

TO DESTROY A PEOPLE: CONCEPTUALIZING MASS SEXUAL VIOLENCE AS A  
PRINCIPAL MODALITY OF GENOCIDE IN THE TWENTIETH CENTURY

by

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A THESIS

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## **An Abstract of the Thesis of**

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Throughout the twentieth century, mass sexual violence has been integral to genocidal campaigns, indicating that mass sexual violence is both a hallmark and weapon/means of genocide. This paper engages with eleven case studies from the twentieth century using both primary documentation of the occurrence and impact of mass sexual violence and secondary sources that analyze and discuss how gender and sexuality operate within war and genocide more broadly. Whereas previous scholarship and international law have included modalities of genocide that *could*, by interpretation, include mass sexual violence, this paper argues that weaponized mass sexual violence is an effective means of destroying identity both individually (at the micro level) but also collectively (at the meso and macro levels) and therefore must be included as a principal modality of genocide by definition in order to more accurately and effectively articulate genocide.

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## **Dedication**

I dedicate this work to the people of Palestine. Work in liberation is never over until all people are free from colonialism, apartheid, domination, and genocide. I hope this work is a small drop in the continued fight for a free Palestine in my lifetime.

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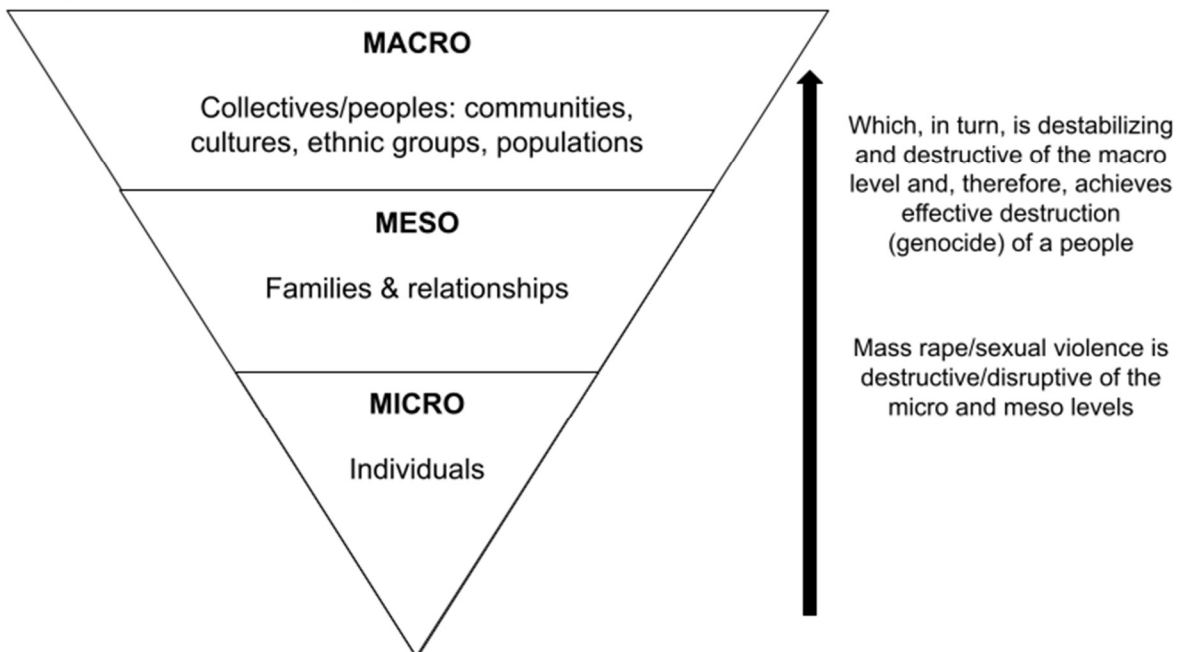
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## Introduction

Throughout the twentieth century, mass sexual violence has been integral to genocidal campaigns, making it both a hallmark and weapon/means of genocide. Whereas previous scholarship and international law have included modalities of genocide that *could*, by interpretation, include mass sexual violence, I argue that weaponized mass sexual violence is an effective means of destroying identity both individually (at the micro level) but also collectively (at the meso and macro levels) and therefore *must* be included as a **principal modality** of genocide **by definition** in order to more accurately and effectively articulate genocide.

How mass sexual violence acts as a modality of genocide by destroying collectives or peoples from the bottom up, micro and meso to macro levels



This thesis is divided into an introduction and three chapters which contextualize genocide, articulate the role of mass sexual violence within genocide, and ultimately argue for a new definition of genocide. In the introduction and first chapter, I provide an overview of evolving definitions of genocide to contextualize my work in the broader international and academic discussion of genocide. This critical review of scholarship on genocide illustrates what established definitions of genocide lack. Additionally, chapter one also includes an overview of works by legal scholar Catherine MacKinnon, Chicana historian Antonia I. Casteñeda, and genocide scholar Allison Ruby Reid-Cunningham to provide a summary of previous salient or analogous theoretical and analytical work. Their work informs and empowers my theoretical and analytical approach to the study of gender and genocide because it has established an academic foundation for the type of work I am doing. In chapter two, I establish the existence of mass sexual violence in genocidal campaigns in the twentieth century by collecting evidence from primary and secondary documents from perpetrators and victims of genocide, as well as national and international court/government documents pertaining to the eleven conflicts. Serving as case studies, my examination of each instance of genocide begins with a brief overview of the conflict as a whole and includes information regarding the victims, perpetrators, motives, death tolls, genocidal means, and historical, political, and/or ethnical contexts. Next, I delve into a robust articulation of primary evidence from survivors, witnesses, and perpetrators illustrating the existence, prevalence, modalities, and impacts of sexual violence within the larger genocidal conflict. Within this analytical presentation of evidence, I also argue that the sexual violence weaponized during each genocide is destructive of identity (on individual, collective, ethnic, racial, religious, familial and cultural levels) and therefore should be considered a genocidal act in the same way killing is. In the third and final chapter, I advocate for a new definition of

genocide which explicitly incorporates mass sexual violence as one of its determining acts or principal modalities. By doing so, mass sexual violence, by definition, would be an indication of genocide and constitute a violation of international law and human rights. This paper clearly illustrates why mass sexual violence — while colloquially understood as being a weapon of war and genocide — should be explicitly included in the definition of genocide to more accurately and effectively identify, categorize, and predict genocide.

The thesis employs a survivor-centered lens to combat historic epistemological silences created by the destruction, suppression, and exclusion of survivors' stories. The United Nations defines a survivor-centered approach to violence against women as one that “seeks to empower the survivor by prioritizing her rights, needs and wishes.”<sup>1</sup> In this work, I prioritize centering and believing survivors; while their testimonies are essential to each case study, I include them not solely to demonstrate and supports my arguments, but also to honor and create a platform for them. It is important to not treat survivors' stories as solely data points but also as demonstrations of their bravery, grit, and continued resilience – especially when analyzing or theorizing how and why sexual violence occurs. The term ‘survivor’ is generally considered to convey more dignity and agency than terms like ‘victim,’ ‘battered’ or ‘damaged women,’ etc.; as such, I mainly use ‘survivor,’ ‘victim,’ or ‘woman’ to refer to women who were sexually assaulted during genocide. The term ‘victim’ is applicable more in this work because the murder of women directly following their assault is especially common during genocide. Furthermore, it is important to note that the sexual violence during conflicts like genocide is significantly impacted by the context it is perpetrated within -- specifically, the threats of immediate death to survivors and their families and communities; the frequency of rape being used as a specific

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<sup>1</sup> June J. Ward, “Survivor-Centered Approach,” [www.endvawnow.org](http://www.endvawnow.org), 2010, <https://www.endvawnow.org/en/articles/1499-survivor-centred-approach.html>.

means for killing victims; the organized, systematic, or official nature of sexual violence; the prejudiced racialized, religious, ethnic, or community basis for and prevalence of rapes being perpetrated by both many attackers and against multiple victims concurrently are all considerably less typical and less frequent outside of genocidal rape. Of course, these types, motivations, and means of sexual violence do happen outside of war or genocide, but the massive scale with which they are employed is relatively unique and creates specific conditions within which genocidal aims are achieved. My overall intention with this work too is also grounded in a desire to center the experiences of survivors, to examine and understand how and why violence operates differently in relation to sex or gender, and to disrupt patriarchal epistemologies.

As the case studies illustrate, mass sexual violence is disruptive and destructive of survivors' identities at the individual (micro), familial or relational (meso), and community or collective (macro) levels. Mass rape most often enacts this disruption and destruction by brutalizing women individually, orchestrating their ostracization from their home communities, emasculating or symbolically castrating their men, symbolically changing or converting survivors' ethnic, racial, cultural, religious, or community identities, or by reproducing perpetrators' communities through forced impregnation. Within patriarchy rape illustrates material and symbolic domination or conquest over women, demonstrating both the power, authority, and masculinity of men who rape and the symbolic castration of men who ostensibly cannot protect their women from rape. Indeed, under patriarchy, rape always conveys symbolic power. Core to my analysis is the discussion of how genocide seeks to destroy a people while rape seeks to destroy an individual; when operating together at a mass scale, genocidal intent and mass rape are analogous.

## **Methodology**

In this work, I analyze evidence from primary sources in eleven case studies. For each of the eleven cases I collect similar information: historical, geographic, and political context, numbers and statistics illustrating loss of life, use of mass sexual violence, and/or population displacement, primary accounts of violence enacted and experienced during genocide, and when relevant, applicable, and/or available international or national legislation, court rulings, or tribunal documents. Primary sources, predominantly in the form of interview or testimonies from survivors and witnesses of genocidal rape, as well as perpetrators on rare occasions, primarily provide evidence of the existence, means, and impacts of mass sexual violence. Legal and humanitarian research and documentation provide further evidence. I analytically apply secondary sources, mostly in the form of journal articles, books and book chapters, news articles, and reports or legislation to the primary evidence. By intentionally using secondary source arguments to discuss primary evidence I improve my own argument and retroactively contextualize genocidal violence with a more contemporary understanding of how genocide occurs and how sexual violence operates. This evidence, together with my conception of how mass rape operates at three levels, micro, meso, and macro illustrates a clear need an updated and more effective definition of genocide that is distinct from existing definitions and is a crucial academic progression of understandings of how genocides operate, succeed, and destroy.

## Chapter One: Literature Review/Historiography

The 1948 Convention on the Prevention and Punishment of the Crime of Genocide (CCPPS) was largely a response to the atrocities documented during World War II and perpetrated by the Nazi Third Reich against Jewish and other “undesirable” groups in Europe and codified genocide as a crime under international law for the first time. At the time, there was no legal term that adequately described the type and scale of the atrocities seen during the Holocaust. The CPPCG codified the definition of genocide into international law in 1951. The word “genocide” was coined by Polish-Jewish lawyer Raphael Lemkin in his 1944 book *Axis Rule in Occupied Europe*. Lemkin argues that international law had previously only sought to punish individual crimes (crimes perpetrated against individuals), but a serious endeavor to “prevent and punish the murder and destruction of millions” is increasingly necessary.<sup>2</sup> Indeed, as Winston Churchill famously said in 1941, “we are in the presence of a crime without a name,” referring to Nazi violence.<sup>3</sup> Lemkin puts forth the term “genocide” made from the ancient Greek word “genos,” meaning race or clan, and the Latin suffix ‘cide,’ meaning killing; together, “genocide” was meant to convey the intent to exterminate a people. He further clarifies that genocide is “committed by the state or by powerful groups which have the backing of the state,” which necessitates international intervention because of the unlikelihood that a nation would prosecute itself.<sup>4</sup> The CPPCG definition asserts that “genocide means any of the following acts committed with intent to destroy, in whole or in part, a nation, ethnical, racial, or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to

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<sup>2</sup> Raphael Lemkin, “Genocide,” *The American Scholar* 15, no. 2 (1946): 227–30, <https://www.jstor.org/stable/41204789>, 227.

<sup>3</sup> Lemkin, 227.

<sup>4</sup> Lemkin, 228.

bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group.”<sup>5</sup> Significantly, Lemkin’s work differs from the UN’s formal definition by arguing that “intentional group annihilation” is a core aspect of genocide and by asserting that the “agent of annihilation” is the state rather than unspecified.”<sup>6</sup> Since the initial creation of the term and its international codification of its legal significance, definitions of genocide have shifted significantly

For instance, in Scott Straus’s 2001 “Contested Meanings and Conflicting Imperatives: A Conceptual Analysis of Genocide” he comprehensively outlined the various academic definitions and discussions in the genocide studies field. Although, he attempts to clarify a stronger and more comprehensive definition of genocide, I find that Straus failed to incorporate a distinct and dynamic discussion of the role of mass sexual violence in genocide. As such, a redefining of genocide is certainly useful in forgoing a middle ground among the varied and often conflicting definitions of genocide among genocide scholars but would be significantly strengthened by including a discussion of how mass sexual violence must be incorporated into genocide’s definition.

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<sup>5</sup> United Nations, “United Nations Office on Genocide Prevention and the Responsibility to Protect,” United Nations, 2024, <https://www.un.org/en/genocideprevention/genocide.shtml>.

<sup>6</sup> Scott Straus. “Contested Meanings and Conflicting Imperatives: A Conceptual Analysis of Genocide.” *Journal of Genocide Research* 3, no. 3 (November 2001): 349–75. <https://doi.org/10.1080/14623520120097189>, 350.

## **Genocidal modality as killing**

Most if not all definitions of genocide are grounded in the use of mass killing; indeed, most people think of murder as the first and foremost modality of genocide and many genocide and legal scholars agree. Pieter Drost defined genocide in 1959 as the “deliberate destruction of physical life of individual human beings by reason of their membership of any human collectivity as such.”<sup>7</sup> He identifies the mode of annihilation as simply killing. Leo Kuper defined genocide in 1981 as a “crime against a collectivity, taking the form of massive slaughter, and carried out with explicit intent” and the mode of annihilation as mass killing.<sup>8</sup> In 1994, Israel Charny defined it as the “mass killing of substantial numbers of human beings, when not in the course of military action against the military forces of an avowed enemy, under conditions of essential defenselessness and helplessness of victims.”<sup>9</sup> He too defines the mode of annihilation as mass killing. Frank Chalk and Kurt Jonassohn defined genocide in 1990 as “a form of one-sided mass killing in which a state or other authority intends to destroy a group, as that group and membership in it are defined by the perpetrator” and the mode as mass killing.<sup>10</sup> In 1999, Yehuda Bauer defined genocide as “a purposeful attempt to eliminate an ethnicity or a nation, accompanied by the murder of large numbers of the targeted group” and the modality as mass murder.<sup>11</sup> In 1988, Barbara Harff and Ted Gurr defined genocide as “the promotion and execution of policies by a state or its agents which results in the deaths of a substantial portion of a group” and identified killing as the mode.<sup>12</sup> Each of these authors do not expand their

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<sup>7</sup> Straus, 350.

<sup>8</sup> Straus, “Contested Meanings and Conflicting Imperatives,” 350.

<sup>9</sup> Straus, 351.

<sup>10</sup> Straus, 351.

<sup>11</sup> Straus, 352.

<sup>12</sup> Straus, 353.

definitions of genocide to include other modalities of genocidal destruction and as such imply that mass killing is the only codified modality of genocide.

### **Genocidal modality as physical destruction or cruelty**

Other scholars define genocidal modalities a bit more broadly while still, of course, grounding the definitions in mass killing. Helen Fein in 1990 defined genocide as “sustained purposeful action by a perpetrator to physically destroy a collectivity directly or indirectly, through interdiction of biological and social reproduction of group members, sustained regardless of the surrender of or lack of threat offered by the victim.”<sup>13</sup> She defines the mode of annihilation as physical destruction or interdiction of biological and social reproduction. To Henry Huttenbach in 1988, genocide is the “destruction of a specific group within a given national or even international population” and the mode is physical destruction.<sup>14</sup> Ervin Staub in 1989 saw genocide as “an attempt to exterminate a racial, ethnic, religious, cultural, or political group, either directly through murder or indirectly by creating the conditions that lead to the group’s destruction.”<sup>15</sup> To him, the mode of annihilation was either killing or destructive conditions. In 1999, Levon Chorbajian defined it as “initiated by authoritarian states, premeditated, involving great cruelty, and bringing about large numbers of deaths in absolute terms and deaths as a percentage of target populations.”<sup>16</sup> He identified the mode of annihilation as death or great cruelty. The inclusion of language that identifies “destruction” or “cruelty” most obviously refers to mass killing but significantly enables broader interpretations of how death or destruction of a targeted people can be pursued or enacted.

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<sup>13</sup> Straus, 352.

<sup>14</sup> Straus, “Contested Meanings and Conflicting Imperatives,” 354.

<sup>15</sup> Straus, 355.

<sup>16</sup> Straus, 353.

### **Genocidal modality as unspecified and varied**

Other scholars choose to leave the genocidal modality intentionally unspecified in their definitions. In doing so they leave ample space for both varied interpretations and changing understandings of how genocide operates. In 1997, Irving Louis Horowitz defined genocide as the “structural and systematic destruction of innocent people by a state bureaucratic apparatus,” but did not specify how annihilation was perpetrated.<sup>17</sup> To Steven Katz in 1994, genocide is “actualization of the intent, however successfully carried out, to murder in its totality any national, ethnic, racial, religious, political, social, gender, or economic group, as these groups are defined by the perpetrator, by whatever means”.<sup>18</sup> For Robert Melson in 1992, genocide is “a public policy mainly carried out by the state whose intent is the destruction in whole or in part of a social collectivity or category, usually a communal group, class, or a political faction.”<sup>19</sup> Melson did not specify the mode of annihilation specifically. While this openness to interpretation or change is useful, it risks lacking the specificity required to condemn specific actions.

### **Genocidal modality as more complex**

Definitions that leave modality as a complex set of practices are the strongest. In the 2010 *The Oxford Handbook of Genocide Studies* handbook, William A. Schabas argues that genocide is “first and foremost a legal concept.”<sup>20</sup> He also contextualizes the term with Chief United States Prosecutor at the Nuremberg Trials Robert Jackson’s outlining of genocide which was distributed to the Delegations at Beginning of London Conference in June 1945, which cited

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<sup>17</sup> Straus, 353.

<sup>18</sup> Straus, 354.

<sup>19</sup> Straus, 355.

<sup>20</sup> Donald Bloxham and Dirk A Moses, *The Oxford Handbook of Genocide Studies* (Oxford; New York, N.Y.: Oxford University Press, Cop., Rist, 2010). 123.

genocide as using means and methods such as “underfeeding,” “sterilization and castration,” clothing, shelter, fuel, sanitation, or medical care deprivation, deportation for “forced labor,” or forced labor in “inhumane conditions”.<sup>21</sup> Significantly, this outline within the context of international legal proceedings fails to center or even mention mass sexual violence as a modality of genocide.

