



# Sexual and gender-based violence: global trends and perspectives

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This Note is intended as an introduction to some key trends and perspectives on sexual and gender-based violence (SGBV) around the world. SGBV is an extremely complex issue and this Note makes no pretence of being comprehensive or exhaustive in its coverage. The Note takes a 'regional approach' and uses each regional discussion to highlight one of the many major contemporary debates over the nature of SGBV around the world. The issues raised in these regional discussions do not apply exclusively to the region in question; rather, the Note uses examples from each region to serve as case studies of the wider debate.

This Note will not be regularly updated unless by request.

Information on domestic violence in the UK is available in Library Standard Note SN/HA/3989, *Domestic Violence*, and in Library Standard Note SN/HA/727, *Domestic Violence: A Select Bibliography*.

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# 1 The 'Industrialised World'

While some might take the view that SGBV is now largely a problem for 'developing countries' which have not taken as many steps towards sexual and gender equality as the countries of the 'industrialised world', there is plenty of evidence that strongly suggests that this remains far from the case. Though there is space here only for two country examples, many others could have been provided.

In the U.S it is estimated that one in four university aged females has been the victim of either rape or attempted rape<sup>1</sup>. A 2000 report claimed that in Washington DC, the country's capital, around 200 people were raped every year<sup>2</sup>, while in the U.S as a whole over 250,000 people suffered rape or sexual assault<sup>3</sup>. In 2007, the US Department of Defense recorded 1,400 reports of rape amongst its staff and asserted that as many as 34% of female service personnel had suffered sexual harassment<sup>4</sup>.

In Japan, while the number of reported cases of SGBV is significantly lower than in other industrialised countries (around 2000 in 2002<sup>5</sup>), a broad range of commentators have argued that this is more attributable to a widespread and highly misogynistic 'culture of silence' than to Japan's progressive attitudes towards sexual and gender equality<sup>6</sup>. Recent high-profile cases appear to support this perspective. In 2003, for instance, a group of male students at an elite university were prosecuted for having repeatedly raped a number of intoxicated women. The trial merited comment on the floor of the Japanese Parliament, where the Minister then responsible for gender equity joked that it at least reflected some male virility, given the context of sharply dwindling birth rates<sup>7</sup>. Human rights groups argue that such attitudes underpin the widespread violence against women in the country<sup>8</sup>. In a male-dominated society, they claim, sexual violence against women is so tolerated that Japanese games makers have even released a video game where the goal is to simulate rape<sup>9</sup>.

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<sup>1</sup> The American Academy of Experts in Traumatic Stress, <http://www.aaets.org/arts/art13.htm>

<sup>2</sup> <http://www.disastercenter.com/crime/dccrime.htm>

<sup>3</sup> Full Report of the Prevalence, Incidence, and Consequences of Violence Against Women, Findings from the National Violence Against Women Survey, November, 2000, cited on <http://www.feminist.com/antiviolence/facts.html>

<sup>4</sup> US Public Broadcasting Service at <http://www.pbs.org/now/shows/421/index.html>

<sup>5</sup> <http://www.womensenews.org/article.cfm/dyn/aid/1492/context/archive>

<sup>6</sup> <http://www.womensenews.org/article.cfm/dyn/aid/1492/context/archive>, <http://www.reuters.com/article/healthNews/idUST17815620070515>

<sup>7</sup> <http://www.cbsnews.com/stories/2003/09/02/world/main571280.shtml>

<sup>8</sup> <http://www.reuters.com/article/healthNews/idUST17815620070515>

## 2 Africa

In Africa the incidence of SGBV is highly correlated with the prevalence of armed conflict. Whilst it is the case that sexual violence has historically been widespread during times of warfare the world over<sup>10</sup>, this has been shown to be particularly true in Africa in recent years. Wars in the Democratic Republic of Congo (DRC), Rwanda, Sudan, Sierra Leone and Uganda (to name only a few) have been accompanied by the widespread use of rape and other sexual violence. The statistics are startling. In DRC it is believed that over the course of the last decade, tens and possibly hundreds of thousands of women have been raped<sup>11 12</sup>. It is estimated that over 500,000 women were raped during the Rwandan Genocide of 1994 (de Brouwer 2005), while in Sierra Leone it is believed that around 9% of the female population suffered some form of sexual assault during the conflict of the 1990s<sup>13</sup>.

Debate rages as to why SGBV rates are so high during periods of armed conflict. From the literature there appear to be two principal explanations. The first holds that, as a result of the generalised chaos and frequent social breakdown that accompany warfare, the disincentives against engaging in SGBV are reduced, if not removed, while the 'opportunity' to do so increases. In this understanding, the prevalence of rape and other sexual violence is not symptomatic of a systematic or premeditated strategy; rather, it reflects the fact that many individual combatants (or, indeed, groups of combatants) respond to the increased 'freedom' they have in similarly abusive fashion (Wood 2006: 321-2)<sup>14</sup>.

