories of rape, albeit in peacetime, including:</p> <ul style="list-style-type: none"> <li>• punitive rape (used to punish to elicit silence and control);</li> <li>• status rape (occurring as a result of acknowledged differences in rank—master/slave, nobleman/commoner; etc);</li> <li>• ceremonial rape (undertaken as part of socially sanctioned rituals or ceremonies);</li> </ul>

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		<ul style="list-style-type: none"> <li>• exchange rape (when genital contact is used as a bargaining tool or gesture of conciliation or solidarity);</li> <li>• theft rape (involuntary abduction of individuals as slaves, prostitutes, concubines, or spoils of war); and</li> <li>• survival rape (when young women become involved with older men to secure goods and/or services needed to survive).</li> </ul>
11	<p>Rand Corporation (no author listed)</p> <p><b>Gender-based violence and insecurity: Preliminary Recommendations Concerning Data Collection and Policy Formulation Based on the Example of the DRC.</b></p> <p>Presented a Wilton Park Conference: May 2008</p>	<p>The Rand article reviews the problem of sexual violence in the DRC. It extensively looks at the problem of data collection on the magnitude of the problem and provides a good critique of what is needed to strengthen data collection. On the issue of categories of rape, the article distinguishes three: “criminal rape”, “conflict-associated rape” and “rape with intent to inflict physical damage”. The Rand article argues the need to know the various motivations as each requires a different policy response and different support services for survivors. The Rand article also discusses six motives:</p> <ol style="list-style-type: none"> <li>1. a conscious desire to devastate the social fabric of the enemy</li> <li>2. feelings of extreme ethnic or political animosity</li> <li>3. an expression of perpetrators’ own dysfunctional, psychological disturbed and socially dislocated situation and their incomplete socialisation to the basic ethical standards</li> <li>4. lack of regard for the human status of women</li> <li>5. hostility and hatred towards women</li> <li>6. a general sexual impulse encouraged by a situation of impunity.</li> </ol> <p>Rand notes that the motives occur in combination. Beyond rape perpetrated by militias and other armed forces, criminals and opportunists also engage in rape.</p>
12	<p>Seifert, Ruth</p> <p><b>War and Rape. Analytical Approaches</b></p> <p>Women's International League for Peace and Freedom, 1992</p> <p><u>Full text available at:</u> <a href="http://www.wilpf.int.ch/publications/1992/ruthseifert.htm">http://www.wilpf.int.ch/publications/1992/ruthseifert.htm</a></p>	<p>Seifert argues that sexual violence is not sexually driven, but rather a sexual expression of aggression, aimed at humiliating and degrading the victim: “When trying to find out the reasons for rape, one comes upon a host of myths and ideologies. The most popular and probably most effective myth is that rape has something to do with an irrepressible male sexual drive which, if not restrained, will regrettably but inevitably have its way. In actual fact there are good reasons to assume that rape neither has very much to do with nature nor with sexuality. Rather, it is an extreme act of violence perpetrated by sexual means.”</p> <p>Taking as a point of departure “the establishment of camps in the middle of Europe, for the single purpose of committing rape and sexual torture” the author outlines five explanations of the function of rape in war:</p> <ul style="list-style-type: none"> <li>• War is presented as a ritualised, finely regulated game. Violence against women in the conquered territory is conceded to the victor in the immediate post-war period as one of the ‘rules’ of this game.</li> <li>• Abuse of women is perceived as an element of male communication. “Rape can be considered the final symbolic expression of the humiliation of the male opponent...it communicates from man to man...that the men around the women in question are not able to protect “their women”.</li> <li>• Rapes result from the masculinity associated with armed forces, which is exaggerated in times of conflict. Constructions of masculinity in armies become equated with power, and within this culture, the result is an inclination to perpetrate rape.</li> <li>• Rapes aim at destroying the opponent’s culture. According to this theory, women have special</li> </ul>