Adam Jones’ 2006 work *Genocide: A Comprehensive Introduction* brings into question the broad nature of the UN definitions description of inflicting “serious bodily or mental harm,” and significantly draws attention to the Rwanda tribunal’s interpretation of it to include “acts of rape and mutilation.”<sup>22</sup> However, Jones correctly identifies this interpretation as just that — an interpretation — rather than a clear articulation that mass rape or sexual violence, while inflicting serious bodily or mental harm, should be given their own category as a fundamental categorical modality of genocide. Christian P. Scherrer’s 1999 essay clarifies that “the victims [of genocide in the twentieth century] were mainly among minority nationalities, non-dominant ethnic groups and indigenous peoples.”<sup>23</sup> Significantly, his work contextualizes genocide as inextricably linked with colonization. Indeed, he asserts that the largest genocidal action in modern history was committed by European nations against “American Indians, [...] Africans and against subjugated peoples in European colonies” as “genocide was an inherent part of general practice employed by virtually all European powers throughout the colonial period.”<sup>24</sup> Scherrer defines genocide as “actions carried out by a state or ruler with the intent to kill

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<sup>21</sup> Blozham and Moses,” 125.

<sup>22</sup> Adam Jones, *Genocide: A Comprehensive Introduction* (Abingdon, Oxon; New York, Ny: Routledge, 2016), 13-14.

<sup>23</sup> Allison Ruby Reid-Cunningham, “Rape as a Weapon of Genocide,” *Genocide Studies and Prevention* 3, no. 3 (December 2008): 279–96, <https://doi.org/10.3138/gsp.3.3.279>. 13

<sup>24</sup> Reid-Cunningham, “Rape as a Weapon of Genocide,” 14-15

systematically a particular community or social collectivity, resulting in destroying the targeted group in whole or in part.”<sup>25</sup>

Scott Straus claims that genocide has a “strong European prototype,” referencing the Nazi campaigns of mass violence and killing during the World War II which, led to Lemkin inventing the word “genocide.”<sup>26</sup> Further, Straus argues that genocide is synonymous with human evil and has “an ineluctable and powerful moral connotation”<sup>27</sup>. He pays particular attention to the modality, “subject” or perpetrator, and “object” or victimized group. He argues that in order to analyze genocide, one must consider these three variables. These definitions are strong in that they conceptualize genocide as complex and fluid in its modality, but they fall short by failing to specifically include mass sexual violence as part of that nuanced definition.

### **Preliminary discussions of genocidal modality incorporating mass sexual violence**

Indeed, scholars in other fields have intervened with critical analysis of how mass sexual violence operates within larger systems of power, oppression, and domination. In genocide studies Allison Ruby Reid-Cunningham’s 2008 work “Rape as a Weapon of Genocide” explores the effects of mass sexual violence in war extensively. Her work conceptualizes this form of sexual violence as destructive of target populations and begins a broader discussion of genocidal rape.<sup>28</sup>

Castañeda articulates in her 1993 “Sexual Violence in the Politics and Policies of Conquest: Amerindian Women and the Spanish Conquest of Alta California” that sexual

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<sup>25</sup> Reid-Cunningham, 15

<sup>26</sup> Straus, “Contested Meanings and Conflicting Imperatives,” 359

<sup>27</sup> Straus, “Contested Meanings and Conflicting Imperatives,” 359

<sup>28</sup> Allison Ruby Reid-Cunningham, “Rape as a Weapon of Genocide,” *Genocide Studies and Prevention* 3, no. 3 (December 2008): 279–96, <https://doi.org/10.3138/gsp.3.3.279>, 13.

violence, while not an official policy of conquest and colonization in Alta California, was effective as such because it controlled, terrorized and destabilized Indigenous identity and culture. The work was featured in *Building with Our Hands: New Directions in Chicana Studies*.<sup>29</sup> Significantly, Castañeda was the first historian of U.S. West / Chicana Studies to articulate sexual violence's role *and* its inclusion as a policy of conquest/colonization. Similarly, I am calling for sexual violence to be included as a policy of genocide. Her work is analogous to mine and will provide a crucial framework for my own application of sexual violence as a policy of genocide.<sup>30</sup> In her 1997 piece, "Engendering the History of Alta California," she critically articulates how gender and sexuality operate in conjunction with colonization and violence.<sup>31</sup> My work builds on Castañeda's conceptualization of how colonization was enacted upon Indigenous women's bodies to effectively destabilize and destroy native communities and collective identities. My work follows in her conceptual tradition of conceptualizing sexual violence as a modality of conquest by arguing that mass sexual violence operates in an analogous way to its function in genocidal campaigns, with the end result being genocidal destruction of collectives via attacks on individual women's bodies.

### **Towards a new definition of genocidal modality**

To Straus and to Lemkin, modality is a "crucial dimension for determining cases of genocide," but their conception, along with the preexisting literature on genocide, fail to define mass sexual violence as a modality of genocide on par with mass killings or pogroms, for

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<sup>29</sup> Adela de la Torre and Beatriz M. Pesquera, eds., *Building with Our Hands: New Directions in Chicana Studies* (Univ of California Press, 1993).

<sup>30</sup> Antonia I. Castañeda, "Chapter 2. Sexual Violence in the Politics and Policies of Conquest: Amerindian Women and the Spanish Conquest of Alta California," *Sexual Violence in Conflict Zones*, December 31, 2011, 39–55, <https://doi.org/10.9783/9780812204346.39>.

<sup>31</sup> Antonia I. Castañeda, "Engendering the History of Alta California, 1769-1848: Gender, Sexuality, and the Family," *California History* 76, no. 2-3 (1997): 230–59, <https://doi.org/10.2307/25161668>.

example.<sup>32</sup> Straus argues that the 1998 United Nations International Criminal Tribunal for Rwanda (ICTR) which sought to adjudicate people charged for perpetrating the Rwandan Genocide, determined rape was a mode of genocide, yet internationally recognized definitions still fail to include rape as a modality of genocide let alone as a principal modality.<sup>33</sup> Further, this ruling does not condemn or articulate rape as a modality of genocide because of its ability to destroy people individually as well as in collectivity or community with their group. Rather, the decision rules rape as a modality of genocide as a method “of preventing births within a target group” or as a method to inflict “serious bodily and mental harm.”

My work, alternatively, argues that mass sexual violence is a modality and weapon of genocide in that it disrupts and destroys victims’ individual sense of identity as well as their belonging, relationality, and collectivity within the victimized group — as such, mass sexual violence does, in effect and intention, serve to destroy a people.<sup>34</sup> Straus also clarifies that “during a genocide, the agent of violence, not the victim, defies group membership.”<sup>35</sup> For this reason, my paper will utilize either the term *collectivity* or *a people* when referring generally to victims of genocidal campaigns; almost always the actual group characteristics, similarities, differences, homogeneity, etc. do not necessarily matter to the perpetrators so long as they identify their victims as a group.

MacKinnon’s work asserts that “looking back at the Holocaust after Bosnia can reconfigure aspects of its history that had previously formed no clear pattern”<sup>36</sup>. This conceptual framework operates well within my proposed redefinition of genocide. In this example, for

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<sup>32</sup> Straus, “Contested Meanings and Conflicting Imperatives,” 361.

<sup>33</sup> Straus, 364

<sup>34</sup> Straus, 373

<sup>35</sup> Straus, 366

<sup>36</sup> Catharine A Mackinnon, *Are Women Human?: And Other International Dialogues* (Cambridge, Mass.: Belknap Press Of Harvard University Press, 2006), 212.

example, since sexual violence was not cited in the international condemnation of Nazi brutality, sexual violence was not seen as a hallmark or means of that genocide. By superimposing a new lens or restructuring the definition of genocide to explicitly include a sexual component, a bloody trail emerges from the historical record. Additionally, her work examines how rape operates at a micro and macro level; by utilizing her analysis of how rape destroys identity, community, and belonging at both levels, this paper further illustrates how mass rape constitutes genocide, why it is effective, and how it has been systematically/organizationally employed in the eleven case studies I discuss.

Throughout the twentieth century, mass sexual violence has been integral to genocidal campaigns, indicating that mass sexual violence is both a hallmark and weapon/means of genocide. As such, mass sexual violence should be both included in the international definition of genocide and should be closely monitored to predict and identify potentially genocidal campaigns.

## Chapter Two: The Cases

### Genocides in the African Continent

#### *The Rwandan Genocide*

On November 15, 1884, Rwanda was assigned to Germany by the Berlin Conference of 1844 as a part of German East Africa. Germany maintained the preexisting hierarchy in which minority Tutsi chiefs ruled over the majority of lower-class Hutus. During World War I, control over Rwanda was transferred to Belgium, who continued to rule indirectly through their control over Tutsi kings. In 1932, Belgium issued identity cards that distinguished between Hutu farmers (roughly 85% of the population), the Tutsi ruling class who retained most of the political power (roughly 14% of the population), and Twa, (about 1% of the population) who were marginalized hunter-gatherers or potters.<sup>37</sup> After World War II, Rwanda became a UN trust territory that was still governed by Belgium. Throughout colonial rule, tensions between the Hutus and the Tutsis simmered; Belgium favored the Tutsis and gave them access to western-style education and political power while the Hutus continued to be oppressed and impoverished. In 1959, Hutus rebelled against the Tutsi elite and Belgian colonial power, causing roughly 150,000 Tutsis to flee to Burundi.

Rwanda gained independence in 1962 and established a republic in place of the now abolished monarchy; with Belgium withdrawing and Rwanda and Burundi now separate and independent countries, Tutsis largely fled to Burundi where they remained in power as ethnic tensions mounted between Hutus and Tutsis. The Republic of Rwanda became a UN Member State that same year. In 1963, some 20,000 Tutsis were killed in Rwanda when exiled Tutsis

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<sup>37</sup> United Nations, "Outreach Programme on the Rwanda Genocide and the United Nations," United Nations, 2019, <https://www.un.org/en/preventgenocide/rwanda/historical-background.shtml>.

from Burundi attacked the Republic. As such, by the mid-1960s only about half of the Tutsi population still lived in Rwanda.<sup>38</sup> Juvénal Habyarimana, a Hutu army chief achieved a successful and peaceful coup in 1973. With his new power he set up a one-party state and instituted employment ethnic quotas. Under his administration all citizens were required to belong to the newly founded Republican Movement for Democracy and Development (MRND). Essential in the formation of the conditions of genocide was Habyarimana's somewhat moderate political leanings, pro-Hutu policies and discriminatory treatment of Tutsis. The Rwandan Patriotic Front (RPF), made up of mostly Tutsi exiles in Uganda, formed in 1987. Meanwhile, in 1990, the Rwandan army began to arm and train civilian militias called Interahamwe, meaning "those who stand together". The Interahamwe formed in larger part to ensure continued Hutu power, and therefore, suppression of Tutsi uprising. These militias perpetrated numerous massacres that killed thousands of Tutsis and widely persecuted opposing politicians and journalists in the following three years. Further, after a 1990 invasion of RPF fighters into Rwanda from Uganda, Tutsis living in Rwanda as well as Hutu members of opposing parties were all labeled as traitors and accomplices to the RPF regardless of actual ties or sympathies.

In 1993, amid the violence, the UN Security Council called for a ceasefire between the Government of Rwanda and the RPF. However, tensions continued to boil over as the Radio Télévision Libre des Mille Collines began to widely broadcast racist propaganda that demonized and dehumanized Tutsis, moderate Hutus, the UN, and Belgians; because the program was one of the most widely listened to radio stations, it is generally considered to have played a large role in producing conditions under which genocide could occur. The Arusha Accord signed in August of 1993 signaled an ostensible end to the civil war and an

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<sup>38</sup> United Nations, "Outreach Programme on the Rwanda Genocide and the United Nations".

accompanying UN peacekeeping mission (S/RES/872 1993) which deployed roughly 2,500 UN military personnel who aimed to help facilitate a peaceful resolution to the fighting.<sup>39</sup> However, on April 6, 1994, a plane carrying President Habyarimana of Rwanda and President Ntaryamira of Burundi was shot down in Kigali by an entity who is still unknown and whose allegiance is highly disputed. That night, Interahamwe militia began creating roadblocks and going house to house identifying and slaughtering Tutsis and Hutu politicians who were perceived to be moderate or sympathetic to Tutsi causes. Additionally, Prime Minister Agathe Uwilingiyimana and 10 Belgian UN peacekeepers were murdered, resulting in Belgium and other countries withdrawal from Rwanda. Thus began the genocide of Tutsis. Over the next 100 days approximately 1 million Tutsis and moderate Hutus were slaughtered,<sup>40</sup> and between 250,000 and 500,000 women were raped or sexually assaulted.<sup>41</sup> In June of 1994 the UN Security Council authorized military force in “Operation Turquoise” to assist the RPF in ending the genocide. On July 19<sup>th</sup> of 1994, led by Paul Kagame, the RPF gained control of the country and forced the Hutu government to flee to Zaire.

Later that year the UN Security Council established the International Criminal Tribunal for Rwanda (ICTR). Meanwhile, as Rwanda rebuilt its infrastructure, roughly 100,000 genocide suspects awaited trial (2000).<sup>42</sup> In an historic 1998 decision, the ICTR convicted former Taba mayor Jean-Paul Akayesu of genocide; this ruling was the first ever international conviction of genocide and the first time that rape or sexual assault were determined to constitute acts of

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<sup>39</sup> The United Nations Security Council , “Resolution 872 (1993) /: Adopted by the Security Council at Its 3288th Meeting, on 5 October 1993.,” Digitallibrary.un.org, October 5, 1993, <https://digitallibrary.un.org/record/197341?ln=en&v=pdf>.

<sup>40</sup> Lemarchand René, “Rwanda: The State of Research | Sciences Po Mass Violence and Resistance - Research Network,” [rwanda-state-research.html](http://rwanda-state-research.html), January 26, 2016, <https://www.sciencespo.fr/mass-violence-war-massacre-resistance/en/document/rwanda-state-research>.

<sup>41</sup> Binaifer Nowrojee, “Shattered Lives: Sexual Violence during Rwandan Genocide and Its Aftermath,” [www.hrw.org](http://www.hrw.org), 1996, <https://www.hrw.org/legacy/reports/1996/Rwanda.htm>.

<sup>42</sup> United Nations, “Resolution 872 (1993)”.

genocide.<sup>43</sup> In 2002, the Rwandan government implemented a participatory justice system known as Gacaca which all Rwandans were legally required to participate in and which sought to pursue community healing by involving all Rwandans in the pursuit of justice and remediation.<sup>44</sup> The Gacaca courts, a transitional justice system used in Rwanda after the genocide, of which there were more than 12,000, closed in 2012 after trying more than 1.9 million genocide cases; roughly 65% of those cases ended with a guilty ruling.<sup>45</sup> Also in 2012 the ICTR convicted former government minister Augustin Ndirakobuca of “direct and public incitement to commit genocide and rape as crime against humanity.

Mass rape was used widely in the conflict. It was used to contribute “to the destruction of the Tutsi group as a whole.”<sup>46</sup> Some estimates place the number of women and girls who were raped at 100,000 to 250,000,<sup>47</sup> while others argue the number may be much higher, some even estimating as high as 500,000.<sup>48</sup> The violence was found by the ICTR to be organized and administered by governmental bodies. For example, one former mayor, Sylvestre Ntibangira, was convicted of using rape as a weapon of war; during the genocide he announced through a megaphone that “all Tutsi women were to be raped and “sexually degraded.”<sup>49</sup> Importantly, his call to use rape signifies the power that authority had to enact violence in the pursuit of destroying Tutsis as a collective.

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<sup>43</sup> Chile Eboe-Osuji, “Rape as Genocide: Some Questions Arising,” *Journal of Genocide Research* 9, no. 2 (June 2007): 251–73, <https://doi.org/10.1080/14623520701368669>, 251.

<sup>44</sup> Judith Rafferty, “‘I Wanted Them to Be Punished or at Least Ask Us for Forgiveness’: Justice Interests of Female Victim-Survivors of Conflict-Related Sexual Violence and Their Experiences with Gacaca,” *An International Journal* 12, no. 3 (2018): 95–118, <https://digitalcommons.usf.edu/cgi/viewcontent.cgi?article=1556&context=gsp>, 100.

<sup>45</sup> United Nations, “Resolution 872 (1993)”.

<sup>46</sup> Rafferty, “I Wanted Them to Be Punished or at Least Ask Us for Forgiveness,” 96.

<sup>47</sup> United Nations, “Outreach Programme on the Rwanda Genocide and the United Nations”.

<sup>48</sup> Adam Jones, “Gender and Genocide in Rwanda,” *Journal of Genocide Research* 4, no. 1 (March 2002): 65–94, <https://doi.org/10.1080/14623520120113900.81>.

<sup>49</sup> Leslie Alan Horvitz and Christopher Catherwood, *Encyclopedia of War Crimes and Genocide* (New York: Facts on File, 2006), 375.

Part of what made mass sexual violence an effective means of genocide was its ability to attach “social stigma” to its survivors.<sup>50</sup> One survivor testified that her community would “ridicule” and blame her for her assault, while another recalled that “people took it as if [she] was a prostitute.”<sup>51</sup> Given the “derogatory attitudes of both men and women towards survivors of rape” that are “deeply entrenched in Rwanda,”<sup>52</sup> survivors were widely “isolated from their communities” and humiliated and ridiculed by them “including their own families.” Indeed, survivors testified that their husbands left them upon discovery of their violation.<sup>53</sup> One witness testified that women who were “left for dead by those who had raped her, had indeed been killed in a way,” again illustrating the destructive power of rape on individuals and communities.<sup>54</sup> Further, Hutu perpetrators, knowing the social stigma surrounding rape, intentionally mass raped or gang raped women in public or in front of others to symbolically strip them of the Tutsi identity and facilitate the conditions of their exile from their families and communities. One survivor was raped in front of a group of schoolboys,<sup>55</sup> one in front of her mother and other women,<sup>56</sup> and another was gang raped in front of her entire community<sup>57</sup>.

Perpetrators knew the power that rape possessed in destroying their targets. As such, “rape was the rule and its absence its exception.”<sup>58</sup> One military leader, Théoneste Bagosara, wrote that Hutu men who were married were highly sought after in the military because they “have something to defend”.<sup>59</sup> What is clear here is the symbolic male ownership over females,

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<sup>50</sup> Rafferty, 97.

<sup>51</sup> Rafferty 108.

<sup>52</sup> Rafferty 100.

<sup>53</sup> Rafferty 108.

<sup>54</sup> Catharine A Mackinnon, *Are Women Human.*, 227.

