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Sexual Violence against Males in Armed Conflict: How State Masculinity Helps to Explain its Occurrence

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Honor Research Paper

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Abstract: Sexual violence against male victims during armed conflict still remains largely under-researched. The small amount of research that does exist attributes the occurrence of such violence to the perpetrator's desire to assert their own masculine power. However, claiming that sexual violence against males is perpetrated only to assert personal masculinity fails to explain the attempt of individual perpetrators to use sexual violence to feminize enemy communities during armed conflict. Instead, this essay argues that it is the state that embodies normative masculinity. The State as an ideational entity demands the defense and expansion of its normative masculinity during armed conflict. This embodiment of ideal masculinity is envisioned and also aspired to by the individuals. Consequently, individuals within that state become subordinate agents tasked with implementing the state's demand through violent means like sexual violence against other males. Failing to recognize that the occurrence of sexual violence lies in the logic of state's masculinity leads to insufficient understanding of both the occurrence of sexual violence against males, as well as the reluctance of both national and international community to properly address this atrocity.

Introduction:

Before World War II, the world considered rape and sexual violence as "inevitable by-products of war or ascribed to renegade soldiers", where no "single case of rape was punished" even at the Nuremberg trials (Oosterhoff et al. 2004). The widespread use of sexual violence as a weapon of war was publicly acknowledged after the war in the former Yugoslavia in the early 1990s. The International Criminal Tribunal for the Former Yugoslavia (ICTY) was mandated to try the perpetrators of heinous crimes (genocide, crimes against humanity, violations of the laws of war and serious breaches of the 1949 Geneva Conventions) committed during the conflict (Oosterhoff et al. 2004). The abundant testimony by female rape survivors of the former Yugoslavia conflict resulted in the legal recognition of sexual violence as a crime.

While sexual violence against women in conflict rose to prominence during trials at ICTY, cases of sexual violence against males were largely silenced or swept aside "under the rubric of torture and not sexual violence" (Sivakumaran 2007). However, even though "studies suggest that sexual torture of men is not uncommon" back then, thorough reports were "almost non-existent" (Oosterhoff et al. 2004). This bleak recognition stands in drastic contrast with the reality that "[s]exual violence against men has been documented as taking place in many armed conflicts" (Sivakumaran 2007). To be sure, there is no doubt that women and girls constitute "the large majority of the victims of gender-based violence" (Linos 2009). But it is also undeniable that men have been the victim of sexual violence since ancient times (Linos 2009). In fact, built upon a "complex web of cultural preconceptions," sexual

violence against males has been used since the ancient times to "break down their morale and enforce complete subjugation upon the defeated enemy" (Misra 2015). In ancient war, male rape was considered "an absolute right of the victorious soldiers to declare the totality of the enemy's defeat and to express their total and absolute power and control" (Misra 2015). Similar incidents of sexual violence against males also appear in wars such as in "Ancient Persia, and the Crusades, as well as by the Ancient Greek, Chinese, Amalekite, Egyptian and Norse armies" (Sivakumaran 2007).

Despite public ignorance, this tradition has apparently lingered on. For example, Agger demonstrates how sexual violence has been used as a tool of political repression against male political dissents in El Salvador (Agger 1989). Similarly, Cienfuegos and Monelli note the adoption of sexual violence against male victims as a repressive tool in Chile (Cienfuegos and Monelli 1983). In *Gonadal and Sexual Functions in Tortured Greek Men,* Lindholm et al. illustrate the inflicting of sexual violence against male victims in Greece conflict (Lindholm et al.1980). Testimonies in *I have been in torture photos too: The Abu Ghraib images are all too familiar to Irish republicans* show sexual violence against male Irish victims, too (Adams 2004). In addition, such occurrences of sexual violence against male victims are also documented in Guatemala (Perlin 2000). The reports of conflicts in the Democratic Republic of Congo (see Katy Glassborow, 2008; Human Rights Watch 2015) have shown sexual violence towards male victims. The leaked footage of sexual abuse upon male detainees in Abu Ghraib and other places in Iraq by U.S. armies (Misra 2015) also revealed the very existence of sexual violence in the barracks. In the

research about male victims of former Yugoslavia conflict in Croatia, Oosterhoff et al. found that “sexual torture of men was a regular, unexceptional component of violence in wartime Croatia, not a rare occurrence” (Oosterhoff et al. 2004).

The post-conflict reports from medical and other human rights organizations also evidence the wide spread, though underreported, use of sexual violence against males in various armed conflicts. In an Amnesty International report, a Congolese activist explicitly claims that “the rape of men is much more frequent than you might think” (Amnesty International). Medicines Sans Frontieres also documents treating several men in the eastern part of the Democratic Republic of the Congo as victims of sexual violence (Medicine Sans Frontiere).

While acknowledging the different notion and the corresponding role of state in ancient times compared to that of modern ear, the documentations of modern conflicts mentioned above nonetheless indicate the prevalence of sexual violence against males in armed conflict. However, as mentioned above, this large though scattered body of evidence of sexual violence against males in armed conflict, has not resulted in adequate recognition from the international world. Current scholar work does not provide sufficient explanation that accounts for the occurrence of such heinous crime. Based on the extremely scattered records and evidence, most of the literature focuses on the dominant agency of individual perpetrators in explicating this event. For example, while affirming that sexual violence against males involves the functionality of humiliation, Lindner argues such functionality “can serve the individual desire of the perpetrator to challenge or cover their own vulnerabilities”

(Lindner 2004).

In order to understand why such prevalence of sexual violence against males in armed conflict does not get same attention as that against female victims, it is essential to understand the role of modern state. In developing this theory this essay intends to show that state is a masculinized. The State is conceived as an ideational entity that is materialized through the establishment of its administrative, judiciary, and enforcement institutions. This institutionalized ideational entity embodies the hegemonic normative masculinity determined by the fluid and relational process of masculinization. Throughout the process of masculinization, such normative masculinity emphasizes the capability of enforcement as a means of dominance and control on both physical and non-physical means. Built on a relational process, this state masculinity demands defense and maintenance of its masculine authority through strategies and tactics that masculinize itself and correspondingly feminize the other groups. Therefore, while recognizing that the process of masculinization drives the occurrence of sexual violence against males in armed conflict, it is the masculinization of the state, rather than that of individuals, that underwrites and facilitates the occurrence of sexual violence against males in armed conflict. In armed conflict, sexual violence against both females and males becomes instrumental for both state and its agents in defending and reproducing this normative masculinity, hence the state itself.

While state has been using sexual violence against males in armed conflict to assert its own masculinity –masculinizing itself – after the 1990s many states agreed

to recognize and prosecute sexual violence in armed conflict through international legal institutions. Paradoxical as such criminalization of sexual violence may seem, it is noticeable that up till this day only sexual violence against female victims has been recognized in international legal institutions, while violent cases against male victims – if they are ever reported – have been lumped together and prosecuted under the general category of torture. Hence the securitization of sexual violence against males is selective. This selective securitization of sexual violence in armed conflict against only female victims actually reflects how the state continues to use sexual violence as an instrument in strengthening its own masculinity. Hirschauer argues that securitization takes place once an issue or concern is transformed from a nonpolitical or a political status into an existential threat. The process of securitization is a "political choice" to recognize an issue as an "existential threat" (Hirschauer 2014). This process suggests an identifying mechanisms to analyze how, if and when "something" is worthy or deserving of being regarded as a security issue and why – or why not. By securitizing an issue, states as securitization actors – for instance, military leaders – begin to abandon prior values and norms and assumed new ones. Accordingly, criminalization of sexual violence is a process of securitization with which states elevate the sexual violence to an existential threat. The new values and norms born out of this securitization process then become new discursive framework that serves to enhance the securitization state's masculinity. States choose to securitize and prosecute sexual violence against female victims in armed conflict to highlight their own self-discipline through pathologizing and demonizing their enemy groups,

while keeping silent on issue of securitizing sexual violence against male victims in armed conflict because of the ultimately detrimental effect on the masculine image of those states.