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		<p>significance in the existence of a community due to their central role as the mainstay of the family, through which continuity in the culture and the society is ensured. By striking at the heart of the community structure, the attacking side destroys its opposition.</p> <ul style="list-style-type: none"> <li>• Rape is culturally-rooted contempt of women that is acted out in times of crisis and thus rape results from a pre-existing animosity, which can be responded to with a high likelihood of impunity in times of war.</li> </ul>
13	<p>Skjelsbæk, Inger</p> <p><b><i>Why Rape? Perpetrators, Punishment and Social Narratives; A social psychological study of supranational criminal prosecution of sexual violence offenders from the former Yugoslavia.</i></b></p> <p>Post-doc Proposal, International Peace Research Institute, Oslo (PRIO), February 2008</p>	<p>With the overarching research question of “why rape and sexual violence was chosen over other actions (and violence), the focus in this project, planned for 2009-2011, is to study the male perpetration of sexual violence in war. The focus will be on the male perpetrators themselves and how they view their actions in hindsight and in light of their punishment. Through a focused study of a particular group of male perpetrators of violence in war; sexual violence offenders from the war in Bosnia-Herzegovina (1992-1995) who have been convicted for their crimes. Through looking at the outcome of international legal cases, she will also assess whether the court contributes to creating security for the future.</p> <p>Finding that the perpetrator has up until now been treated as a secondary character in the literature on sexual violence in war, Skjelsbæk will build on studies of male perpetration of sexual violence in peacetime, as well as studies of perpetrators of other crimes in armed conflict to better understand the motivations driving wartime perpetrators of sexual violence. Of the “drivers” of sexual violence suggested in the literature, she will specifically look at the masculinity of militarism. Of potential solutions to prevent future crimes of sexual violence, and re-establish law and order in a war-torn society, she will specifically look at the link between justice and individual and collective memory.</p>
14	<p>Thomas, Dorothy Q. Regan, Ralph E.</p> <p><b><i>Rape in War: Challenging the Tradition of Impunity.</i></b></p> <p>SAIS Review (Vol. 14) (1994), 82-99. The Johns Hopkins University Press. Re-printed on Human Rights Watch Web site.</p> <p>Full text available at: <a href="http://www.hrw.org/women/docs/rapeinwar.htm">http://www.hrw.org/women/docs/rapeinwar.htm</a></p>	<p>Thomas and Regan, while emphasising the political motivations for sexual violence in war, also mention some “opportunistic” motivations:</p> <p>Political/ strategic:</p> <ul style="list-style-type: none"> <li>• To drive a population from a territory.</li> <li>• To punish a group of civilians for perceived sympathies with armed insurgents.</li> <li>• To demonstrate the soldiers' domination over civilians, as well as men's assertion of their power over women.</li> <li>• Rape during interrogation to get information or frighten and intimidate an individual into complying with the wishes of her captors (The authors talk about female captives but evidence from the torture literature suggest that male captives/PoWs are subjected to similar treatment for similar reasons).</li> <li>• To impregnate women with children of mixed ethnicity.</li> <li>• To subjugate and inflict shame upon their victims, and, by extension, their victims' families and communities: “Soldiers can succeed in translating the attack upon an individual woman into an assault upon her community because of the emphasis placed—in every culture in the world—on women's sexual purity and the fact that societies define themselves, in overt or less clear-cut fashions, relative to their ability to protect and control that purity.”</li> </ul>

