

Analysis of Structural Causes of Mass Rape in the Democratic Republic of Congo: An Integrated
Perspective

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Kathryn Meghan Brown

The Ohio State University

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Project Advisor: Professor Jennifer Mitzen, Department of Political Science

Rape cannot be understood as merely a spoil of war that occurs in the periphery of conflicts due to the agency of an individual; it is a political, strategic, and sociopolitical phenomenon. Nowhere is this more obvious and prevalent than in the Democratic Republic of Congo (DRC) over the last fifteen years. “The sexual violence [in the DRC]...is the worst in the world,” according to John Holmes, the United Nations Under Secretary General for Humanitarian Affairs (qtd. in Democratic Republic of Congo: Epidemic 17256). Researchers estimated that in 2006 alone 433,785 women were raped, boiling down to roughly a rape per minute (Gettleman 2). Dr. Denis Mukwege of Panzi Hospital, which specializes in the gynecological and psychological treatment of rape victims, states “they [rapes] are done to destroy women (Democratic Republic of Congo: Epidemic of Rape 17255).” Age does not seem to matter to rapists—victims have been found to be as young as three years old and as old as 75 (Mukwege 163). Location does not seem to matter—mass rape occurs in the South and the East (Democratic Republic of Congo: Epidemic of Rape 17256). While conflict resulting in mass rape in Rwanda, Bosnia, and the Former Yugoslavia once dominated discussion about widespread sexual violence, the Democratic Republic of Congo dominates current discussion.

The exact number of rapes in the DRC is debated. In 2009, the UN estimated that 17,500 rapes occurred (Demetriou and Magnuson 21), but today even the more modest estimates put the total number of rape victims at 500,000 (Mukwege 164). The American Journal of Public Health argues that even these numbers are too low due to underreporting and estimates that as many as 2 million women may have been raped in the DRC over the last fifteen years (Gettleman 1). This estimate far exceeds the UN’s and Dr. Mukwege’s reported estimates, indicating that the problem has either grown sharply or become much more pervasive than ever imagined. This is curious as the conflict in the Congo ended officially in 1999 with the Lusaka Ceasefire

Agreement (Demetriou and Magnuson 19). Yet, in 2003 aid groups reported that sexual violence had tripled (Mechanic 18). Regardless of the precise number, researchers and humanitarians agree that the scope and scale of sexual violence in the DRC is a serious international human rights issue that greatly affects the stability of the Great Lakes Region and thus must be taken into account in policy dealings in the Congo.

Rape in the context of war is not a recent or rare phenomenon, but has been generally understood as a 'spoils of war.' To illustrate, Greek mythology, the Bible, and Shakespeare's plays all have many instances of rape within a wartime context. More recent examples include American and Soviet forces that raped German women during World War II and the comfort women that the Japanese government supplied their soldiers who were forcibly taken from neighboring countries, as well as the rape of civilians in the Vietnam and Korean Wars.

However, with the conflicts in the former Yugoslavia, especially Bosnia, in the 1990s, feminists, political scientists, anthropologists, and other social scientists thought that the ancient practice of wartime rape had taken a different turn, namely from spoils to strategy. In some senses even this is not unprecedented. The Greeks employed rape as a weapon of war with the Trojans, as did the Roman Empire, to help subdue and absorb into their own groups the conquered populations.

But in the 1990s rape was explicitly used with genocidal intent. Rape was used in tandem with other types of violence with the primary intention of destroying an ethnic group (Card 7, Farwell 390, Mukwege 164, Nordstrom 150, and Skjelsbæk 213). Women were targeted as proliferators of the next generation; rapes were helpful in achieving this goal because it led to children of mixed descent, the inability of women to reproduce, the murder of women of ethnic groups, and the dissolution of the family due to the shame of public sexual violence. The use of sexual violence in this manner has been termed strategic rape as it is an instrumental tool.

Strategic rape continues in many ways in the Democratic Republic of Congo (DRC), and appears to be unique in its excess; but unlike the Bosnia case, rape in the DRC it does not appear to have genocidal intentions. Indeed, it is difficult to pinpoint a satisfactory explanation. Many explanations seem at first to fit, but ultimately are incomplete and unsatisfying. The sexual violence in the Congo is a modern example of sexual violence in a “contemporary war” where non-state actors wage asymmetrical war against civilians (Meger 101). The conflict in the DRC is not state against state or even faction against faction, but many militia groups against civilians. The widespread occurrence of rape does not have genocidal intentions, despite lingering ethnic tensions in the Great Lakes region from Rwanda and Uganda. Religion, ethnicity, and politics only seem to arbitrarily matter, depending on the perpetrator. It also is not carried out by a single group, ethnic, military, or political. Wartime rape in the DRC has clear economic gains, in that the DRC is home to valuable minerals used in electronics (Meger 118), which gives militias the incentive to displace populations from valuable mining land. But even with the economic incentive of conflict minerals, the prevalence of rape in the DRC is still noted as being surprisingly high. Other explanations for the mass rapes in the DRC include the biologically based “boys will be boys” explanation, to the feminist explanation that rape happens to exert one man’s dominance over a woman.