The summary of the theory thus goes like this: men aspire to an ideal of masculinity. Through a relational process of masculinization, this ideal masculinity emphasizes virility, physical dominance against others, and protective capability upon itself and those who belong to its own group. Men build the state to better serve those interests to facilitate the process of masculinization in order to reach this ideal maasculinity. Throughout the state-building process men project their ideal masculine norms onto the state. As a consequence of this norming and masculinizing process, state becomes a gendered ideational entity that is known to embody their normative masculinity. This ideal, normative masculinity is superior and thus aspired to by men. Correspondingly, men submit their personal masculinity and its interests to that of the state. The state's ideal thus encompassing masculinity becomes fundamental to those men's personal masculinity. In this way, the state becomes the principle that dictates the behavioral and strategic preferences of the individual men – the agents – when they serve the state.

The maintenance and defense of the state requires the use of force. The gendered nature of state indicates that the sexualized forms of violence are a ready option for defending and maintaining its masculinity. The militaristic nature of state's masculinity also emphasizes the relevance of armed conflict to the exertion of such violence. While sexual violence is instrumental in exerting the state's masculinity, it

needs to be implemented by individuals. Consequently, during armed conflict state masculinity can generate a strategic preference for sexual violence implemented by individuals to uphold, defend, and strengthen the prototype masculinity of state.

The paradox is, that while sexual violence is a useful instrument for advancing sates masculinity, and hence virility and dominance, nevertheless, state has recognized sexual violence in armed conflict as a crime under international law. To resolve this paradox, this essay will argue that it is not inconsistent, but actually fits the logic of the state' acts for its own hegemonic, normative masculine power. This essay will explain this motive of state by tracing the process of how the sexual violence against females was securitized. This process demonstrated how recognition and prosecution of sexual violence against females was permitted and initiated by males to demonize the enemy's soldiers, thus demonstrating the lack of self-discipline – the "gentlemen" aspect of masculinity – compared to the greater masculine integrity of the prosecuting states.

In contrast, the states lack motivation to push the agenda of recognizing sexual violence against males in armed conflict because the political cost outweighs political gain. Therefore, the male victims have only been recognized under the category of torture by international community.

The essay is organized as follows: first it lays out the definition of sexual violence drawing on legal authorities. Then it demonstrates the insufficiency of current literature about sexual violence against males in armed conflict. After that it defines the state and hegemonic masculinity, and explains how the state becomes

gendered through the process of state formation. The gendering of the state through its formation then helps explain the role of state masculinity in facilitating and sanctioning the adoption of sexual violence against males in armed conflict by individual perpetrators. The following section provides case analyses from testimonies of ICYT that demonstrate the indispensable role of the state in explaining the occurrence of sexual violence in that horrific conflict. After illustrating the cases of sexual violence during the conflict in the former Yugoslavia, the next section will trace the process of securitization of sexual violence to demonstrate how securitization of sexual violence in armed conflict continues to serve to enhance the states' masculinity. The last part concludes with implications for further research.

Theorizing Sexual Violence

In order to address the issue of sexual violence in conflict, it is important to categorize what constitutes sexual violence. Although there is no single, unanimously agreed definition of sexual violence, this essay finds two definitions that are helpful in shedding lights in this domain. The first one is highlighted by McDougall, the Special Rapporteur in her report to the United Nations, which defines sexual violence as:

> "Any violence, physical or psychological, carried out through sexual means or by targeting sexuality…including both physical and psychological attacks directed at a person's sexual characteristics such as forcing a person to strip naked in public, mutilating a person's genitals, or slicing off a woman's breasts…situations in which two victims are forced to perform sexual acts on one another or to harm one another in a sexual manner" (McDougall, United

Nations, 2000).

The second one is from the International Criminal Court concerning crimes against humanity. Sharing the coercive and sexual emphasis, the Elements of Crimes of Article 7 (1) (g)-3 Crime against humanity of enforced prostitution are used to assist the International Criminal Court in interpreting the crime against humanity of sexual violence as:

> "An act of a sexual nature against one or more persons or causes such person or persons to engage in an act of a sexual nature by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or persons or another person, or by taking advantage of a coercive environment or such person's or persons' incapacity to give genuine consent" (Elements of Crimes, ICC).

In addition, some domestic law definition can elaborate on the ambiguous terminology in aforementioned definitions like "an act of a sexual nature". The section 78 of the Sexual Offences Act 2003 of the United Kingdom, for example, clarifies that

> "…activity is sexual if a reasonable person would consider that (a) whatever the circumstances or any person's purpose in relation to it, it is because of its nature sexual, or (b) because of its nature it may be sexual and because of the circumstances or the purpose of any person in relation to it (or both) it is sexual" (Section 78: Sexual, Sexual Offences Act 2003, U.K.).

Accordingly, this essay categorizes sexual violence as not only those acts that involve an explicit intention to satiate the sexual whim of the perpetrators but acts that "embraces both physical and psychological attacks directed at a person's sexual characteristics while also encompassing all serious abuses of a sexual nature inflicted upon the physical or moral integrity of a person by means of coercion, threat of force or intimidation in a way that is degrading and humiliating for the victim's dignity" (Mitchell 2005). As this essay is mainly focused on sexual violence against male victims during conflict, there are certain methods of sexual violence, such as forced pregnancy, that are gender specific and may not apply to male victims. However, as the following part will elaborate, the underlying rationalities of using those methods is not necessarily gender specific because they all serve the same purpose of upholding and furthering the dominance of state masculinity—the ultimate entity that demands those ramifications of sexual violence tactics.

Insufficiency of current explanation

The high prevalence of sexual violence against males noted earlier clearly suggests the dire need of wider exposure and also deeper research on explaining the occurrence of sexual violence against males in conflict. However, the current focus is largely on the individuals, portraying perpetrators as the power center to exert their masculine supremacy.

For example, Meger claims that "sexual violence effeminizes the victim and asserts the power and superior masculinity of the perpetrator" (Meger 2016). Similarly, in *Straight as a Rule*, Adams Jones asserts that while man is afraid of

having a traditionally feminine role and behavior imposed on him, and thus becoming that "feminized male Other", this "feminized male Other" is indispensable to construct and reaffirm the righteous masculinity of the rest of the men (Jones 2006). Based on this individual-centered masculinity, he further argues that the underlying dynamic of gender roles is reflected in male-on-male rape in that during this male-against-male sexual violence, the perpetrator "…finds his masculinity…actually reinforced" (Jones 2006). However, as he later argues that sexual violence against males in armed conflict is used to feminize not only the victim but also, and more importantly, the group to which "the sexually assaulted male belongs" (Jones 2006). As he cites Zarkov:

> "When the male body is ethnic and male at the same time, the castration of a single man of the ethnically defined enemy is symbolic appropriation of the masculinity of the whole group. Sexual humiliation of a man from another ethnicity is, thus, a proof not only that he is a lesser man, but also that his ethnicity is a lesser ethnicity. Emasculation annihilates the power of the ethnic others by annihilating the power of its men's masculinity" (Zarkov 2001).

As depicted above, sexual violence has been employed as a tool of "feminizing of the victim and a more profound valorizing of the heterosexual virility of the assailant and, by implication, his ethnic group" (Jones 2006). However, if it is the individual perpetrators who exert their masculine authority, then it begs the question of what the process is by which the masculinity of the individual transforms into the valorized ethnic, or even national masculinity. In other words, if individual

men are the main actor of dominant masculinity, is sexual violence weaponized to confirm their individualized masculine hierarchy, and is their ethnic group only an extension of their individual masculinity?

However, evidence suggests that collective masculinity is not an extension of individual masculinity but indeed the opposite: individual masculinity is a manifestation of collective masculinity. For example, during a documented rape in the former Yugoslavia war a Serb soldier berates his victim: “What happened Turk? You’re deflowered?” (Boose 2002). These words uttered by a perpetrator during an act of sexual violence show that the perpetrators are not showing off their own masculinity. Hence, it is more likely that sexual violence is an instrument adopted by individual perpetrators to assert and reinforce a masculinity of a bigger, collective entity, such as their ethnic or national community to which they belong. Therefore, the perpetrators are reaffirming the masculinity of that entity, and by extension reinforcing their own individual masculine identity.

