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## **Rape as a Weapon of Genocide: Gender, Patriarchy, and Sexual Violence in Rwanda**

by Jennie E. Burnet, Associate Professor, Department of Anthropology, University of Louisville

During the 1994 genocide in Rwanda genocide planners and perpetrators used sexual torture, mutilation, and enslavement as weapons of genocide against Tutsi women and girls. An epidemiological survey of women in Rwanda in 1994 found that 49 percent of them had been raped.<sup>1</sup> The genocide (6 April- 4 July 1994) was an intense episode of violence that occurred during a decade of violent conflict, beginning with the civil war (1990–1994), continuing with the exile of more than two million Rwandans in refugee camps in eastern Zaire (now Democratic Republic of the Congo) and western Tanzania (1994–1996), and ending with the insurgency in northwestern Rwanda (1997–2000). This decade was characterized by high rates of sexual violence and militarized sex, defined here as voluntary and coerced sexual relations between soldiers or members of paramilitary organizations and civilians, but the 1994 genocide constituted an abrupt break from social norms, especially in terms of sexual assault. Sexual violence in the genocide ranged beyond ethnic/racial dyads of Tutsi-victim and Hutu-perpetrator. Many Hutu women and girls also endured sexual violence in 1994, and an unknown number of women and girls of all ethnicities were pressured into sexual relationships with soldiers after they reached the safety of internally displaced persons camps in territory held by the Rwandan Patriotic Front (RPF). Focusing solely on sexual violence committed by Hutu perpetrators against Tutsi victims obscures the complexity of sexual violence, sexual agency, and militarized sex during conflict.

Research on sexual violence in Rwanda has emphasized rape and other forms of sexual violence as conscious strategies on the part of the perpetrators to terrorize and control women, girls, and other civilians.<sup>2</sup> Adding to these important contributions, this chapter explores how pregenocide social contexts and the political economy shaped sexual violence during the genocide and influenced the impact of sexual violence on survivors, families, and communities in the aftermath of the genocide. This chapter is based on ethnographic research conducted in urban and rural Rwanda between 1997 and 2013, including more than a hundred formal interviews with leaders and members of women's civil society organizations and several hundred ethnographic interviews with ordinary citizens in rural and urban Rwanda. This research focused broadly on changing gender roles in the aftermath of the 1994 genocide and did not focus exclusively on sexual violence or its legacies.<sup>3</sup>

The chapter is organized in five sections. In the first, I examine the political economy of everyday gender violence in Rwanda and the ways in which the decisions of women and girls have been shaped by, what Eric Wolf calls, 'a social field of action' that make some behaviors impossible and some behaviors more possible than others.<sup>4</sup> Then I examine how women in conflict zones exercise sexual agency in ways that challenge distinctions between consensual and nonconsensual sex on which international legal definitions of rape are based. Women's choices are limited—sometimes impossibly limited—but they still exercise their agency to survive and to pursue life goals, such as education or a career, marriage, or motherhood. In the third section, I describe how perpetrators used rape as a weapon of genocide and explain the ways that the local political economy, cultural symbolism, Rwandan notions of sexual consent and gender roles shaped sexual violence during the 1994 genocide. Then I explore the short and long term impact of sexual violence on survivors, their families, and their communities. In the conclusion, I

discuss the ways in which certain sexual violence survivors have either been silenced or chose to remain silent about their experiences of sexual assault.

### **The Political Economy of Everyday Gender Violence**

In her groundbreaking study of Korean ‘comfort women,’ C. Sarah Soh highlighted the importance of situating sexual violence associated with war within the context of ‘everyday gender violence’ and the ‘structural power’ of the political economy.<sup>5</sup> With the exception of Meredith Turshen’s comparative analysis of sexual violence in Rwanda and Mozambique, few works have situated the sexual violence of the 1994 genocide in the context of everyday gender violence or the structural context of the political economy.<sup>6</sup> Long before the 1994 genocide Rwandan women and girls faced a great deal of gender violence, including physical violence (such as domestic abuse and sexual assault) and structural violence (such as gender discrimination).

Patrilineages were the fundamental structuring element of society in precolonial Rwanda. Patrilineages operated as corporations that managed the economic and social well-being of its members, whether male or female. Widows, married women, and unmarried girls derived their social identities and rights to land from their male kin. A Rwandan proverb states ‘*Abagore ntibafite ubwoko*’—wives have no identity; meaning an unmarried girl has the same identity as her father or brothers, and a wife takes on the identity of her husband and his patrilineage.<sup>7</sup> In short, a woman’s membership in a lineage defined who she was as a social person. During precolonial and colonial times a woman after her marriage would be called by a name derived from her husband’s name such as *Mukamanzi* (literally, ‘wife of Manzi’) or some other anonymous kinship term such as *umufasha* (literally, ‘helper,’ meaning wife) or

*mama/nyoko/nyina* (literally, ‘my mother’/ ‘your mother’ / ‘his/her mother’). A woman’s given name was rarely used—a literal, as well as symbolic, erasure of her individuated personhood. These practices were not necessarily based in patriarchy. Rather, they reflected a Rwandan notion of personhood whereby a person’s kin relations, stage of life, and marital status constituted his or her social identity.