<sup>55</sup> Rafferty 106

<sup>56</sup> Rafferty 107

<sup>57</sup> Rafferty 108

<sup>58</sup> Jones, “Gender and Genocide in Rwanda,” 81.

<sup>59</sup> Jones, 68.

and, in turn, the symbolic potential for both emasculation of victim males and ethnic destruction of their women. Men's ostensible ownership of their wives heightened the symbolic meaning of rape; if other women could be symbolically destroyed by rape so too could their own. Therefore, by applying a similar understanding to the domination and destruction of perceived enemy women to their own the men were compelled to fight even harder to protect their women. Furthermore, in line with the "patriarchal character of Rwandan society," Tutsi women were widely seen as less than their male counterparts and, as such, "capable of being "liberated" from their ethnicity by rape."<sup>60</sup> Castañeda articulates the root phenomenon at play here well. She argues that biological sex "places women in opposition and in a subordinate position relative to men" and that the political and economic dimensions define women's "sexual morality and gender value to her sociopolitical (religion, race, class) status".<sup>61</sup> In this case her argument is substantiated as Tutsi women's sociopolitical status', in this case ethnicity, are clearly changeable because their sexual morality and gendered value are dependent/contingent upon superior or dominant male definition. When a Tutsi woman is raped, her sexual morality is undermined and gendered value in her home community is disrupted, and her sociopolitical status is symbolically conquered to the perpetrators side. Sexual violence is destructive to individual identities and, indeed, survivors described themselves as "living in sorrow,"<sup>62</sup> "stripped" of their "dignity," and "mentally broken."<sup>63</sup> However, their articulation that that they believed it to be "the end for the Tutsis"<sup>64</sup> and the general social understanding that rape

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<sup>60</sup> Jones, 75.

<sup>61</sup> Castañeda, "Sexual Violence in the Politics and Policies of Conquest," 33.

<sup>62</sup> Rafferty 107.

<sup>63</sup> Rafferty 110.

<sup>64</sup> Rafferty, "I Wanted Them to Be Punished or at Least Ask Us for Forgiveness," 107.

symbolically destroys or changes a woman's Tutsi ethnic identity illustrate how rape operates destructively toward collective identity as well.

Further, perpetrators often verbally articulated the symbolic meaning of their sexual violation of Tutsi women. One survivor recalls her rapist telling her to “choose between death and marriage [rape] to a Hutu Interahamwe.”<sup>65</sup> Other survivors testified that racial slurs were frequently thrown at them while assaults occurred. Another testified that her attackers told her that the “pride of the Tutsis will end today,”<sup>66</sup> expressly articulating how Hutus supposed “sexual advantage” operated “to subvert the nation.”<sup>67</sup> Indeed, rape was meant to “undermine the security and cohesion of the targeted community.”<sup>68</sup> This operated effectively in several ways. Firstly, it served to emasculate males in the victimized group by illustrating their inability to “protect ‘their’ women.”<sup>69</sup> Another way in which rape operated to destroy the Tutsi people was via the forcible transfer of Tutsi children's ethnic identity. Tutsi girls were often spared from murder to be kept alive for rape and so “they can be married off to [their Hutu] boys”<sup>70</sup> in order to reproduce the Hutu population. Intrinsicly, under patriarchal rule, any child fathered by a Hutu was considered to therefore be a Hutu by ethnicity.<sup>71</sup>

Furthermore, children born after the genocide who were conceived via rape were referred to as “children of hate,” and were treated as sources and reminders of “deep stigma.”<sup>72</sup> While some women did decide to raise the children, the pressure and stigma attached to the children — both because of the women's ostracization from their families and communities and from socio-

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<sup>65</sup> Jones, “Gender and Genocide in Rwanda,” 81.

<sup>66</sup> MacKinnon, *Are Women Human?*, 220.

<sup>67</sup> Jones, 78.

<sup>68</sup> Jones, 81.

<sup>69</sup> Jones, 81-82.

<sup>70</sup> Jones, 73.

<sup>71</sup> Jones, 81-82.

<sup>72</sup> Robyn Charli Carpenter, “Forced Maternity, Children's Rights and the Genocide Convention: A Theoretical Analysis,” *Journal of Genocide Research* 2, no. 2 (June 2000): 213–44, <https://doi.org/10.1080/713677603>, 228.

cultural understandings of the children as ethnically children of the Hutu perpetrators — led to many of the women abandoning, killing, or aborting the fetuses and children. One survivor explained that she was abandoned by her family and community because they considered her “a wife of Interahamwe” and her child the “child of a killer.”<sup>73</sup> As a result, she “hated her child.”<sup>74</sup> Given that an estimated 20,000 “children of hate” were born out of the Rwandan genocide, the relatively higher rates of infanticide, abandonment, and social ostracization of these children compounds the genocidal and reproductive or recurrent nature of mass rape and forced impregnation as modalities of genocide.<sup>75</sup>

The transmission of HIV/AIDS was also incredibly prevalent during the campaign of mass rape in the Rwandan genocide.<sup>76</sup> One 2001 study found that as many as 70% of rape survivors were HIV-positive, indicating a large increase in HIV infection following the genocide.<sup>77</sup> However, treatment is often difficult or impossible to obtain. As a result, women and their children who are infected continue to face declining health and death even decades post-genocide. As such, HIV/AIDS transmission via rape can also be seen as a modality of achieving genocide via sexual and/or gendered means.

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<sup>73</sup> Myriam Denov, “Children Born of Rape: The Devastating Legacy of Sexual Violence in Post-Genocide Rwanda,” *phys.org*, 2024, <https://phys.org/news/2024-04-children-born-rape-devastating-legacy.html>.

<sup>74</sup> Denov, “Children Born of Rape”.

<sup>75</sup> Kieron Monks, “Rwandan Rape Survivors and Their Children, 25 Years Later,” *www.cnn.com*, 2019, <https://www.cnn.com/interactive/2019/04/africa/rwandan-daughters-cnnphotos/>.

<sup>76</sup> Katya Kolluri, “The Rwandan Genocide: Rape and HIV Used as Weapons of War - Global Justice Center,” <https://www.globaljusticecenter.net/>, 2018, <https://www.globaljusticecenter.net/the-rwandan-genocide-rape-and-hiv-used-as-weapons-of-war/>.

<sup>77</sup> Kolluri, “The Rwandan Genocide: Rape and HIV Used as Weapons of War”.

## *The Darfur Genocide*

From 2003 to 2005 Sudanese forces — in cooperation with the Arab Janjaweed, a proxy militia — engaged in a scorched earth campaign in the Darfur region of northwest Sudan with the goal of forcibly and systematically depopulating land inhabited by African groups such as the Fur, Masalit, and Zaghawa communities.<sup>78</sup> This escalation was in response to the Sudan Liberation Army/Movement (SLA/M) and Justice and Equality Movement (JEM) demands for an “end to chronic economic marginalization”<sup>79</sup> and a transition to shared power of Arab-ruled Sudan. The violence resulted in the death of nearly 400,000 people and continues to this day and has caused the displacement of millions<sup>80</sup> The conditions for genocide were produced, in part, from centuries of ethnic and racial tensions between the African majority populations, who tended to be lower class farmers, and minority Arab populations, who tended to be pastoralists holding political and economic power. Tensions were exacerbated by increasing drought, dwindling resources, and proliferation of access to guns in recent decades. The Janjaweed along with the state military continue to target “civilians from the same ethnic groups as rebels,” regardless of rebel sympathies or allegiances<sup>81</sup>. While the Janjaweed are technically a proxy military mostly made up of civilian volunteers, they work in conjunction with, and are often indistinguishable from, the Sudanese military.<sup>82</sup> One witness recalled that Janjaweed soldiers “always say: ‘We are the government’.”<sup>83</sup> Another testified that the attackers yell “Kill the

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<sup>78</sup> United States Holocaust Memorial Museum, “Darfur,” Ushmm.org, December 21, 2023, <https://encyclopedia.ushmm.org/content/en/article/darfur>.

<sup>79</sup> Leslie Lefkow, “Darfur Destroyed,” Human Rights Watch, May 6, 2004, [https://www.hrw.org/report/2004/05/06/darfur-destroyed/ethnic-cleansing-government-and-militia-forces-western-sudan#\\_ftn85](https://www.hrw.org/report/2004/05/06/darfur-destroyed/ethnic-cleansing-government-and-militia-forces-western-sudan#_ftn85).

<sup>80</sup> Holocaust Museum Houston, “Genocide in Darfur,” Hmh.org, 2019, <https://hnh.org/library/research/genocide-in-darfur-guide/>.

<sup>81</sup> Lefkow.

<sup>82</sup> Lefkow.

<sup>83</sup> Lefkow.

Nuba!” and to kill them because they “are black,” indicating that the violence is racially motivated.<sup>84</sup>

In Darfur, “systematic rape” was deployed “to manipulate norms of honor, chastity, virginity, femininity, masculinity, loyalty, marriage, and kinship, and insert an emanating set of experiences and memories that destroy group bonds through time.”<sup>85</sup> One NGO documented at least 9,300 instances of rape, but clarifies that due to the stigma and taboo surrounding rape that number is estimated to be half of the true number of sexual violations perpetrated.<sup>86</sup> Sudanese culture is patriarchal and therefore rape is extremely stigmatized and leads to social rejection in many cases.<sup>87</sup> In addition to the physical and mental harms women experience because of their assaults, they “may be abandoned or disavowed by shamed families and husbands” which, in turn, serves to destabilize and destroy communities even when they are not killed.<sup>88</sup> Under the Janjaweed and military’s continued brutalization of African villages, women were frequently raped but often not killed.<sup>89</sup> Additionally, rapes were often perpetrated publicly in front of “husbands, fathers, mothers, and children of the victims” in order to maximize women’s shame and subsequent social ostracization.<sup>90</sup> As such, rape works symbolically and intentionally in place of murder to attack target communities at an individual as well as collective level. After attacks, “families and villages in which these rapes have occurred will have grave difficulties

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<sup>84</sup> Leslie, “Darfur Destroyed.”

<sup>85</sup> Tara Gingerich and Jennifer Leaning, “Program on Humanitarian Crises and Human Rights François-Xavier Bagnoud Center for Health and Human Rights Harvard School of Public Health the USE of RAPE as a WEAPON of WAR in the CONFLICT in DARFUR,” 2004, [https://s3.amazonaws.com/PHR\\_Reports/darfur-rape-as-a-weapon-2004.pdf](https://s3.amazonaws.com/PHR_Reports/darfur-rape-as-a-weapon-2004.pdf), 8.

<sup>86</sup> Gingerich and Leaning, 16.

<sup>87</sup> Gingerich and Leaning, 18.

<sup>88</sup> Gingerich and Leaning, 8.

<sup>89</sup> Gingerich and Leaning, 14.

<sup>90</sup> Gingerich and Leaning, 15.

holding together” due to both the threat of continued violence, but also because of the reproductive shame that raped women represent.<sup>91</sup>

Survivors and witnesses of mass sexual violence during the conflict report that verbal assaults often accompany sexual assaults and are of a “degrading and racial” nature<sup>92</sup>. For example, numerous victims reported that they were called “slaves” and told they would bear “free” children or “light” babies as a result of their rapes; symbolically, perpetrators asserted that they were “wiping out the non-Arabs” by forcibly changing African reproduction.<sup>93</sup> This is especially effective because Darfurian tribes are patrilineal and therefore consider the father of a child to determine the child’s ethnic identity. By polluting the bloodline and, symbolically, women’s bodies, Arab soldiers destroy community and family bonds in a reproductive and recurrent manner. One rapist told his victim that they were seeking to “destroy everybody” and that they want to eliminate “Fur and Zaghawa”; by articulating this genocidal intent to destroy non-Arab Darfurian peoples during sexual assault it is further clear that perpetrators knowingly used rape and forced impregnation with all of its social and cultural power to pursue their genocidal aims.<sup>94</sup>

Sexual violence in the context of genocide is therefore disruptive of the victim’s attachments to her community, which in turn ostracizes her from social bonds and cultural belonging and effectively “kills” her as a member of her cultural or ethnic group. While she suffers individually and may experience disturbance in her own identity, her community also is both reminded of the violence enacted on them via the stigma attached to her status as a raped

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<sup>91</sup> Gingerich and Leaning, “Program on Humanitarian Crises and Human Rights,”18.

<sup>92</sup> Gingerich and Leaning, 27.

<sup>93</sup> Gingerich and Leaning, 15-18.

<sup>94</sup> Gingerich and Leaning, 23.

women and may abandon, exile, or kill her because of the shame and impurity she now ostensibly represents.

*The Pygmy\* Genocide A.k.a. Effacer le Tableau*

There are at least a dozen groups that are considered “pygmy” on the African Continent, mostly located in central Africa and the Congo Basin. Most “pygmy” tribes are foragers or hunter-gatherers and are identified as “pygmy” due to their short stature. It is estimated that in total only about 900,000 “Pygmies” (of various tribes and ethnicities, but excluding the roughly 31 thousand Southern Twa peoples) remain in the central African forests and that roughly 60% of them are in the Democratic Republic of Congo.<sup>95</sup> The “Pygmy” people are comprised of the western Bambenga of Cameroon, Gabon, Bayaka or Baka, Bakola or Bakoya (also known as Gyele and Kola), Bongo, the Bambuti of the Ituri Rainforest, and the Batwa. The group is not ethnically or tribally homogenous but is unified by dominant etymology used by dominant ethnic groups in the region, which unifies them though their short stature, forest dwelling, and hunter-gatherer social structure. The true reason that “pygmy” people have such a short stature (most are under five feet tall) is unknown, but hypotheses include but are not limited to lack of ultraviolet light available under rainforest canopy’s where they live, limited vitamin D and calcium, chronic protein deficiency,<sup>96</sup> adaptation to equatorial and tropical heat and humidity,<sup>97</sup> genetic growth hormone deficiencies,<sup>98</sup> or genetic adaptation to iodine-deficient diets.<sup>99</sup> “Pygmy” tribes are frequently enslaved by more dominant tribes and ethnic groups in central Africa.

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<sup>95</sup> Jesús Olivero et al., “Distribution and Numbers of Pygmies in Central African Forests,” PLoS ONE 11, no. 1 (January 6, 2016): e0144499, <https://doi.org/10.1371/journal.pone.0144499>.

<sup>96</sup> Noémie S.A. Becker et al., “Indirect Evidence for the Genetic Determination of Short Stature in African Pygmies,” American Journal of Physical Anthropology 145, no. 3 (May 3, 2011): 390–401, <https://doi.org/10.1002/ajpa.21512>.

<sup>97</sup> A. Migliano, L. Vinicius, and M. M. Lahr, “Life History Trade-Offs Explain the Evolution of Human Pygmies,” Proceedings of the National Academy of Sciences, 2007, <http://notexactlyrocketscience.wordpress.com/2007/12/19/short-lives-short-size-why-are-pygmy-small/>.

<sup>98</sup> Mauro Bozzola et al., “The Shortness of Pygmies Is Associated with Severe Under-Expression of the Growth Hormone Receptor,” Molecular Genetics and Metabolism 98, no. 3 (November 1, 2009): 310–13, <https://doi.org/10.1016/j.ymgme.2009.05.009>.

<sup>99</sup> Alkes L. Price et al., “Sensitive Detection of Chromosomal Segments of Distinct Ancestry in Admixed Populations,” ed. Jonathan K. Pritchard, PLoS Genetics 5, no. 6 (June 19, 2009): e1000519, <https://doi.org/10.1371/journal.pgen.1000519>.

From 2002 to 2003 in the midst of the Congo Civil War (also known as the Second Congo War) in the North Kivu province, Les Effaceurs (translating to “the erasers”) consisting mostly of Movement for the Liberation of Congo (MLC) and Rally for Congolese Democracy (RCD-N) sought to exterminate “pygmies” in the mineral rich region using widespread rape, slaughter, and cannibalism. Further, dominant ethnic groups in the DRC and central Africa consider “pygmy” tribes to be “backward,” “simpleminded,” and subhuman, all of which contributes to their ongoing marginalization and exploitation.<sup>100</sup> Discrimination, violence against, and genocide of “pygmy” peoples continues to this day.

Rape has been widely employed during the operation Effacer le Tableau, which translates to “clear/erase the table”. One UN investigation found that in 2002 the MLC and the RCD-N “raped, killed, and cannibalized Pygmies ... [seeking] to terrorize” them<sup>101</sup>. Further, the “campaign of rape” was “systematic and widespread” and intended to both punish women for alleged assistance to enemies and to “humiliate the men and demonstrate their powerlessness to protect their women and families”<sup>102</sup>. Most “pygmy” tribes are patriarchal and patrilineal; in raping “their” women, marriages and familial and community binds were severed, and any resulting children were contaminated and designated as ethnically non-“pygmy”. Perpetrators also held racist ideas about the “special power” that “pygmies” allegedly possess.<sup>103</sup> One survivor testified that her rapist said that their “flesh had special power” and therefore the rape and cannibalization of “pygmies” was considered to improve forces’ chances for military

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<sup>100</sup> Nicholas D. Kristof, “As the World Intrudes, Pygmies Feel Endangered,” *The New York Times*, June 16, 1997, sec. World, <https://www.nytimes.com/1997/06/16/world/as-the-world-intrudes-pygmies-feel-endangered.html?pagewanted=all&src=pm>.

<sup>101</sup> Christopher Schmidt, *Into the Heart of Darkness: Cosmopolitanism vs. Realism and the Democratic Republic of Congo* (Zed Books Ltd., 2013), 15.

<sup>102</sup> Schmidt, 15.

<sup>103</sup> Minority Rights Group International, “Report ‘Erasing the Board’ Report of the International Research Mission into Crimes under International Law Committed against the Bambuti Pygmies in the Eastern Democratic Republic of Congo,” 2004, <https://minorityrights.org/app/uploads/2024/01/mrg-rep-twa-eng.pdf>. 2

success.<sup>104</sup> One survivor testified that after being raped with other girls from her village, her parents, noting the girls appearances, were ostracized and could “no longer go to the forest” where they lived and now “suffer from hunger”; beyond just terrorizing and dehumanizing the women, rape also effectively severed them from and destabilized their communities, and therefore operated genocidally.<sup>105</sup> Another survivor recalled the group leader “ordered the mass rape” and during the mass assault they were called “dirty Pygmy,” “stupid,” and “animals,” and, as such, she believed the mass rape was intended to humiliate them as a people.<sup>106</sup> By dehumanizing and brutalizing targeted women, by shaming targeted men, and by orchestrating women’s ostracization from home communities and therefore wider group destabilization, mass rape is operating genocidally in Central Africa against “pygmy” peoples.