It might be the case that the prevalence of rape is due to an unstable political system. According to the Congressional Research Service, “over a dozen militia and extremist groups” reside within the DRC (Dagne i), which greatly complicates and often times prevents measures to form agreements, enforce laws, and protect civilians. These criminals have “filled a vacuum” in the lack of a strong state presence politically and judicially that is willing and capable to prosecute rapists, enforce laws, protect civilians, and provide suitable resources to struggling

communities (Bloomfield). Or perhaps the sexual violence ultimately is caused by permissive, patriarchal culture, or by militarization. Neither of these possible causes has been systematically studied in the Congo case. Overall, the situation with mass rape in the DRC is historically unprecedented and unique its scale. In my view the explanations offered by researchers, academics, and activists are mostly monocausal and unsatisfying; few explanations are comprehensive or address other causes. . With this in mind, in this paper I ask the central question: why is there what I will call ‘excess rape,’ or more rape than might be expected in a war environment, in the Congo? Is there a better or more complete explanation than those offered by current literature?

I will argue that a complete picture of mass rape in the Democratic Republic of Congo requires an integrated approach that includes consideration of political, economic, and sociocultural structural causes of rape. Accomplishing this task will provide insight to the complex nature of mass rape that is being seen in the DRC. Rather than boiling down the mass rape in the DRC to one cause over others or selecting one international relations theory or rape theory another, I will examine several causes and theories. By simply showing the innate, irreducible complexity and inconsistency of this phenomenon in the Congo, I hope to draw attention to the need for an integrated approach. If states and international non-governmental organizations can acknowledge this complexity, hopefully it will spur more cohesive and thoughtful policy.

This paper is structured as follows. First, I offer a brief history of the conflict in the Democratic republic of Congo followed by a summary of the three rape theories that will be used to complete the theoretical framework for each structural cause. I then analyze three broad causes of mass rape, political, economic, and sociocultural, and apply them to the Congo case.

These causes will be constructed in the argument as structural causes as outlined by Johan Galtung's definition of structural violence, meaning violence against another group in society with social inequality and injustice that is ingrained in society, including political, economic, social, and cultural systems (Galtung 167-174). Structural violence is also when "an individual or group's potential is restrained by uneven distribution of power and resources" (Meger 115). The focus of this analysis will be on structural violence rather than literal, inter-personal violence because the physical acts of violence and its consequences are obvious and acknowledging the causes of rape in the DRC as structural causes reflects that these causes are not random or external, but deeply rooted problems within the Democratic Republic of Congo.

The logics behind these three structural causes are generic, in that they explain any generally undesirable behavior in each context. Therefore, to my analysis of each of the structural causes I add further theoretical depth by asking "why rape?" as opposed to some other form of violence. For these subsections I draw on biosocial, strategic, and feminist rape theories as outlined by Jonathan Gottschall. Finally, I will discuss the findings of the analysis and explain my recommendation of an integrated approach and a few subsequent policy recommendations.

HISTORY OF THE CONFLICT IN THE DEMOCRATIC REPUBLIC OF CONGO

The last fifteen years have been full of conflict and instability in the DRC, due to both political battles and the emergence of an underground economy for conflict minerals (Meger 101). The political conflict in the DRC, formerly Zaire, was initiated by the Alliance of the Democratic Forces for the Liberation of Congo-Zaire (AFDL) of Rwanda and Uganda when it overthrew the Mobutu dictatorship in the Congo in 1997 (Dagne 2), which had lasted for 32 years (Baaz and Stern 499). The leader of the AFDL, Laurent-Désiré Kabila, claimed a new

