

Gender, Nation, Rape

BOSNIA AND THE CONSTRUCTION OF SECURITY

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Abstract

The mass rapes in Bosnia brought gendered security problems onto the international agenda to an unprecedented extent. This article examines the debate surrounding whether these rapes should be characterized as a security problem which warranted international attention and possibly intervention. This debate evolved around the question whether wartime rape should be understood as an individual risk or a collective security problem; and whether it should be defined in national or in gendered terms. The empirical part of the article analyses the three dominant representations of the Bosnian mass rapes: 'rape as normal/Balkan warfare' argued that rape did not constitute a collective security problem and the international community had therefore no reason or responsibility to intervene; the "rape as exceptional/Serbian warfare" representation read the rapes through national lenses and argued that the international community should intervene militarily in defence of the Bosnian government; and the third representation, "Balkan patriarchy", claimed the privileged of a gendered reading of the rapes, the conflict in Bosnian should, according to this discourse, be understood as involving women on the one side and the patriarchal nationalistic leaderships on the other. The article concludes that the political impact of each of the representations is difficult to assess, but that the willingness of the International Crime Tribunal for the former Yugoslavia to pursue rape-related indictments constitutes an important step towards the recognition of wartime rape as a collective security problem.

Keywords

Bosnia, rape, security, nationalism, gender, The International Crime Tribunal of the former Yugoslavia

The war in Bosnia brought gender issues onto the international security agenda to an unprecedented extent. Initiated by Roy Gutman's uncovering of the



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atrocities in Bosnia beginning in August 1992, the stories of mass rape of Bosnian women by Serbian forces went on the front pages of the western media in 1992 and 1993 (Allen 1996: 95–68; Morokvasic 1998: 80–2 and 87, fn. 17; Stanley 1999). Although this attention was a passing one, the western world had become so attuned to the issue of mass rape in the former Yugoslavia that the onset of the NATO operation/intervention in Kosovo in 1999 was followed by reports in the media as well as a UN investigation undertaken by the United Nations Population Fund (Fitamant 1999; Nordland 1999).¹ This attention to mass rape was perhaps slightly surprising considering that the use of rape as a strategy of warfare is an old phenomenon; historical evidence testifies to the commonality of rape not only as a reward for the victorious soldier but also as a means of destroying the social fabric of the conquered population by driving a wedge between polluted females and emasculated males (Brownmiller 1975: 31–40; on rape in the first and second Balkan wars, see Carnegie Endowment for International Peace 1914). However, despite the traditional ignorance of this gendered aspect of warfare by policy makers as well as the academic field of Security Studies, the International Crime Tribunal for the former Yugoslavia has argued for the explicit inclusion of wartime rape as a form of torture as well as a crime against humanity, and has prosecuted rape in several trials (*Statute of the International Tribunal*, adopted 25 May 1993 as amended 13 May 1998; *Blaskic IT-95-14*; *Furundzija IT-95-17/1*; *Celebici IT-96-21*; all listed on www.un.org/icty).

Yet, the narrative about Bosnian mass rapes is not simply a story of the final vindication of the gendered subject of security. It involves a much more complicated account of the construction of this very subject along gendered as well as national terms. The large-scale raping of Bosnian women – commonly suggested to be as many as 20,000 – and the perceived inability of the Bosnian men to provide protection were part of Serbian attempts to constitute the entire Bosnian nation as humiliated, inferior, weak and feminine. However, the precise construction of this nationalized-gendered subject, and its implications, were by no means uncontested. Different groups offered competing understandings of the meaning and causes of the rapes as well as which policies should be undertaken towards them. The goal of this article is to explore the dynamics involved in these constructions of the Bosnian mass rapes as a possible security problem.²

The aim of the analysis is, more precisely, to explore how different representations of the rapes rely upon competing conceptualizations of security.³ The two dominant questions involved in the conceptualizations of the mass rapes are first, whether one should conceptualize security in individual or in collective terms, and, second, whether to understand security as a matter of national security only, or to open up the concept to gender-based insecurity. These conceptual choices, described in detail in the first section of the article, are not only theoretical; they also are practical, since they condition the exact meaning and importance attributed to the mass rapes as well as shape the appropriate policy to be undertaken by the international community. In other words,

competing interpretations of the rapes did not simply reflect differences about whether or not the rapes were a security problem. At the core of their differences was a more fundamental clash over the importance of individual security versus the security of the nation or the state, as well as over the relationship between the nation and the women within it.

The second part of the article argues that there were three dominant representations of the mass rapes, each of which relied upon a particular articulation of the individual-collective and nation-gender dichotomies. The first representation – ‘Rape as normal/Balkan warfare’ – is a classical realist one. In this perspective, wartime rape does not by itself constitute a security problem: rape is an individual, not a collective problem, and is understood to be a ‘natural’ component of warfare. In the Bosnian context, this classic discourse had a ‘Balkan variant’ which held that violent behaviour is common in the Balkans. In this discourse, mass rapes are both predictable and unavoidable. Its policy implication was that since rape was an individual problem, international intervention should be avoided. The second representation – ‘Rape as exceptional/Serbian warfare’ – was also located within the conventional conceptualization of security inasmuch as it held national security as its conceptual focus. Within the framework of this discourse, rapes *did* constitute a security problem: the Serbian rape campaign was aimed at eradicating the Bosnian nation. Moreover, since the rapes were a threat to national security, this perspective’s policy implication was that the West should intervene in defence of Bosnia. Finally, in the third representation – ‘Balkan patriarchy’ – the rapes were understood in gendered, not national, terms, and rape was defined as a threat to women on all sides of the war, not only on the Bosnian (Muslim) one.⁴ The policy implications of this representation were more ambiguous shifting between calls for military intervention and a more undecided position.