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		<p>Opportunistic:</p> <ul style="list-style-type: none"> <li>• Sexual gratification of the attacker/ spoil of war.</li> <li>• Rapists may also be motivated by the likelihood that their victims will not report the assault.</li> </ul> <p>While stressing the importance of documenting and understanding where and how sexual violence is used as part of a military strategy, Thomas and Regan warns against an overly strong focus on the scale of the problem: "The attention to rape's strategic function, however, has attached much significance to "mass rape" and "rape as genocide." This emphasis on rape's scale as what makes it an abuse demanding redress distorts the nature of rape in war by failing to reflect both the experience of individual women and the various functions of wartime rape."</p> <p><i>Prevention:</i> Looking specifically on the problem of impunity, Thomas and Regan find that "as a matter of law, rape is often perceived as harm against the community as symbolized by the woman's honour, and not as harm against the physical integrity of the victim herself. This characterization not only contributes to women being targeted for rape, but also reinforces their unwillingness to come forward and report it."</p>
15	<p>Vlachova, Maria Biaison, Lea</p> <p><b><i>Women in an insecure world: Violence against women, facts, figures and analysis</i></b></p> <p>DCAF, 2005</p> <p><u>Executive summary available at:</u> <a href="http://www.dcaf.ch/women/pb_women_ex_sum.pdf">http://www.dcaf.ch/women/pb_women_ex_sum.pdf</a> (full publication can be ordered on-line)</p>	<p>The authors present different forms of sexual violence in armed conflict and argue that some or all of them may be used as a method of warfare: rape, sexual assault, forced prostitution, sexual slavery, forced pregnancy. They argue that "(t)he manner of the sexual violence is often such as to maximise the humiliation of the victim and their family and community, and to ensure a level of powerlessness and fear that will remain entrenched." They list the following examples:</p> <ul style="list-style-type: none"> <li>• <i>Gang rape:</i> often as a spectacle, with involuntary (family, other victims, local population) and voluntary (military and militia) spectators;</li> <li>• <i>Sexual torture:</i> including rituals, mutilation and filming for pornography;</li> <li>• <i>Psychological torture:</i> such as being forced to sing songs or say prayers whilst being raped.</li> </ul> <p>The authors argue that motivations are very different when committed in "the heat of battle" compared to before or after battle, suggesting that categories of motivations for rape in peacetime cannot be directly transferred to situations of conflict.</p>
16	<p>Wood, Elisabeth Jean</p> <p><b><i>Sexual violence during war: toward an understanding of variation</i></b></p> <p>Draft manuscript, to be published in 2008.</p>	<p>Wood notes that while sexual violence occurs in all wars, it occurs to varying extents and takes distinct forms. The paper reviews the variation in the prevalence and forms of sexual violence during war, and assesses the arguments advanced in the literature to explain this variation. The author also cites six case studies, including cases where sexual violence has not been widely used (such as in the Israeli-Palestinian conflict) or used asymmetrically by the different parties to a conflict (such as in Sri Lanka and El Salvador). She explores the relationship between strategic choices on the part of armed group leadership, the norms of combatants, dynamics within small units, and the effectiveness of military discipline.</p> <p>Based on the six case studies, Wood finds that variation in prevalence and forms of sexual violence between conflicts can not be explained by the type of war (inter-/intrastate, inter-ethnic or secessionist), nor the intensity of conflict or other forms of violence against civilians. She also finds that individual causes proposed</p>