presidency for himself (Dagne 2). Regional conflicts came to a head soon after Kabila assumed the presidency, and a new war began. This conflict fell into three zones shared by Ugandan, Rwandan, and Congolese, Angolan, and Namibian powers, all struggling to maintain dominance in the region (Puechguirbal 1272). In 1999, these groups signed the Lusaka Ceasefire Agreement, but the conflict continued (Demetriou and Magnuson 19). In 2002, factions came together once again to sign “The Global and All-Inclusive Agreement on Transition in the Democratic Republic of Congo” (Demetriou and Magnuson 28). This agreement, which was the result of South African and United Nations (UN) sponsored talks (Dagne 3) as well as international pressure for a transition to democracy, was built upon a promise of withdrawal of foreign troops from the Congo and continued peace talks (Demetriou and Magnuson 19). Yet, this brief period of stability ended in 2001 when Kabila was assassinated and his son, Joseph, took power (Dagne 3). The foreign troops were finally withdrawn in 2002 as outlined by these talks. The All-Inclusive Agreement outlined a transitional government with four vice presidents including the new President Kabila and a more democratic government accompanied by domestic dialogue, which came to fruition in 2003 (Dagne 2-3).

Most recently, the Congo has gone through some additional changes with minimal foreign involvement from outside states, Western or African. In 2005, the country passed a referendum on the constitution which led to increased executive power for the president and created five-year terms for the president and National Assembly (Bureau of African Affairs). In November 2011, multiparty elections were held. Joseph Kabila, unsurprisingly, won with nearly 50% of the votes. The surprise was that his nearest challenger, Etienne Tshisekedi, from a separate party, won almost 40% of the vote (Bureau of African Affairs). There was great hope that President Joseph Kabila would lose this year’s presidential election. However, the

scheduled electoral reform, which was a weak attempt at best to address the system's inefficiencies and was surrounded by much suspicion (Demetriou and Magnuson 21), was ultimately a failure. The runoff election between Kabila and his competition is on hold until 2012, potentially 2013 (Bureau of African Affairs). This means that Kabila, who has held power since 2001, in effect has extended his term indefinitely (Demetriou and Magnuson 21).

The UN has had a presence in the DRC since 2002, when it created the Mission in the DRC (MONUC) established by mandate to address the violence and constant conflict in the DRC. At that time the UN sent 10,000 UN soldiers to serve as stabilizing forces (Mechanic 8). Over the last ten years, MONUC has grown to 22,000 uniformed and 4,000 new civilian UN personnel (Demetriou and Magnuson 25). These forces have not been seen as effective. In 2010 a new UN resolution created MONUSCO to replace MONUC; the goal of MONUSCO has been to “address protection, stabilization, and peace consolidation priorities” (Demetriou and Magnuson 25). These UN Missions are two of many international efforts to address the continuing instability in the Congo, , but “the Congo remains a fragile state, where further progress is threatened by recurrent political crises, weak and ineffective state institutions...and continued violence and conflict in the eastern provinces” (Demetriou and Magnuson 13).

SUMMARY OF RAPE THEORIES

In this thesis I will use the UN's terminology associated with rape and sexual violence. The UN defines rape broadly, as the “insertion” of any apparatus, not limited to the penis, into any opening, not limited to the vagina, of the victim “under conditions of force, coercion, or duress” (qtd. in Farwell 392). This definition seeks to avoid limitations in what constitutes rape. Anatomy does not make one gender more or less likely to be raped or to commit a rape: men or

women are both likely victims and perpetrators (Nordstrom 152).¹ War rape is defined by the UN Commission on Human Rights a “a deliberate and strategic decision on the part of combatants to intimidate and destroy ‘the enemy’ as a whole by raping and enslaving women who are identified as members of the opposition group” (qtd. in Farwell 392). With these definitions in mind, I will use the terms “war rape” and “rape as a weapon of war” when I refer to rape used as a tool to achieve specific objectives. I will use the term “wartime rape” to refer to rapes that happen in the context of war, i.e., wartime rape is a term that is agnostic about the cause of rape, while war rape and rape as a weapon of war imply that rape is being used strategically or instrumentally.

Jonathan Gottschall provides a useful framework outlining four primary rape theories and how they apply to wartime rape: cultural pathology, feminist rape theory, strategic rape theory, and biosocial rape theory. In this section I summarize each theory. These theories will be integrated in the structural analysis that follows this section.