The second explanation focuses on cases where sexual violence represents a deliberate, organized, proto-military tactic designed either to kill, demoralise or remove the population in question<sup>15</sup>. Where this occurs, as in Rwanda in 1994<sup>16</sup>, it falls in the class of 'crimes against humanity' or even 'genocide'. In 1998, the International Criminal Tribunal for Rwanda made the landmark decision that rape is a crime of genocide under international law. In one judgement, the UN High Commissioner for Human Rights, Navanethem Pillay, said: 'From time immemorial, rape has been regarded as spoils of war. Now it will be considered a war crime. We want to send out a strong message that rape is no longer a trophy of war'<sup>17</sup>.

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<sup>9</sup> For more details on this game and the action taken by Keith Vaz MP to have the sale of the said game banned in the UK, see <http://www.belfasttelegraph.co.uk/news/local-national/amazon-selling-3d-rape-simulator-game-14183546.html>

<sup>10</sup> SGBV during conflict occurs across time and space and is in no way restricted to Africa. The example of Soviet troops advancing on Germany in 1945 or French divisions in Italy in 1944 are equally shocking. See <http://www.telegraph.co.uk/news/worldnews/europe/russia/1382565/Red-Army-troops-raped-even-Russian-women-as-they-freed-them-from-camps.html>, <http://www.guardian.co.uk/books/2002/may/01/news.features11> and <http://www.cassino2000.com/cdsc/studi/archivio/n07/n07p09.html> (in Italian).

<sup>11</sup> [http://news.bbc.co.uk/2/shared/spl/hi/picture\\_gallery/05/africa\\_tales\\_of\\_rape\\_in\\_dr\\_congo/html/1.stm](http://news.bbc.co.uk/2/shared/spl/hi/picture_gallery/05/africa_tales_of_rape_in_dr_congo/html/1.stm)

<sup>12</sup> *New York Times* 7 October 2007, [http://www.nytimes.com/2007/10/07/world/africa/07congo.html?\\_r=1](http://www.nytimes.com/2007/10/07/world/africa/07congo.html?_r=1)

<sup>13</sup> Amowitz et al. (2002), Prevalence of War-Related Sexual Violence and Other Human Rights Abuses Among Internally Displaced Persons in Sierra Leone, *JAMA*, January 23/30, 2002, Vol 287, No. 4.

<sup>14</sup> There are many other related hypotheses as to why sexual violence increases during warfare. Some suggest that military leaders use the opportunity to 'pillage' as an incentive for soldiers and as a way to build cohesion in what are inevitably dangerous circumstances. Others suggest that the extensively masculinist identities fostered by many military groupings also play their part, as do more micro factors such as command chains, group discipline and the nature of the wider conflict. For an excellent discussion, see Wood 2006.

<sup>15</sup> *BBC News* 12 August 2004, [http://news.bbc.co.uk/2/hi/in\\_depth/4078677.stm](http://news.bbc.co.uk/2/hi/in_depth/4078677.stm)

<sup>16</sup> It is argued by some that the use of violence in Uganda, Sierra Leone and Liberia also falls into this category of systematic, pre-meditated strategy. For a good discussion of this 'instrumental' use of SGBV (as well as other types of violence), see the Keen and Richards texts in the section on 'Further References'.

<sup>17</sup> Bill Berkeley 'Judgment Day', *Washington Post Sunday Magazine*, 11 October 1998 p. 10.

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### 3 The Caribbean

The association of SGBV with conflict may to a certain extent be expected; its association with peacekeepers whose purpose is to prevent that conflict most certainly is not. Yet recent years have seen a spate of cases where UN troops have been indicted for abusing the position they hold to sexually exploit highly vulnerable indigenous populations. This has occurred in a wide range of contexts, including notably Sierra Leone and DRC<sup>18</sup>. By far the most high profile case, however, is that of Haiti<sup>19</sup>.

Haiti has been wracked for decades by foreign occupation, dictatorial oppression, violent revolt, intense poverty and recurring natural disasters. The UN Mission to Haiti, MINUSTAH, has been in the country since 2004 when violence flared once more and President Aristide again fled<sup>20</sup>. Though relative stability has been established, this has not been without difficulty or controversy. In 2006, for example, details began to emerge about widespread sexual abuse by peacekeepers from a range of countries. Soldiers were accused of offering food and \$20 to teenage girls in return for sex<sup>21</sup>, while one Brazilian officer was found guilty of rape<sup>22</sup>.