After the war, the main site for studying the international response to the mass rapes has been the International Criminal Tribunal in Hague, and the article concludes by turning briefly to the Tribunal’s practice and construction of the rapes as well as to the dilemmas involved in conceptualizing the security implications of mass rapes in war.

DICHOTOMIES IN THE SECURITY DEBATE

For the past decade, the central debate within Security Studies has been whether to expand the concept of security beyond its traditional realist focus on the military security of the state (Krause and Williams 1996: 229–30; Buzan et al. 1998). Those in favour of an expansion have pointed to the saliency of issues other than the military-strategic ones and have argued that rather than seeing the state as a provider of security, it is important to understand how the state has often constituted a threat to its citizens (Booth 1991). Upholding a concept of military state-security would, the ‘wideners’ argue, bestow a problematic political privilege upon the state while simultaneously pressuring other equally

important problems off the security agenda (see, for example, Nye and Lynn-Jones 1988; Booth 1991, 1997; Dalby 1992).

The response from those who defend a narrow concept of the state has been that the inclusion of individual and global security as well as a plethora of issues other than the military – economic, social, gendered, environmental and so on – would render the concept of security analytically and politically meaningless. If everything could be security, so this argument goes, then there would be no way of setting ‘real’ security apart from less pressing problems and situations.⁵

Not surprisingly, feminists generally have been located on the expansion side of the security debate. Many have argued that the military security of the state offers limited, if any, possibility for recognizing the security problems specifically encountered by women. As Jill Steans puts it:

[a] feminist analysis of the military and the patriarchal state raises questions about the validity of continuing to view the state as the mainstay of security and of assuming that security for the *individual* is adequately understood in terms of her or his membership in a given *national* community.

(Steans 1998: 104, emphasis added; see also Grant 1992; Tickner 1992: 54–66)

The juxtaposition of the security of the individual and the security of the national community in feminist security analysis, as well as in Security Studies more broadly, involves two dichotomies: the first one pitches an individual concept of security against a collective one; the second pitches the nation against the gendered community.⁶

Although the security debate is centred around these two dichotomies, it should be noted that in some important ways these dichotomies constrain the debate itself. The juxtaposition between an individual and a collective/national concept masks the actual interconnection between individual and collective security. The realist concept of state security is in fact dependent upon the transfer and institutionalization of individual security onto the state, without which, the Hobbesian fear is, we would return to the state of nature (Campbell 1992: 63–4; Williams 1998). The concept of individual security on the other hand must still confront the question of how collective solutions or priorities can be negotiated. In short, a *tension* between the individual and the collective (the state) rather than a choice is at the core of security.

To gain an understanding of the dominance of ‘state security’ we need to look at the way in which ‘security’ has become intimately connected to the principle of state sovereignty. This is so not because the state is an immortal entity or because ‘security’ is objectively provided by the state, but because ‘the meaning of security is tied to historically specific forms of political community’ (Walker 1990: 5) In the case of war, the governmental prerogative on defining what constitutes threats to ‘national security’ relies upon a set of discursive practices that inscribe state sovereignty and national identity as the privileged reference point for security. Gendered security problems have, as a consequence, been

recognized by governments to the extent that they followed the national logic (Walker 1992; Hansen 2000b). 'Gender security' cannot therefore be studied in isolation from 'national security' if one wishes to understand the dominant constructions of security. Yet it remains crucial to emphasize that the discourse of 'national security' might silence women's security problems when 'women's problems' *conflict* with the securities of the national community. Thus, feminist studies must examine constructions of the relationship between gender and nation not to make them correspond, but in order to analyse how the political structures of patriarchy and state sovereignty condition the way gender security can be thought.

CONCEPTUALIZING MASS RAPE

Following Susan Brownmiller's groundbreaking study of rape, radical feminism has argued that rape constitutes a threat to women's security. Only recently has Security Studies begun to take gender-specific issues, including mass rape, on board (Brownmiller 1975; MacKinnon 1989: 171–83; for a presentation of war rape, see Pettman 1996: 100–4). The emerging acceptance of rape as a security problem is built upon a construction of wartime rape as a collective threat to the nation. 'Wartime rape' or 'mass rape' is thereby set aside from 'normal', peacetime rape which is located within the category of *individual* risks. Peacetime rape is considered a crime that should of course be prosecuted, but it is not considered a collective security problem. As a consequence, the responsibility for avoiding rape is ultimately located with the individual woman who should prevent herself from being raped by behaving in a 'safe' and 'smart' manner, e.g. by being sexually non-provoking, avoiding desolate places, not bringing men into her house and so on. The construction of peacetime rape as an individual problem is furthermore one that constructs the female subject in *sexual* terms; rape is a sexual crime and the victim's sexual history is therefore considered admissible evidence in many cases.