The specific methods of sexual violence against males also attest to its functionality of asserting masculine rule on the collective level. For example, Carlson argues that during the Yugoslavia war sexual violence against males, specifically trauma to the male genitalia was used by Serbs to systematically destroy the reproductive function of men and prevent the birth of Bosnian (Muslim) babies as a whole (Carlson 2005). The underlying aim of ethnic cleansing against a whole group shows again that sexual violence reflects more than the affirmation of individuals’ masculine dominance, but rather, a normative masculinity on a collective level that is

represented via individual perpetrators, despite their physical gender and sex (Linos 2009). The involvement of female perpetrators further attests to insufficiency and inconsistency of current individual-centric argument. Namely, it is absurd to claim that those female perpetrators are using sexual violence against males to assert and reinforce their own image of masculinity. For those female perpetrators, emasculating the male victims is not about the perpetrators but about a larger masculine power dynamic.

Therefore, this individual-centric argument begs several questions in deciphering the underlying collective, state-level dynamic that fosters sexual violence in the armed conflict. First, such argument analogizes sexual violence against males in armed conflict to those incidents in peaceful time. However, there is significant difference between the sexual violence against males in armed conflict and that in peaceful time. For example, as demonstrated by the documents listed above, sexual violence in armed conflict was often committed when there was audience because sexual violence is an instrumental in effeminizing the whole community, rather than only the victim himself. In contrast, sexual violence in peaceful times emphasizes on privacy. Secondly, the normative masculinity emphasizes on the virile, reproductive power that is essentially heterosexual. If the individual perpetrators want to exert their own masculinity, then sexual violence against their male peers is actually counter-productive for the potentially homoerotic implication of such conduct. Similarly, such argument fails to explain how the female perpetrators expand their own masculinity by committing sexual violence against males in armed conflict. What's more, while

some scholars contend that in armed conflict individuals perpetrate sexual violence against males to appropriate the masculinity of a whole group through individual's experiences, they only focus on the agency of the individual perpetrators and thus fail to explain that how the masculinity – or lack thereof - could lead to the strengthening – or deprivation – of the masculinity of a collective community.

In addition to personal masculinization, Meger proposes that sexual violence "serves material gains" (Meger 2016). She argues that in "economic civil wars", sexual violence is instrumentalized to enforce the "submission of the group or invoking sufficient fear to displace entire communities to facilitate access of the perpetrating group to land, resources, and other materials that may be of strategic interest" (Meger 2016). Notwithstanding the existence of some perpetrators who "…see armed conflict as an opportunity for personal gain", this explanation is also insufficient to account for the occurrence of sexual violence in armed conflict against males in general. Focused on the material aspect of the warring party, Wood argues that violence against civilians in general is potentially associated with "belligerents' war strategies" to determine their calculus of power distribution based on military capabilities (Wood 2014). However, the result of his research demonstrates that the greater the reliance of an insurgent group on popular mobilization for physical resources and material support, the less likely the civilian victimization would occur (Wood 2014). This implies that if there is indeed a material need from the combatants to extract resources from the other side, then it is even less likely that the soldiers would diminish the support from the civilians by sexually abusing them. Like other

violence in armed conflict, sexual violence "requires the sustenance of a similar character of targeted violence for periods of time and in multiple locations" (Straus 2015). For example, if it is the material gain like taxation or food supply that the insurgent groups want to obtain, then sexually abusing the victims is likely to shrink the taxing or labor basis, which is counter-intuitive. In a nutshell, when there is already a need for materials based on popular support, wasting more resources on committing sexual violence would be only counter-productive in enticing support. It is even worse than rather simply killing the victims and therefore does not comply with the logic of material gain.

Hegemonic Normative Masculinity

As demonstrated in the above section, masculinity has been at the center of academic analyses of sexual violence. It is therefore important to have a conceptual framework of the definition of masculinity. To demonstrate so, it is imperative to first look into the question: what constitutes masculinity.

Feminist scholars have located masculinity studies with a worldview of the "social world as molded by power relations that create unevenly structured opportunities and access to resources according to gender" (Fahlberg & Pepper 2016). In a broad way, those scholars define masculinity as a "socially constructed set of practices within a system of gender relations that is predicated upon unequal power both between men and women and among men" (Fahlberg & Pepper 2016). This definition highlights the fluid and relational process of constructing masculinity. Concurringly, Gilmore looks into the cross-cultural conceptions of masculinity in

Manhood in the Making and concludes that there is no universal consensus of what constitutes real masculinity. However, he also adds that:

"Although there may be no "Universal Male", we may perhaps speak of a 'Ubiquitous Male' based on these criteria of performance: . . . to be a man . . . one must impregnate women, protect dependents [sic] from danger, and provision kith and kin . . . We might call this quasi-global personage something like 'Man-the-Impregnator-Protector-Provider'" (Gilmore 1990).

As indicated, even though it might be true that the idea of masculinity is an relational idea that relies on the process of masculinization and there is no unanimously agreed thus fixed prototype of masculinity, it is acknowledged that "at any time, in any place, there is an identifiable 'normative' masculinity that sets the standards for male demeanor, thinking and action" (Nagel 1998; see also Bederman 1995, Connell 1995, Mosse 1996). Therefore, this essay will adopt the usage of masculinity acknowledging that such idea of masculinity depends on the fluid and relational feature of the process of masculinization. With such recognition of a masculinizing process, this essay will focus on the "normative masculinity" mentioned by Gilmore, namely, this identity of Man-the-Impregnator-Protector-Provider (Gilmore 1990). Such an ideal of men becomes a standard that is more than just an idealistic yardstick; it is "assumptive, widely held, and has the quality of appearing to be 'natural" (Nagel 1998; see also Donaldson 1993). In the end, "hegemonic masculinity remains a standard to be always pursued– whether reviled or revered – against which other masculinities compete or define themselves" (Nagel

1998). Accordingly, this normative masculinity becomes the ideal model that enjoys the position of hegemony to demarcate the proper conceptual and behavioral parameter for other males who aspire to achieve such normative hegemonic masculinity, thereby sanctioning their strategic preferences to correspondingly.

While such an image of man as "the-Impregnator-Protector-Provider" is ubiquitous and normative, the specific behaviors that symbolize such normative masculine features are culturally assigned. The political hegemony and the long history of colonization of the U.S. and other European countries enabled the Euro-U.S. ideal masculinity to spread around the world and make this specific representation of the ubiquitous idea of masculinity the most accepted one. To be more precise, the "US and European male codes of honor (Nye 1993)" emphasize a number of "manly virtues" as "normative masculinity", which includes "willpower, honor, courage, discipline, competitiveness, quiet strength, stoicism, sang-froid, persistence, adventurousness, independence, sexual virility tempered with restraint, and dignity, and which reflected masculine ideals as liberty, equality, and fraternity" (Nagel 1998; see also Bederman 1995, Mosse 1996). Based on late nineteenth-century "ideals of manhood" in the middle-class northern U.S, Rotundo divided these characteristics into three general groups: the "Masculine Achiever", which includes competitiveness, independence, persistence; the "Christian Gentleman" which refers to willpower, restraint, discipline; and the "Masculine Primitive", namely the strength, virility, courage (Rotundo 1987). His division is demonstrative of the ubiquitous normative masculinity. The "Masculine Primitive" indicates the innate, primitive

capacity of virility that reflects the role of impregnator that is indispensable in qualifying real masculinity (Rotundo 1987). To enlarge the scope of subjects for impregnation, the normative masculinity becomes the adventurous "Masculine Achiever" who aims at expansion, even via power – namely it indicates the ability to exert power *over* others, to conquer and dominate. In contrast, for those who belongs to "us", the normative masculinity morphs into the form of "Christian Gentleman" that emphasizes will power, self-control, and discipline to use the capacity to defend itself and provide welfare for others (Rotundo 1987). Together with the depiction of men being both impregnator and provider, including providing protection, the dual-feature of such normative masculinity becomes clear: man as both offender and defender (but never protected), warfare initiator and welfare provider (but never self-claimed provision receiver), abundant with physical strength of virile drive to penetrate and expand while possessing independent will power to not only harness such a primitive drive but also to switch such intruding power into strength of protection.