Female labor was at the center of Rwandan agricultural production in the precolonial and colonial periods. With the exception of a few regional ethnic groups and the ruling elite, most households, whether Hutu or Tutsi, subsisted primarily from agriculture, with livestock supplementing agricultural production. Up until the recent past, wives cultivated food for the household on land owned by their husbands or their husbands’ family. Husbands produced cash crops, managed livestock, or migrated in search of paid labor. In the precolonial system, women and girls drew power from their productive and reproductive capacities and from the protection of their own patrilineage. In this system, women could carve out substantial spheres of power. Women also had land rights in their own lineages. A father could make gifts of land to a daughter; this land ‘remained the outright property of the woman and [was] inherited by her sons.’<sup>8</sup> Should a woman never marry or should her marriage fail, she could return to her own patrilineage and be allocated a parcel of land.<sup>9</sup> Bridewealth marriages were central to this social configuration and helped ensure protection for married daughters. The colonial period wrought many changes in Rwandan gender roles as the economy became monetized and the colonial state pushed husbands and men into the cash economy. These changes weakened the customary powers and rights of daughters and wives and increased the patriarchal nature of Rwandan society.<sup>10</sup>

Although women gained some legal rights in the postcolonial period, they remained subordinated to men and largely excluded from nonagricultural, salaried work. The 1991 constitution guaranteed the equality of all people before the law regardless of race, color, origin, ethnicity, clan, sex, belief, religion, or social position, but numerous legal codes of the postcolonial period continued to subordinate women to men in the home and in the public sphere.<sup>11</sup> For example, Article 206 of Law no. 42/88 stated that ‘the husband is the head of the conjugal community made up of man, wife, and their children.’<sup>12</sup> This provision was inspired, according to Jean-Marie Kamatali and Philippe Gafishi, ‘by custom, which defines the husband in reference to his physical strength and his duty to provide for the family’s needs including their lodging.’<sup>13</sup> At the time of the genocide in 1994 Rwandan women were technically, legally emancipated. In practice, however, they were perceived as legal ‘minors [under] the guardianship of fathers, brothers, husbands or sons.’<sup>14</sup> Banking, commercial, and land ownership laws limited women’s ability to engage in the cash economy. Women told me in interviews that prior to 1994 they could not seek salaried work without the approval of their husbands even though Rwandan law did not require employers to seek husbands’ approval.<sup>15</sup> By law, women needed the signature of their husbands in order to open a bank account.<sup>16</sup> This legal requirement was intended to protect the conjugal household as a single, economic unit. But, the provision made it easy for husbands to hide money from their wives or direct resources away from the conjugal household since husbands did not require a wife’s signature to open or close a bank account but a wife did. While some women became successful entrepreneurs, their businesses were vulnerable to plunder by their husbands.<sup>17</sup>

Patriarchal ideas about the roles of women in society also led to an education system that limited access to secondary school for girls. According to World Bank Development Indicators,

in 1990 the ratio of female to male primary enrollment was ninety-six percent for primary school, seventy-one percent for secondary school, and only twenty-two percent for tertiary school. When faced with limited household resources, families chose to educate their sons over daughters for two reasons. First, girl children provided significant labor in the household by fetching water, caring for young children, cooking, cleaning, and washing laundry. This time-intensive work required girls to miss school. On the other hand, boys' labor, usually tending livestock or helping in the fields, could be accomplished outside school hours. Second, fathers often viewed educating daughters as 'a waste' since these daughters would leave to join their husbands' patrilineage when they married. Thus, many institutional barriers prevented girls from achieving the levels of education necessary to secure salaried work in the private sector or in the government.

This history of everyday violence that subordinated women to men combined with a political economy that strongly favored men for salaried employment limited women and girls' choices. Despite laws that granted them individual rights and personhood, women and girls were viewed as dependent on men: as girls they were dependent on their fathers, uncles, and grandfathers and as women on their husbands, brothers-in-law, and adult male children. This systemic subordination increased women and girls' vulnerability to sexual violence in the genocide.

### **Women's Agency, Sexual Consent, and Conflict**

In the Rwandan context, the issue of sexual consent is a particularly thorny problem because Western legal definitions of consent are rarely appropriate.<sup>18</sup> According to Sophie Day, rape is commonly defined as 'nonconsensual sex' or 'nonconsensual sexual intercourse.'<sup>19</sup> This

definition raises some significant conceptual problems when used in Rwanda (and many other African countries) because women in these cultures usually do not give explicit, verbal consent to sexual intercourse. Among Rwandans as well as many other African groups, modesty is a feminine ideal and unmarried girls and women are expected to uphold a cultural model of the 'modest virgin' devoid of any sexual knowledge or urges.<sup>20</sup> Because explicit expressions of sexual desire are considered immodest, female consent is usually signaled implicitly through nonverbal cues or 'situational consent,' that is, a woman or girl's willingness to be in a particular place, at a particular time, with a particular person. For instance, a woman agrees to spend the night with a man in his home or a hotel. In the past and even to a certain extent today, a married woman would also give subtle nonverbal cues to her husband to indicate her desire by cooking a special meal, wearing attractive clothing, attending to the husband's physical comfort, or lighting a pipe of tobacco for him at bedtime.<sup>21</sup> Rwandan cultural values precluded the notion of rape in marriage because a wife's consent became an irrevocable fact upon wedding.<sup>22</sup> Wives could refuse their husbands only due to illness or menstruation.<sup>23</sup> Thus the emic Rwandan cultural models of sexual consent do not coincide with the European and American models of consent. Research on socially acceptable forms of domestic violence in India<sup>24</sup> and on socially acceptable forms of domestic violence in the highlands of Peru suggest that many other cultures also reject a model of rape based on consent.<sup>25</sup>