Cultural Pathology

To attribute war rape to cultural pathologies is to argue that historical and environmental circumstances increase the likelihood of rape and other forms of sexual violence in certain cultures (Gottschall 131). It is the idea “some men simply prefer to rape” in times of war (Seifert 36 Cultural pathology theory is generally regarded as outdated. It is based on a refuted model of cultural evolution that social scientists formulated in the late 18th and early 19th century. It rests on the assumption that Western societies are the most developed and other cultures are progressing linearly from savagery and barbarism to civilization, from imperfection to

¹ It should be noted that more and more research about sexual violence directed at men during conflict and war is being conducted and that this thesis does not address this aspect of wartime sexual violence.

perfection. The notion that some cultures are inherently savage or barbaric and will grow into Western values is highly disputed and, needless to say, severely ethnocentric. Gottschall rules out this explanation and I essentially agree; so the remainder of my analysis will focus on the other three theories, feminist, strategic, and biosocial.

Feminist Rape Theory

What Gottschall calls the feminist theory of rape attributes war rape to “the desire of a man to exert dominance over a woman,” which manifests itself as sexual violence especially in due to intense misogyny found in patriarchal societies that eventually leads to sexual violence (130). This explanation of wartime rape also proposes that men take advantage of the chaos found in war and conflict to rape without consequence and thus perpetuate their dominance over women and power inequalities in society (Gottschall 130-131). Under this paradigm, the general enemy is womanhood (Gottschall 130-131). Card elaborates:

It [rape] breaks the spirit, humiliates, tames, produces a docile, deferential, obedient soul. Its immediate message to women and girls is that we will have in our own bodies only the control that we are granted by men and thereby in general only that control in our environments that we are granted by men (6).

Nordstrom concurs that war is a “fundamentally gendered phenomenon” because it is typically men who rape women as a member of one group versus another (150).

The fact that rape occurs in all types of societies lends support to some aspects of feminist rape theory. Rape is usually based on gender and men typically rape women. But not all societies are patriarchal and misogynist – or, at least, one would have to demonstrate the existence of global patriarchy to account for the widespread occurrence of rape. Another limitation of feminist rape theory is that it focuses on individual drives rather than social causes. In my view it applies better to situations where individuals use a war context to take advantage

of the “spoils” of war for his own gain. It seems less able to account for the systematic mass rape we see in the DRC case.

There is one way feminist theory can offer insights to this larger phenomenon, however. Buss, Meger, and Sjkelsbæk discuss an extension of the feminist rape theory that a perpetrator of rape is in effect “feminizing” the victim and her (or his) respective identifying group, community, religion, ethnicity, etc., while making himself and his identifying group more “masculinized.” In effect, the act of rape alone builds off of values and roles assigned to each sex based on patriarchy by “feminizing” the victim of rape, proving her and her community’s weakness and inability to fight back, and “masculinizing” the perpetrator and his community by showcasing his dominance and power. This extension of feminist rape theory argues that the cementing of feminine and masculine roles in any society can play a role in causing wartime rape.

Strategic Rape Theory

Strategic rape can be broadly defined as rape that is instrumentally useful to one group vis a vis another. The idea is that rape can be used purposefully to achieve certain goals—as Gottschall states: “rape is a tactic executed by soldiers in the service of larger strategic objectives” (131). This strategic use of rape as a weapon to achieve a desired outcome by one group against another differentiates it from feminist rape theory. Rather than focusing on individual drives and the broad notion of dominance, this theory recognizes that war rape is rape with the intention of destabilizing and destroying the enemy. It is the systematic mass use of sexual violence that one faction utilizes against another that in reality attacks that entire group.

As Buss states, “rape is a crime against a collectivity” (150). According to the UN, the motives

of the individual are irrelevant in mass rape. Whether a perpetrator is aware of the grand scope of his actions or merely taking advantage of wartime confusion and violence, he may still be a part of strategic rape if it is leaders of the group are encouraging rape for strategic ends (Farwell 393).

Under strategic rape theory, rape is used to terrorize, demoralize, humiliate, oppress, and dehumanize groups of people for political, social, and economic gain (Farwell, Gottschall, Mukwege, and Nordstrom). Rapists capitalize on resulting control and submission from instilling fear, defenselessness, and humiliation. War rape is usually committed in public in front of family members and community members (Diken and Laustsen, Gottschall, Mukwege) and is often accompanied by torture in the form of mutilation (Meger, Seifert), including but not limited to penile penetration of the vagina and anus, thrusting gun barrels and knives into the vagina, etc.(Mechanic 17). Forcing male family members to witness rape is intended to emasculate men as they watch their wives, sisters, and daughters knowing they can do nothing to protect them (Gottschall). This type of rape utilizes traditional patriarchal values such as female purity and masculine protection of women to attack a group and destroy its social bonds with humiliation and demoralization (Diken and Laustsen). Cultural norms about honor and cleanliness lead to the shunning of rape victims in African communities, destroying the family unit and the “social fabric” of these victim communities (Mukwege).