In addition to defining what men *are*, ubiquitous masculinity regulates masculine norms in "negative terms—what men are not" (Nagel 1998). Exemplified and represented by the Euro-U.S. ideal, being a man "is not being a woman, and no man would ever want to be a woman (Adams 1990; see also Chodorow 1978); a distancing from masculine countertypes, whether racial – being a (white) man is not being a Jew (see Green 1993 and Mosse 1996) or an Asian (see Espiritu 2008), or a Bengali (see Sinha 1995), or an Indian or a black (see Bederman 1995), or sexual –

being a man is not acting 'feminine' and/or not being a homosexual" (see also Mosse 1985, 1996, Duroche 1991, Donaldson 1993). Similarly, Connell provides a semiotic definition of masculinity, which "contrast masculine and feminine and deduce from the difference the meaning of masculinity (and femininity): 'The phallus is master-signifier, and femininity is symbolically defined by lack'" (Connell 1995). As Lisa Price has written about the conflict in the former Yugoslavia, "I AM only to the extent that you are not—male because you are female, Serb because you are Muslim, soldier because you are civilian. Your absence marks, verifies my presence and your pain becomes my power" (Price 2001).

Together with the positive depiction of normative masculinity, these definitions of "what men are not" demonstrate the relational feature of normative masculinity during its construction and maintenance which requires constant self-masculinizing through feminizing others. This dynamic shows that the boundary between masculinity and lack thereof is flexible and beyond the aspect of physical gender, in that the criteria of masculinity could be applied as long as the subject could be constructed to be feminized. The weight of other factors mentioned above – race, ethnicity, or sexuality – is negotiable and negotiated under specific context for masculinization or feminization. Each factor could be gendered individually in measuring the degree of masculinity. They could also work complementarily to justify the qualification of the person as the agency of normative masculinity—the dominant us, or expel someone from being recognized as a representative of generic manliness, thus making them the inferior other. Correspondingly, not only can females be

excluded from ever possessing masculinity, males—as long as they are believed to have failed to live up to those normative standards – can also be excluded. In this way, being male does not always benefit that person by automatically granting him the immunity of being feminized.

To see how state becomes the embodiment of such hegemonic normative masculinity, it is imperative to demonstrate first that the state is an ideational entity that is superior to the governmental institutions like administrative and military agencies, as well as to the individuals living within the state.

Focusing mainly on modern armed conflicts, the next section of this essay will demonstrate how modern state is a gendered, ideational entity.

State

In *War Making and State Making as Organized Crime*, Charles Tilly et al. et al. argues that "[w]ar makes [modern] state" (Tilly et al. 1985). Tilly et al. uses the European experience of the past centuries to demonstrate that the state was initially formed to facilitate better "…[w]ar making, [revenue] extraction, and capital accumulation…" for power holders. Based on Tilley's argument, to better use state for personal gains, statesmen establish institutions like administrative and military agencies. These institutions are mere conduit of enforcement power granted by statesmen upon state which ultimately serve those individual purposes like war waging and taxation.

Tilley's depiction of state as mere tool of enforcement for statesmen's personal gains resonate with that of the German sociologist Max Weber. Weber famously

defines the state as “a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory (Weber et al. 1948). His definition highlights two components of which state consists: a given territory and legitimate use of physical force. Enjoying this demarcated boundary, the state was made to not only wage better wars to “check or overcome their competitors”, but also to enjoy the advantages of power within a secure or expanding territory” (Tilly et al. 1985). As Tilly et al. emphasizes, states offer protection against the threats that are “imaginary or are consequences of its own activities”, for states “themselves commonly simulate, stimulate, or even fabricate threats of external war” (Tilly et al. 1985). Collecting taxation revenue, states are essentially “racketeers” that threaten the population with violence then sell the protection from themselves.

However, Tilly et al.’s argument confuses the position of the state vis-à-vis individuals as well as governmental institutions like administrative and military agency. Bob Jessop points out the paradox that if “the state just one institutional ensemble among others within a social formation,” then how could the state be “peculiarly charged with overall responsibility for maintaining the cohesion of the social formation of which it is a part” (Jessop 1978). Namely, the state has to be more than just one institutional ensemble - a conceptual entity to be more precise, to guide institutions for the maintenance of social cohesion. In this sense, the institutions within a demarcated territory have various relationships to and also *under* the state. To better demonstrate that the state is an ideational entity preceding and superior to institutions, it is helpful to draw on the argument from William Munro. Although

Munro elaborates on the definition of state as an "institutional ensemble", he points out that it is "a framework [that such institutional ensemble provides] within which the normative postulations of territoriality, nationality, and sovereignty" reside, rather than the institutions per se (Munro 1998). Poggi further demonstrate the ideational essence of state by saying that, after its formation, "[f]or all its structural complexity and the vastness and continuity of its operations, the modern state – like any other institutional complex – resolves ultimately into social processes patterned by certain rules" (Poggi 1978). Those rules are conceived and conceptualized that covers the whole territory, symbolizing what Munro describes as the "universality" of state that is independent from the ongoing political struggles related and channeled by the institutions. This universality leads to the concept of state power which itself constitutes part of an accepted understanding that state is "larger than "its agglomerated institutions, their incumbents, or the social groups that dominate society through it" (Munro 1998). Implying such a superior position to institutions and statesmen, Munro points out that the state draws its authority "from social conventions that define the location of the state in the social order", namely, "state hegemony" (Munro 1998).

Therefore, although similar to Tilly et al.'s argument, Munro also highlights "…the generation of revenue, the management of society, and the accomplishment of allegiance…" as three purposive logics that underline the state's actions, the state's hegemony determines that these three purposive logics are for the survival and benefit of the state, rather than the power-maker.

Although the state precedes and generates, and re-defines institutions within its territory, its existence and power rests upon and is evaluated by the strength of its institutions. More than "simply the conduits of political or economic power" (Munro, 1998), the institutions are manifestation of the state. As an ideational entity, the state generates institutions to represent and bolster itself. To ensure the survival of this ideational entity, the institutions develop their own norms and rules as ramifications of this ideational entity. Nonetheless, this only assures that the existence of the state precedes and shapes the institutions within a state's territory.

Similar to Benedict Anderson's idea of imagined community, this definition of state emphasizes in the essence that the state is an ideational entity that generates institutions to exert its power and further its interests within a defined range of territory. Such ideational emphasis – the purposive logics for Munro or social processes for Poggi – correspond with Jessop's argument of "the cohesion of the social formation" that the state aims to maintain, for such cohesion is derived from and represents the existence of the state. However, rather being imagined, the normative postulates of the state is rather believed, or even assumed. This assumed acceptance of state's postulates gives meaning to its subjects, both institutions and individuals

This universal and superior position of the state is further demonstrated by its role as the premise in which the nation could be rooted. Max Weber defines a nation as "a community of sentiment which would adequately manifest itself in a state' and which holds notions of common descent, though not necessarily common blood

(Weber et al. 1948). Gellner and Breuilly concurs that "it is nationalism that engenders nations, and not the other way around" (Gellner & Breuilly 1983). Layoun also shares this idea of the emphasis of nationalist sentiment needed to initiate state building, for she claims that nationalism "constructs and proffers a narrative of the 'nation' and of its relation to an already existing or potential state" (Layoun 1991). Together, their definition of nationalist sentiment, or nationalism, implies "both a goal – to achieve statehood, and a belief – in collective commonality" (Nagel 1998).

The Gendered State:

However, the state is not simply an ideational entity. It is a gendered ideational entity. In Tilly et al.'s argument, those power holders who form the state for racketeering are invariably males. Accordingly, states are initially formed by men (in a gendered sense), *because of men,* and therefore for men. Therefore, the state has been gendered, or more precisely, masculinized, from the very beginning of its building. This gendered feature is deeply embedded in the existence of the state as an ideational entity and transferred to and reinforced and reproduced by its institutions during its maintaining and, if necessary, its defense as well as its expansion. The generated idea of nationhood and nationalist sentiment further harbor and reproduce such masculinized feature of state. Thus such sentiment is by its essence a masculinized sentiment.

In *Bananas, Beaches, and Bases*, Cynthia Enloe demonstrates that "nationalism has typically sprung from masculinized memory, masculinized humiliation and masculinized hope" (Enloe 1990). For Enloe, the "real actors" of state

building "are men who are defending *their* freedom, *their* honour, *their* homeland and *their* women" (Nagel 1998, emphasis added). The absolute absence of women in this whole discourse of state-building highlights the belief that the state-building is a process, a method, in which only "heroic men struggle to tame a wild, dangerous, and essentially feminized anarchy" (for it's being dominated by virile while simultaneously civilized men) (the "disordered and natural realm of anarchy itself as feminine" (Hooper 2001).