Rwandan cultural models of sexuality and consent complicate investigations of sexual violence as a crime. For example, the lack of precise words for rape in Kinyarwanda (the local language) complicated research on sexual violence conducted in late 1994 and early 1995.<sup>26</sup> Article 360 of the 1977 Rwandan penal code defined rape as a crime punishable by five to ten years imprisonment, but it did not delineate what behaviors constituted rape.<sup>27</sup> In unpublished



research on child sexual assault conducted in 2002 for CARE-Rwanda, I found that Rwandans usually expressed the concept of rape as ‘*gufata ku ngufu* (to take by force),’ which suggests that rape is conceived of as involving physical force. A former military policeman confirmed this when he explained to me in 2002 that he usually looked for signs of physical violence on an alleged victim’s body in order to determine whether she had been raped. He said there was simply no other conclusive way to determine whether a woman alleging sexual assault was being truthful.

Historically, Rwandan cultural models of sexuality did not prescribe remedies for rape; rather, they addressed improper sexual relations such as adultery—a man having sexual intercourse with an unauthorized woman such as the wife of a different patrilineage or an unmarried girl. In these instances, the offending man’s patrilineage would offer gifts such as beer and livestock to compensate the lineage to which the wife or unmarried girl belonged. A wife caught *en flagrant délit* with an unauthorized man was assumed to have consented to the sexual activity. Most likely she faced a severe beating at the hands of her husband, father-in-law, or brothers-in-law, and risked being sent back to her own patrilineage without her children. For an unmarried girl, a marriage might be arranged, but if not she most likely faced a severe beating at the hands of her father or brothers for bringing shame to the family. Knowledge of her ‘mistake’ would also lower the potential bridewealth that her lineage could seek during future marriage negotiations. All these instances assume the implicit consent of the women involved and preclude the possibility of rape defined as ‘non-consensual sex.’ These data suggest that Rwandan cultural models for coping with sexual transgressions, including situations that were potentially rape, robbed women of their agency.

While a great deal of international attention has focused on sexual violence in conflict zones, few studies recognize that many different types of sexual encounters occur in war zones, including a great deal of consensual sex for pleasure and transactional sex that does not necessarily constitute harm.<sup>28</sup> Many of these encounters, to be sure, are conditioned by the circumstances of violent conflict and the political economy of war and are therefore hard to define as non-coercive. Many young women exercise their sexual agency in conflict zones and trade sexual access to their bodies for the means of survival: food, water, clothing, money. The degree to which these women are making a ‘choice’ is highly contingent on the structural factors determined by the conflict, and often they must choose between several terrible options—what Begoña Aretxaga called ‘choiceless decisions.’<sup>29</sup> In Rwanda the lack of explicit consent further complicated these distinctions: how do women and girls refuse sexual intercourse when the means of survival are bound up with implicit signs of consent, such as accepting food, clothing, shelter, and protection? R. M. Hayden critiques assumptions by human rights researchers that Rwandan women who married men in exchange for protection during the genocide were victims of rape or forced marriage.<sup>30</sup> Indeed, it is plausible that some Rwandan women and girls exercised agency in the initiation of these relations, and it is highly likely that they have exercised agency in their continuation. Yet whether these relationships can be considered consensual or whether they constitute sexual harm is a much more difficult question to answer. If the only other option is death, is it really a choice at all?

### **Sexual Violence during the 1994 Genocide**

Sexual assaults on women and girls increased dramatically following the advent of the civil war in 1990.<sup>31</sup> While it is almost certain that rape and sexual violence existed before then, they were

not widely recognized as problems, and women's organizations did not mobilize on the issue.

The civil war, the 1994 genocide, and their aftermath transformed aspects of Rwandan culture. In Rwanda in the 1990s, war became what Stephen Lubkemann called a 'social condition,' meaning war became the normal context of daily life rather than a disruption of normal social relations.<sup>32</sup>

Before, during, and after the genocide, sexual violence was a common feature of a social landscape that already considered many forms of gender-based violence, such as wife-beating, normal.

As the general state of security in the country declined, members of the *Interahamwe* and *Impuzamugambi* militias, the Rwandan Armed Forces (FAR), and others took advantage of the chaotic conditions to commit acts of sexual violence with impunity. Local government officials advised women to wear both shorts and underwear beneath their skirts as an impediment to rape rather than wearing nothing per custom.<sup>33</sup> While official reports of rape were almost nonexistent, Human Rights Watch reported in 1993, 'Rwandan soldiers frequently rape women, but because they are never punished for the crime, victims rarely report the attacks. Women know that to accuse soldiers is futile and may well lead to further harassment or even death.'<sup>34</sup> Many Rwandans, both male and female, told me that the FAR and the militias raped women during attacks on civilians in the civil war.