Strategic rape can also be used to achieve genocidal and ethnocidal ends. Rapes carried out with ethnocide and genocide in mind attack the physical body of women and symbolism behind women’s bodies as the source of human life (Nordstrom). Physically, strategic rape ends in the death of a member of a target community, the inability of that member to reproduce, or in children of mixed descent, all of which attack the ability of one group to reproductively survive

(Buss, Farwell, and Nordstrom). By attacking women, groups are attacking the symbolic representations of a culture, ethnicity, and/or group (Seifert 29). Women are shunned as victims and mothers of children that are the products of the rapes, who also face discrimination, which further breaks apart the community, making the community easier to control and subdue by the rapists' group (Diken and Laustsen). Theorists now hypothesize that HIV/AIDs may also have a significant role in rape as a weapon of war as many rapists do not know or often care about their HIV status which may result in the death of rape victims and the subsequent children from the attack(s), increasing the lethality of these rapes (Card, Mukwege). Strategic rape with any objective, be it demoralization, subjugation, or ethnocide/genocide, attacks a group's identity, safety, and independence politically and socially. It breaks apart communities, destroying groups and/or effectively subduing them.

Biosocial Rape Theory

Biosocial rape theory combines biological theory with an awareness of sociocultural influences. Biological theory, taken on its own, explains wartime rape by referring to biological disposition. The argument is that men have a more aggressive and sexual disposition than women due to their testosterone levels and are unable to fight the "urge" under certain circumstances, resulting in rape (Seifert 35-36). This is also referred to as the "pressure cooker theory," that depending on environmental influences and cues, men lose control due to their biological make up to ensure their reproductive success (Gottschall 133). Like theories that attribute rape to cultural pathology, biological theory involves broad generalizations and is not widely accepted today.

This theory is biologically deterministic in that it argues all men are likely to rape in some contexts where it would be biologically advantageous to do so and that all men subconsciously want to rape due to a primal drive to pass on their genes and be reproductively successful (Gottschall 134); it is also environmentally deterministic because it implies that rape is inevitable in certain places and/or contexts. This determinism can be refuted by the fact that not all men rape; in fact, the vast majority do not. Secondly, rape occurs in all types of contexts: during war and peace, by strangers and family members, in developed and undeveloped countries, by individuals and by groups. Thirdly, biological theory does not take into account sociocultural influences, which Gottschall argues are learned over a lifetime. The environmental cues that biological theory emphasizes merely depend on present circumstances such as war or conflict (133). Both because it overlooks culture and because it reduces man to organisms controlled only by impulse, biological theory falls short of explaining the specific phenomenon of wartime rape.

The biosocial theory of rape presents a far more convincing argument explaining wartime rape because it takes into account both halves of humankind, biological and socio-cultural. Biologist Randy Thornhill and anthropologist Craig Palmer do not deny that rape may have biologically advantageous adaptive benefits. They found that forced sexual intercourse is common across other species and that men's "evolved sexual psychology" (Gottschall 134) most likely does play some role in sexual violence. However, as summarized by Gottschall:

"Thornhill and Palmer's argument is *not* [italics added by author] that men are necessarily adapted to commit rape in certain contexts. While they do tentatively advance the theory that men—like scorpion flies, orangutans, and certain species of ducks—may possess condition-dependent biological adaptations that are specifically designed to promote rape in appropriate cost-benefits environments, they do stress the fact that an equally plausible theory is that rape is a non-adaptive by-product...of adaptations for consensual sexual activity" (134).

The most important element of biosocial theory is that it allows for social and cultural influences to be included alongside biology; in particular, it opens up space for considering the role of militarization. “Wars are cultural, not biological, phenomena” (Nordstrom 150). For example, soldiers in the DRC have reported in interviews influences such as peer pressure, fear, boredom, and magic as reasons for their participation in rape (Kelly 4-7). Militarization is the series of events that take place to integrate men into armed groups that emphasize masculinity as most armed groups run on the cohesion of men and hence masculinity; militarization in effect “socializes soldiers to act aggressively and to devalue not only women, but also traits that are inherently ‘feminine’” (Meger 105). This creates a hierarchy in which “heterosexual violence masculinities” are on top while integrating “racial, ethnic and class hierarchies” (Baaz and Stern 499). This is also an intersection of feminist rape theory and biosocial rape theory. A command from an officer to rape can serve as initiation into a “brotherhood of guilt,” enforcing solidarity within that military group (Card 10). However, there could be social or cultural elements that dissuade rape from occur as well. It is clear in this example that there are more than biological elements involved in exploring why rape occurs and in what contexts.