\*A note on the term “Pygmy”. The term is considered pejorative to some individuals and some tribes and most prefer to be referred to by their specific tribe or ethnicity. However, within this genocide any tribe that is identified as “Pygmy” is targeted because of their identification (perceived or actual) with that demographic. As such, I use the term in this section to ensure clarity.

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<sup>104</sup> Minority Rights Group International, 11.

<sup>105</sup> Schmidt, *Into the Heart of Darkness*, 15.

<sup>106</sup> Schmidt, 15-19.

### *Concluding Remarks on the African Continent*

Each of the four cases in this section are unified primarily by geographic locality on the African continent. As such, each is influenced by the dominant patriarchal system in Africa as well as postcolonial realities that inform current ethnic and political conditions on the continent. Furthermore, in each case rape performs a primary goal of changing targeted women's ethnic or religious identity to simultaneously destroy targeted communities and reproduce perpetrator's identities. Similarly, mass rape is critically utilized to symbolically kill women without materially killing them. The Rwandan genocide and Darfur genocide share the most similarities especially given the similar ethnic tensions that led to genocidal conditions. The "Pygmy" genocide is perhaps an outlier given how extreme the degree of subjectivity is in perpetrator's definitions of the "pygmy" people as a group.

## Genocides in Central America

### *The Guatemalan Genocide*

Discrimination against native communities in the Americas began with Spanish conquest beginning in the 1500s. The imposition of slavery and colonial exploitation in central America imposed a harsh plantation economy based on forced labor. Even with independence in 1821, military dictatorships and landed oligarchy continued to rule over the country. To maintain the status quo under which elites and foreign nations like the U.S. could continue to economically exploit cheap labor in Guatemala and other central American nations heavy repression was necessary to ensure the poor and working classes could never unify and overthrow their oppressors. Democratically elected leaders Juan José Arévalo and his successor Jacobo Árbenz Guzmán were briefly in power and brought liberal reforms to education, healthcare,<sup>107</sup> and land ownership.<sup>108</sup> They were generally popular within the country but disliked by the U.S. who worried about the spread of communism and the necessity of harsh labor practices to continue their massive profits from the United Fruit Companies so called ‘banana republic’ in Guatemala.<sup>109</sup> After a C.I.A. aided coup d’état in June of 1954, a right-wing military dictatorship took control over overthrowing the previous government; the next forty years in Guatemala were fraught with political violence. During 1954 to 1996 the civil war between the right-wing military rulers and leftist guerilla movements, some indigenous Maya aligned themselves with guerillas in hopes of achieving a redress of the political and economic marginalization of natives and maintaining claim to their land. As a result, the government identified all Maya as allies to

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<sup>107</sup> Stephen M Streeter, *Managing the Counterrevolution: The United States and Guatemala, 1954-1961* (Athens: Ohio University Center for International Studies, 2000), 14-15.

<sup>108</sup> Richard H Immerman, *The CIA in Guatemala: The Foreign Policy of Intervention*. (Austin: Univ. of Texas Pr, 1988), 64-67.

<sup>109</sup> Streeter, 15-16.

the “insurrectionary” guerillas and, therefore, as enemies of the state. Increasingly the military government employed “dirty war” tactics such as forced disappearances and use of U.S. trained death squads.

With the election of General Fernando Romeo Lucas García in 1978, extrajudicial killings rose from 100 in 1978 to over 10,000 in 1981.<sup>110</sup> Then, with the 1982 election of conservative and Reagan-supported General Efraín Ríos Montt, genocide against indigenous populations swelled with approximately 70,000 killed or disappeared in only a one-year timeframe.<sup>111</sup> Crucial to this escalation was the new ‘scorched earth’ operation against the Maya; under this campaign, the army as well as paramilitary and civilian patrol units (often comprised of forcibly conscripted local men) systematically attacked over 600 native villages with a policy of raping, torturing, and slaughtering as many as possible as well as destroying or contaminating crops and drinking water.<sup>112</sup> Over 300 of these villages were completely razed.<sup>113</sup> Essential to this mass implementation of genocide was the propaganda fuel notion that “the entire Ixil [Maya] Indian population” were rebel sympathizers and therefore must be eliminated.<sup>114</sup> Those who were not killed fled; during this bloody year, between 500,000 and 1.5 million Mayan civilians were exiled or fled.<sup>115</sup>

Two truth commissions for Guatemala, *Guatemala: Nunca Más (1998)* from The Guatemalan Catholic Church’s Recovery of Historical Memory project and *Guatemala: Memory of Silence (1999)* from the UN mandated Historical Clarification Commission reported evidence

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<sup>110</sup> The Center for Justice & Accountability , “Guatemala,” The Center for Justice and Accountability, 2024, <https://cja.org/where-we-work/guatemala/#:~:text=Over%20200%2C000%20Guatemalans%20were%20killed.>

<sup>111</sup> The Center for Justice & Accountability.

<sup>112</sup> The Center for Justice & Accountability.

<sup>113</sup> The Center for Justice & Accountability.

<sup>114</sup> Kate Doyle and Carlos Osorio, “U.S. POLICY in GUATEMALA, 1966-1996,” nsarchive2.gwu.edu, 1966, <https://nsarchive2.gwu.edu/NSAEBB/NSAEBB11/docs/>.

<sup>115</sup> The Center for Justice & Accountability.

designating the violence perpetrated under the military government as genocide. They also found that of the approximately 200,000 documented victims roughly 83% were indigenous.

Significantly, one survivor of the civil war Rigoberta Menchú, a Mayan woman, articulated that native communities “were the first families to come and cultivate this land and nobody can deceive [them] into thinking that this land” belongs to the oppressive elites.<sup>116</sup> Critically, her autobiography locates Mayan communities as resistant to the genocidal/colonial violence being perpetrated against them, and illuminates broader goals of destroying and displacing native communities from their land. However, actual convictions, remediation, or substantive accountability or change has been slow and largely non-existent as corruption and intimidation continue to silence truth-tellers; for example, the presenter of *Guatemala: Nunca Más*, Bishop Juan Gerardi, was beaten to death only two days after presenting the report.

The *Guatemala: Memory of Silence* report found that “the rape of [disproportionately Mayan] women, during torture or before being murdered, was a common practice aimed at destroying one of the most intimate and vulnerable aspects of the individual’s dignity” and that “the communities [disproportionately Indigenous] themselves were deeply offended by this practice” which has in the “social memory of the communities” become a source of “collective shame.”<sup>117</sup> Further, under the military’s campaign of forced complicity, “a large proportion of the male population over the age of fifteen, especially in the Mayan communities, was forced by the state “at gun point, to rape women, torture, mutilate corpses, and kill” to “cause social disintegration.”<sup>118</sup> Clearly, mass sexual violence was utilized to destroy Mayan communities by

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<sup>116</sup> Rigoberta Menchú, *I, Rigoberta Menchú: An Indian Woman in Guatemala* (London ; New York: Verso, 2010).

<sup>117</sup> Report of the Commission for Historical Clarification, “Guatemala: Memory of Silence,” Report of the Commission for Historical Clarification, 1999, <https://hrdag.org/wp-content/uploads/2013/01/CEHreport-english.pdf>, 35.

<sup>118</sup> Report of the Commission for Historical Clarification, “Guatemala: Memory of Silence,” 27.

attacking individuals' identities to disrupt and destroy community identity. Further, by forcing Mayan boys to perpetrate mass sexual violence upon women from their own communities, and likely their own families, the Guatemalan military exacerbated that collective violence by severing micro and meso level relationships with the overall genocidal intention of destabilizing collective identity at the macro level.<sup>119</sup> Indeed, "the coexistence of victims and perpetrators in the same villages reproduces the climate of fear and silence" that was created during the genocide itself even years after peace was restored.<sup>120</sup> Genocide was enacted through this destruction of identity. Death was not universally necessary to achieve destruction of a people; the weaponization of mass sexual violence still perpetrated the destabilization and destruction of targeted groups.

In Judge Yassmin Barrios' 2013 decision to convict Efraín Ríos Montt, she highlighted "the perpetration of sexual violence against women as an integral component in the attempt to destroy the Maya Ixil as an ethnic group."<sup>121</sup> Throughout the conflict, rape and sexual violence "targeted indigenous women's bodies" as a means of "destruction of the indigenous community as a whole."<sup>122</sup> Survivors testified that the sexual violence they experienced was "transformative" and symbolized a departure from their "lives" but also from their "culture," illustrating the symbolic destruction sexual violence enacted upon collective identity.<sup>123</sup> Further, they articulated that "isolation" and "rejection" were written on their bodies via sexual violence,

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<sup>119</sup> Jo-Marie Burt and Paulo Estrada, "Imperfect Justice Is Still Justice for Wartime Rape Survivors in Guatemala," WOLA, 2022, <https://www.wola.org/analysis/justice-wartime-rape-guatemala/>.

<sup>120</sup> Report of the Commission for Historical Clarification, "Guatemala: Memory of Silence," 27.

<sup>121</sup> Alison Crosby, M. Brinton Lykes, and Brisna Caxaj, "Carrying a Heavy Load: Mayan Women's Understandings of Reparation in the Aftermath of Genocide," *Journal of Genocide Research* 18, no. 2-3 (June 28, 2016): 265–83, <https://doi.org/10.1080/14623528.2016.1186952>, 265.

<sup>122</sup> Crosby, 268.

<sup>123</sup> Crosby, 273.

and in conjunction with the long-term health effects, the violations continued to illustrate their destruction.<sup>124</sup>

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<sup>124</sup> Crosby 273.

## *El Salvador Civil War / Genocide*

The El Salvadoran Civil War spanned twelve years and was primarily between the Salvadoran government Revolutionary Government Junta (JRG) which was backed by the United States and considered one of its Cold War allies and the Farabundo Martí National Liberation Front (FMLN).<sup>125</sup> The FMLN was an umbrella organization of various Fidel Castro and Soviet Union backed left-wing groups. Violence broke out in October of 1979 after a coup resulted in the government killing anti-coup protestors<sup>126</sup> and the conflict did not formally end until the collapse of the Soviet Union in 1992.<sup>127</sup>

The conflict's origins include historic socioeconomic inequality which was largely influenced by the cash crop export of coffee which in the late 19th century made up about 95% of the countries income but only profited about 2% of the population.<sup>128</sup> Throughout the twentieth century tensions between the large working/poor and middle classes and the small but dominant elite continued to escalate. Additionally, conflict with neighboring Honduras in 1969 caused further disruption the Salvadoran economy and strengthened the militaries power.<sup>129</sup> The 1970s brought continued government corruption and a fraudulent presidential election. In response leftist organizations began to plan and conduct guerilla resistance to the right leaning government. To make matters worse food prices continued to rise throughout the 70s exacerbating tensions between the disparate classes. Repression was widespread and violent throughout the years leading up to the civil war.

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<sup>125</sup> Mark Danner, *The Massacre at El Mozote* (Vintage, 1994), 9.

<sup>126</sup> Andrea Oñate, "The Red Affair: FMLN–Cuban Relations during the Salvadoran Civil War, 1981–92," *Cold War History* 11, no. 2 (April 15, 2011): 133–54, <https://doi.org/10.1080/14682745.2010.545566>, 133-154

<sup>127</sup> United Nations General Assembly Security Council, "Chapultepec Peace Agreement," Nd.edu, 1992, <https://peaceaccords.nd.edu/accord/chapultepec-peace-agreement>.

<sup>128</sup> Richard A Haggerty, *El Salvador: A Country Study* (Washington (D.C.): Government Printing Office, 1990), 306.

<sup>129</sup> Haggerty, 223-224.

Fearing communist revolution like those in Cuba and Nicaragua the United States supported the 1979 coup which landed the conservative civil-military JRG. Their reforms which planned to redistribute land to peasants angered wealthy landowners which escalated tensions and led to increasing allyship between the right-wing Salvadoran military. The United States too articulated that their goal in El Salvador was to “prevent a takeover by the leftist-led guerrillas and their allied political organizations” in order to maintain the economic status quo which favored both Salvadoran elites and their U.S. allies. Support for the left-wing guerilla movements was more common among poor and working-class Salvadorans who sought reprieve from the extreme socioeconomic disparities in the country.<sup>130</sup> As such, the FMLN was made up, in large part, by civilians whereas the JRG was mainly military forces who had training and adequate weapons.

The Sumpul River Massacre of 1980 was carried about by Organización Democrática Nacionalista or ORDEN, a paramilitary private death squad claiming the lives of between 300<sup>131</sup> and 600 people.<sup>132</sup>

The conflict escalated to genocidal heights with the “draining the sea” scorched earth strategy employed by the Salvadoran Armed Forces. Drawing inspiration from U.S. counterinsurgency measures taken during the Vietnam war the operation aimed to eliminate insurgency by eradicating its support. The primary targets were civilian populations living in the countryside. The scorched earth tactics were officially referred to as cleanings.<sup>133</sup> During the El

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<sup>130</sup> Elisabeth Jean Wood, *Insurgent Collective Action and Civil War in El Salvador*, *Insurgent* (Cambridge University Press, 2003), <https://doi.org/10.1017/cbo9780511808685>, 18-24.

<sup>131</sup> Belisario Betancur, “Report of the UN Truth Commission on El Salvador,” [www.derechos.org](http://www.derechos.org), 1993, <https://www.derechos.org/nizkor/salvador/informes/truth.html>.

<sup>132</sup> Warren Hoge, “SLAUGHTER in SALVADOR: 200 LOST in BORDER MASSACRE,” *The New York Times*, June 8, 1981, sec. World, <https://www.nytimes.com/1981/06/08/world/slaughter-in-salvador-200-lost-in-border-massacre.html>.

<sup>133</sup> *Diario Latino*, “Limpieza Total de La Guerrilla En Cabañas,” [unfinishedsentences.org](http://unfinishedsentences.org), 1981, <https://unfinishedsentences.org/es/reports/solo-dios-con-nosotros-la-masacre-de-santa-cruz/dl-20-11-81-ii-2/>.

Mozote massacre which claimed the lives of up to 1000 unarmed civilians one commander testified that they were ordered to kill everyone to “make an example” of people who were considered guerillas, or in the case of children future guerillas The Commission on the Truth for El Salvador ultimately concluded that upwards of 70,000 people were killed, many of them being civilians.<sup>134</sup> The objective of death-squad-terror was “not only to eliminate opponents, but also, through torture and the gruesome disfigurement of bodies, to terrorize the population”.<sup>135</sup>

The FMLN rarely used sexual violence in their guerilla tactics. The Salvadoran government, however, used sexual violence widely in their repression of those perceived to have leftist sympathies, which, ostensibly, meant poor, rural, working-class peasants and farmers as well as Indigenous communities.<sup>136</sup> Rape was used punitively to deter and punish FMLN involvement and destabilize communities identified as insurrectionary.<sup>137</sup> Sexual violence was so wide spread that women were often encouraged to join the FMLN to “protect themselves from rape”.<sup>138</sup> Reported rates of rape and gang-rape were as high as 53% according to one study.<sup>139</sup> The UN substantiated claims of widespread sexual violence in 1993.<sup>140</sup> Victims articulate that corpses left behind often had “their skirts pulled up” illustrating the symbolic power rape possessed.<sup>141</sup> By marking some bodies as violated both by death and by sexual domination

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<sup>134</sup> United States Institute of Peace, “Truth Commission: El Salvador,” United States Institute of Peace, October 2, 2014, <https://www.usip.org/publications/1992/07/truth-commission-el-salvador>.

<sup>135</sup> Amnesty International, El Salvador (Amnesty International UK, 1988).

<sup>136</sup> Adrienne Aron et al., “The Gender-Specific Terror of El Salvador and Guatemala,” *Women’s Studies International Forum* 14, no. 1-2 (January 1991): 37–47, [https://doi.org/10.1016/0277-5395\(91\)90082-s](https://doi.org/10.1016/0277-5395(91)90082-s), 37-47

<sup>137</sup> Katherine Bogen, “Rape and Sexual Violence: Questionable Inevitability and Moral Responsibility in Armed Conflict,” *Scholarly Undergraduate Research Journal at Clark (SURJ)* 2, no. 1 (April 26, 2016), <https://commons.clarku.edu/surj/vol2/iss1/6>, 52.

<sup>138</sup> Bogen, 52.

<sup>139</sup> Bogen, 52.

<sup>140</sup> United States Institute of Peace, “Truth Commission: El Salvador,” United States Institute of Peace, 1993, <https://www.usip.org/publications/1992/07/truth-commission-el-salvador>.

<sup>141</sup> Anna-Catherine Brigida, “‘Finally, They Will Pay’: Justice Beckons for Survivors of El Salvador Massacre,” *The Guardian*, November 28, 2018, <https://www.theguardian.com/global-development/2018/nov/28/finally-pay-justice-survivors-el-mozote-massacre-el-salvador-trial>.

perpetrating forces terrorize and shame targeted communities. One expert who has worked with survivors of the conflict for decades articulates that the “social stigma” associated with rape negatively impacts survivors’ identities and contributes to a pervasive culture of silence.<sup>142</sup>

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<sup>142</sup> Brigida.

### *Concluding Remarks on Central America*

Both the Guatemalan Genocide and the El Salvador Civil War / Genocide were similarly influenced by U.S. intervention. The U.S. Cold War-Era desire to prevent the spread of communism as well as self/profit interested motivations worked to destabilize the countries and contributed to military or government take overs conducive to genocidal conditions.

Furthermore, both conflicts were primarily between right-wing government elites (perpetrators) and lower-class, leftist, rural, and Indigenous communities. Land rights also feature heavily in the motivations for genocide and sexual violence served to symbolically claim women's bodies in addition to targeted communities' physical lands.

## Genocides in the Asian Continent

### *The Uyghur Genocide*

The People's Republic of China under President Xi Jinping is pursuing a monocultural nation and, as such, is attempting to ethnically cleanse the nation of ethnic minorities, especially those who speak non-Mandarin languages or practice Islam<sup>143</sup>. Since the 1950s the state has sponsored mass migration of Han Chinese to Xinjiang to suppress Uyghur identity, replacing it with a monocultural region.<sup>144</sup> Beginning in 2014 the Chinese government has extrajudicially detained more than one million, and potentially as many as two million<sup>145</sup> Uyghurs, a predominantly Muslim and Turkic language speaking ethnic group who live primarily in the Xinjiang region of northwestern China into “reeducation” internment camps.<sup>146</sup> As of 2019, there were at least 380 suspected detention facilities in the region.<sup>147</sup> In one county, Konasheher, as many as one in every twenty-five people had been sent to the reeducation camps on “terrorism-related” charges; this constitutes the highest imprisonment rate in the world, over 10 times the rate of the United States.<sup>148</sup> All of them were Uyghurs.<sup>149</sup> Most of the cited reasons for terrorism-related charges are alleged and unconfirmed reports of traveling or contacting people

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<sup>143</sup> Arienne M. Dwyer, “The Xinjiang Conflict: Uyghur Identity, Language Policy, and Political Discourse,” East-West Center | [www.eastwestcenter.org](http://www.eastwestcenter.org), January 7, 2015, <https://www.eastwestcenter.org/publications/xinjiang-conflict-uyghur-identity-language-policy-and-political-discourse>.