While sexual violence escalated during the civil war, its ferocity and intensity during the genocide from 6 April through 4 July 1994, constituted an abrupt break with social norms. Rape and sexual violence became weapons of genocide used to destroy the Tutsi ethnic group as well as 'to terrorize the community and warn all people of the futility of resistance—those targeted as victims as well as those who might wish to protect the intended targets.'<sup>35</sup> Women faced brutal acts of sexual violence: individual rape, gang rape, rape with objects, sexual slavery or 'forced

marriage,' and sexual mutilation.<sup>36</sup> Interahamwe militiamen often raped or sexually tortured Tutsi women before killing them. Perpetrators sometimes mutilated women during the rapes or before killing them by cutting off their breasts, puncturing the vagina with sharp objects, or disfiguring body parts that looked 'Tutsi' such as long fingers or thin noses.<sup>37</sup> In other cases, Tutsi women were gang raped, sexually enslaved or 'married' by Interahamwe militiamen in exchange for having their lives saved.<sup>38</sup>

Although perpetrators in the 1994 genocide targeted victims based on ascribed identities, so-called 'age-old' ethnic hatred (or tribalism) was not the cause of the genocide.<sup>39</sup> Rather, the killings were the result of political strategizing and conscious choices by a political and economic elite who desired to maintain their hold on power. At the local level, community members usually knew the ethnicity of their neighbors. At roadblocks on main roads, policemen, soldiers, and militiamen used national identity cards, which indicated ethnicity, to select targets. During the genocide a man who presented an identity card marked 'Tutsi' would be killed instantly along with any children accompanying him. Women with Tutsi identity cards would usually be killed immediately or raped and then killed. Sometimes they might be spared according to the whims of their attackers, held as sexual slaves by soldiers or militiamen, or taken as 'wives' by individual soldiers, militiamen, or civilian perpetrators. Individuals presenting identity cards marked 'Hutu' or 'Twa' would often be physically examined or interrogated for other clues to determine if the card was accurate. Many people had changed the ethnicity on their cards from Tutsi to Hutu during the Habyarimana regime because doing so was advantageous under the 'ethnic equilibrium' policy, which reserved ninety percent of all posts in the government and in secondary schools or universities for Hutus. Thus, genocide perpetrators relied in many instances on stereotypical physical markers of 'Tutsiness,' which included a tall,

slender frame; aquiline nose with small nostrils; long, narrow fingers or feet; dark gums in the mouth; and a tan skin tone on the palms of the hands or soles of the feet. For women, the rule of thumb was often beauty. Since colonial times, Tutsi (or Watussi) women were heralded as great beauties by European colonizers. Racist propaganda in the years leading up to the genocide further reinforced these stereotypes.<sup>40</sup> Beauty as a marker of Tutsi-ness was so strong in the popular imagination that Hutu women and girls who were considered beautiful risked being mistaken for Tutsi and raped, sexually enslaved or taken as ‘wives,’ sexually tortured, or killed.<sup>41</sup>

The International Criminal Tribunal for Rwanda (ICTR) established sexual violence as an explicit strategy of the genocide and yielded the first judgment of rape as a genocide crime in an international court. The ICTR convicted Jean-Paul Akayesu, Burgomaster (mayor) of Taba commune, of using rape as a weapon of genocide even though he did not participate in sexual violence. Instead, he ordered others to rape and engage in sexual violence as part of the genocide.<sup>42</sup> Other leaders ordered militiamen and other community members to rape and also committed rape themselves.<sup>43</sup> In 2011, the ICTR found Pauline Nyiramasuhuko, a woman and Minister of Women’s Development in the interim government in power during the genocide, responsible for aiding and abetting rapes and ordering the rape of Tutsi women during the genocide.<sup>44</sup> Unfortunately, due to errors committed during the trial by the prosecutor’s office, the court did not find her guilty of rape as a crime of genocide.<sup>45</sup>

Beyond physical brutality, sexual violence in the genocide consisted of symbolic and psychosocial violence. Perpetrators targeted the normally privileged role of Rwandan women as mothers. They disemboweled pregnant women while still alive and cut their fetuses out of their wombs.<sup>46</sup> They raped and sexually mutilated women and then told them bullets should not be ‘wasted’ on them because they would ‘die of AIDS,’ presumably contracted during the rapes.<sup>47</sup>

Extremist rhetoric targeted Tutsi beauty and desirability—militiamen were promised the opportunity for sexual intercourse with Tutsi women as a reward for their ‘work,’ that is killing Tutsis and others identified as enemies of the state. Survivors frequently reported that perpetrators said that they wanted ‘to see if Tutsi women were like Hutu women.’<sup>48</sup> Many perpetrators raped Tutsi women as punishment for ‘their supposed arrogance’ since Tutsi women were ‘said to scorn Hutu men.’<sup>49</sup>