Concurringly, in her book *Gender in International Relations*, Ann Tickner cites Machiavelli's picture of men to demonstrate the gendering process of state-building when men "wished to have dominion over…the feminine state of nature or anarchy" (Tickner 1998). Therefore, from the very start the state-building project has been dictated by the masculinized intention with the dual implication of masculine nationalism: the demarcation of a masculine Us versus feminine Other. Furthermore, the dominance of men in the design of the state's structure and its maintenance in high-level offices have determined that the state "by default…ha[s] reflected the interests and activities of men" and "celebrates interest and values that are associated with masculinity" (Hooper 2001). Therefore, upheld by men who monopolize the state building and maintenance, this normative masculinity genders statehood formation through policing the gender role of statesmen.

However, while it sounds like the state is only a vehicle that represents the interests and services at the whim of its principals, to the statesmen, the state is not a mere instrument that compiles and facilitates the interests of statesmen. By

dominating the state-building process and narratives, statesmen, with their unswerving pursuance of the normative ideal of masculinity, establish the state and its institutions based on those masculine norms. The resulting state is thus the embodiment of a prototype masculinity: an adventurous, virile, and heroic warfare initiator to conquer the feminized and uncivilized, and a stoic, disciplined, rational welfare provider that is capable of warding against the barbaric, unruly, and othered –and thus feminized –enemies. In a word, the state *becomes* the normative masculinity. As the embodiment of the normative masculinity, state stops representing the interests of males but starts to dictate the interests of statesmen that are derived from and thus subordinated to the interests of state. As a result, the state becomes the principal of normative masculinity, and the individuals the agents that represent, defend, and attempt to emulate, but never succeed.

Although originally proposed for international relation theory, Wendt's logic of internalization is actually conducive to complement this multi-layer approach of hierarchal power dynamic. Borrowing Wendt's idea, to internalize an idea it necessitates three steps: coercion, self-interests, and receptiveness, with coercion referring to forceful imposition of the conformity, self-interests referring to obedience out of practical personal concern, receptiveness means to internalize the value and voluntarily act on it (Wendt 1999). Based on this argument, the individuals go through these three stages of internalizing and prioritizing the interests of the state masculinity over their own. This recognition of the state as the embodiment of normative masculinity also resonates with the Weberian definition of state, which claims that the

"…state is usually defined either as a specific set of social institutions, for instance, as that body which has the monopoly over legitimate coercion in given territory, or in terms of its function, for instance, that body which maintains social cohesion in a class society" (Walby 1990). However, Walby questions such a state-centric definition in that based on this definition, "…are violent men part of the state, or does the state not have a monopoly over legitimate coercion" (Walby 1990)? Walby challenges that the state does not have monopoly of legitimate coercion because the agent of coercion is an individual male. Her claim misconstrues the principal-agent relationship between the state and the individual perpetrators of violence. The gendered state is the principal that embodies the collectively idealized and idolized masculinity, and the individuals who commit sexual violence as agents of their principal, the state. Her questions reveal the dire consequence of ignoring the role of the state *as* the embodiment of normative masculinity. The individual violent man, who uses violence, is thus only *representative* of the state who indirectly conducts violence via the hands of that man.

State Masculinity and Sexual Violence in Armed Conflict.

Since the enforcement power is indispensable for state to both wage wars and defend itself, militarism is fundamental for state to exert its masculine power. . Indeed, the normative narrative of masculinity cited above makes it almost impossible to talk about state masculinity without alluding to militarism. Through what Nagel calls "sexualized militarism", the establishment of the state as well as the "maintenance and exercise of statehood vis-à-vis other nation-states often takes the

form of “armed conflict”(Nagel 1998). Accordingly, militarism emphasizes the contextual relevance of armed conflict to construct and also manifest masculine statehood.

Since the legitimacy of the state’s monopoly in using violence is inextricable from the privilege of embodying the hegemonic normative masculinity, the state could always legitimize its need of violent tactics for militaristic duties burdened by and also serving to maintain the normative masculinity, whether the state acts as warfare initiator or welfare provider. In addition, among all the forms of legitimized violence prescribed by state masculinity, sexual violence as a gendered violence is the most pertinent approach that speaks to the ultimate purpose of those violent tactics – the defense and extension of the state’s masculine authority through feminizing its opponents.

While sexual violence becomes preferred instrument for state to exert its masculinity in armed conflict, such violent tactics requires implementation by individual agents, the violent men as Walby (1990) describes them. In dealing with female victimization through sexual violence, scholars have argued that “[a]s men seek to reify their masculinity through compulsive heterosexuality, the lines between consensual and coercive sexual activity are either blurred or ignored and women’s right to bodily integrity become secondary to men’s socially constructed entitlement to women’s bodies” (Fahlberg & Pepper 2016). This hierarchical prioritization of consent and coercion also prevails throughout sexual violence against males during conflict. In conflict, not only is the boundary between victim’s consent and non-

consent for sexual activity blurred and twisted by the perpetrator's coercion, but also the boundary between the "compulsive heterosexuality" (Fahlberg & Pepper 2016) of the masculine normativity conformed by individual agents and the homoerotic implication of the sexual violence committed by these individuals. If it were completely up to those individual agents, they would not commit sexual violence against male victims because it violates the underlying heteronormativity that underwrites normative masculinity. However, because individuals have submitted their own masculinity to the superior normative masculinity of the state, committing sexual violence against males as a means to satisfy the interests of their state to feminize other states and collective actors surmounts the cost from violating the personal heteronormativity. Consequently, as a representative agent of the state, the individual subordinates the personal hetero need to the paramount demand of defending and promoting the state's heteronormative masculinity and adopts the homoerotic form of sexual violence against males.

The shifted prioritization of interests from the personal one to that of the state bears the negotiated compatibility between the homoerotic tactics of sexual violence by individuals against males and the strategic functionality of upholding a heteronormative masculinity of state. The sexual tactics against males, which would normally be considered debilitating and counter-masculine for male perpetrators' personal manliness, then become rationalized as acceptable or sometimes necessary methods to elevate the heteronormative masculinity of his ultimate master, the state. With the state's masculinity prioritized over a personal one, the perpetrators are no

longer coerced into breaking their masculine integrity by doing sexual violence against their male peers. Rather, the individual perpetrators have consented, volunteered, into taking up those homoerotic means – sexual violence against males – to serve a heterosexual end.

Various Forms of Sexual Violence against Males

Although scattered, the documents and reports of sexual violence against males reveal various forms of such violence that fit the aforementioned definition. Among those forms are: "…oral and anal penetrative rapes with a penis, another body part, or an object..." by the perpetrators, as well as "genital violence and mutilation" (Lewis 2009). Additionally, enforced sterilization, such as castration, is another related form of sexual violence suffered by men in armed conflict. Apart from those methods, the enforced sexual conduct is also documented, including enforced masturbation, enforced fellatio, and enforced rape or sexual contact, including with a family member or the dead (Lewis 2009).

As Lewis claims, violations of certain cultural norms can also act as sexual violations in wartime. Incidents like "forcing male family members to rape female family members or to watch them dance naked or be raped by others" (Wood 2006) precisely carry "increased shame for the victim precisely because these violations combine physical abuse with psychological torment" (Lewis 2009).

To better demonstrate with empirical cases how the state's masculinity underwrites sexual violence against males in armed conflict, the following part will examine various forms of sexual violence using representative evidence from the

testimonies of International Criminal Tribunal for the former Yugoslavia. With this evidence, the analysis will demonstrate how various forms of sexual violence against males serve to enhance state's masculinity.

Rape:

Rape against males here refers to the anal penetrative rapes with a penis, another body part, or an object. As a method that involves direct invasion of the victim's body, rape represents the invasive and thus dominant power of masculinity. Thus even though impaling foreign objects into body parts like anus does not involve direct genital penetration from the perpetrators to the reproductive organ of the victim, such behavior still demonstrates the sexual nature of such violence, namely the ability and authority to violate the victim's body through penetration. This is demonstrated by an account given by a Prosecution witness in the Blagoje Simić trial judgment that involved "ramming a police truncheon in the anus of a detainee" (see Prosecutor v. Blagoje Simić). Here the symbolic meaning of penetration by perpetrator to victim, regardless of the actual object, is more important than the involvement of sexual organs because ultimately such behavior signifies that the state to which the perpetrators belong penetrates, and thus dominates, that to which the victims belong. As a method of sexual violence in conflict, rape, like other sexual violence in conflict, is systematic and public. The systematic feature indicates the penetrative domination represented is not about the single perpetrator. The perpetrators manifest the dominance underlying virile capacity manifesting itself through a relational power dynamic depicted alongside the group boundaries that are demarcated by state

identity. Correspondingly, the object is not just to victimize the direct targets but indeed the whole community represented by the targets.