<sup>144</sup> Human Rights Watch, “Devastating Blows Religious Repression of Uighurs in Xinjiang,” 2005, <https://www.hrw.org/reports/2005/china0405/china0405.pdf>.

<sup>145</sup> Scott Busby, “Testimony of Deputy Assistant Secretary Scott Busby Senate Foreign Relations Committee Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy,” Senate.gov, 2018, [https://www.foreign.senate.gov/imo/media/doc/120418\\_Busby\\_Testimony.pdf](https://www.foreign.senate.gov/imo/media/doc/120418_Busby_Testimony.pdf), 1.

<sup>146</sup> Lindsay Maizland, “China’s Repression of Uyghurs in Xinjiang,” Council on Foreign Relations (Council on Foreign Relations, September 22, 2022), <https://www.cfr.org/backgrounder/china-xinjiang-uyghurs-muslims-repression-genocide-human-rights>.

<sup>147</sup> Nathan Ruser, “Documenting Xinjiang’s Detention System,” September 2020, <https://cdn.xjdp.aspi.org.au/wp-content/uploads/2020/09/25125443/documenting-xinjiangs-detention-system.cleaned.pdf>, 3.

<sup>148</sup> Huizhong Wu and Dake Kang, “Uyghur County in China Has Highest Prison Rate in the World,” AP NEWS, May 16, 2022, <https://apnews.com/article/china-prisons-uyghurs-religion-0dd1a31f9be29d32c584543af4698955>.

<sup>149</sup> Wu and Kang.

outside of China, patronizing mosques, sending texts that quote the Quran, having more than three children, or, simply, for being Muslim.<sup>150</sup> Much of the government's persecution of Uyghurs revolves around ethnic tensions, Islamophobia, and pervasive propaganda that portrays Uyghurs as threats to national security. In the camps, prisoners are subjected to constant surveillance and forced to, among other things, denounce Islam, learn Mandarin, pledge loyalty to the Chinese Communist Party, and are tortured and interrogated violently.<sup>151</sup> Some have reported being forced to drink alcohol or eat pork and being drugged against their will with unknown substances. Sexual abuse and forced sterilization<sup>152</sup> or intrauterine device insertion are reported to be rampant.<sup>153</sup> Witnesses have reported that within the prisons there are "[systems] of organized rape" that are designed to "destroy everyone's spirit" and result in women feeling that they "had died."<sup>154</sup> Further indicative of the detainment and sterilization of the population is evidenced by falling population growth rates. One study found that, in two prefectures in Xinjiang that had especially high Uyghur populations, the birth rate fell by 84% between 2015 and 2018 and is continuing to decrease when measured against national averages<sup>155</sup>.

China's society is patriarchal in nature meaning that children born from Han rape of Uyghur women will be designated as Han as such the "intended destruction of the Uyghur

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<sup>150</sup> Maizland, "China's Repression of Uyghurs in Xinjiang".

<sup>151</sup> Busby, "Testimony of Deputy Assistant Secretary Scott Busby," 2.

<sup>152</sup> Adrian Zenz, "Sterilizations, IUDs, and Mandatory Birth Control: The CCP's Campaign to Suppress Uyghur Birthrates in Xinjiang," The Jamestown Foundation, 2020, <https://jamestown.org/wp-content/uploads/2020/06/Zenz-Internment-Sterilizations-and-IUDs-REVISED-March-17-2021.pdf>, 15-18.

<sup>153</sup> United Nations Office of the High Commissioner, "OHCHR Assessment of Human Rights Concerns in the Xinjiang Uyghur Autonomous Region, People's Republic of China," August 31, 2022, <https://www.ohchr.org/sites/default/files/documents/countries/2022-08-31/22-08-31-final-assesment.pdf>, 33-34.

<sup>154</sup> Matthew Hill, David Campanale, and Joel Gunter, "'Their Goal Is to Destroy Everyone': Uighur Camp Detainees Allege Systematic Rape," BBC News, February 2, 2021, sec. China, <https://www.bbc.com/news/world-asia-china-55794071>.

<sup>155</sup> Maizland.

people” is accelerated<sup>156</sup>. Han men are taught how to “use and value” Uyghur women by “obtaining” them as commodities with which they can reproduce ethnically Han children<sup>157</sup>. Survivors testify that specific rooms are prepared in the camps for “rape and torture”<sup>158</sup> by “Chinese government officials and soldiers” who victims say “represent the Chinese State; therefore, symbolically, the Chinese state is symbolically raping and therefore destroying Uyghur women’s ethnic identities.<sup>159</sup> Another victim recalls her rapist telling her that she was “not human” to him which further illustrates the dehumanization and deidentification that rape seeks to impose.<sup>160</sup> While thus far the Chinese government is not reported to be systematically killing Uyghurs, they are using rape genocidally as it is being deployed to “destroy a particular group targeted as such” which has been ruled to be constitutive of genocide by the International Criminal Tribunal of Rwanda.<sup>161</sup> Along with the extremely widespread violent and extrajudicial reeducation of Uyghurs, mass rape is clearly serving a larger intention to “destroy the Uyghur people and nation within China.<sup>162</sup>

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<sup>156</sup> Rukiye Turdush and Magnus Fiskesjö, “Dossier: Uyghur Women in China’s Genocide,” *Genocide Studies and Prevention* 15, no. 1 (May 2021): 22–43, <https://doi.org/10.5038/1911-9933.15.1.1834>, 25.

<sup>157</sup> Turdush and Fiskesjö, 29.

<sup>158</sup> Turdush and Fiskesjö, 32.

<sup>159</sup> Rukiye and Fiskesjö, “Dossier: Uyghur Women in China’s Genocide,” 33.

<sup>160</sup> Rukiye and Fiskesjö, 33.

<sup>161</sup> Rukiye and Fiskesjö, 34.

<sup>162</sup> Rukiye and Fiskesjö, 34.

## *The Cambodian Genocide*

Following the end of nearly 100 years of French colonial rule, Cambodia gained independence in 1953. In 1960 a communist guerilla movement called the Khmer Rouge was formed by communist Dictator Pol Pot. Their extremist goal was to establish a “Year Zero” in Cambodia in which all citizens would be forced to do rural work and all Western innovations would be outlawed and destroyed. In 1970, civil war erupted between the communist Khmer Rouge, who were supported by North Vietnam forces and the U.S.-backed Khmer Republic, which opposed communism. Notably, the U.S. worried that ties between the Viet Cong and Khmer Rouge would spread communism to Cambodia. In the early 1970 the U.S. launched massive bombing campaigns on rural Cambodia in hopes of destabilizing the Khmer Rouge, instead they destabilized Cambodia leading to conditions in which the Khmer Rouge could rise to power.<sup>163</sup> In 1975, Pol Pot’s forces overthrew the Republic’s government and began their Maoist mission of restructuring Cambodia.<sup>164</sup> The Cambodian genocide occurred between 1975 and 1979 and resulted in 21% of the country’s population, or 1.7 million people, dying.<sup>165</sup> Those targeted for extermination included “intellectuals, educated people, professionals, monks, religious enthusiasts, Buddhists, Muslims, Christians, ethnic Chinese, Vietnamese, Thai, and Cambodians with Chinese, Vietnamese, or Thai ancestry” as well as anyone who was unable or unwilling to make the journeys to rural farms and labor camps who were killed on the spot.<sup>166</sup> The regime also eliminated the extended families, former employers or employees and friends of

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<sup>163</sup> Ben Kiernan, “Roots of Genocide: New Evidence on the US Bombardment of Cambodia,” *Culturalsurvival.org*, 2014, <https://www.culturalsurvival.org/publications/cultural-survival-quarterly/roots-genocide-new-evidence-us-bombardment-cambodia>.

<sup>164</sup> World Without Genocide, “Cambodian Genocide «World without Genocide - Making It Our Legacy,” *Worldwithoutgenocide.org*, 2019, <https://worldwithoutgenocide.org/genocides-and-conflicts/cambodia>.

<sup>165</sup> Yale University, “Cambodian Genocide Program | Genocide Studies Program,” *Yale.edu* (Yale University, 2019), <https://gsp.yale.edu/case-studies/cambodian-genocide-program>.

<sup>166</sup> World Without Genocide, “Cambodian Genocide”.

anyone they designated undesirable. Significantly, religion was outlawed, and religious leaders or those found to be practicing religion were swiftly killed. Unlike most other genocides, the Khmer Rouge's targets were not a perceived or actual homogenous ethnic, racial, or religious group, although ethnic, racial, and religious minorities were widely targeted for extermination, but rather targeted anyone who was viewed as anti-communist or unsympathetic to their goals and ideology. The genocide was ended in 1979 when Vietnam ousted the Khmer Rouge following their 1978 invasion of Cambodia; death tolls were estimated as high as 3.3 million.<sup>167</sup>

Forced marriage was prevalent under Pol Pot's rule. Survivors testified that they "could not say no to the match" and that if they failed to have sex within the first few days "they would both be killed."<sup>168</sup> The marriages were meant to assert "control over the population" and enforce the new "social order" of the Khmer Rouge; by effectively controlling "daily life," they demonstrated their ability to control life universally in their new state.<sup>169</sup> Ethnic minorities, intellectuals, and city people (labeled New People) were all considered to be low status and therefore were both targeted for extermination and not allowed to marry people who were not of a comparably low status. As such, women were used to systematically produce more children who would continue agricultural and ideological goals of the regime. Undesirable men were considered "extraneous and a threat to the stability of the regime" because they, unlike women, could not reproduce the desired population.<sup>170</sup>

A study conducted by Judith Strasser et al. found that of their sample group (survivors of the Cambodian genocide) a majority reported being forced to marry despite nearly all (96.6%)

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<sup>167</sup> World Without Genocide, "Cambodian Genocide".

<sup>168</sup> Rachel P. Jacobs, "Married by the Revolution: Forced Marriage as a Strategy of Control in Khmer Rouge Cambodia," *Journal of Genocide Research* 24, no. 3 (December 14, 2020): 1–23, <https://doi.org/10.1080/14623528.2020.1856499>, 357.

<sup>169</sup> Jacobs, 368.

<sup>170</sup> Jacobs, 377.

not wanting to marry their selected spouse.<sup>171</sup> A majority were subjected to verbal threats when attempting to refuse, over 80% felt coerced into having sex with their new spouses, and more than 50% reported having a child as a result of the marriage.<sup>172</sup> One testimony recalled the Khmer Rouge telling newly married couples that if they didn't have sex, they would be taken to be killed.<sup>173</sup> Additionally, while as previously established the vast majority of those forced into marriages experienced sexual violence (coercive sex), an additional 34% reported having witnessed or experienced rape outside of that marriage, and the vast majority reported that it was Khmer Rouge cadets who perpetrated the rapes.<sup>174</sup> One survivor testified that when she refused to marry, she was raped.<sup>175</sup> Several survivors articulated that because of their sexual violation via forced marriage, they were no longer “respected [members] of the Cambodian society,” indicating that rape in this context served to both reproduce perpetrators’ desired communities and to destroy any previous belonging to national, cultural, or ethnic communities.<sup>176</sup> While sexual violence and rape was most widely, but not exclusively, perpetrated via violently enforced marriages and sex (wherein victims were forced to rape each other) rather than through more conventional genocidal rape (wherein perpetrators rape victims), the Khmer Rouge clearly still employed rape as a weapon of genocide with which to reproduce their goals.

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<sup>171</sup> Judith Strasser et al., “A Study about Victims’ Participation at the Extraordinary Chambers in the Courts of Cambodia and Gender-Based Violence under the Khmer Rouge Regime,” 2015, [https://tpocambodia.org/wp-content/uploads/2014/06/TPO\\_GBV-under-the-Khmer-Rouge\\_Report\\_20151.pdf](https://tpocambodia.org/wp-content/uploads/2014/06/TPO_GBV-under-the-Khmer-Rouge_Report_20151.pdf), 13.

<sup>172</sup> Strasser et al., 13.

<sup>173</sup> Strasser et. Al., “A Study about Victims,” 56.

<sup>174</sup> Strasser et. Al., 14.

<sup>175</sup> Strasser et. Al., 54.

<sup>176</sup> Strasser et. Al., 84.

## *The Bangladesh Genocide*

The British partition of India in 1947 created the postcolonial independent state of Pakistan. East Pakistan was inhabited by mostly Bengalis (who in total made up 54% of the Pakistani population in 1948)<sup>177</sup> while West Pakistan was inhabited by mostly non-Bengali ruling elites; given the forced geographic unity of an ethnically divided state, many Bengalis called for independence from their non-Bengali rulers. These calls for liberation were peaceful and constitutional in nature.<sup>178</sup> In 1971, West Pakistan launched Operation Searchlight to subdue the Bengali population of East Pakistan and in the following nine months of conflict, the Pakistani state committed genocide against the Bengali people. During the conflict, Pakistani soldiers and pro-Pakistani militias raped between 200,000 and 400,000 women.<sup>179</sup> Further, Pakistan's imams (Islamic leaders) declared and fatwa (Islamic legal rulings) were issued that Bengali women were "war booty."<sup>180</sup> Generally, racist sentiments were common in Pakistan and Bengalis were widely considered a "downtrodden" race.<sup>181</sup> Further, their religious faithfulness was contested given widespread suspicions that their "'relatively recent' conversion from low caste [Hindus ... to] nominally Muslim" converts made then unreliably Muslim.<sup>182</sup> Indeed, the genocide was perpetrated against people that were identified as ethnically, racially, and religiously different, inferior, and potentially threatening to non-Bengali Pakistani Muslims.

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<sup>177</sup> Rounaq Jahan, "Genocide in Bangladesh," in *Century of Genocide: Critical Essays and Eyewitness Accounts*, ed. Samuel Totten and William S. Parsons (New York: Routledge, 2004), 248–77, <https://sai.columbia.edu/sites/default/files/content/docs/1971%20Genocide%20in%20Bangladesh.pdf>, 251.

<sup>177</sup> The United States Holocaust Memorial Museum, "Bangladesh," [www.ushmm.org](http://www.ushmm.org), 2024, <https://www.ushmm.org/genocide-prevention/countries/bangladesh>, 252.

<sup>178</sup> Jahan, 251.

<sup>179</sup> The United States Holocaust Memorial Museum.

<sup>180</sup> Herbert L. Bodman and Nayereh Tahiti, eds., *Women in Muslim Societies: Diversity within Unity* (Boulder, Colo.: Lynne Rienner Publishers, 1998), 208–209.

<sup>181</sup> Jahan, 251.

<sup>182</sup> Nayanika Mookherjee, "'Occupying' the Womb: Disrupted Kinship Futures and Sovereign Logics in Sexual Violence during Wars," *Critique of Anthropology* 43, no. 4 (December 1, 2023): 422–43, <https://doi.org/10.1177/0308275x231216250>, 428.

Mass rape was organized by military and religious leaders throughout the conflict. Indeed, Pakistan's military commander, General Tikka Khan, or the "Butcher of Bengal" as he was sometimes known as, ordered mass rape be used to impregnate as many Bengalis as possible with "blood from the west" or Pakistani blood<sup>183</sup>. Given the patriarchal and patrilineal nature of Pakistani and Bengali culture ethnicity was considered to be passed down patriarchally meaning that forced reproduction could effectively destroy the Bengali population and reproduce the Pakistani. Another military commander wrote that his troops were to "tame the Bengali tigresses" and that it was of the "utmost need to alter their succeeding generations" to create a "[purely]"<sup>184</sup> Muslim Pakistan and "dilute, weaken and destroy Bengali nationalism"<sup>185</sup>. As such, mass rape was employed to tame and living Bengalis and violently change their ability to reproduce their ethnic group.

Common throughout the conflict were rape camps where women were detained and systematically and recurrently raped by Pakistani forces. Survivors testified that when they became pregnant, they were kept until it "was ascertained that they could no longer terminate their pregnancies."<sup>186</sup> These camps substantiate the organized nature of genocidal rape and further illustrate how forced pregnancy was also utilized to reproduce desirable populations. Even when rape was not commanded explicitly, euphemisms were frequently employed in place of direct orders. For example, soldiers were told to "man jiot mara," which translates to beating or stealing honor, or to employ "nari nirjaton," which translates to torture of women, when

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<sup>183</sup> Thaslima Begum, "'We Lay like Corpses. Then the Raping Began': 52 Years On, Bangladesh's Rape Camp Survivors Speak Out," *The Guardian*, April 3, 2023, sec. Global development, <https://www.theguardian.com/global-development/2023/apr/03/52-years-bangladesh-birangona-women-mass-rape-survivors>.

<sup>184</sup> Mookherjee, "'Occupying' the Womb," 423.

<sup>185</sup> Mookherjee, 429.

<sup>186</sup> Mookherjee, 423.

attacking Bengali communities — demonstrating both the systematic and organized nature of mass rape as well as its ability to dishonor and torture targeted communities<sup>187</sup>.

Rape was specifically employed “in front of close family members in order to terrorize and inflict racial slander.”<sup>188</sup> Critically it was considered to shame targeted communities’ men, torture their women, forcibly change women’s religious or ethnic identities, ostracize them from their home communities, and through forced impregnation reproduce the Islamic state of Pakistan. Survivors testified that their husbands “refused to take” them back and that those who survived were “discarded by their own families” in order to avoid shame and dishonor.<sup>189</sup> As such, mass rape effectively disrupted “the kinship futures of those it [sought] to attack and annihilate.”<sup>190</sup> Furthermore, rape and forced impregnation were considered to symbolically destroy and convert ostensibly non-Muslim and Bengali bodies and reproduce Pakistani Muslims. Soldiers were “instructed by the army to ensure that a Pakistani child was there in each Bengali womb,” clearly indicating an organized attempt to “disrupt the kinship futures” of both the women and their communities and nation; similarly pregnant birangonas — meaning physically wounded or socially kinless (in reference to raped Bengali women) — were considered to be agents of the “birth of the nation” that Pakistani forces envisioned<sup>191</sup>. Additionally, witnesses and survivors attest that “Pakistani soldiers sometimes saw themselves as physically introducing the Islamic substance into perceived non-Islamic bodies” and therefore used rape as a means to both convert the victim and create a newly non-Bengali Muslim child.<sup>192</sup> The children born out of rape were widely abandoned and highly stigmatized by survivors, their

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<sup>187</sup> Mookherjee, “‘Occupying’ the Womb,” 427.