Rape during the genocide also became a political economic weapon. The Rwandan state sought to eliminate the Tutsi ethnic group through the destruction or systematic stripping of assets. Tutsi homes and businesses were looted and burned; soldiers, militiamen, and civilian perpetrators were ‘rewarded’ for their work with property taken from Tutsis. Within this context, Tutsi women and girls were often treated as war booty or property.<sup>50</sup> For example, Rwandan soldiers ordered the director of a nursing school to hand over female students and raped female employees of a Roman Catholic seminary as ‘a contribution to the war effort.’<sup>51</sup> In some communities, local authorities worked to keep the Tutsi wives of Hutu men alive only because ‘depriving a man of the productive and reproductive capacities of his wife harmed his interests’ and could diminish his willingness to support the genocide.<sup>52</sup> Women’s land rights were sometimes part of the ‘reward’ for militiamen. One survivor recounted how the head of the local militia gave her and her sisters to militiamen as ‘wives’ and their father’s land was split among the ‘husbands.’<sup>53</sup> Women and girls greater survival rates can in part be explained through this use of women and girls as economic pawns to acquire land and property through so-called ‘marriage.’

After the genocide, sexual violence remained a problem. For Rwandans in refugee camps in eastern Zaire or western Tanzania, the former FAR soldiers and Interahamwe militiamen who

controlled the camps remained a constant threat. Rape was common, and perpetrators faced no consequences. Young, single women and adolescent girls remained vulnerable to becoming ‘wives’ under coercive circumstances.<sup>54</sup> The FAR and Interahamwe in eastern Zaire organized incursions into Rwanda and attacked local communities, again using rape as a weapon.

The Rwandan Patriotic Army (RPA), the armed wing of the RPF that became the new national army following the RPF victory, was much more disciplined than the FAR had been. RPA soldiers did not engage in widespread rape, but two practices fall somewhere in the vicinity of coercive sex and definitely constitute militarized sex. In the internally displaced persons camps behind RPA lines, women and girls who had been saved by the RPA would often find themselves solicited by RPA soldiers for a ‘reward’ (meaning sexual intercourse). This reward was often referred to as *kubohoza*, ‘to be liberated.’ While these women and girls may have consented to these sexual encounters, it is difficult to discern whether they felt as if they had a choice. In a second practice, RPA soldiers asked Tutsi women married to Hutu men to leave their husbands, ‘saying those marriages must have been the consequence of rape.’<sup>55</sup> If the women refused, their husbands would be arrested on accusations of genocide and imprisoned—an almost certain death warrant between 1994 and 1997 given the abysmal prison conditions. The women were then forced to marry RPA soldiers, who acquired the woman’s property.<sup>56</sup>

Little detailed information about sexual violence during the insurgency in northern and western Rwanda (1996-2001) is available because researchers had little access to these communities at the time. Survivors of attacks against civilians, particularly those perpetrated by the RPA, were reluctant to testify for fear of reprisals from the government. For several years after the end of the insurgency, Rwandan women in northwestern Rwanda cited rape as a pressing social problem for women and girls.<sup>57</sup> These data suggest that sexual violence was a

significant problem during the insurgency and in its aftermath. By 2009, women in the same community stated that local authorities had solved the problem by working closely with the population.<sup>58</sup>

### **The Aftermaths of Sexual Violence**

Human Rights Watch published the earliest, in depth, examination of sexual violence during the 1994 genocide and its aftermath.<sup>59</sup> The report detailed the numerous economic, legal and social problems faced by sexual violence survivors. Its analysis of the forms of sexual violence in the genocide helped establish that sexual violence was an intentional strategy of genocide. Research by Médecins sans Frontières also helped establish that sexual violence had been used as a weapon in the genocide.<sup>60</sup> As a result of this ground-breaking work, an international coalition of feminist human rights lawyers, scholars, and activists petitioned the ICTR's prosecutor's office to pursue prosecution of rape and sexual violence as genocide crimes and crimes against humanity.<sup>61</sup> Their advocacy and the amicus brief they filed led to the amendment of the charges against Jean-Paul Akayesu and the first successful prosecution of rape as a weapon of genocide under international law.

Ten years after its first report on sexual violence, Human Rights Watch revisited the situation of sexual violence survivors and the obstacles that prevented them from seeking justice.<sup>62</sup> The report acknowledged the important international legal precedents as well as improvements in national legal codes to protect civilians from sexual violence, but it made clear that numerous obstacles continued to prevent the prosecution of many cases of sexual violence. Several foreign and Rwandan scholars have collected testimony or life history narratives from sexual violence survivors.<sup>63</sup> These works have contributed to understanding some of the long-



term consequences of sexual violence for survivors. Three significant themes that emerge from these studies are the psycho-social difficulties of raising children born of rape, the health consequences of living with HIV acquired through sexual violence, and the continuing economic struggles of rape survivors who are often living in poverty.