The furore around such behaviour has been extensive. The UN convened a conference and commissioned a high-level report to investigate claims and make recommendations. These

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<sup>18</sup> It should be noted, however, that cases of 'liberators' abusing those they have 'liberated' litter the annals of military history. The behaviour of American, Australian, French and Soviet troops during the latter stages of WW2, for example, is well documented but widely unreported. See Schrijvers, P. (2002), *The GI War against Japan: American Soldiers in Asia and the Pacific during World War II*, New York: New York University Press, for a good discussion.

<sup>19</sup> *Reuters Alertnet* 2 November 2007 at <http://www.alertnet.org/thenews/newsdesk/N02591186.htm>

<sup>20</sup> Whether Aristide fled or was pushed by an American-funded coup is widely debated. For a good discussion, see Goodman, A.; Chomsky, N. & Farmer, P. (2004), *Getting Haiti Right This Time: The U.S. and the Coup*, Common Courage Press, and Hallward, P. (2008), *Damming the Flood: Haiti, Aristide and the Politics of Containment*, NY: Verso.

<sup>21</sup> *BBC News* 30 November 2006 at <http://news.bbc.co.uk/2/hi/americas/6159923.stm>

<sup>22</sup> *Caribbean Netnews* 4 December 2006 at <http://www.caribbeannetnews.com/cgi-script/csArticles/articles/000045/004553.htm>

are outlined in the 'Zeid report' (see references below) and have been endorsed by civil society bodies such as Refugees International (RI)<sup>23</sup>. While both the UN and RI acknowledge the difficulties faced by soldiers operating in hostile environments away from their families for long periods of time, both bodies highlight the fact that offering goods and services to young girls and women in exchange for sex is inherently exploitative (Martin 2005: 4). Perhaps just as importantly, they claim, such actions endanger the very success of the mission the soldiers are there to carry out.

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## **4 The Middle East**

While the prevalence of SGBV is strongly associated with situations of conflict, it is not conflict alone that underpins the perpetuation of such violence. In many countries around the world, violence and discrimination on the basis of sex or gender are enshrined in law. Though this is (and historically has been) the case in many countries<sup>24</sup>, perhaps the paradigmatic contemporary example is that of Saudi Arabia<sup>25</sup>. Saudi Arabia is widely considered one of the most conservative nations on earth, where daily behaviour is strictly regulated and where an extensive infrastructure of police and religious authorities ensures that legal norms are applied.

While these legal norms vary in their severity, their combined effect is such that the American feminist writer, Andrea Dworkin, described the situation as one of 'gender apartheid'<sup>26</sup>. Women in Saudi Arabia are not permitted to drive, must wear full-length abayas whenever outside the home and can only travel with a male relative as an escort<sup>27</sup>. On top of this, Saudi women often must obtain permission from a male guardian (a father, husband, or even a son) to work, travel, study, marry or access health care<sup>28</sup>.

Recent international legal controversies have begun to thrust the situation in Saudi Arabia further into the spotlight. Widespread international outrage greeted the news that the Supreme Judicial Council condemned a 19-year-old woman to 200 lashes and six months in jail for having been with a man she was not related to when she was attacked and gang

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<sup>23</sup> October 2005, <http://www.refugeesinternational.org/sites/default/files/MustBoysbeBoys.pdf>

<sup>24</sup> Nigeria is one other useful example. See <http://www.bridgew.edu/SoAS/JIWS/Oct08/Onyejekwe.pdf> for details.

<sup>25</sup> 3 July 2005, <http://www.womensnews.org/article.cfm/dyn/aid/2212/context/ourdailylives>

<sup>26</sup> <http://www.nostatusquo.com/ACLU/dworkin/WarZoneChaptIIIA.html>

<sup>27</sup> <http://www.womensnews.org/article.cfm/dyn/aid/2212/context/ourdailylives>

<sup>28</sup> 21 April 2008, <http://www.topnews.in/saudi-women-treated-legal-minors-237215>

raped by seven other men in 2006<sup>29</sup>. This case was not isolated, however, and human rights groups have documented many more (see, for example, HRW 2008). The situation is indeed so severe that the U.N. Committee on the Elimination of Discrimination against Women has openly condemned the country and continues to call for reform<sup>30</sup>.

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## **5 Asia**

The structural obstacles to men and women enjoying their full human rights do not come solely in the form of discriminatory legal norms; in many cases, the laws needed to protect them are in place but remain un-enforced. This is especially the case in the context of Asia, where human rights groups repeatedly point to the failure of certain governments to implement their laws as a key reason for the continuation of widespread SGBV.