<sup>188</sup> Jahan, “Genocide in Bangladesh,” 256.

<sup>189</sup> Jahan, 272.

<sup>190</sup> Mookherjee, 431.

<sup>191</sup> Mookherjee, 429-431

<sup>192</sup> Mookherjee, 431.

families, and larger communities. Indeed, it was recorded that many of the thousands of children born were “either killed by their mothers, abandoned, or raised by institutions to grow up as racially stigmatized half-breeds”<sup>193</sup>. The children, therefore, were reproductive of both the perpetrators ethnic or racial identity and of the shameful and traumatizing destruction of the targeted community. Women’s bodies were the sights on which Pakistani forces waged a reproductive genocide against Bengalis; without killing the women they could still effectively destroy them as a people.

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<sup>193</sup> Robyn Charli Carpenter, “Forced Maternity, Children’s Rights and the Genocide Convention: A Theoretical Analysis,” *Journal of Genocide Research* 2, no. 2 (June 2000): 213–44, <https://doi.org/10.1080/713677603>, 223.

## *The Rohingya Genocide*

The Myanmar military is waging an ongoing genocide against the Muslim Rohingya people. Violence broke out in October of 2016 and is ongoing to this day.<sup>194</sup> In addition to those exterminated, about 24,000, over a million Rohingya have fled the country,<sup>195</sup> with the majority going to Bangladesh resulting in the largest refugee camp in the world.<sup>196</sup> Ethnic tensions in Myanmar have been present for generations. The Rohingya people have been officially denied Burmese citizenship since 1982 and are politically and economically marginalized. Rohingya are a distinct group with their own language and culture and have consistently faced violence at the hands of nationalist Buddhists. The country is 88 to 90% Buddhist and only 4% Muslim. The western coastal province of Rakhine State is mostly Buddhist Rakhine, with a minority of Rohingya who are predominantly Muslim. In 2017, tensions reached a breaking point when the Rohingya, who were portrayed as increasingly hostile as they fought back against violent persecution and propaganda, resulted in increased military and extremist repression and genocidal action against them. At least 24,000 Rohingya people had been killed by the Myanmar military and Buddhist extremists as of August 2018.<sup>197</sup>

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<sup>194</sup> International Crisis Group, "Myanmar's Rohingya Crisis Enters a Dangerous New Phase," 2017, <https://www.crisisgroup.org/sites/default/files/292-myanmar-s-rohingya-crisis-enters-a-dangerous-new-phase.pdf>.

<sup>195</sup> Oliver Holmes, "Myanmar Seeking Ethnic Cleansing, Says UN Official as Rohingya Flee Persecution," the Guardian, November 24, 2016, <https://www.theguardian.com/world/2016/nov/24/rohingya-flee-to-bangladesh-to-escape-myanmar-military-strikes>.

<sup>196</sup> Somini Sengupta and Henry Fountain, "The Biggest Refugee Camp Braces for Rain: 'This Is Going to Be a Catastrophe,'" The New York Times, March 14, 2018, sec. Climate, <https://www.nytimes.com/2018/03/14/climate/bangladesh-rohingya-refugee-camp.html>.

<sup>197</sup> Ahmed Abidur Razzaque Khan, Salahuddin Ahmad, and Mohshin Habib, "Prevalence of Violence against Children: Evidence from 2017 Rohingya Refugee Crises | Request PDF," ResearchGate, 2019, [https://www.researchgate.net/publication/333118905\\_Prevalence\\_of\\_violence\\_against\\_children\\_Evidence\\_from\\_2017\\_Rohingya\\_Refugee\\_crises](https://www.researchgate.net/publication/333118905_Prevalence_of_violence_against_children_Evidence_from_2017_Rohingya_Refugee_crises).

Rape is widely employed by the Myanmar military, and it's estimated that at least 18,000 Rohingya Muslim women and girls have been raped since the genocide began.<sup>198</sup> About 45% of refugees have witnessed rape and nearly 40% saw them committed by the Burmese security services (military and police)<sup>199</sup>. United Nations Special Representative of the Secretary-General on Sexual Violence in Conflict Pramila Patten said in 2017 that mass rape was being used in Myanmar to perpetrate the “extermination and removal of the Rohingya as a group.”<sup>200</sup> Witnesses testify that during rape and mass rape, which tends to be public, perpetrators curse them and call them racialized slurs like “kalar.”<sup>201</sup> Even when rapes are not committed publicly, perpetrators intentionally leave physical evidence and often display corpses with clear “marks of rape” in “public view” in order to spread terror and shame in victimized communities.<sup>202</sup> By leaving raped corpses in public view with their clothes torn, orifices visibly violated, or sexual organs mutilated the perpetrators further illustrate their intentional use of sexual violence to demoralize, dominate, and destroy targeted communities. Another survivor testified that her perpetrators told her to “leave” Myanmar as it “it is not [their] country” after they raped her. In addition to terrorizing and dehumanizing its individual victims, mass rape, especially because it is so publicized, is used to shame and destabilize the Rohingya community. A victim recounted that she and other survivors remained silent to ensure that their husbands would never “find

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<sup>198</sup> Star Online Report, “Dutch House of Representatives Adopts Motion for Probe on Rohingya Genocide,” The Daily Star, July 5, 2019, <https://www.thedailystar.net/rohingya-crisis/news/dutch-house-representatives-adopts-motion-probe-rohingya-genocide-1767124>.

<sup>199</sup> The United States Department of State, “Documentation of Atrocities in Northern Rakhine State,” [www.state.gov](https://www.state.gov/wp-content/uploads/2019/01/Documentation-of-Atrocities-in-Northern-Rakhine-State.pdf), 2018, <https://www.state.gov/wp-content/uploads/2019/01/Documentation-of-Atrocities-in-Northern-Rakhine-State.pdf>, 2.

<sup>200</sup> Serajul Quadir, “U.N. Official Says Will Raise Sexual Violence against Rohingya with ICC,” Reuters, 2017, <https://www.reuters.com/article/us-bangladesh-myanmar/u-n-official-says-will-raise-sexual-violence-against-rohingya-with-icc-idUSKBN1DC0N7/>.

<sup>201</sup> The United States Department of State, 9.

<sup>202</sup> The United States Department of State, 14.

out”.<sup>203</sup> Ostensibly, when family or community members learned of or witnessed the rape of “their” women by enemy and ethnically distinct forces, those women were symbolically killed and ostracized from their communities as such rape is effective at destroying targeted communities even without killing them outright.

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<sup>203</sup> The United States Department of State, 14.

### *Concluding Remark on Asia*

The conflicts in this section while united by shared geographic locality are perhaps the most different from each other of any of the other sections. This could be a result of Asia being the largest continent on the planet and therefore having a wider variation of geographic, racial, ethnic, and cultural regions. The Bangladesh genocide is the most similar to other conflicts in this project as a whole. The Uyghur genocide is somewhat of an outlier. While mass sexual violence is certainly operating in a very similar way to other genocidal campaigns in this project the conflict has significantly less over extrajudicial or summary killings. Indeed, the conflict is largely being perpetrated through mass sexual violence, torture, and repression. The Cambodian genocide is also somewhat unusual within the scope of this project as perpetrators relied heavily on forced marriage as a means of mass sexual violence rather than primarily utilizing mass rape by soldiers themselves.

## Genocides in the European Continent

### *The Bosnian Genocide*

As communism fell in the early 1990s in Yugoslavia tensions between newly formed breakaway republics and several ethnic groups escalated. In 1991 Yugoslavia's republic of Bosnia and Herzegovina's population was about 4 million, comprised of four main ethnic groups: the Bosniaks (Bosnian Muslims) (44%), Serbs, who were largely Orthodox Christian (31%), Croats (17%), and Yugoslavs (8%). In 1992, Bosnia declared independence from Yugoslavia and Bosnian Serbs sought to "cleanse" the newly independent Bosnia of Muslims (targeted Bosniak and Croatian civilians).<sup>204</sup> The ensuing civil war from 1992 to 1995 resulted in approximately 100,000 deaths, and 80% of those deaths were Bosniaks. In March of 1995, the President and Supreme Commander of the armed forces of the Republika Srpska Radovan Karadžić issued Directive 7, which instructed the Bosnian Serb forces to eliminate Muslims from Srebrenica and Žepa.<sup>205</sup> One perpetrator testified that when asking his commanding officer what was going to happen to the men they had forcibly gathered his superior replied "all the *balija* [derogatory term for Bosniaks] have to be killed" indicating clear intentions for targeted extermination of people based on ethnicity<sup>206</sup>. The July 2<sup>nd</sup> order from the Command of the Drina Corps, *Krivaja 95*, included orders of "objective: by a surprise attack, to separate and reduce in size the Srebrenica and Žepa enclaves [...] and to create conditions for the elimination of the enclaves"<sup>207</sup>. In July of 1995 Bosnian Serb forces systematically executed roughly 8,000

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<sup>204</sup> United States Holocaust Memorial Museum, "Bosnia and Herzegovina — United States Holocaust Memorial Museum," Ushmm.org, 2020, <https://www.ushmm.org/genocide-prevention/countries/bosnia-herzegovina>.

<sup>205</sup> United States Holocaust Memorial Museum.

<sup>206</sup> International Residual Mechanism for Criminal Tribunals, "Srebrenica: Timeline of Genocide," [www.irmct.org](http://www.irmct.org), n.d., <https://www.irmct.org/specials/srebrenica/timeline/en/story>.

<sup>207</sup> Manojlo Milovanović, "Directive for Operation No.7," [www.irmct.org](http://www.irmct.org), 1995, <https://www.irmct.org/specials/srebrenica/timeline/images/P00005-Popovi>, 3.

Bosniak males in the town of Srebrenica; this massacre was the largest in Europe since the Holocaust. The war ended in 1995. The UN Security Council created the International Criminal Tribunal for the Former Yugoslavia (ICTY) in 1993, which was the first of its kind since the Nuremberg Trials. The ICTY charged 161 people and ruled in 2001 that genocide had occurred in Srebrenica and that rape was used “as an instrument of terror.”<sup>208</sup>

NGOs on the ground reported that between 20,000 and 50,000 women (mostly Muslim) were raped during the genocide, and that more than 35,000 women and children were imprisoned in Serb-run death/rape camps for the express purpose of being repeatedly raped and gang raped by Serbian troops<sup>209</sup>. Rape was systematic both in and outside the camps with some arguing that it was “practically [...] legal to rape Muslim women” during the conflict<sup>210</sup>. One victim testified that when drunk her assaulters told her that “they had orders from above to do it”<sup>211</sup> and one perpetrator testified that he and his soldiers were ordered to go to a restaurant where they would “rape girls.”<sup>212</sup> Rape was not just common — it was imposed widely as an express means of genocidal violence.

In this conflict, rape served the primary purpose of disrupting and destroy identity and community at the individual, familial, and community levels. It operated in three main ways in addition to causing desirous mental and physical harm to women’s body-minds: to symbolically “Serb-ify” Bosniak women; to, through forced impregnation, symbolically and materially reproduce Serbian children using Bosniak women’s wombs; to demonstrate to Bosniak men their

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<sup>208</sup> United States Holocaust Memorial Museum, “Bosnia and Herzegovina”.

<sup>209</sup> Gingerich and Leaning, “Program on Humanitarian Crises and Human Rights” 7.

<sup>210</sup> Alexandra Stiglmayer, *Mass Rape: The War against Women in Bosnia-Herzegovina = Massenvergewaltigung: Krieg Gegen Die Frauen* (Lincoln: University Of Nebraska Press, 1994). 110.

<sup>211</sup> Stiglmayer, 121.

<sup>212</sup> Stiglmayer, 148.

inability to protect their women, and finally, to instigate raped women's ostracization from their home communities and families.

### *Serb-ification of Bosnian Women through Rape*

Another way rape operated genocidally was by its symbolic Serb-ification of Bosnian women. Victims testified that the soldiers raping them "cursed [their] baliya mothers"<sup>213</sup> and told them that through their rape they had "changed religion" and were now Serbian<sup>214</sup>. Clearly, the Serbian forces considered their sexual domination of Bosnian women as transformative of their ethnic identities. In larger Yugoslavian culture, too, rape possessed the social ability to designate victims' cultural belonging. By forcing their victims to "kiss" crosses and carve "Serbian crosses" into their skin they physically and symbolically illustrated how rape transformed their victims.<sup>215</sup> Another victim recalled being told that the Serbians would slaughter all Bosnians because this was "[their] Serbia"<sup>216</sup>; likewise another victim said that she overheard soldiers telling each other that victims needed "to know that this is [Serbian] land,"<sup>217</sup> and another that "it's because of territory" and that they needed to "annihilate" non-Serbs to create a homogeneously Serbian nation.<sup>218</sup>

### *Forced Impregnation and Reproduction of the Serbian Nation*

Survivors and witnesses testify that soldiers frequently articulated their intention to forcibly reproduce the Serbian nation while raping victims. Rape was used to reproductively, on

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<sup>213</sup> Stiglmeier, *Mass Rape*, 94-95.

<sup>214</sup> Stiglmeier, 128.

<sup>215</sup> Stiglmeier, 128.

<sup>216</sup> Elisa von Joeden-Forgey, "The Devil in the Details: 'Life Force Atrocities' and the Assault on the Family in Times of Conflict," *Genocide Studies and Prevention: An International Journal* 5, no. 1 (April 1, 2010), [https://digitalcommons.usf.edu/gsp/vol5/iss1/2?utm\\_source=digitalcommons.usf.edu%2Fgsp%2Fvol5%2Fiss1%2F2&utm\\_medium=PDF&utm\\_campaign=PDFCoverPages](https://digitalcommons.usf.edu/gsp/vol5/iss1/2?utm_source=digitalcommons.usf.edu%2Fgsp%2Fvol5%2Fiss1%2F2&utm_medium=PDF&utm_campaign=PDFCoverPages), 7.

<sup>217</sup> MacKinnon, *Are Women Human?*, 166.

<sup>218</sup> Stiglmeier, 158.

an “ethnic basis,” produce a dominant Serbian ethnicity.<sup>219</sup> One recalls being told “the next time we meet, you’ll have one of our kids in your belly” ostensibly articulating that the product of this rape will be a Serbian rather than Bosnian child,<sup>220</sup> another was told that it was an “honor for a Muslim woman to give birth to a Serbian kid” while she was assaulted<sup>221</sup>, another was told she would never “give birth to any more little Croats [or Muslims],”<sup>222</sup> and another was told if she could have “Utasha [derogatory term for Croat] babies, then [she could] have a Chetnik [nationalist extremists who targeted Bosnians, Croats, and Muslims] baby too.”<sup>223</sup> Further, one survivor testified that she believed the soldiers “planned” to use rape in this manner referencing hearing them sing “O Beautiful *bula*, a Chetnik’s beard will scratch you” and about how “Muslim women would give birth to Serbian children.”<sup>224</sup> By articulating the ethnic and genocidal purposes for raping their victims soldiers made “explicit and intention [...] to destroy the generative powers and institutions” of the targeted peoples.<sup>225</sup> Indeed, given the incredible frequency of rape, the presence of organized rape camps, and other anecdotal admissions of premeditation, it is clear that rape was meant to achieve genocide via the reproduction of Serbian babies.

In the rape camps pregnant women “were separated off” from other women, given “special privileges” and were less likely to be raped in order to ensure that they gave “birth to a Serbian kid.”<sup>226</sup> Sometimes they would be kept in the camps until it was too late to abort the child to ensure the resulting child was born.

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<sup>219</sup> MacKinnon, *Are Women Human?*, 211.

<sup>220</sup> Stigmayer, *Mass Rape*, 92.

<sup>221</sup> Stigmayer, 118.

<sup>222</sup> Joeden-Forgey, “The Devil in the Details,” 7.

<sup>223</sup> Stigmayer, 119.

<sup>224</sup> Stigmayer, 104.

<sup>225</sup> Joeden-Forgey, 10.

<sup>226</sup> Stigmayer, *Mass Rape*, 119.

Survivors did frequently seek out abortions and sometimes even resorted to infanticide. One study found that of 119 pregnancies resulted from rape, 104 women aborted the fetus and 11 gave up “unwanted” babies<sup>227</sup>. Survivors testified that they did not consider children/fetuses resulting from rape to be their children and wanted “nothing to do with” them<sup>228</sup>. One survivor referred to the child as “the thing,”<sup>229</sup> and another testified that if she’d had the choice, she would have aborted the fetus but planned to “kill the child as soon as it was born.”<sup>230</sup> Survivor’s clear disgust and distain for fetuses and children that resulted from rape illustrates both the mental trauma caused by their assaults and indicates their reluctance to reproduce the Serbian nation. Additionally, one woman testified that in her community “everybody,” her husband, children, and the “whole town” would think of any child born from Serbian rape as “filth” indicating that women both rejected pregnancies and births resulted from rape not only because of the stark reminders of their brutalization such pregnancies and children represented, but also because of both the cultural meaning of those children and because of fear of social ostracization.<sup>231</sup>

One perpetrator testified hearing other soldiers articulate that the mothers they were producing via rape would raise babies that were “half a Muslim, half a Serb” and therefore they could not let any Muslim women get away further indicating that soldiers knew the purpose of forced impregnation in their genocidal aims.<sup>232</sup> Indeed, soldiers were themselves agents of creation *and* destruction as they replaced Bosnian identities with Serbian children.

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<sup>227</sup> Stigl Mayer, 135.

<sup>228</sup> Stigl Mayer, 132.

<sup>229</sup> Stigl Mayer, 137.

<sup>230</sup> Stigl Mayer, 133.

<sup>231</sup> Stigl Mayer, 137.

<sup>232</sup> Stigl Mayer, *Mass Rape*, 132.

*Emasculation of Bosniak Men through Rape of “Their Women”*

Another purpose of genocidal rape in Bosnia was to emasculate Bosnian men via conquest and contamination of “their” women. Survivors testified that they believed perpetrators to commit rapes to “humiliate” them, show their “power,” prove that they were “superior” to non-Serbian men.<sup>233</sup> Another survivor recalled that her attackers told her and the other women she was being raped with that “they were going to show [them] what real Serbian men were like.”<sup>234</sup> As such, Serbian perpetrators illustrated the symbolic power rape held to both harm women and emasculate Bosnian men. Similarly, another victim testified that her attacker shouted “death to all Turkish sperm” as he assaulted her indicating that both via the mass murder of Bosnian men and the vast forcible dissemination of Serbian sperm into Bosnian men’s women, they were genocidally destroying the current and future Bosnian population.<sup>235</sup> Another survivor recalled her rapist asking if she was desperate for her husband and then telling her that they, the Serbs, were there “instead of” their Bosnian men; by raping her he symbolically replaces her husband and asserts himself as father, and, therefore, ethnic marker of her subsequent child.<sup>236</sup> Further, within patriarchal society, rape is considered a demonstration of ultimate masculinity as it literally and symbolically demonstrates male supremacy over women; as such, soldiers proved themselves as “powerful, manly, and crucially” Serbian by employing genocidal rape.<sup>237</sup> Separate from the symbolic and material impacts on women, rape also serves to emasculate and destroy targeted masculinities by demonstrating their inability to protect “their” women and,

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<sup>233</sup> Stigl Mayer, 92.