In sum, each rape theory is imperfect and has short-comings when applied to wartime rape. There is no singular, simple theory that could capture the full phenomenon of mass rape in the Congo. Still, these theories about the motivations and reasons behind rape provide useful theoretical frameworks for thinking about motivations; and I will refer to them in conjunction with the structural causes of mass rape, to help clarify the motivation behind wartime rape.

ANALYSIS OF STRUCTURAL CAUSES

In addition to Gottschall's suggested theories of rape, there are other structural explanations for the sexual violence in the Congo: political instability, economic incentives, and a permissive culture. I will examine three structural causes with their logical framework and apply each to the case of DRC wartime rape. I also will assess the extent to which each structural cause accounts for or explains the phenomenon of mass rape in the Congo.

Political structural causes

Theoretical Framework

One possible explanation for the mass rape in the Congo is that political instability, lack of strong political institutions, and lack of state authority have made the DRC a failed state. Attributing mass rape to the fact that the DRC is a failed state rests on the assumption that all citizens disobey laws unless given a reason not to do so. In a failed state, the Hobbesian "leviathan" no longer exists to impose obedience and ensure compliance with the law. Ipso facto, even though there are laws against rape in the Congo, they are disobeyed because there is no reason or incentive to obey them. There are many applicable and useful definitions of failed states to draw upon, but for the sake of simplicity, I will rely on Ian Hurd's concepts force, price, and legitimacy as the primary criteria for a failed/non-failed state. According to Hurd, coercion, self-interest, and legitimacy, or force, price, and legitimacy, are the "currencies of power" that allows states to achieve obedience to laws and a level of social organization (379-380).

From the standpoint of Hurd's framework, a failed state is defined as a state that is unable to utilize and monopolize those three factors to ensure citizens obey the law. States, first, should have a monopoly on violence. However, in the case of a failed state such as the Congo there are many actors using force to achieve financial, political, and ethnic goals. Second, states should

provide economic incentives to abide by its rules rather than those of alternative actors. They should generate wide acceptance of the laws, rather than allow competing interests to marginalize state rule. Third, states should be able to sustain an environment in which its citizens feel its laws are legitimate or worth following. Failed statehood will be considered across the three branches of Congolese government; executive, legislative, and judicial. Thus, laws should be upheld and obeyed in the executive, legislative, and judicial realms.

The key theoretical assumption within political structural causes of rape is that citizens engage in some undesirable behavior unless persuaded otherwise; this also is the assumption underlying the biosocial theory of rape. Although biosocial theory argues that not all men have the desire to rape in any situation, it does acknowledge there is an adaptive advantage for males in certain situations to engage in forced sexual behaviors. Specifically, Thornhill and Palmer argue in biosocial rape theory that some men “may possess condition-dependent biological adaptations that are specifically designed to promote rape in appropriate cost-benefits environments” (Gottschall 134). Thus there are individual gains to be had at a biological, evolutionary level, which could be survival or passing on genetic material, of which individuals may not be actively aware of, at times there is an incentive to rape. The argument is not dissimilar to Hurd’s notion of price: men rape when the price is right.

While the biosocial theory goes on to discuss a possibility that “society ‘normally’ acts as a hindrance to male’s natural bestial sexual behavior” (Baaz 498), it allows for the conclusion that a societal breakdown would increase the likelihood of men raping. Therefore, the existence of a failed state is conducive to rape according to the logic behind political structure and biosocial rape theory. Together, the failed state phenomenon and the biosocial rape theory predict mass rape in the absence of a leviathan because men are no longer hampered by laws.

Application of political structural causes as an explanation for mass rape in the DRC

The DRC is a failed state because it lacks the power and authority to maintain social obedience to law and order. Perpetrators are able to take advantage of the fact that there are no repercussions for their actions. Coercion is improbable as police and army members do not feel obligated to perform their state sanctioned function. So the Congolese government does not have a monopoly on force. From the perspective of the perpetrator, there is much more to gain from a self-interested perspective by disobeying the law. This can be seen in the case of militia groups taking advantage of chaos, as well as policemen and judges taking bribes receive if they choose not to uphold the law. Finally, there is no national belief in the legitimacy of a legal system that was created to protect victims. This can be seen first in the fact that mass rape occurs in the DRC and also that victims often do not seek justice or follow through with charges of rape (Bjørkhaug, Jennings, and Bøås 13). In this regard, much of what one would expect to see in the face of the collapse of political structure is present in all three types of state power. There are no systematic consequences for rape; there is no leviathan to deter rape on the part of the Congolese government.