Wartime rape is on the other hand constructed as a *collective* security problem. Rape happens, not as a consequence of thoughtless, provocative or unfortunate behaviour, but as a question of national warfare. The woman in question is understood as being raped primarily because of her national, religious or ethnic identity and only secondarily because of her sexual features, and the crime is seen, in contrast to peacetime rape, in much less sexual terms.⁷ In this optic, the representation of female subjectivity changes. Her previous sexual behaviour becomes irrelevant as the context of warfare makes the question of consent disappear, as illustrated in the recent trials at the Tribunal which have had no discussion of the sexual conduct of the victim. As a consequence of this shift in female subjectivity, the responsibility for rape avoidance is shifted from the individual woman and onto the larger national community.⁸

The past exclusion of wartime rape as a security problem relied upon a

construction of rape as 'normal behaviour' in warfare. When soldiers were raping in their military capacity they were seen as acting outside of a public sphere in which they would be held responsible. While rape was part of warfare, it was simultaneously accepted that male sexual drives needed to be satisfied on or after the battlefield. The move to see wartime rape as a security problem challenges this acceptance of an (always potentially) raping male sexuality, but continues to hold the question of whether soldiers are acting in public or private capacities to be of crucial importance. The Tribunal in the Hague has held individuals accountable for rape by arguing that rape can amount to torture, which constitutes a grave breach of the Geneva convention when it is inflicted by or instigated or consented to by a public official or someone acting in a non-private capacity. The key question becomes then how broadly the room for 'private capacity' is defined: is a soldier always an official even when officially off duty or does he have dual identities in the context of war?⁹

If we return to the argument above that the two dichotomies of the security debate forces misleading separations between the individual and the collective as well as between the national and the gendered we might say that rape is committed against an individual but that this act is also inscribed and given significance within a collective framework. Rape is in short both individual and collective, even when the argument is that the collective (the state, the tribe, the international community) holds no responsibility for countering rape.¹⁰ The main debate in the specific context of warfare is whether rape is a national or a gendered security problem.¹¹ But instead of constructing this as a dichotomous choice, we might instead understand rape as an identity producing practice (Butler 1990: 33). Rape in warfare does not simply constitute attacks on already formed nations and women/men (Elshtain 1987; Zalewski 1995: 355; Yuval-Davis 1997).¹² In a Foucaultian sense, the productive power of rape is that it forms and reinforces national and gendered identity. While wartime rapes on one level 'serve as a means for destruction of a nation' (Nikolic-Ristanovic 1996: 202; see also Allen 1996: 97), at another level, they simultaneously inscribe the nation they aim to erase.

More concretely, the Bosnian rapes have separated 'women' from 'men', and 'Bosnians' from 'Serbs', and have attributed superior/inferior gendered and national identities to these subjects (Stiglmeier 1994: 85; Ramet 1996: 284). The consequence of the rapes is thus a dual construction of femininity and masculinity. They highlight the importance of gender at the same time as they invest the two national communities with particular constructions of feminine and masculine identity. Raping 'the nation's women' is not only an act of violence against individual women; it also works to install a disempowered masculinity as constitutive of the identities of the nation's men. The interconnection between individual/collective and national/gendered might also be illustrated by the way that a woman impregnated by rape can be represented as a passive 'national' container of a child imagined to be the future bearer of the rapist's nationality. In this way, an *individual* rape can be read for its *collective*, national significance through the complex sign of the child's

imagined future identity as an embodiment of the enemy state (Stiglmyer 1994: 119, 122, 140, 142; Nikolic-Ristanovic 1996: 201; see also Yuval-Davis 1997: 29).

REALIST SECURITY: 'RAPE AS NORMAL/BALKAN WARFARE'

The first representation of the Bosnian rapes locates them within the traditional realist framework outlined above. The realist concept of state security implies that intervention only takes place when it is in one's own national interest. In the context of the war in Bosnia, the realist discourse argued that western intervention should only be carried out if there were threats to western security. Intervention merely in defence of the Bosnian government and Bosnian women would not live up to the requirements of a sound foreign policy.¹³

This general privileging of national security was coupled to two specific claims: first, that rape has been a traditional element of warfare, that as deplorable as it might be, it is nevertheless a problem which falls within the realm of the private/domestic, not the international; and, second, that the particular context of the Balkans would make intervention difficult and ultimately unsuccessful.¹⁴ This construction of 'the Balkans' argued the existence of a 'Balkan' tradition of eternal hatred and brutality, that the Balkans has a repetitive history of violence (Todorova 1997; Hansen 2000a). As George F. Kennan wrote in his introduction to the reprinting of the *1913 Carnegie Endowment Inquiry*: the first and second Balkan wars of 1912 and 1913 resemble the current one in numerous ways, one of them being that: 'Woe betided the man of military age, or the woman of "enemy" national identity, who were found alive in the conquered village. Rape was ubiquitous, sometimes murderous' (Kennan 1993: 10).

Historical continuity firmly in place, the discovery of mass rape in Bosnia did not seriously shake the foundation of this discourse. Reading the exposure of the mass rape through the prisms of essential 'Balkan brutality' it could be argued that extreme forms of violence had always been a feature of the Balkans and that while more Bosnians had been raped than Serbians, it was still the case that rapes have been carried out by all sides.