As a whole, rape as a method of sexual violence serves to represent the penetrative dominance of normative masculinity to that of the effeminized enemy state. This is clearly demonstrated in the documented cases from former Yugoslavia conflict. In fact, as Boose points out, the rationale of the whole conflict was built on a national myth of gendered victimization, or to be more precise, the humiliation inflicted upon Serbia's state masculinity. The defeat of the Serbs by the Ottoman Empire in 1389 marked the beginning of Serbian history-making with "Turk at the center of Serb cultural memory, where, infuriatingly, he threatens to conquer, victimize, feminize, and humiliate Serb national selfhood (always a masculine construct)" (Boose 2008). More precisely, the feminization and victimization were achieved through the "practice of impalement" by the Turks to the masculine national identity of Serbs because "[t]hat impalement is always refigured in Serb cultural memory as a rape by the Turk" (Boose 2008). Similarly, Ivo Andrić', in his classic fiction *The Bridge on the Drina* that is based on the historical account of Ottoman's conquest of Serbia, repetitively mentioned the impalement inflicted by Turkish soldiers upon Serbs as an instrument and strategy for public humiliation. For example, in one scenario Andrić described how a Turkish guard, Abidaga, gave orders to torture the interrogated a Serb but not "…beyond endurance lest he die…so that at noon that same day he should be impaled alive on the outermost part of the construction work at its highest point so that the whole town and all the workers should be able to see him

from the banks of the river" (Andrić 1959).This impaled, penetrated image feminized the statehood of Serbia by proving its lack of capability for self-defense. Through this emasculation, Serbia's state masculinity Serbs lost both its role as warfare initiator as well as its role as welfare provider.

Rather than accepting the victimized and feminized image of their state, the Serbs "…celebrate[d] a defeat as the cradle of their nationhood;" namely, as the start to establish the embodiment of the normative masculinity, which requires to reverse the feminization and victimization from the impaled past to restore the normative masculinity of the Serbian state. Such reversing called for reparation of a feminized and victimized national history that involves "return, repetition, and revenge" (Boose 2008). It needs to reverse the victimization and feminization that given the weight of the impalement in the construction of victimized nationhood, the memory of impalement – rape by Turks – "so thoroughly justifies any act of revenge", and more importantly, explains "why rape should have become unconsciously the most appropriate form for Serb revenge" (Boose 2008). In a word, the impaled – raped – nationhood needs reparation that demands its agents to take revenge which included, and favored, raping the victimizer's agents. In so doing, the victimization was not only neutralized but also became domination, and the state's normative masculinity was restored.

Combined with rationalizing Bosnian Muslims as "Turks because of the conversion of their ancestors to Islam", the demand for restoring the normative masculinity of statehood then explained the sexual violence committed by Serbs upon

Bosnian Muslims. Given the "determining power of the impalement myth and the way it encodes the Turkish conqueror's rape of Serbian masculinity," raping enemy males thus became the "logically accomplish reciprocity" that both avenged – cancelled out – a past feminization and re-established a new normative masculinity (Boose 2008). Faruk's experience exactly demonstrates that logic. After a group of Serb irregulars arrived at Faruk's farm, the senior one sent the others off on a fictitious errand and then forced Faruk into the cowshed, where he raped him, mocking him as he did, "What happened Turk? You're deflowered?" (Vranic 1996). His ordeal continued when the "Serb soldiers tried to humiliate Faruk by forcing him to sexually penetrate a sheep. Beaten unconscious for refusing, Faruk was awakened later that night by the excruciating pain of an iron pole being pushed into his backside, again by the senior soldier. This time, the sexual violence was formulated as a group act involving all ten Serb soldiers' pinning him to the ground and collectively jeering, 'Turk'" (Vranic 1996). By calling Faruk "Turk" while inflicting the pain of sexual violence upon him, the Serb soldiers were using him as the representative of the real target they wanted to wreak vengeance upon—the state of "Turk". Therefore, as demonstrated, those soldiers were exerting the masculinity of their state even by raping the victim that was only imaged to represent another state. They were avenging – raping – on behalf their state. By doing so, they represented the penetrative power, the superior dominance, of their state masculinity.

Not only was raping "Turk" male victims used to feminize the enemy state, but raping Muslim female victims was also, at least partly, used as a means to achieve

the same end. Raping Muslim women indicates the indirect defeat and humiliation of Muslim males, for women's bodies had been constructed by the patriarchal culture as property signifying the honor of the male community. Like penetrating the male victims would directly rip apart the integrity of masculinity of the state to which the victims belong, raping the female victims shows the inability to protect their propertied women. This failure demonstrates the impotence of the enemy state to live up to its role as welfare provider and also its defeat in defending its own property, thus rendering it dominated and feminized.

In addition, virility is an essential part that constitutes normative masculinity. Therefore, normative masculinity has an emphasis on reproduction. This emphasis has two components: the ability to reproduce, and more importantly, to monopolize in reproduction. Besides showing off the penetrative dominance of masculinity, systemic rape in conflict against female victims could serve to promote forced pregnancy, which demonstrates the virility of the normative masculinity of the state. The forceful impregnation of women not only shows the dominance by the perpetrator's state over another state through symbolic penetration, as illustrated in the previous section of this essay, but also demonstrates the virility of the perpetrator's state. What's more, making those women the birth-giving machine of the reproduction of perpetrator's state demonstrates this state's absolute and exclusive privilege in reproduction. In other words, through impregnating the women of the enemy state, the perpetrators demonstrate it is only the state they represent that is able to and ought to reproduce. This logic resonates with Boose's argument that systematic rape has been used as a

"strategic tool of ethnic cleansing" (Boose 2002). The rape camps of the Bosnian war have been documented as a "…systematically planned Serb instrument of genocide designed not merely to encourage the evacuation of all non-Serbs but to destroy parent-child and spousal bonds and render large numbers of the society's child-bearing women contaminated and thus unmarriageable" (Boose 2002).

Castration:

However, raping is not the only method for a state to deprive an enemy state of its own virility and demonstrate its own reproductive privilege. If it is to get rid of the reproductive power of the enemy – to emasculate -- then literally the more logical method could be to damage the symbol that represents such reproductive power, namely the genitals of male enemies. As the male genital symbolizes the phallic pride of masculinity, the inability of male victims to protect their phallic pride directly demonstrates the loss of that pride, specifically by the victorious state. Therefore, damaging the male genitals directly symbolizes deprivation of the virile capacity and reproductive power of the enemy state, resulting in feminization of the enemy state. The adoption of this method in conflict "dates back to ancient times with ancient Persian murals showing triumphant warriors marching along bearing plates piled high with their enemy's penises" (Sivakumaran 2007). Drawing on more details, this instrumental feature of targeting male genitals to feminize the enemy state is best represented by allegations made by the Republic of Bosnia and Herzegovina before the International Court of Justice. As demonstrated below, the perpetrators sometimes directly target male victims' genitals, with methods ranging from beating up to

outright castration:

> "They were hitting me, as well as others, in the testicles, using metal hampers, metal bars, kicking with the boots. My testicles were swollen, the size of large oranges . . . Serb torturers would beat us, step or jump on us until they tired out. They were deliberately aiming their beatings at our testicles saying 'you'll never make Muslim children again'" (see Bosnia and Herzegovina v. Yugoslavia, Serbia and Montenegro, Oral Proceedings of Bosnia and Herzegovina, CR 2006/06, 51, available at http://www.icj-cij.org/docket/files/91/10596.pdf).

In that account, the perpetrators specifically said "Muslim Children", indicating that they were targeting the victim's genital with the exact purpose of destroying the reproduction of a whole group that is the enemy of the perpetrator's state.