Specifically, there are examples of failed statehood within each branch of government. In terms of the executive branch, the scheduled electoral reform, which was a weak attempt at best to address the system's inefficiencies (Demetriou and Magnuson 21), was ultimately a failure as mentioned above; Kabila skirted the reform and in effect maintained his position of power. This is directly damaging to any possibility of legitimacy of the government acting as a reason to obey any laws; laws made by a seemingly corrupt government led by a doubtfully elected leader lack legitimacy. Hurd's framework suggests that where citizens do not believe law is valid they will not follow it. This includes rape laws. Furthermore, Kabila's government

has been ineffective at maintaining and creating stability within itself and outside (Demetriou and Magnuson 23). Government workers are not paid on time or adequately (Demetriou and Magnuson 23), which has created a large propensity for accepting bribes and inaction against injustice; more often than not with regards to the mass rape in the country, it is inaction. This is in effect tacit permission.

It is also similarly damaging to the legitimacy of the Congolese government and its laws as are fraudulent elections; it is a failure on the part of the government to provide incentives to government workers and citizens to follow laws; finally, it is also an example of force being unused by the executive branch whose purpose is to enforce laws. This is especially damaging to rape cases as it discourages victims from seeking redress as mentioned before. As US Under Secretary of State Otero has stated, the Congolese government often shirks responsibility or ignores the truth of the situation in the East, leading to impunity for violent rapists and thieves at the expense of civilians (Bloomfield et al.). This is obvious in executive functions, including carrying out and enforcing laws and it is greatly damaging to the ability of the executive branch to uphold anti-rape laws and address the issue of mass rape.

Secretary Otero has also stated that the judicial system in the Congo is similarly plagued by inaction and bribery (Demetriou and Magnuson), almost always at the expense of the Congolese people. Judges and police who are expected to protect plaintiffs, who come forward with a case and enforce rulings against criminals, often do not fulfill their duties. Because judges and policemen are poorly paid, it is common for these officials to accept bribes or to do nothing at (Democratic Republic of Congo: Summary Justice 18080). The result is that rapists commonly go unprosecuted and unpunished, and return to the streets after a sentencing (Democratic Republic of Congo: Summary Justice 18080). Regarding victims of rape, because

they cannot expect protection from the police and the courts, those that come forward “risk both social stigma and continue harassment from perpetrators” (Bjørkhaug, Jennings, and Bøås 13).

This is especially true when a government official, policeman, or military member is the perpetrator of a rape. In these cases judges and policemen may choose to protect their own rather than the victim by distorting the trial with unjustified leniency (Bjørkhaug, Jennings, and Bøås 13). This of course leaves the victim with no redress and sends the message to other victims of rape not to come forward. As Ingunn Bjørkhaug and his fellows from the Fafo Institute for Applied International Studies (7) aptly put it, “the problem in the DRC is not the lack of a legal framework to punish sexual violence...but the lack of will and capacity to enforce existing laws—and, more fundamentally, the absence of any functioning state authority, infrastructure, and ability to provide even minimal services in large swathes of the country.”

The final aspect of failed statehood in the DRC is a lack of a state monopoly of force in a literal sense. There are dozens of armed groups in the DRC including famously, but not by no means limited to, the Democratic Republic of Congo Armed Forces (FARDC), the official army of the DRC; the Rwandan Democratic Forces for the Liberation of Rwanda (FDLR); the Ugandan Lord’s Resistance Army (LRA); the National Congress for the Defense of the People (CNDP); and the Mai Mai Militia. Where ever these groups go violence, fear, and looting follow. The existence of so many militia groups is a difficult problem for a government to address, yet these groups arose to fill a vacuum created by a lack of state authority and also know very well that they benefit most if there is a lack of said state authority (Bloomfield et. al and Demetriou and Magnuson). Therefore, these militia groups have a great incentive to create instability and unrest so that they may continue with their actions. It is widely accepted that rape

occurs primarily at the hands of militiamen, although the official Congolese army (FARDC) is one of the worst. Ironically enough, however, FARDC cannot monopolize even this violence.