The traditional construction of wartime rape as expected, hence at one level acceptable, and thus an element of all warfare, including 'our own', would have been hard to sustain if the Balkans were situated in an unambiguously western context. It would then no longer have been possible politically to argue that 'everybody' carries out rape in warfare as this would include ourselves. Constructing 'the Balkans' as a place where this happens implies therefore that the western 'we' is different because 'we' do not subscribe to this practice.

The representation of 'the Balkans' as non-western and rape as something to be expected during wartime combined to advocate a policy of western non-intervention. Insisting on the privilege of national security and on the difference

between 'the West' and 'the Balkans' combined to install a fundamental political and ethical distance between the West and the war. Yet this construction was, after all, not completely stable. Rape is gendered inasmuch as it is an act of military men attacking threatened women. To argue that rape is common in the history of the Balkans also calls the uniformity of the Balkans into question by marking a differentiation between 'threatening men' and 'vulnerable women'.

Yet if these [Balkan] women are threatened should not 'we' [in the West] assume responsibility for their defence? The destabilizing effect of this question points to an internal contradiction in the 'rape as normal/Balkan warfare' discourse: this discourse's preferred position is one where the radical differences of the Balkans sets it aside from 'the West'; yet it is the gendered construction of Balkan identities implicit in the definition of rape as an act of aggressive Balkan men against Balkan vulnerable women that leads to a problematization of its own political inaction. This inaction can only be sustained by reinforcing the articulation of the non-existence of responsibility for the security of others. Thus, although the 'rape as normal/Balkan warfare' representation at first appears to construct security strictly in *national* terms, its less explicit gender constructions leads to a destabilization, or at least questioning, of its narrow nationally based security policy.¹⁵

NATIONAL SECURITY: 'RAPE AS EXCEPTIONAL/SERBIAN WARFARE'

As with the realist position, this representation is located within a construction of security as national security. Yet it argues that international intervention should not be based only on evaluating one's own national security interest. Security and defence should be extended to those nations that are exposed to aggression, and, in particular, to victims of ethnic cleansing and genocide. Based on this conceptualization of security, it has been argued that the Bosnian war was a war of aggression undertaken by Serbia/Yugoslavia against Bosnia, that the Serb actions amounted to ethnic cleansing or even genocide and that the mass rapes were an integral element of this campaign (Cohen 1996: 53 and 47). Not surprisingly, this was the construction argued by the Bosnian government when it tried to compel the West to intervene militarily in its defence. Addressing the international community in a speech to the UN Security Council on 24 August 1993 the Bosnian Ambassador to the UN, Muhamed Sacirbey, invoked the rapes concretely as well as symbolically when arguing that:

Bosnia and Herzegovina is being gang raped. . . . I do not lightly apply the analogy of a gang rape to the plight of the Republic of Bosnia and Herzegovina. As we know, systematic rape has been one of the weapons of this aggression against the Bosnian women in particular.

(quoted in Mestrovic 1994: xii)

From the feminist side, this interpretation was supported by western as well as Bosnian feminists who 'contend[ed] that the mass rapes of their countrywomen [were] an attempt at genocide, unique in the history of rapes . . . [M]any of them demand[ed] military intervention to rescue the women' (Stiglmeier 1994: 162).

The construction of the mass rapes as constituting a unique historical case is coupled with a national perspective that implies a delineation of homogenous Serbian and Bosnian national groups into entities with radically different identities. Serbian nationalism is seen as being of a fundamentally different kind than 'normal' Western and Central European ones, since it 'advocate[s] vengeance', and 'derive[s] from the blood-cloudy mists of extremist Serb nationalist legend' of which the most important element is 'the Chetnik cult of the knife' (Allen 1996: 16, 42, 79–81). In probably the most cited book on mass rapes in Bosnia, Beverly Allen argues not only that this identity sets Serbia apart from the civilized world, but also that the Serbian use of wartime rape to cause forced impregnation constituted a unique 'invention' in the history of warfare. To establish a comparable point of reference for Serb identity, Allen argued that 'not even the Nazis managed to invent a way to turn the biological process of gestation into a weapon of annihilation' (Allen 1996: 91). Although rape had been committed by Bosnian forces in this perspective such rapes were classified as 'sporadic' compared to the genocide of the Serbs, and as 'spontaneous' rather than intentional as was the case of the Serbian rapes (Cohen 1996: 53).

The 'Rape as exceptional/Serbian warfare' representation argues on the one hand that wartime rape constitutes an urgent security problem towards which the international community must act. The juxtaposition of Serbian intentional and Bosnian spontaneous rape imply, however, on the other hand, an accommodating attitude towards 'spontaneous, private' rapes. By arguing that there are two kinds of rape in this war, the international ones which are part of a strategy of warfare and the spontaneous ones which (presumably) happen because of (temporarily) unchecked male sexual drives, this position leaves room for an acceptance of a construction of rape as an 'unfortunate, but expected' act in warfare. In other words, this discourse draws on the traditional construction of warfare rape inasmuch as rapes by Bosnian government forces are explained – and legitimized – by reference to this construction. The point here is not to claim that rapes by Bosnian Serb and Bosnian government forces took place on the same scale, but to point out that the construction of Bosnian identity draws upon a traditional understanding of rape, which renders rapes by the latter party both different from and more acceptable than Bosnian Serbian ones. As the case of *Celebici IT-96-21* shows, this is a problematic account of the reality of the war. The conviction of Hazim Delic, a Bosnian Muslim, for rape of two Bosnian Serb women does not support a construction of Muslim rapes as different in nature from the Bosnian Serb or Bosnian Croat ones.¹⁶ From the point of view of the victim, whether the rape is seen as spontaneous or intentional might not make much of a difference. It is the location of rape within a national security discourse that focuses on the *collective*

importance of rape to the exclusion of attention to its *individual* meaning that allows for a separation between the two types.