India is a case in point. Article 14 of India's Constitution ensures equality by providing that 'The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.' Article 15(1) provides that the 'State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them,' while articles 16(1) and 16(2) prohibit discrimination in general, and gender discrimination in matters of public employment. To promote equality, Article 15(3) provides that the state is free to make 'any special provision for women and children' (Narula 1999). Despite this progressive legal framework, however, Human Rights Watch (HRW) have documented very clearly that certain groups of women, predominantly those from the 'lower' or 'untouchable' castes, face systematic discrimination in modern India. HRW have recorded 'the use of sexual abuse and other forms of violence against Dalit women as tools by landlords and the police to inflict political 'lessons' and crush dissent and labor movements within Dalit communities' (ibid.), while researchers with HRW and other human rights bodies have found a persistent trend of non-prosecution of crimes committed against low-caste women.

In one particularly illustrative case, Bhanwari Devi was gang-raped by a group of upper caste men wishing to 'punish' her for her political and social activism, yet found her attackers acquitted on the basis that 'rape is usually committed by teenagers, and since the accused are middle-aged and therefore respectable, they could not have committed the crime. An upper-caste man could not have defiled himself by raping a lower-caste woman' (Narula

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<sup>29</sup> 21 November 2006, <http://www.msnbc.msn.com/id/15836746/>, BBC News 15 November 2007 at [http://news.bbc.co.uk/2/hi/middle\\_east/7096814.stm](http://news.bbc.co.uk/2/hi/middle_east/7096814.stm)

<sup>30</sup> 29 May 2008 at <http://www.awid.org/eng/Issues-and-Analysis/Library/U.N.-tells-Saudis-to-tackle-violence-against-women>

1999). While this case aroused widespread protest from women's groups in India, it is in no way an uncommon example. In fact, the situation in India is seen as so problematic that even the UN has demanded a move from 'talk to action'<sup>31</sup>.

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## 6 Latin America

While many early studies of sexual or gender-based violence emphasised the negative role played by (some) men in the lives of (some) women, more recent discussions in the gender studies literature have begun to detach the 'men' from the 'masculinities' constituted around them and thus to place *identity* and *culture* at the centre of new analyses. Nowhere has this been more clearly articulated than in the literature on Latin America.

This area of the world has long been associated with a distinctly patriarchal form of *machismo* - a term that has generally come to refer to an 'exaggerated aggressiveness and intransigence in male-to-male interpersonal relationships and arrogance and sexual aggression in male-to-female relationships'<sup>32</sup>. In the culture of *machismo*, then, 'being a man' means being an aggressive (and at times violent) sexual predator. Perhaps unsurprisingly, therefore, 'being a man' in this sense of the term has been identified by a number of observers as an integral component in the perpetuation of violence by men against women (see, for example, Rowlands 1997).

Ellsberg et al have clearly documented this to be the case. In Nicaragua, where the cult of *machismo* is especially acute, they report over 20% of ever-married women having experienced abuse at the hands of their husbands (2000: 1595). In their understanding, the dominance and aggression that are sustained as the bedrocks of male identity lead inevitably to violence against women as men assert and maintain the authority they are expected by their society to have (2000). Rowlands has found similar things. In her work on Honduras, for example, she has demonstrated how empowerment initiatives aimed at securing greater autonomy for rural women often led to a violent backlash on the part of the men in their lives (1997). Where 'being a man' means 'being dominant', then, a challenge to that dominance is seen to provoke violence.

Crucially, however, where gender studies of the 1960s to 1990s attributed this kind of violence to male malevolence, this emerging focus on aspects of male (and female) *identity* and the wider cultural norms in which these identities exist has begun to shift the focus away from apportioning blame and towards the development of *inclusive*, constructive alternatives to the traditional, often violent ways of 'being a man'. Gary Barker's work is here instructive. Working with young males in Brazil, Barker has long argued that the way to prevent SGBV is

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<sup>31</sup> [http://www.idsn.org/fileadmin/user\\_folder/pdf/Old\\_files/un/pdf/PR\\_INDIA\\_CERD.pdf](http://www.idsn.org/fileadmin/user_folder/pdf/Old_files/un/pdf/PR_INDIA_CERD.pdf)

<sup>32</sup> <http://www.zonalatina.com/Zldata77.htm>

to involve both women and men (since identities are sustained by both males and females) in developing positive alternative norms. His work with favela youth has thus focussed on bringing groups of teens together to challenge machismo and develop a more cooperative, loving masculinity that relies less on violence. The success he has had has been widely noted and, perhaps most positively, has *seen* young men as well as young women liberated from the (often violent) constraints of traditional identities. Incidences of violence are greatly reduced and males report feeling freer to 'be themselves' (n.d; 2006).

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