In addition to the direct reference to the enemy's reproductive capacity, the following two cases involve outright castration, highlighting the damage to the phallic symbol of masculine integrity. Probably the most infamous and gruesome case that demonstrates such instrumental logic was that of *Tadić* in ICTY:

> "The fourth and last body of evidence relating to this paragraph of the Indictment concerns Fikret Harambasic and chronologically follows immediately after the attacks on the above three victims. After G and Witness H had been forced to pull Jasmin Hrnićs body about the hangar floor they were ordered to jump down into the inspection pit, then Fikret Harambasić, who was naked and bloody from beating, was made to jump into the pit with them and Witness H was ordered to lick his naked bottom and G to suck his penis and then to bite his testicles.

> Meanwhile a group of men in uniform stood around the inspection pit watching and shouting to bite harder. All three were then made to get out of the pit onto the hangar floor and Witness H was threatened with a knife that both his eyes would be cut out if he did not hold Fikret Harambasić's mouth closed to prevent him from screaming; G was then made to lie between the naked Fikret Harambasić's legs and, while the latter struggled, hit and bite his genitals. G then bit off one of Fikret Harambasić's testicles and spat it out and was told he was free to leave. Witness H was ordered to drag Fikret Harambasić to a nearby table, where he then stood beside him and was then ordered to return to his room, which he did. Fikret Harambasić has not been seen or heard of since" (see Prosecutor v. Duško Tadić, Opinion and Judgment, IT-94-1-T, para. 206).

The case cited above also documented similar genital abuse and castration:

> "I saw how Muslims were forced to bite each other's testicles off, their mouth filled with testicles and blood, ripped blood vessels sticking out of their mouths" (also see Bosnia and Herzegovina v. Yugoslavia, Serbia and Montenegro, Oral Proceedings of Bosnia and Herzegovina, CR 2006/06, 51, available at http://www.icj-cij.org/docket/files/91/10596.pdf)).

Notwithstanding the involvement of humiliation in general, targeting specifically the victims' genitals in the case presented above symbolizes the dominance of the state represented by the perpetrators that has trampled over the most phallic pride of the enemy's masculinity. More importantly, the inter-connected logic of genital abuse of male victims to certain forms of sexual violence against female victims further

signifies that the rationale behind raping in war does not have to be inherently sexual in either exclusively male or female. The cognitive role of the body comes alive when it mediates in the dispersal of certain knowledge, and a violated body "mirrors the impotency of the victim and by default the powerlessness and impotency of the community that it represents" (Misra 2015). Hence, a body that has retained its untainted character is a threat, a reminder to the violator that the owner of this body is free, whereas a violated body—male or female—becomes a "critical mouthpiece for the violators' objective" (Misra 2015).

Other forms

There are other forms of sexual violence that do not fit cleanly within the categories listed above. For example, apart from the forms of rape in which "…perpetrators may anally rape victims themselves, using objects," there are different forms of male rape that occur in armed conflict in which "[v]ictims may be forced to perform fellatio on their perpetrators or on one another; or force victims to rape fellow victims" (Sivakumaran 2007). For example, one case documented that:

> "Daily Serb torturers forced Muslim prisoners to [explicative] each other, to perform oral sex on each other, forcing these bestialities especially among family members, between a father and son" (also see Bosnia and Herzegovina v. Yugoslavia, Serbia and Montenegro, Oral Proceedings of Bosnia and Herzegovina, CR 2006/06, 51, available at http://www.icj-cij.org/docket/files/91/10596.pdf)

Also, in the Cesić Trial, Cesić also admitted intentionally forcing at gunpoint two

detained Muslim brothers to perform fellatio on each other in the presence of other people (Prosecutor v. Cesić, Sentencing Judgment). In a similar manner, the Blagoje Simić trial judgment notes that, "…several Prosecution witnesses gave evidence that detainees were subjected to sexual assaults. [Some] incidents involved forcing male prisoners to perform oral sex on each other and on Stevan Todorovic, sometimes in front of other prisoners" (see Prosecutor v. Blagoje Simić, Miroslav Tadić and Siom Zarić, Trial Judgment). Likewise, the Todorovic sentencing judgment itself notes that Todorovic accepted that he "ordered Witness C and Witness D to perform oral sex on each other and ordered Witness E and Witness F to do the same, laughing while it went on" (see Prosecutor v. Stevan Todorovic, Sentencing Judgment).

Those forms of sexual violence against males demonstrate a feature that does not share with sexual violence in peacetime, namely, the power that is conveyed through indirect interactions between perpetrators and victims, rather than direct physical contact between the perpetrator and the victim. There are other forms of sexual violence that share such a feature, such as forced masturbation.

As Sivakumaran points out, there has not even been an appropriate name for this form of abuse, which he terms "enforced rape" (Sivakumaran 2007). Nonetheless, as demonstrated by the representative cases mentioned, all these "enforced" forms of sexual violence against males serve as symbolic rituals to exert the dominance of the normative masculinity of the state to which the perpetrators belong through damaging the enemy state's virility and phallic pride as well as depriving the reproductive power of the enemy's state. The hegemonic normative

masculinity effeminizes others through dominating – taking over control of the enemy's virile capacity and reproductive of and subjugating that authority under its own. While direct torture and damage by the perpetrators to the victims' genitals symbolizes the masculine dominance over the enemy state, such "enforced" forms of sexual violence serves the same purpose. Being able to force the male victims of the enemy state to conduct sexual behaviors against their will symbolizes the loss of ownership and control of their sexual organ, thus their virile and reproductive capacity, just like direct damage of their sexual genital and castration.

Why Would States Ever Securitize Sexual Violence in Armed Conflict?

There is a paradox on the fact, as sexual violence is instrumental in the projection of masculine state power, then why would state ever agree to recognize it as a crime? Furthermore, so far, why were only female victims that have been recognized by the international legal regime as victims of sexual violence in armed conflict, while their male counterparts were recognized only as the victim of torture in general?

To resolve this paradox, this essay will argue that it is not inconsistent, but actually fits the logic of the state' acts for its own hegemonic, normative masculine power. This essay will explain this motive of state by tracing the process of how the sexual violence against females was securitized. This process demonstrated how recognition and prosecution of sexual violence against females was permitted and initiated by males to demonize the enemy's soldiers, thus demonstrating the lack of self-discipline – the "gentlemen" aspect of masculinity – compared to the greater

masculine integrity of the prosecuting states.

In contrast, the states lack motivation to push the agenda of recognizing sexual violence against males in armed conflict because the political cost outweighs political gain. Therefore, the male victims have only been recognized under the category of torture by international world.

Building on the theories of both Buzan et al., Hirschauer points out in *The Securitization of Rape: Women, War and Sexual Violence* that securitization is "a framing and shifting of an issue or a concern from normal or ordinary politics into the realm of security" (Hirschauer 2014). This process takes place "once an issue or concern [has been] transformed from a nonpolitical or a political status into an existential threat. Once a credible entity (such as political leadership, institutions, or non-governmental organizations) [is] identified an issue or sector as a threat, the normative assumptions that have surrounded the original issue [are] redefined and relocated" (Hirschauer 2014). For example, Hirschauer argues that, since the Bosnia and Rwanda genocides, wartime rape has been recognized as war crime and crime against humanity by international legal institutions, such as the International Criminal Court (ICC) and international criminal tribunals. This recognition demonstrates that the international world has recognized mass rape in armed conflict as "a threat to national and international peace and security" (Hirschauer 2014*)*.

Hirschauer further claims that those non-state actors have set legal precedents for international legal system with implication that "wartime rape [is] systematically implemented for specific political goals". The *recognition* of sexual violence as an

existential threat security has generated “a deepening interaction of and interplay between a multitude of global actors such as the United Nations, non-governmental organizations and an increasingly globalized media forced a normative re-positioning”. This interaction between mostly non-state actors, based on Hirschauer, contributed to the securitization of wartime rape (Hirschauer 2014).

Her argument, however, cannot explain why those non-state actors choose to only securitize sexual violence against females. Instead, this essay argues demonstrates the reality that it is the states that initiated and permitted the securitization of sexual violence against females; and such securitization is principally used by powerful states to discipline other weaker states as a tool to impose and demonstrate their own dominant masculinity. The securitization of rape is mere instrument for states is evidenced by: 1. Their extreme reluctance to use such securitization against their own soldiers and staff; and 2. The gendered character of securitization (ie. emphasizing female victims and de-emphasising male victims) based on states’ cost-benefit analysis. The state, as a powerful ideational entity, not only transfers its masculine principle to domestic institutions like administrative and military agencies, but also to the international organizations like ICC or other legal institutions that are incorporated into the process of asserting, reinforcing, and reproducing the normative masculinity of competing states.