The consequence of this particular construction of national security is that although the rapes are considered significant, the interests and security concerns of the women are collapsed with those of Bosnia as a whole. Solving 'women's security problems' becomes, in short, a function of addressing larger Bosnian security concerns. Such a representation led to a reluctance to engage with the fact that raped Bosnian women have been divorced by their husbands, shunned by their society and in some cases killed (Folnegovic-Smalc 1994: 179; Seifert 1994: 59; Stiglmayer 1994: 91). For example, Allen argued that the world press exaggerated these threats in order to constitute the Bosnians as demonic Muslim Others (Allen 1996: 89). She contended that not only Bosnian women have been under pressure from their society, but so also have Bosnian Serbs and Croats. She referred to examples of raped women who had not been expelled or treated negatively by their community and husbands (Allen 1996: 70–1). This is undoubtedly true. Yet, it does not tackle those cases of threats and abuse of Bosnian Muslim women that *have* been documented. Nor is it a construction conducive to the acknowledgement of raped Serbian women's security problems (for a case study see Nikolic-Ristanovic 1996). The construction of the rapes as expressions of a particular form of *national* warfare implies that individual rapes are assigned different meaning and values depending upon into which national group the victim falls, regardless of the similarities that might exist among 'different' – e.g. Bosnian, Serbian and Croatian – women's experience. Mirjana Morokvasic has stressed that reading the rapes through national collective security lenses risked removing the rapes from the women themselves; in the collective, national-security construction 'individuals cease to exist' (Morokvasic 1998: 81).

The policy implication of the 'Rape as exceptional/Serbian warfare' representation is to prompt the international community, more specifically the West, to intervene in defence of the Bosnian government against a genocidal Serbian campaign. (Mestrovic 1994; Ó Tuathail 1996) Most of the raped Bosnian women interviewed by Stiglmayer took the same position and 'asked that the world intervene militarily or lift the weapons embargo so that the war, and with it the rapes and expulsions, would cease' (Stiglmayer 1994: 164). The fact that 'even one person has been subjected to such treatment should be enough to guarantee immediate and effective intervention to stop it' (Allen 1996: 66). Humanitarian intervention was seen simply as not sufficient to guarantee either the security of Bosnia or of the Bosnian women (Allen 1996: 94, 138). In the aftermath of the rapes, it is considered crucial that the perpetrators are brought to trial and that extensive counselling is offered to those traumatized women seeking help.

Western unwillingness to muster the prescribed military intervention resulted, within the confines of this discourse, in a negative assessment of the West: 'Lack of intervention to stop the genocide is a clear sign of the crisis, if not the end, of the moral and ethical systems upon which Western democratic

institutions have historically been based' (Allen 1996: 135). To this evaluation of western policy overall is added a specific critique of the western media which was accused of adopting a voyeuristic attitude towards the rapes (Allen 1996: 29–40). According to Stjepan Mestrovic: 'The Croatian government has sought not to publicize the plight of its rape victims, for fear they would be labeled as prostitutes, or be exploited by a West that seems to thrive on sado-masochistic sexual fantasies in its popular culture' (Mestrovic 1994: 100). It was feared that the (necessary) mobilization of the international community might subject raped women to a new form of humiliation by the media by turning them into 'warnography' (Pettman 1996: 104, in a discussion of Suzanne Gibson). The danger was not only that this form of exposure might turn people off, but '[w]orse, it may turn some people on, given the eroticisation of both violence and women's bodies' (Pettman 1996: 104; see also Stanley 1999: 95). Rumours about the existence of videotapes of rapes circulating on the international pornography market confirmed the horror of the voyeuristic gaze of the (male) West. The dilemma became how to use the media to mobilize support for intervention when that same media attention might construct the victims in problematic – sexualized – ways (Stanley 1999: 95).