Many women and girls who were raped became pregnant. While abortion was illegal in Rwanda in 1994, in some hospitals and medical clinics nurses and physicians quietly offered an unknown number of these women abortions as treatment for their physical and psychological trauma.<sup>64</sup> Nonetheless, a significant number of women and girls gave birth to children who were commonly called ‘children of bad memories’ in Kinyarwanda. Many of these women and girls faced extreme emotional difficulty. As one widow explained, ‘I can’t look in this child’s eyes.’<sup>65</sup> Another woman, forced to marry an FAR soldier during the genocide and to accompany him into exile, explained, ‘I gave birth to a girl, but I hated her, because she was a constant reminder of what had happened to me. I didn’t breastfeed her because of that.’<sup>66</sup>

Some women left these children in orphanages, but thousands of others kept them. As Godelieve Mukasarasi, founder and coordinator of a Rwanda women’s organization dedicated to helping sexual violence survivors and their children, explains, ‘Children born of rape are stigmatized, hated even by their own mothers or by their mother’s kin.’<sup>67</sup> These children remain as external embodied memories for their mothers who must face a lifetime of public shame because their kin and communities recognize the mother’s defilement in the face of the child. Attempting to disguise children born of rape as illegitimate children offers these women little advantage since having an illegitimate child drastically reduces the chance of a woman entering into a socially recognized marriage and social adulthood.<sup>68</sup> Thus, women impregnated through

rape during the genocide, the civil war, or their aftermaths found themselves with only terrible choices.

Despite these obstacles, children born of rape become central to some sexual violence survivors' agency: these survivors redefined themselves as mothers and made decisions to protect the well-being of their children. In Rwanda as elsewhere in Africa, motherhood is the best light in which a woman can be seen. By re-inventing themselves as mothers, albeit single mothers, these rape survivors recovered their dignity and reclaimed their agency.<sup>69</sup> The radically transformed social context wrought by the genocide made this option more practical. In the aftermath of the genocide, single motherhood became less stigmatized and parents became less willing to enforce customary sanctions, such as pregnant daughters' banishment or sending the infants to orphanages. In the years that followed the genocide, the increasing difficulty for Rwandan youth to achieve socially recognized marriages resulted in increasing numbers of single mothers in Rwanda.<sup>70</sup> Because families and communities have no other choice, they began to accommodate single mothers, including women raped in the genocide, by according them social adulthood. Nonetheless, sexual violence survivors impregnated through rape faced the additional challenge of learning to love children who embodied their physical and psychology trauma. As one rape survivor explained, 'Learning to love the child of a killer is hard. ... SEVOTA [a women's association] helped me learn to love him.'<sup>71</sup> Not all women succeed in this endeavor. As one woman, who was only twelve years old at the time of her rape and sexual captivity during the genocide, explained, 'I have never loved my daughter, who was born out of rape, and even though I try my hardest to love her, there is still a long way to go.'<sup>72</sup>

Women and girls who contracted HIV/AIDS through sexual assault during the genocide were viewed and continue to be viewed today as tainted. During the genocide, men who knew

they were infected with HIV raped women to inflict a delayed death.<sup>73</sup> Beyond the public shame of their rapes, these women faced the structural violence of living with a devastating illness in a resource-poor setting where treatment was unavailable in the critical years after the genocide. As African Rights reported, ‘medical care for genocide rape victims in Rwanda can be summarized as “too little, too late.”’<sup>74</sup> In the late 1990s through 2004, anti-retroviral treatments (ARVs) available to people living with HIV/AIDS in North America and Europe were only available to the very wealthy in Rwanda as the medications’ monthly cost exceeded \$400 whereas the per capita gross national income in Rwanda was \$730 per year (or \$60 per month) in 2004.<sup>75</sup> The vast majority of people living with HIV/AIDS in Rwanda went untreated until the U.S. President's Emergency Plan for AIDS Relief (PEPFAR) was created by President George W. Bush in 2003. Beginning in late 2004, ARV therapy began to be made accessible to poor Rwandans. Unfortunately, this treatment came too late for thousands of women who had already died of HIV/AIDS acquired through rape in the genocide. Nonetheless, in 2011 an estimated 61,900 Rwandans received ARV therapy and 225,600 people living with HIV/AIDS received health care and other support through the PEPFAR initiative.<sup>76</sup>

Survivors of rape shared many of the same difficulties of genocide survivors in general: loneliness, social marginalization, depression, psycho-social trauma or post-traumatic stress disorder, and extreme poverty. In the aftermath of the genocide, survivors faced a country whose infrastructure had been destroyed. Perpetrators had targeted the economic lives of Tutsis by destroying their homes, slaughtering their livestock, and stealing their belongings. Thus, genocide survivors faced restarting their lives from ‘less than nothing.’<sup>77</sup> In this context, survivors of sexual violence found their suffering intensified by the dire economic circumstances and poverty they faced. While the new Rwandan government eventually came to the assistance

of genocide survivors through the Genocide Survivors' Assistance Funds, known by their French acronym, FARG; survivors suffered for many years without the basic necessities such as clothing, shelter, basic household tools, or farming implements necessary to survive. For sexual violence victims, many of whom suffered health problems as a result of their attacks, this poverty made it extremely difficult to access basic health care.