<sup>234</sup> Stigl Mayer, 109.

<sup>235</sup> Stigl Mayer, 109.

<sup>236</sup> Joeden-Forgey, “The Devil in the Details,” 9.

<sup>237</sup> Franziska Karpiński and Elysia Ruvinsky, “Sexual Violence in the Nazi Genocide,” in *Genocide: New Perspectives on Its Causes, Courses and Consequences*, ed. Ugur Üngör (Amsterdam: Amsterdam University Press, 2016), 149–74, <https://doi.org/10.1515/9789048518654-008>, 156.

therefore, perpetrators' supremacy and superiority over victims' masculinities, and by symbolically replacing their roles as husbands and fathers.

### *Cultural Ostracization in Response to Rape*

Muslim society in the former Yugoslavia was “patriarchal” and placed extreme significance on purity, virginity, and gender roles. Serbian troops used this to further pursue their genocidal aims. Often “if a man” had even the “slightest suspicion that his wife may have cooperated voluntarily, the marriage was over”; as such, rape served to dehumanize its individual victims and to, at a larger scale, disrupt and destroy familial identity.<sup>238</sup> Furthermore, while it was common for rape victims in villages to show clear signs of resistance such as gunshot wounds, knife wounds, bruises, and lacerations, women in rape camps tended to not have the presumably indicative “black and blue [bruises], especially in the lower body region” because within female networks in the camp earlier victims “told the others the best way to survive,” which was, of course, to not physically resist.<sup>239</sup> However, it should be noted that because women did not “resist” does not mean they consented or were complicit in their rape; rather, under coercion and threat of death they did whatever was necessary to survive. One victim testified that her husband would “never take [her] back if he knew what happened.”<sup>240</sup> Another woman testified that her fiancé told her that he did not “want to marry [her] anymore, now that all of them [Serbian soldiers] have [...] fucked you down the line” clearly indicating that regardless of her perceived or actual complicity in her assault she was now “damaged goods” and unfit for marriage.<sup>241</sup> Due to the patriarchal and patrilineal nature of the former Yugoslavia

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<sup>238</sup> Stiglmeier, *Mass*, 91.

<sup>239</sup> Stiglmeier, *Mass Rape*, 90.

<sup>240</sup> Stiglmeier, 137.

<sup>241</sup> Stiglmeier, 127.

rape served the express purpose of destroying Bosnian women's ability or opportunity to retain familial and community ties even after the violence ended.

## *The Holocaust*

The Holocaust, perpetrated by the Nazi Third Reich and led by Adolf Hitler, is one of the most widely known and discussed genocides in world history. Indeed, it was the first defined case of genocide and inspired Lemkin's 1944 invention of the word genocide itself. Lasting from 1941 to 1945 and occurring within Nazi-occupied Europe (primarily occupied Poland and the Soviet Union), the massive campaign of genocidal extermination ultimately claimed the lives of over 6 million Jews<sup>242</sup> as well as 11 million others who were determined by the Third Reich to be "untermenschen" or undesirable sub-humans.<sup>243</sup> These people include but are not limited to Slavs and Bolsheviks (Russians, Belarusians, Poles,<sup>244</sup> Ukrainians, and Serbs), the Romani (gypsy) people,<sup>245</sup> queer people, people with mental or physical disabilities, Soviet civilians and POWs, Roman Catholics, Protestants, Jehovah's witnesses, Spanish Republicans, Freemasons, Black Europeans (especially Afro-German "Mischlinge"/"Rhineland Bastards"), other non-Aryans, leftists, communists, trade unionists, capitalists, social democrats, socialists, anarchists, and dissidents.<sup>246</sup> Also "social deviants" like prostitutes, vagrants, alcoholics, drug addicts, open dissidents, pacifists, draft resisters and criminals. The Nazis utilized concentration and death camps, death marches, forced sterilization and abortion, denaturalization, deportation,

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<sup>242</sup> United States Holocaust Memorial Museum, "Documenting Numbers of Victims of the Holocaust and Nazi Persecution," Holocaust Encyclopedia (United States Holocaust Memorial Museum, December 8, 2020), <https://encyclopedia.ushmm.org/content/en/article/documenting-numbers-of-victims-of-the-holocaust-and-nazi-persecution>.

<sup>243</sup> United States Holocaust Memorial Museum, "Introduction to the Holocaust," Holocaust Encyclopedia (United States Holocaust Memorial Museum, November 5, 2021), <https://encyclopedia.ushmm.org/content/en/article/introduction-to-the-holocaust>.

<sup>244</sup> Tadeusz Piotrowski, *Poland's Holocaust: Ethnic Strife, Collaboration with Occupying Forces and Genocide in the Second Republic, 1918-1947* (Jefferson, Nc: McFarland & Co Inc., U.S, 2007).

<sup>245</sup> United States Holocaust Memorial Museum, "Genocide of European Roma (Gypsies), 1939–1945," Ushmm.org (United States Holocaust Memorial Museum, 2019), <https://encyclopedia.ushmm.org/content/en/article/genocide-of-european-roma-gypsies-1939-1945>.

<sup>246</sup> Donald L Niewyk and Francis R Nicosia, *The Columbia Guide to the Holocaust* (New York: Columbia University Press, 2000).

ghettoization, slavery, and pogroms to perpetrate their genocidal violence.<sup>247</sup> They also utilized mass sexual violence; however, this component of the genocide is not frequently talked about. Their motivations revolved around the creation of an Aryan “Lebensraum,” or living space for a racially homogenous and nationalist German empire.<sup>248</sup> The “Final Solution to the Jewish Question” was formulated at the 1942 Wannsee Conference and planned to completely exterminate the Third Reich’s main targeted community, Jews.<sup>249</sup> Further, the Generalplan Ost provided a blueprint for the ensuing genocide to produce a “Master Race.”<sup>250</sup> Antisemitism is typically cited as the main motivation for the Holocaust and stemmed from international conspiracies about Jews, rising nationalism and eugenic beliefs, expanding industrialization, political fragmentation, worldwide economic depression, and expanding German colonialism.<sup>251</sup> Further, it was widely believed, and supported by racist/antisemitic propaganda, that Jews and socialists were responsible for the disgraceful defeat of Germany in World War I.

Mass sexual violence was widely employed to achieve genocidal goals during the Holocaust.<sup>252</sup> While sexual violence was not cited in the international condemnation of the Holocaust and, therefore, was not considered to be a hallmark or means of genocide at the time shifting understandings of how genocide operates and mass rape’s role shift understandings of the Holocaust.<sup>253</sup> Especially given the fact that miscegenation was formally illegal in Nazi

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<sup>247</sup> Peter Longerich, *Holocaust: The Nazi Persecution and Murder of the Jews* (Oxford: Oxford University Press, 2010).

<sup>248</sup> William Mallinson and Zoran Ristic, *The Threat of Geopolitics to International Relations: Obsession with the Heartland* (Newcastle Upon Tyne Cambridge Scholars Publishing, 2017), 3.

<sup>249</sup> United States Holocaust Memorial Museum, “Wannsee Conference and the ‘Final Solution,’” Ushmm.org (United States Holocaust Memorial Museum, 2019), <https://encyclopedia.ushmm.org/content/en/article/wannsee-conference-and-the-final-solution>.

<sup>250</sup> Unai Fernández de Betoño, “The Nazi Anti-Urban Utopia: ‘Generalplan Ost,’” *Mètode Science Studies Journal* 10 (2020): 165–71, <https://www.redalyc.org/journal/5117/511767145006/html/>.

<sup>251</sup> Earl Ray and Robert Gellately, *The Oxford History of the Third Reich* (Oxford University Press, 2023) 190-216.

<sup>252</sup> Susan Welch, “Gender and Selection during the Holocaust: Transports of Western European Jews to the East,” *Journal of Genocide Research* 22, no. 4 (May 12, 2020): 459–78, <https://doi.org/10.1080/14623528.2020.1764743>, 462.

<sup>253</sup> MacKinnon, *Are Women Human?*, 215.

Germany under Rassenschande and that such a vast majority of rape victims were murdered immediately after or even before their violation accurate reports or estimates of the prevalence of sexual violence during the Holocaust are rare. One perpetrator testified that “rape of Jewish girls was allowed” and that it was not considered a violation of Rassenschande because the women were killed before being able to reproduce impure and undesirable offspring.<sup>254</sup> Indeed, especially in Ghetto brothels there is little to no evidence that rape ever had consequences due to Rassenschande.<sup>255</sup> One scholar, Brigit Beck, asserts that between 50 and 80 percent of police, military, and SS forces in Eastern Europe perpetrated rape, however, the true prevalence of sexual violence is likely both much higher and impossible to pinpoint.<sup>256</sup> Further, death tended to be cited as the main violation of these women’s human rights and “their sexual injuries were” therefore “submerged in the tide of murder.”<sup>257</sup>

Sexual violence was largely a result of the “militarized hetero-nationalist hegemonic masculinity” that was expected of soldiers under the Third Reich and could illustrate their “supreme dominance” over targeted communities.<sup>258</sup> Nazi propaganda eschewed an extremely masculine, soldierly, and tough male self-image that soldiers were expected and required to embody. Rape also served symbolic genocidal purposes. By raping “women of the enemy” perpetrators violated and destabilized the “symbolic representation of the national body” of Jews and other victims.<sup>259</sup> As such, Nomi Leven Kron note that “[t]he soldier invades the woman’s

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<sup>254</sup> MacKinnon, 216.

<sup>255</sup> Katarzyna Person, “Sexual Violence during the Holocaust: The Case of Forced Prostitution in the Warsaw Ghetto,” *Shofar* 33, no. 2 (2015): 103, <https://doi.org/10.5703/shofar.33.2.103>, 108.

<sup>256</sup> Brigit Beck, “Vergewaltigung von Frauen Als Kriegsstrategie Im Zweiten Welt- Krieg?,” in *Erfahrung Und Verweigerung von Gewalt in Kriegen Des 20. Jahr- Hunderts*, ed. Andreas Gestrich (Ausbung, 1996), 43-44.

<sup>257</sup> MacKinnon, 216.

<sup>258</sup> Karpiński and Ruvinsky, “Sexual Violence in the Nazi Genocide,” 149.

<sup>259</sup> Karpiński and Ruvinsky, 157.

body just as he invades her country; he crushes her body as well as her right to autonomy and control over her life.”<sup>260</sup>

One main way that mass sexual violence was perpetrated was through “legal, institutionalized, and officially run” prostitution and brothels were considered “just one more way Jewish women could be destroyed.”<sup>261</sup> At the infamous Auschwitz Birkenau death and concentration camp “attractive women” at selection were ordered out of line and then “kept alive solely to satisfy” Nazis and other camp guards and officials.<sup>262</sup> Within camps concentrated women would frequently be forced to exchange sex for alleged and temporary “survival and freedom” but were almost ubiquitously exterminated anyways.<sup>263</sup> Sexual violence within the camps was frequently public “spectacle”<sup>264</sup> as to demonstrate the Nazi’s “boundless power” and hatred for the victims and to further degrade and humiliate the women, and, because of the public witness the larger community.<sup>265</sup> Another way that sexual violence was perpetrated against the Holocausts victims was by violently searching corpses immediately following their extermination via the gas chambers. As Myrna Goldberg observes, they were, therefore, “violated in life” and “violated in death as well.”<sup>266</sup> While this defilement of dead bodies could not further terrorize the dead women themselves it illustrates a broader pattern of complete domination and symbolic supremacy over the victimized communities.

Sexual violence was nuanced in its application and sometimes even the threat of rape was enough to symbolically dominate victims’ bodies and identities. One survivor recalls being told

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<sup>260</sup> Sonja M. Hedgepeth and Rochelle G. Saidel, *Sexual Violence against Jewish Women during the Holocaust*, Press.uchicago.edu (Brandeis University Press, 2010), <https://press.uchicago.edu/ucp/books/book/distributed/S/bo43635683.html>, 165.

<sup>261</sup> MacKinnon, 216-17.

<sup>262</sup> MacKinnon, 218.

<sup>263</sup> MacKinnon, *Are Women Human?*, 218.

<sup>264</sup> MacKinnon, 219.

<sup>265</sup> Karpinski and Ruvinsky, “Sexual Violence in the Nazi Genocide,” 165.

<sup>266</sup> Karpinski and Ruvinsky, 219.

that she didn't know "how to obey," and that her attacker would "show" her through sexual degradation. However, he then said he could not have her because she was "Jewish" and "dirty"; instead, he beat her into unconsciousness. While rape does not occur in this instance, the soldier's articulated desire to utilize rape to reeducate the woman and his refusal to defile himself by having intercourse with an impure woman illustrate the power sexuality in conjunction with ethnicity possessed during the Holocaust. Indeed, this and other beatings sought to "activate" women's sexuality to "degrade the victims by forcing them into a position of readily available sexual" objectification and establish Aryan superiority over the symbolically occupied woman.<sup>267</sup>

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<sup>267</sup> Karpínski and Ruvinsky, 166-167.

### *Concluding Remarks on Europe*

The Bosnian genocide and the Holocaust are somewhat difficult to compare but that is because the Holocaust is difficult to compare with most other genocides. The scale and “success” of the Holocaust make it an outlier among other genocides in the twentieth century. Further, mass sexual violence while still prevalent was more frequently followed by murder in the Holocaust compared with other genocides. While the Holocaust was the first genocide to be defined as such and therefore sometimes referred to as a blueprint for future genocides the Bosnian genocide, perhaps, has the most robust and extensive documentation of how mass sexual violence operates genocidally and in that way informs understandings of mass sexual violence in other genocides. The two conflicts in this section are significantly different from other conflicts because Europe and European countries have historically had economic and political power over so called non-western countries. In all of the other conflicts in this work, with the exception of the Ukraine conflict, geographic racial, and ethnic groups involved are marginalized or in various stages of post coloniality from Western countries.

## Other Notable Cases

### *The Ongoing Conflict in Ukraine*

The conflict in Ukraine is ongoing and its designation as a genocide is highly contested. The Russo-Ukrainian War began in February of 2014 but largely consisted of cyberwarfare, naval incidents, and escalating political tensions as following Ukraine's Revolution of Dignity which sought distance from Russia and its continued human rights violations and occupation of Crimea, and Ukrainian sovereignty from Russia increasing control.<sup>268</sup> In February of 2022 Russia launched a full-scale invasion of Ukraine. Russia's army, vastly larger than Ukraine's, which relies heavily on paramilitary and volunteer groups has caused the largest European refugee crisis since WWII displacing upwards of 8.2 million civilians<sup>269</sup> and has, as of June 2022 gained occupation of about 20% of Ukraine.<sup>270</sup> Kateryna Busol's analysis of how mass rape operates in unofficial but still systematic was useful in clarifying that the existence of formal orders or plans to utilize mass rape are less significant than cultural or social authorization and normalization of such violence. In a press conference Russian President Vladimir Putin jokingly alluded to rape saying "My beauty, it's your duty" in reference to implementation of agreements by Kyiv.<sup>271</sup> The sexualized nature of the joke is significant. Given Russia's ongoing colonization and ethnic cleansing of Ukraine Putin has routinely articulated himself and his country as the masculine superior and in turn, portrays Ukraine as a woman who is being sexually dominated

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<sup>268</sup> Paul J D'anieri, *Ukraine and Russia: From Civilized Divorce to Civil War* (Cambridge; New York ; Port Melbourne ; New Delhi ; Singapore Cambridge University Press, 2019).

<sup>269</sup> Safa Msehli et al., "Needs Growing for over 8 million Internally Displaced in Ukraine," International Organization for Migration, May 10, 2022, <https://www.iom.int/news/needs-growing-over-8-million-internally-displaced-ukraine>.

<sup>270</sup> The New York Times, "Maps: Russia and Ukraine Edge Closer to War," *The New York Times*, February 14, 2022, sec. World, <https://www.nytimes.com/interactive/2022/world/europe/ukraine-maps.html>.

<sup>271</sup> Kateryna Busol, "When the Head of State Makes Rape Jokes, His Troops Rape on the Ground: Conflict-Related Sexual Violence in Russia's Aggression against Ukraine," *Journal of Genocide Research* 25, no. 3-4 (October 2, 2023): 279–314, <https://doi.org/10.1080/14623528.2023.2292344>, 279.

by Russia. This joke has material consequences. While obviously not a formal order to his troops jokes like this one demonstrate the conditions under which mass sexual violence is permitted and promoted. Indeed, several studies have found that as many as “every third female interviewee and every fourth male interviewee has experienced or witnessed” sex or gender-based violence (SGBV) “in war affected Eastern Ukraine.”<sup>272</sup> Further, this violence is reported to be perpetrated predominately in one of three settings: “detention, at checkpoints,” or within “temporarily occupied territories.”<sup>273</sup> With one study documenting at least 340 cases of SGBV within a detention camp and witnesses articulating that the violence was employed to “humiliate, punish, or extract confessions” it is clear that regardless of whether the conflict is, indeed, genocidal, mass rape is being deployed in a genocidal manner.<sup>274</sup>

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<sup>272</sup> Busol, 288.

<sup>273</sup> Busol, 288.

<sup>274</sup> Busol, “When the Head of State Makes Rape Jokes, His Troops Rape on the Ground,” 288.

## *The Ongoing Conflict in Palestine*

My work as a scholar and as an activist would be remiss to neglect to mention what is happening in Palestine.

The broader Israeli-Palestinian conflict has been ongoing since at least the 1947 United Nations Partition Plan for Palestine that instigated the 1948 Palestine war and ultimately led to the 1948 Declaration of the Establishment of the State of Israel. Israel's assertion of statehood within an already established and inhabited country, Palestine, has led to increasingly violent apartheid, ethnic cleansing, and now, genocide. On October 7, 2023, the Harakat al-Muqawama al-Islamiya, more commonly known as Hamas which is a Palestinian Sunni Islamist military and political movement that since 2007 has governed the Israeli-occupied Gaza Strip, launched a surprise attack on Israel, killing at least 1,139 Israelis and foreign nationals (civilians and security personnel) and taking 252 people captive.<sup>275</sup> The attack was a response to ongoing apartheid, expanding settlements, and pervasive blockades on the movement of goods and people in and out of Gaza. Following this attack, the Israeli military has accelerated their use of bombings and ground invasions into Gaza and more than 35,000 Palestinian men, women, and children have been killed in the ensuing seven months and nearly 2 million Palestinians have been displaced.<sup>276</sup> This conflict is still ongoing and changing rapidly, but despite refutation by the Israeli government and other Zionist organizations and continued U.S. refusal to either condemn the genocide or cease funding the Israeli war machine the conflict has rapidly become unequivocally genocidal.