FEMINIST SECURITY: 'BALKAN PATRIARCHY'

The starting-point of the 'Balkan patriarchy' representation is the feminist critique of the traditional construction and acceptance of wartime rape. Radical feminists have argued that men engaged in warfare, even if fighting on opposing sides, share an understanding of practices such as rape, prostitution, pornography and sexual murder 'as an excess of passion in peace or the spoils of victory in war, or as the liberties, civil or otherwise, of their perpetrators' (MacKinnon 1994: 185). The 'Balkan patriarchy' construction is not only highly critical of this (male) view of rape and war, it also challenges the distinction between strategic and emotional rape, and between rape as an 'international security problem' and rape as an individual risk. The separation of different forms of warfare rape as well as the distinction between warfare rape and rape in the national or domestic context is thus challenged and replaced by a reading which emphasizes the common elements of both types of rape. This emphasis on commonalities across national boundaries questions the traditional concept of national security (Denich 1995: 67). Substituting the national for the gendered reference, the Bosnian war is portrayed as taking place between a patriarchal, nationalist leadership on the one side and a threatened body of women on the other (Denich 1995: 69). Denich holds that:

Serbian *Chetniks* and Croatian *Ustasha* were resurrected from World War II, while the Muslim Green Berets represented a new wave of Islamic fundamentalism. But under their opposing symbols and flags, these fighters were akin in their goals and methods. Young men turned into warriors, and in this particular kind of ethnic

war, they attacked not only the opposing warriors of the other side, but entire populations of the 'other' ethnicity who inhabited contested territory.

(Denich 1995: 67)

The consequences for women have been that 'whatever their ethnic and religious background, and in whatever fighting zone they happen to find themselves, [they] have been thrust against their will into another identity' (Brownmiller 1994: 180).

While the 'rape as exceptional/Serbian warfare' discourse constructed male identity radically different in the case of Serbia and in the case of Bosnia, 'Balkan patriarchy' argued, on the contrary, that male identity has identical traits across national groups. Often, it added an analysis of the particularity of Balkan patriarchy to the view of patriarchy as a universal structure influencing women's lives negatively. As Denich put it:

Male perpetrators appropriated women simultaneously as objects of sexual violence and as symbols in a contest with rival males that replicated the traditional forms of *Balkan patriarchy*, in which men's inability to protect 'their' women and to control their sexual and procreative powers is perceived as a critical symptom of weakness.

(Denich 1995: 68, emphasis added; see also Denich 1974; Brownmiller 1994: 180; Morokvasic 1998: 68)

The 'Balkan patriarchy' representation allows for an understanding of security which includes the 'domestic', and 'non-national' security problems: threats to raped women from their own communities and even sometimes families, the general post-conflict problem of heightened levels of domestic violence, and the existence of rape on all sides of the war. The problem with this representation is, however, that the accentuation of either 'patriarchy' or 'the Balkans' might imply a rather static stance: the understanding of rape in the Brownmiller tradition is built upon a biological drive in men which borders on essentialism (Elshtain 1981: 207–8). Moreover, the construction of 'the Balkans' might come close to the 'eternal hatred' construction discussed in the 'Rape as normal/Balkan warfare' representation above.

Another, more fundamental shortcoming is, however, that the separation of Balkan women from nationalistic patriarchy comes close to substituting the antagonistic relationship between Bosnia and Serbia with one between women and men. As a consequence the women of the 'Balkan patriarchy' construction become rendered as the non-violent, non-combatant women. This construction downplays the role of the Spartan Mothers, who urge sons and husbands to fight and who foster nationalism and warfare, (Elshtain 1987: 99–101), and of older women's socialization of younger women into acceptance of patriarchal – or other social – structures. It also leaves out the 'experience' of those women who have fought in the war, as well as the phenomenon of female group violence where women and children were blocking UN vehicles (Elshtain 1987: 167–71).

But perhaps, most importantly, it comes disturbingly close to a conservative, Romantic vision of women as essentially different from men, as being the nurturing core of the nation. The privileged position accorded women within this vision is, however, dependent on women staying clear of the actual politics and strategy of war-making. Consequently, the political space in which 'Balkan women' can act, and be responsible, becomes limited (Elshtain 1981: 204–28). This construction of political space with its uniform female community runs into the problem that representations voiced by the majority of the raped women who have spoken have been located within the national framework of the 'rape as exceptional/Serbian warfare', and not within the feminist 'Balkan patriarchy' construction. The 'solution' to this incongruity has been either to leave this fact unarticulated, or to argue that Balkan women find themselves situated within patriarchal structures what are too pervasive to challenge. Although there may be some truth to this analysis, it remains ultimately unsatisfactory since it deprives the raped women of their own political choice and voice.

The policy recommendations of the 'Rape as normal/Balkan warfare' and 'Rape as exceptional/Serbian warfare' representations were fairly straightforward. The first argued that the rapes did not call for intervention, while the second demanded intervention on the side of the Bosnian government. The 'Balkan patriarchy' representation is, by comparison, more ambiguous since it calls for political action yet in conflicted ways. The existence of a radically threatening situation appears to demand intervention. Yet when the conflict is read in gendered terms specifying which form intervention should take it becomes complicated for two reasons. First, if aggressive male behaviour is a corollary to all military action, one would have to be critical of western military invention, even in the case where its explicit goal were to stop rape. This reservation can be found in MacKinnon's comment that UN peace-keeping troops have been accused of rape (MacKinnon 1994: 185). Second, as pointed out by Stanley, many women who called attention to the rapes had a background in the peace-movements that tended to take a more anti-militaristic attitude (Stanley 1999: 99). As a consequence, claims to a singular 'feminist' politics on the issue of rape in warfare should be met with caution.