Despite these challenges, women survivors of sexual violence rebuilt their lives and began to seek meaning in their existence. M. Zraly and L. Nyirazinyoye found that some genocide-rape survivors in southern Rwanda joined associations and deployed a variety of coping mechanisms to continue living despite their horrific experiences during the genocide.<sup>78</sup> In my research with grassroots women's organizations in southern Rwandan and national women's organizations based in Kigali, I also found that joining women's associations brought solace to many genocide survivors, genocide widows, and other women whose husbands died.<sup>79</sup>

Some sexual violence survivors sought to have children outside of marriage as another form of consolation and as a way to normalize their situation in the community. In 2013, one genocide survivor in the late stages of her battle with AIDS acquired through rape in the genocide explained, 'I knew no man could take me likes this. But I couldn't stand the idea of being alone in the world. So, I sought to have children through other means [than marriage].'<sup>80</sup> Other sexual violence survivors rejected the idea of marriage because of a lingering distaste for men.<sup>81</sup> These women sought to raise children as single mothers either through adoption or through sexual encounters with men.<sup>82</sup>

### **Silenced Voices: Sexual Violence Survivors Omitted from the Public Discourse**

Social interventions in postgenocide Rwanda focused mostly on Tutsi victims leaving other rape survivors to cope on their own. Rape survivors who do not fit the Hutu-perpetrator/Tutsi-victim dyad remained mostly silent because their experiences did not fit the dominant paradigm of Rwandan history promoted by the RPF government.<sup>83</sup> Hutu women raped by FAR soldiers or Interahamwe militiamen during the civil war or genocide did not dare speak out publicly because they risked not only disbelief (because Hutu women are not perceived as genocide targets) but also rejection by their husbands and families because of the ‘shame’ of being raped. Tutsi women who were coerced into sex or forced into marriage with RPF soldiers had little or no access to social services for sexual violence survivors unless they adjusted their narratives and called the perpetrators ‘Interahamwe.’ Finally, an unknown number of (Hutu and Tutsi) women have remained in marriages that began as ‘forced’ marriages. These women dare not talk about how their relationships began for fear of being cast off by their husbands or husbands’ families. Like women in post-partition India and Pakistan, these women exercise their agency to remain in these marriages because they perceive it as the best option for themselves or their children.<sup>84</sup> In Punjab, Veena Das found that the social fiction of ‘practical kinship’ allowed raped or forcibly married women to be incorporated into families and communities when the women’s natal families and communities would have rejected them.<sup>85</sup> Hayden found that raped women in Bosnia exercised similar agency to find a socially acceptable place for themselves and their children in the aftermath of the conflict.<sup>86</sup>

Notwithstanding the individual and social silence surrounding these issues, silence should not be mistaken for secrecy. Even though many rape survivors and women in ‘forced marriages’ remain silent about their experiences, family and community members often know about these women and girls’ sexual assaults. Given the public nature of genocide rapes and sexual

enslavement during the genocide, community members are often aware that certain women were raped or held in sexual slavery or that some women's marriages began in questionable circumstances. Social silence on these matters helps preserve the women's dignity on the one hand and avoids reopening familial and community conflict on the other hand. Yet silence may also increase or prolong rape survivors' suffering.

The voices of sexual violence survivors who have not sought support through associational life have rarely been heard. Researchers use convenience samples drawn from associations whose membership is pre-identified as sexual violence survivors as a way to conquer the nearly insurmountable challenge of recruiting research participants into a study with numerous privacy, confidentiality, and psychological risks. Most studies conducted on sexual violence during the genocide in Rwanda relied on this strategy to recruit interviewees.<sup>87</sup> Despite its benefits this recruitment strategy creates a sampling bias due to the de facto exclusion of sexual violence survivors who are *not* members of associations. In addition, it creates an artificial situation where interviewees may feel compelled to explain or justify their membership in these associations while giving their testimony.<sup>88</sup> In *The Men Who Killed Me*, Anne-Marie de Brouwer, Sandra Ka Hon Chu, and Samer Muscati's study, these kinds of assertions appear frequently in the published narratives.<sup>89</sup> While this theme can be identified as an artifact of their sampling strategy, it is impossible to detect other ways that the narratives or testimony of sexual violence survivors may have been influenced by a sampling bias or the research context.

Ethnographic research can sometimes overcome this obstacle. Some advantages of ethnography are the long-term presence of the researcher in the field and the more open-ended inductive research questions that can open doors to harder to detect phenomenon. In the course of fieldwork over a fifteen-year timespan, a handful of sexual violence survivors (or their

families) shared their stories, or parts of their stories, with me. Most of these survivors do not belong to associations. Their experiences of sexual violence remained an individual (or family) secret. A striking common theme of their narratives is that they do not position themselves as a member of one or more groups, rather their individual stories serve as ‘a counter memory to official hegemonic history,’ as M. Hirsch and V. Smith describe some women’s memory narratives.<sup>90</sup> These survivors’ narratives emphasized sexual survivors’ existence at the margins of social acceptability. Yet, rather than remain captives of a gendered social classification system that defines sexual violence survivors as morally tainted, these survivors refocused their lives and agency on their children, including those born of rape.