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<sup>275</sup> AJLabs, "Israel-Hamas War in Maps and Charts: Live Tracker," Al Jazeera, October 9, 2023, <https://www.aljazeera.com/news/longform/2023/10/9/israel-hamas-war-in-maps-and-charts-live-tracker>.

<sup>276</sup> AJLabs, "Israel-Hamas War in Maps and Charts: Live Tracker."

Further, reports are slowly starting to come out of the new and rapidly changing conflict pertaining to sexual violence against Palestinian women and girls. The UN Special Rapporteur on Violence against Women and Girls Reem Alsalem and the UN Secretary-General's Special Representative on Sexual Violence in Conflict Pramila Patten have both condemned sexual violence being perpetrated by the Israeli Defense Forces (IDF) and Israeli police.<sup>277</sup> Patten reported that “clear and convincing” evidence has been uncovered that “sexual violence, including rape” and “sexual torture” have been uncovered being used against Palestinian hostages.<sup>278</sup> Further, those detained in prisons have reported “invasive body searches, unwanted touches, threats of rape” and “forced nudity”.<sup>279</sup> A 2020 study found that nineteen of twenty participants stated that they experienced “unwanted verbal and nonverbal sexual comments or gestures, forced nudity, or forced touching by prison personnel”.<sup>280</sup> Further, the participants reported the use of “hateful and derogatory terms” and one woman stated that the sexual harassment she faced while incarcerated led to her husband filing for divorce.<sup>281</sup> As the current genocide wages on particular attention must be paid to how sexual or gender-based violence is used to further Israeli genocidal goals.

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<sup>277</sup> Reem Alsalem, “Women Bearing the Brunt of Israel-Gaza Conflict: UN Expert,” United Nations Human Rights Office of the High Commissioner, 2023, <https://www.ohchr.org/en/press-releases/2023/11/women-bearing-brunt-israel-gaza-conflict-un-expert>.

<sup>278</sup> Pramila Patten, “Civilians in Israel and Palestine ‘Cannot Be Abandoned’, Says Top UN Official on Sexual Violence in Conflict | UN News,” United Nations News, March 11, 2024, <https://news.un.org/en/story/2024/03/1147477>.

<sup>279</sup> Patten, “Civilians in Israel and Palestine.”

<sup>280</sup> Ferdoos Abed-Rabo Al Issa and Elizabeth Beck, “Sexual Violence as a War Weapon in Conflict Zones: Palestinian Women’s Experience Visiting Loved Ones in Prisons and Jails,” *Affilia* 36, no. 2 (December 16, 2020): 088610992097861, <https://doi.org/10.1177/0886109920978618>.

<sup>281</sup> Al Issa and Beck, “Palestinian Women’s Experience Visiting Loved Ones in Prisons and Jails”.

## *The Rape of Nanjing*

In the midst of the Second World War and the Second Sino-Japanese War in November of 1937 the Japanese Imperial Army invaded the provisional capital of the Republic of China immediately following Japan's victory in the Battle of Nanking. In the following months, they killed as many as 350,000 prisoners of war and civilians.<sup>282</sup> Japanese soldiers killed upwards of 8,000 people per day and raped between 20,000 and 80,000 women and children.<sup>283</sup> The violence was ordered by Lieutenant Colonel Chō who told troops “yatte shimae katazakerunoda” meaning “be done with it, I’ll clean it up”.<sup>284</sup> With this permission, the invading forces killed and raped with abandon and were widely reported to compete to see who could kill the most people the fastest. One soldier testified that the “rough rule” was if they raped a woman, they had to kill her afterwards.<sup>285</sup> Another perpetrator recalled that while they raped their victims they saw “her as a woman” but when they killed her they “thought of her as something like a pig.”<sup>286</sup> Further, it was highly common to display the “corpses of women [...] with their legs splayed open, [and] their orifices pierced” by various objects.<sup>287</sup> By displaying dead women’s bodies as visibly and explicitly violated the soldiers demonstrated their complete domination over the civilian population. Another main way Japanese forces sexually tortured civilians was by intentionally destroying familial relations by frequently forcing men to commit incest against their own daughters, sisters, sons, or mothers.<sup>288</sup> This violence operated to not only brutalize women but

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<sup>282</sup> Ben Kiernan, *Blood and Soil: A World History of Genocide and Extermination from Sparta to Darfur* (New Haven, Conn.; London: Yale University Press, 2009), 469.

<sup>283</sup> Horvitz and Catherwood, *Encyclopedia of War Crimes and Genocide*, 290.

<sup>284</sup> Ben Kiernan, *Blood and Soil: A World History of Genocide and Extermination from Sparta to Darfur* (New Haven, Conn.; London: Yale University Press, 2009), 469.

<sup>285</sup> Jones, *Genocide: A Comprehensive Introduction*, 239.

<sup>286</sup> Jones, 239.

<sup>287</sup> Iris Chang, *The Rape of Nanking: The Forgotten Holocaust of World War II* (1991; repr., New York: Basic Books, a Member of the Perseus Books Group, [Tussen En, 1997]), 95.

<sup>288</sup> Chang, *The Rape of Nanking*, 96.

use gendered violence to destroy families as a whole. Many of the family members, if left alive, later died by suicide or succumbed to their injuries or venereal diseases.<sup>289</sup> The use of mass rape during the Rape of Nanjing therefore clearly illustrates as comparable genocidal modality in that it attempted to both utilize individual violation to perpetrate communal destruction and because soldiers perpetrated massacre, domination, or war on women's bodies. Survivors of the mass rape were few and far between given the unofficial rule that any woman who was raped must be subsequently killed, but those who did survive were nearly always left disfigured or unable to have children; in this way the Japanese military effectively reproduced the destruction of Nanjing civilians ensuring that the violence continued even after the conflict's resolution. While the Rape of Nanjing is not widely considered to be part of a larger genocidal campaign, the violence enacted during the months of massacre were certainly genocidal in modality and volume and, significantly, the utilization of mass rape as both a means of mass brutalization and dehumanization and as a means of killing or destroying communities at a micro and meso level.

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<sup>289</sup> Chang, *The Rape of Nanking*, 96.

### *Concluding Remarks on Other Notable Cases*

I intentionally include these three “other notable cases” for a few reasons. Firstly, this work would be incomplete and problematic without mentioning them. Secondly, the use of mass sexual violence by perpetrators in these conflicts is clearly operating in analogous ways to the other genocidal cases. Lastly, this work is meant to shift understandings of whoa genocide is and how it operates. As such, it is only right that these conflicts, while not generally or universally considered genocide or in which not all modalities or criteria of genocide are being met also be examined. For the Ukraine conflict and the conflict in Palestine especially the fact that the violence is so current, and fluid also impacted my decision to not include them as conflicts in the main case studies.

## **Concluding Remarks on Chapter Two**

Each of the previous sections or case studies illustrate a clear and condemning pattern of mass sexual violence being used for genocidal means. The motivations, impacts, and symbolic meaning of this specific sort of violence cannot be understated and must be examined more closely as it relates to both genocide and women's rights. Given the frequency with which mass sexual violence clearly achieves genocidal destruction and that it is documented globally rather than exclusively in one geographic locality it should be included as a principal modality by definition of the crime.

## Chapter Three: Conclusions

### Mass Rape's Destruction of Identity

In each case study, mass sexual violence is illustrated to be operating genocidally. MacKinnon's work argues that "genocide is defined by aim" rather than by success.<sup>290</sup> As such, acts that aim to or effectively destroy groups, even in part, are also genocidal. This key articulation illustrates that destruction or genocide is more than killing alone. She goes on to contend that mass rape can therefore be an act of genocide. Within genocidal conflicts rape is controlled, encouraged, ordered, or systematically permitted. As Castañeda crucially articulates, colonization, or in this case genocide, can employ rape systemically with or without its organization being "official," as seen with examples like the ongoing conflict in Ukraine mass sexual violence is often authorized via social or cultural permission or normalization. Perpetrators rely on their knowledge of their perceived or actual cultural, ethnic, racial, religious, political, or geographic difference when employing mass rape and symbolically colonize, convert, and destroy the identities of their victims.

Mass rape operates in various ways. It most obviously and simply operates to inflict harm, mental and physical, to targeted women. As such, it attacks their individual identity thus operating at the micro level. Rape also symbolically and materially severs familial and community ties by emasculating victim groups men by demonstrating their inability to protect "their" women, or castrating women's ostracization from their home communities, symbolically converting or transferring their religious or ethnic identities, and by reproducing perpetrators

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<sup>290</sup> MacKinnon, *Are Women Human?*, 223-224.

perceived or actual identities via forced impregnation of victimized women. Therefore, mass rape also operates genocidally at the macro effectively “destroying” a targeted people.

### *The Micro Level*

Individually, rape violates identity and symbolically spoils, steals, ruins how women view and experience themselves. Frequently, survivors articulate that being raped is “worse than death” because the violation and brutalization of their identities is not stagnant but remains felt over time.<sup>291</sup> For survivors, the experience is first an individual one as rape operates between an individual and an attacker or between an individual and multiple attackers; further given the intimate nature of sexual violence each rape or assault is felt foremost by the rape victim. As such, rape is typically considered an individual crime rather than a collective or community-based crime. Central to each case study were women’s testimonies of how rape always impacted them at an individual level; the violent invasion and battering of their minds, bodies, identities, and memories are unforgettable and inescapable. Further, their suffering is compounded by their violations specific capacity to intimately demonstrate their domination and their perpetrator hatred while still, usually, leaving them alive to watch and feel their people’s brutalization. In these ways rape operates at the micro scale to destabilize and destroy the individual identities of targeted women.

### *The Meso Level*

Mass rape also impacts individuals’ relationality to others, especially to their families or spouses. Even though women are frequently left alive after rapes their “cohesion” and “identification” with others is “destroyed.”<sup>292</sup> Especially in patriarchal societies, sexuality tends

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<sup>291</sup> MacKinnon, *Are Women Human?*, 227.

<sup>292</sup> MacKinnon, *Are Women Human?*, 230.

to socially signify male possession of women, therefore, rape transfers belonging of victims from herself or her people to the symbolic hands of the perpetrator. In other words, because “sex is relational, sexual atrocities destroy relationships.”<sup>293</sup> Further, as the case studies have illustrated sexual violence is destructive to familial relationships especially and therefore destabilizes communities at the meso level.

### *The Macro Level*

Families are, perhaps, the primary sources of community and they (re)produce culture and community. In “studying the destruction” of groups we are, indeed, “studying families by default.”<sup>294</sup> Further, given the patriarchal nature of nearly all societies and cultures globally which tend to place heavy burden on female purity, chastity, monogamy, and honor rape serves to symbolically shame women; as a result, survivors are frequently exiled or shunned, and sometimes even killed by, their families out of shame, disgust, or perceived changes in allegiance. In this way mass rape “deprives [victims] of membership in their community” moving forward.<sup>295</sup> Indeed, such attacks represent larger attacks against a victim’s “community” because individuals are considered “members of an emotionally connected unity”.<sup>296</sup> As MacKinnon succinctly articulates, “after rape, [victims] don’t have value” in their communities.<sup>297</sup> The communities and not just the individual victims become, therefore, the victims of genocide; communities are destroyed without having to kill every member.

Furthermore, mass rape, as evidenced by the case studies also tends to forcibly reproduce perpetrators group identity via forced impregnation. Children born out of rape are constructed as

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<sup>293</sup> MacKinnon, 277.

<sup>294</sup> Joeden-Forgey, “The Devil in the Details,” 8.

<sup>295</sup> Carpenter, “Forced Maternity,” 220.

<sup>296</sup> Carpenter, 220.

<sup>297</sup> MacKinnon, *Are Women Human?*, 229.

members of the perpetrators group due to dominant patriarchal and patrilineal social structures. Women are uniquely traumatized and conduct collective destruction of targeted groups by symbolically “carrying a child ‘of the enemy’”.<sup>298</sup> Resultingly, genocide is waged against communities as a whole through systemic violation of individual women. Indeed, as the case studies illustrate that both raped women and their offspring represent “deep stigma” and face “rejection by parents, extended family, ethnic groups, and sometimes the state”; as such, rape constitutes both “forcible removal” from and transference between target’s communities and perpetrator’s.<sup>299</sup> Such children also serve as reminders of both the “circumstances under which they were conceived,” which, as have already been established are emasculating, ostracizing, traumatizing and disruptive to the micro, meso, and macro levels of identity, and therefore continually destabilize communities and serve as a “constant reminder” of the oppression and violence experienced during genocide.<sup>300</sup> Critically, rape possesses the unique ability to forcibly transform women and future children and therefore transform and symbolically destroy groups as a whole.

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<sup>298</sup> Carpenter, 213.

<sup>299</sup> Carpenter, 226.

<sup>300</sup> Carpenter, 228.

## Mass Sexual Violence as a Principal Modality of Genocide

I have comprehensively and effectively utilized evidence from primary sources from the Rwandan genocide, Darfur genocide, Pygmy genocide, Rohingya genocide, Guatemalan genocide, Uyghur genocide, Cambodian genocide, Bangladesh genocide, Bosnian genocide, and Holocaust as well as the ongoing conflicts in Ukraine and Palestine and the Rape of Nanjing to illustrate the genocidal power mass sexual violence or rape possesses to destroy communities by attacking and destabilizing identity at the micro or individual level, meso or familial/group level, and macro or communal, cultural, or ethnic level. As such, mass rape is unequivocally genocidal in its symbolic and material impacts. While previous scholarship and international legislation, rulings, and definitions have acknowledged that mass rape can achieve genocidal aims and have left space for mass rape to be interpreted as a principal modality of genocide they have failed to explicitly articulate that mass rape is a principal modality of genocide *by definition*.

The current Convention on the Prevention and Punishment of the Crime of Genocide, which was approved, signed, and entered into force January 12, 1951, by the General Assembly of the United Nations defines genocide in Article II as:

- [...] any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:
- (a) Killing members of the group;
  - (b) Causing serious bodily or mental harm to members of the group;
  - (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
  - (d) Imposing measures intended to prevent births within the group;
  - (e) Forcibly transferring children of the group to another group<sup>301</sup>.

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<sup>301</sup> United Nations, “Convention on the Prevention and Punishment of the Crime of Genocide” (United Nations, December 9, 1948), [https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1\\_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf](https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf).

By interpretation this definition includes mass rape because rape inherently causes physical and mental harm to victims and can, but doesn't always, *symbolically* transfer children's group identity. However, as my work has illustrated mass rape is a distinct and explicit modality of genocide and should be included, by definition, as such. My definition would, therefore, be:

[...] any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group
- (f) Systematic, organized, official, unofficial, or authorized employment of mass sexual violence which disrupts or destroys group identity.

I propose that genocide scholars incorporate mass sexual violence into dominant definitions of genocide and that, perhaps most importantly, international bodies like the United Nations update their definition of genocide. Doing so will improve their ability to identify genocide and, therefore, intrinsically more swiftly condemn genocidal campaigns. Furthermore, this new definition when superimposed on other conflicts and campaigns throughout history will likely effectively identify genocides that may or may not have been considered such previously.

This seemingly small restructuring of genocide's definition is so important because of the material impacts it could have on international bodies' swift and explicit convictions of and interventions in genocidal actions. Further, by articulating that mass sexual violence is not always simply an unfortunate side effect of war or conflict but is in and of itself a principal way that genocide is enacted reports of such violence could and would be taken as evidence of genocidal aims or intent in otherwise "ordinary" conflict.

The gendered and sexualized aspect of mass rape cannot be minimized or ignored. Women and girls' bodies are too principal locations of genocidal action. Especially as patriarchal social structures continue to reign dominantly around the globe particular attention must be paid to how sexual violence operates both materially and symbolically. Indeed, mass sexual violence would not be as effective at perpetrating genocide if survivors were not shamed in or ostracized from their home communities, and, as such their identities and children's identities were not so profoundly impact and contingent on the identities of those who are seen to dominate or possess them. Of course, eliminating patriarchy would not automatically stop or prevent genocide, or even mass rape for that matter, but it would substantially shift the meaning attached to sexual and gendered domination of women and their bodies.

## Areas for Further Research

My hope and intention is that this thesis will serve as a “first chapter” (of sorts) in a larger body of work. I would love to research and analyze creative accounts or testimonies of genocide and mass sexual violence. I read the graphic memoir *Grass* recently which uses graphic storytelling to recount interviews with a former comfort woman who can’t recount those stories herself (other than orally).<sup>302</sup> The author is working in a way I find fascinating by using her creative abilities as a conduit of sorts to capture primary accounts of an experiences in a “secondary” way. I think that this sort of burry primary/secondary documentation of mass sexual violence specifically speaks to the culture of silence and stigma surrounding sexual violence and is indicative of academic and historiographic prejudice against mediums considered less “objective”. Another area of interest is female, and survivor dominated spaces left in the aftermath of genocide- what conditions are left when men and boys are disproportionately targeted for killing while women and girls are disproportionately targeted for sexual violence? I think this could be an especially significant area of study in post-genocide Rwanda. I also would love to apply the conceptual shift I propose in this paper on other conflicts that haven’t generally been considered genocides- how does including mass sexual violence as a principal modality of genocide change what conflicts or wars are by definition genocide? What does that disconnect tell us about how the violation of women is valued in contrast to the murder of men, for example? Further comparison and discussion between mass rapes effects in genocide and in colonization, enslavement, other crimes against humanity, and in “postcolonial” societies is also of interest. Especially with the previously noted connection to the work of Antonia I. Castañeda I think this work could become even more interconnected and intersectional. Obviously, I want to

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<sup>302</sup> Keum Suk-Gendry, *Grass*. (Drawn & Quarterly Publications, 2019).

continue to critically watch ongoing and future conflicts that may or may not be or become genocidal- how does my expanded definition improve the ability to, and perhaps, urgency with which to, identify genocidal violence? While work on the impact of rape in peacetime is certainly extensive, I would be interested to research more into analogous conceptions the impact on identity at the micro, meso, and macro levels. Further, I want to pursue a further update to the definition of genocide which expands and clarifies how target groups are identified by perpetrators and, therefore, tend to be more nuanced than just a nationality, ethnicity, race, or religion alone.

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