CONCLUSION

This article has traced the constructions of security at the heart of the debate about how to understand and react to the mass rapes in the Bosnian war. It argued that each of the three representations evolved around conceptualizations of security in, first, individual or collective terms, and second, in national or gendered terms. The realist representation of the rapes, 'Rape as normal/Balkan warfare', proceeded from a narrow construction of security as national/state security and held that rape was common in warfare and did not in itself warrant international intervention. The construction of the Balkans as having a history of violent warfare, including rape, did, however, create an instability within

this representation as the gendering of 'the Balkans' threatened to create a responsibility towards the raped women. The second representation, 'Rape as exceptional/Serbian warfare', argued that mass rape should be seen as a national security problem and that the mass rapes were an evidence of the particularly vicious Serbian warfare, with a corollary call for western military intervention in support of the Bosnian government. The emphasis on national security and a fundamental differentiation between Serbs and Bosnians leads, however, this representation to argue that the rapes by Bosnian government forces are different not only in terms of numbers but also in terms of their character, and second, to downplay the documented cases of problems faced by raped Bosnian women upon their return to community and family. The third and final representation, 'Balkan patriarchy', changed the privileged concept from the nation to gender and argued that women on all sides had been threatened by masculinistic and nationalistic warfare. This construction relied upon a differentiation between men and women that left out the role of women in fostering nationalism and supporting militarism and warfare. In addition, it did not acknowledge the fact that those women who have spoken about their rape have done so in most cases through narratives that favoured the 'Rape as exceptional/Serbian warfare' framework and not along the lines of 'Balkan patriarchy'. The 'Balkan patriarchy' representation remained more ambiguous in terms of which policy to advocate. Recognition of the rapes appeared on the one hand to call for international intervention. Yet military intervention might, on the other hand, be problematic both because of more pacifist beliefs within some versions of feminism as well as the reality that such intervention would have to depend upon men for protection against the actions of other men.

The end of the war in Bosnia came after an American-led NATO-operation in August 1995 pushed back the Bosnian Serbs, which was followed by the peace negotiations at Dayton. We might ask then which representation turned out to be most successful. Yet, this apparently simple question is not so easily answered. Should one interpret the intervention in 1995 in support of the Bosnian government as a vindication of the 'Rape as exceptional/Serbian warfare', or, should one, on the contrary, see the failure to intervene militarily from 1992 to 1995 as a confirmation of the 'Rape as normal/Balkan warfare' representation? The answer depends to some extent on the time perspective involved when evaluating policy responses. As Stanley notes, the reports of mass rape in 1992-3 had little immediate impact. Yet although not the main impetus behind the intervention, one might argue that the attention to those rapes nevertheless helped galvanize political support among western governments in favour of intervention (Stanley 1999: 87).

During the conflict the policy debate was focused on the question of intervention. Post-conflict, the question of the mass rapes moved onto the International Crime Tribunal for the former Yugoslavia. When the Tribunal began the existing legal body of work concerning rape as a war crime was fairly limited and several observers expressed scepticism about the Tribunal's capacity to, or interest

in, pursuing the perpetrators of rape (Copelon 1994: 209–10; Zarkov 1995: 114; Morokvasic 1998: 82; Rodgers 1998: 110). Fortunately, however, the prosecution has appeared willing to pursue rape-related indictments on several occasions, both as part of the indictments concerning superiors ordering of attacks and their failure to prevent crimes committed by subordinates and in indictments concerning rapes committed personally or by a subordinate in a situation where the accused was personally present.

In the former category, the case against General Blaskic, a Colonel of the Croatian Defence Council (HVO) from May 1992 to 1994, stands out. Blaskic was convicted in March 2000 of crimes against humanity for actions, including rape, carried out against the Bosnian Muslim population. Blaskic, who was promoted to General in August 1994, was given a prison sentence of forty-five years. Cases involving personal presence include the one brought against Anto Furundzija, a local commander of a special unit of HVO, who was sentenced to ten years' imprisonment for being a co-perpetrator to torture in a case where he was interrogating a witness who was raped by another soldier; and the case against Hazim Delic, a Bosnian Muslim, who was convicted of two cases of rape of Bosnian Serbian women, each bringing a sentence of fifteen years (judgments can be found on the homepage of the ICTY, www.un.org/icty).

Several of the trials currently in session involve rape. Mass rape is at the centre of the trials of Kunarac, Kovac and Vukovic, who are indicted for their role in keeping women in detention centres ('rape camps') in Foca in the summer of 1992, and rape charges have been added to the case against Nikolic a commander at the Susica detention camp in May–June 1992 (for further details see the homepage of the ICTY, www.un.org/icty).

Arguably only a small number of rapes ultimately will be prosecuted. The difficulties in compiling the cases, the traumas of standing trial and the possible fear of response from one's community all work against the prosecution of wartime rape. Yet, keeping in mind the difficulty of changing international practice, the inclusion of wartime rape in the larger security discourse and the developing legal practice of the Tribunal to make rape a serious offence are important steps which should be applauded. This inclusion, however, also creates new dilemmas: NATO's intervention in Kosovo in spring 1999 was in part legitimized through reference to mass rape and Serbian-run rape camps in Kosovo. After the conflict, the reliability of NATO's account of what was factually taking place on the ground in Kosovo has been contested. Human Rights Watch has argued in a recent report that while rape did take place, also on what appears to be a fairly widespread basis, the organization found no evidence of actual rape camps (Human Rights Watch 2000: 2). This raises the difficult question not only of when there are enough rapes for a situation to qualify as mass rape; it also raises the equally difficult question of whether this justifies intervention. Finally, it provokes reflection upon what degree of uncertainty about the verification of information can be tolerated in a conflict situation where decisions often need to be made more quickly than in 'normal' politics.