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	<p>in the literature (such as opportunism, revenge, masculine military cultures or break-down of patriarchal structures) do not by themselves explain this variation.</p> <p>Wood claims that the “effectiveness of an armed group’s command and control structure is particularly important for the effective prohibition of sexual violence.” She goes on to identify four units of analysis that should be examined in order to explain why (and how) a certain armed group engages in sexual violence:</p> <ol style="list-style-type: none"><li>1. The armed group leadership</li><li>2. The hierarchy of the armed group</li><li>3. The small unit in which combatants have face-to-face relations</li><li>4. The individual combatant</li></ol> <p>Looking at these different units of analysis she finds that the relevant elements to examine at each level for explaining promotion or prevention of sexual violence by a given armed group are:</p> <ol style="list-style-type: none"><li>1. Sanctions and norms constraining or endorsing sexual violence (norms should not be assumed to be static but seen as evolving over the course of the conflict)</li><li>2. Access to civilians</li></ol> <p>Based on this analytical framework, Wood proposes three hypotheses for further study:</p> <ol style="list-style-type: none"><li>1. Where armed groups depend on the provision of support (supplies, intelligence) from civilians and aspire to govern those civilians, they do not engage in sexual violence against those civilians if they have a reasonably effective command structure.</li><li>2. Where norms held by individual combatants and small units, either condemning or approving sexual violence, are the same and are also endorsed by the armed group’s leadership, sexual violence by that group will be either very low or very high, respectively.</li><li>3. If an armed group prohibits sexual violence against a particular population, the less effective the military discipline of the group, the more likely the combatants are to engage in sexual violence (unless they hold particularly strong norms against it).</li></ol> <p>To test these hypotheses she mentions training, bonding mechanisms and norms promoted in different military organisations as relevant elements to study. In addition, she points to findings that can influence how these hypotheses are approached:</p> <ul style="list-style-type: none"><li>• Armed groups with a high proportion of female combatants engage less in sexual violence. They are also identified as having high levels of internal discipline.</li><li>• Democracies rarely engage in widespread sexual violence</li><li>• Men are targeted in some settings but not in others</li></ul> <p>Wood proposes several areas that require additional research to better explain the variation in sexual violence across wars and armed groups:</p> <ul style="list-style-type: none"><li>• Establish the patterns for variations in sexual violence, including the relative frequency of different</li></ul>
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		<p>patterns. Groups or conflicts where sexual violence does not occur should not be neglected here. Wood suggests some key distinctions between such “negative cases”.</p> <ul style="list-style-type: none"> <li>• Within-case contrasts, especially where one party does not “mirror” the use of sexual violence by the other (e.g., more country-specific case studies). Studies of differences between sub-units of the same armed group would be an effective way of controlling for otherwise confounding variables. She also suggests comparing the internal dynamics of armed groups to other small-group dynamics where sexual violence sometimes occurs, such as fraternities, urban gangs and sports teams.</li> <li>• The study of perpetrators of wartime sexual violence.</li> <li>• The phenomenon of “epidemic-like” sexual violence - what triggers the escalation of sexual violence? Positive feedback mechanisms or escalating revenge are suggested as possible triggers. Wood also suggests looking at epidemiological models of analysis.</li> </ul>
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Additional recommended literature (not included in the review because of time constraints):

1. Allen, Beverly. *Rape Warfare: The Hidden Genocide in Bosnia-Herzegovina and Croatia*. Minneapolis, MN: University of Minnesota Press (1996)
2. Enloe, Cynthia. *Manoeuvres: The International Politics of Militarizing Women’s Lives*. Berkeley, University of California Press. (2000)
3. Mazurana, Dyan. *Women in Armed Opposition Groups in Africa and the Promotion of International Humanitarian Law*. Geneva Call (2005)
4. Rand: “Gender-based violence and insecurity: Preliminary Recommendations Concerning Data Collection and Policy Formulation”.
5. “Rape - The Female Body and a Signal and a Sign”, in Taipale, Ilkka (ed.) *War or Health? A Reader*, Zed Books, London (2002)
6. “Rape and War. First Analyses”, in Alexandra Stiglmayer (ed.), *Rape and War. The War Against Women*, Nebraska University Press (1993)
7. Seifert, Ruth, 1996. “The second front: the logic of sexual violence in wars.” *Women’s Studies International Forum* 1996 (1-4); 19:1-2: pp.35-43.
8. Skjelsbaek, Inger. “Sexual violence and war: mapping out a complex relationship.” *European Journal of International Relations*. 7(2), 2001: 211-238.
9. Vikman, Elisabeth “Sexual violence in warfare Part I Ancient Origins, Part II: Modern combat.” *Anthropology & Medicine*, Volume 12, Number 1, April 2005 , pp. 21-31 and pp. 33-46
10. Wood, Elisabeth Jean. “Variation in Sexual Violence during War”. *Politics & Society*, Vol. 34, No. 3, 307-342 (2006)

Other articles reviewed but not summarised here as they did not explore motivations for sexual violence:

1. Campanaro, Jocelyn, “Women, war, and international law: The historical treatment of gender-based war crimes”, *Georgetown Law Journal*, August 2001
2. Park, Jennifer, “Sexual Violence as a Weapon of War in International Humanitarian Law”, *International Public Policy Review*, June 2007