

The Institutionalization of Sexual Violence by extremist groups

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I. Historical context

Sexual violence has been used as a strategy of war for centuries, being overwhelmingly perpetrated against women. During the Napoleonic Wars, in the early nineteenth century, combatants would slash through enemy bodies with their swords and rape women, since the sacking of towns, during which soldiers committed murder and rape in what is often described as an uncontrolled ‘frenzy’, was part and parcel of eighteenth-century warfare. In the twentieth century the Japanese Imperial Army created so called comfort stations where women would tend to the sexual needs of Japanese soldiers. Russian soldiers, on their way to Berlin towards the end of the Second World War, considered women’s bodies to be spoils of war as they were marching victoriously.

On the other hand, it is worth recognizing that sexual violence is often perpetrated in the private sphere, whereby there are still several states, such as India for example, where marital rape is not criminalized. Surprisingly, in the UK this only occurred in the early 1990’s ; however in Saudi Arabia the legal system punishes victims of rape instead of perpetrators. Such legislation is highly important, because currently civilians represent the prime targets of insurgent groups in times of conflict. The use of sexual violence as a war strategy by extremist groups has become an ever important facet of present day conflicts. Hence, United Nations peace operations are prioritizing the protection of civilians in conflict zones, and missions have the mandate to support national institutions and action plans to more effectively address the scourge of conflict-related sexual violence.

II. Current situation

In recent years the high prevalence of conflict-related sexual violence in various regions of the world, such as Africa or the Middle East, has reached alarming thresholds. Nevertheless, generally speaking, it is difficult to get accurate data for such crimes, as they often go unreported or underreported. This issue has been highlighted in a recent report of the UN Secretary General on sexual violence in conflict: Sexual violence during and in the wake of conflict continues to be dramatically underreported because of the risks, threats and trauma faced by those who come forward. These risks affect not only the survivors, but also witnesses. (...) The fear of stigmatization and reprisals is almost universal. (...) In situations of live conflict, such as the Central African Republic, Iraq, Somalia, South Sudan, the Sudan and the Syrian Arab Republic, service provision is further impeded by access restrictions and a climate of fear.

Such acts can be perpetrated in conflict situations by various actors, be it state agents, extremist groups or paramilitary units. The purpose of this policy briefing is to focus on sexual violence perpetrated by extremist groups and analyze current policy directed at countering existing trends. According to the esteemed scholar Francis Fukuyama, ‘without comparison there is now way of knowing whether a particular practice or behaviour is unique to the society in question or common to many.’ Hence, in order to look at the underlying reasons for adopting this strategy and to identify the implications this war strategy has on the conflict itself, it was deemed suitable to adopt a comparative approach. As such, the perpetration of sexual violence by two extremist groups, the Islamic State (IS)/Daesh and Boko Haram will be analyzed in depth in the following paragraphs.

To begin with, it is important to note that many of the casualties in today’s conflicts are not soldiers but civilians – and, increasingly, they

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are women. In recent conflicts sexual violence has been consistently used as a specific strategy by military and militia alike. For example, an estimated 200,000 women and girls have reportedly been raped over the past 12 years in the Democratic Republic of the Congo.

III. The IS/Daesh in the Middle East

In order to lure in new military recruits from other countries and gain more converts, the IS also has to offer something they will find attractive: a social system under an artificially created administration structure based on their interpretation of Islamic principles which promises to ensure their subsistence. To young men in search of new adventures and some feeling like social outcasts in their home countries the IS is offering an alternative identity, one which gives the possibility to attain a purpose in life, a sense of belonging and spiritual fulfillment.

The various war tactics used by the IS in the Middle East which are enabling the emergence of a caliphate have come to pose a threat to the entire region by challenging the very notion of the nation state based on principles of sovereignty and territoriality. People from the region feeling threatened by the imminent danger posed by the expansion of the region under IS-control are questioning the legitimacy of their national governments, since they are failing to preserve stability nationally and ensure security regionally. The IS has been using a variety of tactics which have been successful in creating mayhem and popular dissatisfaction in Middle Eastern states, leaving governments to confront political turmoil on a national level and a massively threatening situation of insecurity on a regional level. The use of sexual violence by the IS has been instrumental in creating panic and fear among the populations, as it is basically a tool for undermining the dignity of an enemy population by humiliating and violently abusing its women.