Notes

- 1 The fact that the 'Assessment Report on Sexual Violence in Kosovo' was carried out by United Nations Population Fund, which deals with population control, infants and rape rather than by the Security Council might illustrate an ambiguity as to whether the wartime rapes should be understood within the context of 'normal' rapes or the context of warfare.
- 2 It should be emphasized that there are more aspects to gender and security in Bosnia than the mass rapes. For an analysis of the increase in domestic violence see Nikolic-Ristanovic 1996: 203–8; on the negative economic and emancipatory effects of transition from communism in Yugoslavia see Djuric 1995: 130–5; Jalusic 1994; Ramet 1996: 282–4; Morokvasic 1998: 69–76; on women as refugees see Arcel et al. 1995 and Morokvasic 1998: 78–9.
- 3 The theoretical strategy pursued in the rest of this article is in other words neither a 'bottom-up' nor a 'top-down' explanation. Tickner argues that the first one is characteristic of feminist security studies (Tickner 1997: 628, 1998: 208–9).
- 4 It is problematic to equal 'Bosnian' with 'Bosnian Muslim', and both are used in this article. The difference is acknowledged, but it is beyond the scope of this article to go into a discussion of the difference between the two. I have used 'Bosnian Muslim' when that is the term being used by those arguing a particular representation, in all other cases 'Bosnian' is adopted.
- 5 For very different versions of this argument see Walt (1991) and Ayoob (1997); for an excellent account of the political foundation of neo-realism see Williams (1998).
- 6 The mass rapes provide a useful point for interrogating the relationship between Security Studies and feminist approaches to security. Although rape has traditionally been a central feminist concern, the location of mass rape within the context of warfare and military strategy provides a link to the field of Security Studies which has traditionally isolated itself from questions of gender.
- 7 As argued by Winifred Woodhull, the dichotomous discussion of rape as either about power or about sex is problematic insofar as it relies upon 'the designation of "sex" as a biological or ontological given whose function is to guarantee that sexuality appear to have its origin outside of and prior to power' (Woodhull 1988: 170). The focus of our analysis should therefore be on the way in which 'social mechanisms, including language and conceptual structures, [that] bind the two together in our culture' and on what this distinction does to our understanding of rape as a security problem (Woodhull 1988: 171).
- 8 The different constructions of female subjectivity and responsibility in wartime and peacetime rape make the wartime construction appear more progressive from a feminist point of view. It should be noted, however, that women *do* find themselves in a different security situation in the case of warfare, and second, as argued by the Tribunal, that the increased attention to wartime rape is in part a result of increased attention at the *national* level (*Furundzija IT-95-17/1-T 10*, Judgement, paragraph 179).

- 9 As will be argued in the conclusion, the Tribunal has taken a stance in favour of allowing very little room for 'private capacity'.
- 10 To decline a role for the collective is still, in other words, to make an argument about the importance of the collective.
- 11 Adam Jones has argued that feminist analysis fails to notice that more men than women were killed in Bosnia; the point, however, is not simply who got killed in largest numbers, but to investigate the rapes as identity producing practices (Jones 1994; Carver et al. 1998: 296).
- 12 'Women/men' indicates that a construction of women (or men) is simultaneously a construction of the other gender.
- 13 On the link between representations and policy recommendations, see Ó Tuathail (1996); Crawford and Lipschutz (1997); Hansen (2000a).
- 14 It should be noted that not all realists articulated the specific Balkan component; neo-realists like Mearsheimer, Posen and Kaufmann for example relied upon a structural realist account of international politics devoid of particular cultural traits, such as 'Balkan' (Hansen 2000a).
- 15 It should be mentioned that 'Balkan history' has not always historically been seen as doomed to repetition and its women to a lower social status by western observers, nor did one necessarily claim a correlation between (Balkan) patriarchy and the propensity to rape. The Carnegie Commission writing in 1913, the original document introduced by Kennan in 1993, noted the widespread practice of rape, or 'outrage' as it was called. Yet, in keeping with its classical idealist orientation, the Commission was optimistic about 'the Balkans'' ability to reach the standards of European civilization. It expected that such a 'civilized' transformation would, in part, depend upon changes in women's social conditions. The Commission thought that as long as women were deferred to a low societal status, the ascendance of the Balkans to 'civilization' as a whole could not be accomplished. 'A people can not rise high in the social scale while women are permitted to bear the heaviest burdens and perform the hardest labor' (Carnegie Endowment for International Peace 1914: 271). Not only did the Carnegie Commission differ from Kennan due to its belief in Balkan progress and its explicit attention devoted to changing Balkan patriarchy, it also argued that this patriarchal culture functioned as a protection of women against rape by concurring troops: 'the Bulgarians are probably less guilty than the others. More patriarchal or more primitive in their ideas, they preserve the feeling of the soil, and are more disciplined than the others' (Carnegie Endowment for International Peace 1914: 232).
- 16 In the other major case concerning rape, *Furundzija IT-95-17/1*, a Croat was indicted and convicted.

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