An ethnographic approach allows researchers to explore the ambiguity of sexual violence during conflict by uncovering survivors hidden by hegemonic public discourses about conflict and by gathering data on female sexual agency and consensual sexual activity in conflict zones. Since the majority of postgenocide interventions for sexual violence survivors in Rwanda assisted mostly Tutsi victims or Hutu genocide widows, many (perhaps even most) sexual violence survivors remained hidden by the public discourse on sexual violence, by their own shame, and by the cultural requirement for silence in matters of sexual violence. The assumption that European or North American models of sexual consent are relevant to other contexts ignores significant differences in the social construction of sexuality and marginalizes emic cultural models. As Dianne Otto asserts, conflating all forms of sex in conflict zones as harm undermines women’s and children’s rights because it reinforces ‘conservative hierarchies of gender and sexuality’ and ‘diverts attention ... from the searing poverty that characterizes transitional post-conflict societies.’<sup>91</sup> Initiating sexual encounters can be a matter of rational choice, a coping strategy in the difficult economic circumstances that arise in the aftermath of violent conflict and

genocide. Furthermore, it can be argued that the question of sexual consent and rape in Europe and North America still remains unresolved.<sup>92</sup> In conflict zones, some women and girls initiate sexual relationships out of sexual desire, as a means to secure their own or their families' survival, or because they face a choiceless decision whereby other options either do not exist or are less desirable. Finally, many of the dominant research methods on sexual violence during conflict detach the question of female sexual consent from the cultural historical context and political economy of poverty that structures women's agency and limits their options.

This case study points to the need for more open frameworks for confronting instances of sexual violence during violent conflict, ones that make it possible for more victims to come forward for medical, psychological and social support. Furthermore, it points to the need to address the structural violence of wartime political economies that leave poor women and girls vulnerable to sexual exploitation and trafficking because they face choiceless decisions involving their or their families' survival. As Soh pointed out in the case of Japan's comfort stations during WWII, 'the comfort system encompassed both commercial *and* criminal sex' (emphasis in original).<sup>93</sup> United Nations Security Council Resolution 1325 on gender-based and sexual violence in conflict zones as well as the U.N. Secretary-General's 2003 Bulletin on the sexual conduct of peacekeepers are important steps in the right direction.<sup>94</sup> Yet as Otto notes, the directives outlined in the secretary-general's bulletin rob women, as well as male peacekeepers, of their sexual agency.<sup>95</sup> Otto further argues there is a need to examine the real differences between women's 'experiences of consensual and nonconsensual sexual conduct, no matter how fine those distinctions are.'<sup>96</sup> Thus, human rights lawyers and academic researchers should investigate in a systematic fashion the degree to which all militarized sex encompasses this divide.



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## Notes

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3. This research was published as Jennie E. Burnet, *Genocide Lives in Us: Women, Memory, and Silence in Rwanda* (Madison, Wisconsin: University of Wisconsin Press, 2012). For detailed information on research methodology, see pages 23-28.

4. Eric Wolf, 'Facing Power: Old Insights, New Questions,' in *Assessing Cultural Anthropology*, ed. Robert Borofsky (New York: McGraw-Hill, 1994), p. 219.

5. C. Sarah Soh, *The Comfort Women: Sexual Violence and Postcolonial Memory in Korea and Japan* (Chicago: University Of Chicago Press, 2008), p. 3.

6. M. Turshen, 'The Political Economy of Rape.'

7. Today in Rwanda, the standard translation for this proverb is 'wives have no ethnicity.' The Kinyarwanda word translated here as 'ethnicity,' *ubwoko*, literally means 'sort' or 'type' and can be applied to monkeys, trees, or bananas as easily as to people. Before the 1950s, ethnicity was not the primary way that Rwandans classified each other. At that time, the term *ubwoko*, when referring to human beings, meant the combination of a person's social attributes and their relevance in a given context. Hence I translate *ubwoko* in this proverb as 'identity.'

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13. Ibid., p. 124, author's translation from the original French.
14. Turshen, 'The Political Economy of Rape,' p. 60.
15. Author interviews, 1997, 1998, 1999.
16. Kamatali et al., *Situation des Enfants et des Femmes du Rwanda*, p. 188.
17. Jefremovas, 'Loose Women, Virtuous Wives and Timid Virgins,' pp. 97-108.
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19. Day, 'What Counts as Rape?' p. 172.
20. Jefremovas, 'Loose Women, Virtuous Wives and Timid Virgins;' Jefremovas, *Brickyards to Graveyards*.
21. Gaspard Musabyimana, *Pratiques et Rites Sexuels au Rwanda* (Paris: L'Harmattan, 2006), p. 79.
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49. Des Forges, *Leave None to Tell the Story*, p. 215; Human Rights Watch, *Shattered Lives*, p. 18; Sharlach, 'Gender and Genocide in Rwanda,' p. 394; and Taylor, *Sacrifice as Terror*: where Taylor, an anthropologist, analyzes the symbolic discourse of sexual violence in extremist Hutu rhetoric leading up to the genocide and in certain practices of sexual violence during the genocide.
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51. Des Forges, *Leave None to Tell the Story*, p. 494.
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