There is more to the consequences of sexual violence during conflict than the physical and emotional scars it leaves on women survivors and the often undocumented number of casualties. Such acts impact on the popular consciousness of local communities and subsequently on society as a whole. This is ultimately a vehicle for spreading fear and humiliation through local communities and regions across the Middle East. Given the large numbers of IDPs in Iraq and Syria and the high influx of refugees in neighboring countries, feelings of insecurity, panic and suspicion circulate very quickly. This leads to increased popular uprisings and political turmoil in neighbouring countries, which are conducive towards increasingly right-wing, authoritarian policies. This is the double edged sword of sexual violence in conflict: it affects women directly from the targeted region and it creates popular fear, insecurity and dissatisfaction in neighbouring regions and countries. Consequently, the legitimacy of the governments from neighbouring states ends up being put into question by their respective populations in the wake of their inability to successfully deal with an ongoing security challenge and solve the great challenge posed by the influx of refugees.

Current strategies of international stakeholders are to covertly support one or several of the groups party to the conflict, by providing arms and military training. As of recent, Russia has undertaken a bombing campaign in Syria; with the official purpose of targeting IS militants and strongholds.

There are no UN peace operations being undertaken in Syria and the security situation continues to be highly volatile, due to the expansion of territories under IS control. Nevertheless, the UN Assistance Mission in Iraq is mandated to provide technical assistance and recommendations to the Government on a number of fronts, including the promotion and the protection of human rights and judicial and legal reform. Recently, an open forum on UNSC Resolution 1325 was

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organized, which brought together women leaders and civil society representatives to identify ways on how to effectively implement the aforementioned resolution which focuses on the role of women with regard to peace and security.

IV. Boko Haram in northern Nigeria

The militant Islamist group Boko Haram was established in Nigeria in 2002. The meaning of its name is meant to imply by most commentators 'against Western education', whereby others argue that the literal translation is missing deeper language connotations, highlighting that it ultimately implies 'against Western civilization'.

Since 2011 various stories of women who have been enslaved and abused by Boko Haram have been reported by international NGOs such as Amnesty International and Human Rights Watch. According to a report published by Amnesty International in 2015, in the occupied territories Boko Haram enforced its rules with harsh punishments including public floggings and executions. Many women and girls were raped or forced into marriage and men and boys were forced to join the group. Furthermore, many of the abducted women were forced to marry their oppressors. These tactics of targeting both men and women from local communities and forcibly subjecting them to various forms of torture and obliging them to abide by the imposed set of strict Sharia rules aim to destroy the country's social fabric.

In-depth analyses carried out into the context in which Boko Haram has emerged and is conducting its operations point out to the fact that its main target is to weaken political institutions existing in Nigeria by spreading fear and distrust among the population. This ultimately leads to high levels of popular dissatisfaction, elevated levels of corruption perceived by the population, and an exacerbated feeling of patrimonialism expressed on ethnic and religious lines. Here it is worth mentioning that Nigeria has been

confronting itself with considerable diversity on ethnic, religious and linguistic levels, whereby around 40% of the population is Christian, 60% Muslim and 10% are adepts of animist beliefs. The security crisis created by Boko Haram in northern Nigeria has led to the political and economic isolation of that territory, which has basically been cut off from the central national governing institutions.

The ongoing security crisis has pitted people from various ethnicities and religions in Nigeria against each other. Perceptions that the already patrimonial government is favouring an elite structured along politicized ethnic and religious lines have become widespread. This is ultimately leading to a legitimacy crisis and a deconstruction of the nation state. Its population is left divided along territorial lines that correspond to particular religions and ethnicities, whereby the government cannot cope with an increasingly dangerous national security crisis and popular distrust in the existing political institutions is on the rise.

The perpetration of sexual violence against women, particularly Christian women, has been instrumental in creating this particular security context which has such a big impact on Nigeria's national political institutions. It is said that family represents the backbone of society; therefore the family is also the core unit of village communities. By deliberately targeting women, an enemy group has the power to dissolve the unity of such communities, and alter their ethnic and even religious composition. Forced conversion of Cristian women to Islam are proof of the latter situation.

Several analysts point out that the security crisis caused by Boko Haram has been conducive towards a de-Nigerization process, due to a perceived identity crisis, as they feel unable to identify any longer with the Nigerian state. This has determined some to argue that Boko Haram represents a failure of the Nigerian State. By offering their followers an alternative identity, based on an ideology

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derived from a flawed interpretation of Islam, Boko Haram has managed to recruit fighters from several neighbouring countries: Benin, Chad, Mauritania, Niger, Somalia and Sudan.

In order to improve the security situation in Nigeria, the United Nations Office on Drugs and Crime, which is the custodian of the standards and norms on crime prevention and criminal justice developed by the UN, has launched a multi-stakeholder partnership on Strengthening Criminal Justice Responses for Multidimensional Security. This intervention was aimed strengthening Nigeria's criminal justice system entities to undertake rule of law-based and human rights compliant investigation and prosecution of terrorism cases. Nevertheless, this initiative which created a framework for improving national security did not seek to tackle the issue of sexual violence specifically.