In *Politicization of Sexual Violence: From Abolitionism to Peacekeeping*, Carol Harrington traces the actual institutional handling of traumatic experiences suffered by women before the WWI and during the inter-war period. Based on her

account, it was true that there was no official organization and agency that specifically dealt with sexual violence against women. However, there were other organizations and committees that were established and used by the Ally states, particularly through the militaries, to demonize the German soldiers as sexually deviant predators while depicting their own soldiers as pure and stoic, and mostly, desired. Besides such official propaganda on eulogizing "our" solders, the military and government also attributed the "occasional" unwanted sexual relationship between soldiers and civilians to the promiscuity (and immaturity) of (young) women. Logically, the military and government established or at least allowed and encouraged the establishment of women police that ironically focused less on guarding off the male aggressiveness but rather to discipline those unruly women from contaminating the pure and good boys of their own military (Harrington 2010).

This account demonstrates how the recognition and prosecution of sexual violence against female in conflict was initiated and permitted by males. More importantly, this process illustrated how such securitization was driven by politics rather than normative shifts. More importantly, the collective endorsement of securitization of wartime sexual violence against females shows how the process of securitization is performative between the states that propose the recognition and prosecution of war time sexual violence, the institutions and other states that agree to such recognition and prosecution. This process relies very heavily across various stages on endorsement and action from other actors. Essentially, "securitization is a deeply intersubjective process, meaning it is predicated upon an intense interplay

between subjects". This inter-subjectivity dictates not only an operational adherence to specific steps and process sequences (Buzan et al. 1998), but a legitimation of a specific threat between subjects" (Hirschauer 2014). In the end, securitization then becomes not only intersubjective because it demands interactive validation, but it also remains consistently a perennial 'leap of faith' – a subjective, inter-subjective political act – a political choice (Hirschauer 2014) by strong states that could afford such option. Therefore, the political need and motives to securitize wartime sexual violence against females precede the construction of new norms, which then legitimize the adoption of exceptional measures by those dominant states to prosecute sexual violence against female victims through international legal institutions,

What's more, as Suzanne Berger asserts, "…the timing and characteristics of state intervention affect not only organizational tactics and strategies, but the content and definition of interest itself" (Berger 1981). Accordingly, tracing the process of state's securitization of rape as a weapon of war reveals the purposive logic behind such act that prosecuting sexual violence is no more than an expedient choice for the state to preserve and enhance its masculine image.

What's more, those government and military institutions tried to focus and highlight women trafficking specifically because this issue, or their framing of this issue, justified their regulation of *women*, rather than men. After WWI, during the interwar session, the affiliation of those women organizations to the state government remained. The League of Nations wanted to recognize those women groups as experts for issues like sex trafficking on which they wanted to focus. But these women groups

started to realize the potential danger of relying on the permitting of male dominated agencies to promote certain agenda that would lead to their being no more than tools of those patriarchal agencies purported by the state. Gradually the women group focus more on the scientific research on sexual violence against women, rather than the politicization of these cases. The power dynamics between male dominated agencies and female organizations that tried and failed to promote the prevention of sexual violence in armed conflict clearly demonstrates how the initial securitization was permitted and sanctioned by the patriarchal states for their own purpose. The recognition and prosecution of sexual violence is no more than a useful tool for dominant state to continue to enhance the role of a disciplined 'us' versus pathologized and perverted others, thus reinforcing the normative masculine authority.

Even more revealing is the selective prosecution of sexual violence due to the state's gendered bias. As mentioned above, there has been no single case sentencing perpetrators of sexual violence against male victims with charges of sexual violence. This biased selection reflects the political calculation of states in securitizing sexual violence. Namely, while securitizing the sexual violence against females could be useful to self-promote the image of disciplined gentlemen of the dominant state against the weak or defeated state, prosecuting sexual violence against male victims bears a cost that is, at least in current times, too high for all the parties in armed conflict to bear. For the state to which male victim of sexual violence belong, recognizing that its own male agents are being sexually violated by another state's agents equals admitting its own shameful and possibly permanent loss of masculinity.

For the state to which perpetrators belong, encouraging or even just accepting the prosecution of its own male agents as perpetrators of sexual violence against other males means this state allows other states to also pathologize those individual perpetrators and therefore the state itself. In this way, sexual violence is no longer an instrument to enhance the masculinity of perpetrators' state but a weapon for other states to smear its heteronormative masculine image, thus nullifying the whole point of facilitating sexual violence for state in the first place. For third party states, it is simply more practical to remain reticence in legally recognizing sexual violence against males in armed conflict because of the uncertainty of their own agents becoming either perpetrators or victims of such heinous crimes in the future. In a word, whether to prosecute or to acquiesce on the issue of sexual violence against males in armed conflict depends totally on the political gains ultimately for the state's masculinity.

Conclusion:

This essay recognizes the role of the state as the embodiment of the masculinity in contributing to the occurrence of sexual violence against males in armed conflict. It explains why perpetrators, despite their heterosexuality, or even homophobia, would commit sexual violence against males. By elevating the main actor from individual to the state, this essay provides a new perspective in explaining why states have been silent in addressing the sexual violence issues against males in armed conflict, even for those states in which the victims reside.

More importantly, by disclosing the state's hegemonic heteronormative bias,

this essay sounds a warning bell for the dire consequence of adhering to individual-centric explanations. While such individual centric argument is insufficient to uncover the reason for states neglecting male victims in sexual violence, such heteronormative bias of state has resulted in the ignoring of male victims of sexual violence in armed conflict, which could lead to lack of proper reconciliation as well as reigniting of conflict.

Despite the victim's gender and sexuality, systematic sexual atrocities are a blatant violation of universal human rights that trample on basic humanitarian principles. However, even though sexual violence against male victims has been rampaging in armed conflict since ancient time, the institutionalized heteronormative bias has fostered a reticence on both national and international level for recognizing the needs of male victims of sexual violence in armed conflict. Even today, attention and resource allocation has neglected male victims of sexual violence in armed conflict to a large extent. The international tribunals have recognized the systematic sexual violence against women in armed conflict as a war crime and crime against humanity; however, violent cases against male victims—if they are ever reported—have been lumped together and prosecuted under the general category of torture. The medical facilities made available to victims also largely favor female victims, while male victims are either unknowingly screened out, or deliberately shrugged off (Davis 2000; Norredam et al. 2005). Thus male sexual assault victims face multiple levels of victimization by their attacker(s) as well as rejection, and stigmatization by family, friends, and society in general (Davis 2000).

Consequently, those victims' needs for legal redress and therapeutic reconciliation are compromised, to say the least. This compromise also reinforces the severe social stigma against insufficient attention and lack of resources towards male victims of sexual violence in armed conflict. In turn, the result would be that even fewer male victims speak up, leading to more severe under-documentation and insufficient resources for their neglected and silenced need. Even more egregious in this scenario is the fact that such neglect of male victims and their needs has produced de facto impunity of their perpetrators, resulting in encouraging further sexual violence against male victims in armed conflict. This vicious circle of perpetuating sexual abuse on males in conflict with impunity significantly jeopardizes the effectiveness of post-conflict reconstruction, risking easy re-igniting of the conflict due to personal revenge or other latent psychological trauma. Under the context of public negligence and legal impunity, it is more likely to encourage and spawn the normalization of sexual violence on males in wartime. As the majority of fighting power, the future soldiers then would be less hesitant to conduct sexual violence on male targets, even after the conflict, as a non-official and punishment free retaliation, thus hampering the post-conflict reconciliation and enhancing the possibility of re-ignition of conflict. More importantly, such neglecting of male victimhood could push those victimized males to future victimize females, following the norm and projecting their power upon those perceived even inferior than them. Therefore, to fundamentally deal with the sexual violence against victims of both genders requires the recognition and proper resolution correspondingly that could eradicate the deeply

embedded heteronormative bias sprung from the state's prioritization of its masculinity.

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