V. Comparing the IS/Daesh and Boko Haram

To begin with, it is possible to argue that both extremist groups are operating in similar environments: in regions which have deep sectarian divisions, along religious, tribal and ethnic lines. Political institutions in both regions, i.e. in Nigeria, Syria and Iraq are not functioning properly and efficiently. All of them have been plagued by a form of patrimonial government, which sought to promote a particular religious, tribal or ethnic elite at the expense of another. This made them susceptible to have their legitimacy put into question by their respective population.

Extremist groups, attacking local communities, destroying local social structures, creating a situation of deep insecurity manifested through high numbers of civilian casualties, IDPs and refugees seek to challenge the existence of the nation state based on principles of sovereignty, territoriality and unity. Their legitimacy is thrown into question by an entire population due to deep feelings of insecurity, dissatisfaction, and the imminent fear that no matter which government is in power, it will ultimately favour one group at

the expense of another. From this broad perspective, both extremist groups are operating in similar environments in a similar manner. Nevertheless, the security crisis in the Middle East created by the IS reaches a far greater threshold than the crisis created by Boko Haram.

Both groups have also adopted a flawed interpretation of Islam through which they are legitimizing their actions and very existence. Furthermore, both groups are perpetrating sexual violence against women, subjecting them to rapes, forced marriage, enslavement and conversions to Islam. By doing this they are aiming to destroy the nuclear structure of local communities, i.e. the family unit, and implicitly alter the religious and ethnic composition of society. According to Hall, religious violence is embedded in moments of history and structures of culture. Hence, this particular way of perpetrating sexual violence against woman in order to destabilize local communities and provoke a national legitimacy crisis due to a state's failing political institutions can only occur in a particular socio-political context. Societies which do not criminalize such crimes, be it if they occur in time of conflict or peace, in the private or in the public sphere, and are carried out by insurgents or civilians, are particularly susceptible to the institutionalization of this type of violence during times of conflict in which sectarian divisions are being accentuated.

VI. Conclusion and policy recommendations

Existing national and international strategies aimed at conflict resolution, peace building and conflict prevention in the regions discussed above do not have a specific focus on sexual violence. Hence, the damaging, long-term effects this has on the individuals affected by it and society as a whole tend to be overlooked. Counter-terrorism efforts and bombing campaigns do not address the destruction caused by this pernicious war strategy, which tears communities apart, leads

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to the dislocation and even extinction of particular ethnic groups or communities and profoundly alters the demographics of a given country. The Yazidi Christian community from Syria is a relevant example in this respect. Furthermore, technical assistance aimed at strengthening the criminal justice system does not prioritize the prevention and prosecution of conflict-related sexual violence. An example from Afghanistan surrounding the practice of bacha baazi demonstrates how an issue such as this which remains unaddressed by national policy discourses during the period of reconciliation and reconstruction gets to be perpetuated and unfortunately normalized by actors within society.

National policy makers and relevant international actors seeking to address security crises such as these and rebuild political institutions and justice systems need to take into account the socio-cultural background existing in the places in which they intend to implement their policies. The histories of these places, and previous governing bodies and their inadequate policies are all relevant factors for such an analysis.

In order to end situations in which sexual violence has been institutionalized and prevent new ones to emerge, it is important to take a holistic approach and identify the elements in a given society which legitimize the perpetration of sexual violence against women and ensure its wide, tacit acceptance by most individuals in society. For example, Both the IS and Boko Haram have designed and spread an ideology according to which it is acceptable for Muslim men to rape and enslave Christian women, as these are deemed to be inferior to Muslim women and thus insignificant.

Alternatively, there can also be situations in which sexual violence towards men, and young boys in particular has become widespread and legitimized in a given society. Tragically, this happens to be the case of Afghanistan, where the so called practice of bacha baazi has

become normalized and is rarely addressed by relevant policy discourses. In that particular context, shaped by decades of war and political turmoil, women have been segregated to such a degree, so that boys are considered to be acceptable companions for men in the public sphere. Hence, sexual violence in the form of trafficking boys for male pedophilic sexual violence under the innocent name of 'boy play' has become an endemic problem.

In sum, counter-terrorism strategies need to be accompanied by complementary legislative amendments and implementation efforts which effectively investigate, prosecute and punish conflict related sexual violence. The issue of acceptable gender roles within a given society, and the various patterns of behaviour for men and women which are being sanctioned by these must not be overlooked. It is imperative to ensure that these patterns of behaviour respect the inherent dignity and human rights of both women and men.

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