In sum, the DRC is a failed state, which makes it unable to deter rape. Very clearly there are governing, judicial, and military weaknesses that plague the DRC. The nature of the situation leaves civilians, especially victims of rape, with no hope of protection, redress, or stability. The way that these inept and broken systems protect and perpetuate each other is cyclical: the state is unable to exert authority and maintain peace which allows the military to ignore responsibility and engage in violence as other militia groups do. However, when attempts are made to bring these offenders into court, bribery and protecting those who are technically a part of the government occur. This has led to indolent and corrupt judges and policemen. The final cog in the gear system is that policemen and army members are often recycled criminals and warlords who have not been rehabilitated or cleared for such service (Mukwege 163-164). At all levels civilians face apathy, a lack of protection, and injustice from their government in a cycle that perpetuates itself by way of failed statehood and a lack of a monopoly on violence.

Evaluation of political structural causes of mass rape

While there is significant evidence that structural political instability has serious and detrimental effects upon the ability of the Congolese government to maintain justice, safety, and political transparency, in my view ultimately failed statehood cannot explain continued mass rape in the DRC. First, there is a flaw in the causal logic. The assumption of this structural cause is that any law, including anti-rape law, is only obeyed for one of the three reasons according to Hurd's argument: the threat of force or sanction, disincentive to disobey laws, and desire to obey legitimate laws. This coupled with biosocial rape theory framework essentially

boils down to a claim that if there are no constraints, men are more likely to rape excessively for bio-social reasons (Baaz and Stern 498). If this is true, then we should see mass rape in all failed states that fit the definition discussed above. However, not all failed states have experienced the scale of rape we see in the Congo. For example, looking at the Failed State Index of the top four failed states (Somalia, Chad, Sudan, and the DRC, respectively), only the DRC is known to have what some experts would consider excess rape. While there undoubtedly is sexual violence in these failed states and sometimes used in the context of conflict, only the Democratic Republic of Congo exhibits rape and sexual violence on such an elevated scale. In other words, failed statehood is not an adequate explanation. Otherwise, all failed states should exhibit similar instances of rape.

A second problem is that failed statehood implies the legislative process is at fault, but even if this were true, it would not be fair to apply this criterion to the DRC alone because even Western states have trouble applying laws against rape. Additionally, in regards to a lack of force, price, and legitimacy across the three branches of government there the following issue: even states that are not considered failed state cannot seem to create successful anti-rape laws. The United States (Larcombe 2011) and Britain (“Getting Away With It” 2006) have seen significant decreases in the ability of courts to prosecute and convict rapists despite the increasing number of reported cases. During 2011-2012 in Britain, the legal system was dubbed as a “culture of impunity;” only 1 in 19 men charged with rape will be convicted (“Getting Away with It). In the US, it often is difficult to produce significant evidence and unreasonable doubt according to the law that will be acceptable to presiding judges and persuade juries despite rape law reforms (Larcombe 29-30). Furthermore, Larcombe’s study found that the only countries with a rape conviction rate lower than Britain’s 5.3% were Ireland, 1-2% and Australia, <5%

(30-31). Despite arguments that victims are simply less likely to follow through with charges, evidence indicates otherwise—once victims file a police report and begin the process of charging their attacker, women are far more likely to follow through with their charges, indicating that there are other causes besides under-reporting that account for such low conviction rates (Larcombe 31-32). Larcombe argues that “the wider society and its central legal institutions suffer a secondary harm from the disregard shown for traditional fair trial rights and the presumption of innocence, and the attempt to undermine the rigorous testing of evidence that forms the cornerstone of the legal process” (33). It is not only the DRC that cannot prosecute rape.

While the DRC’s legislative branch may or may not be as corrupt as the other branches of government, it seems that similar problems plague even non-failed Western states that have legislation allowing for the prosecution and conviction of rapists. Rather, failure lies in the enforcement and upholding of the sentiment of anti-rape laws in court, or within the executive and judicial branches. Therefore, considering the legislative branch of the DRC provides sufficient anti-rape laws, we cannot use the inadequate prosecution of rape as a criterion for determining whether it is a failed state or not.

Thirdly, judicial reform has been attempted at the national and international levels to address components of the DRC’s political structural instability and failed statehood. Despite some success, rape still occurs at a high level. The United Nations Organization Stabilization Mission in the DRC (MUNUSCO) and UN Resolution 1820 (2008) were created to address sexual violence and protect civilians by enacting judicial reform in the DRC (Dagne 10 and Kelly 2). Accordingly, Under Secretary of State Maria Otero outlined a US strategy in 2011 to address gender-based violence in the DRC with the objective of decreasing impunity for

perpetrators, strengthening the judicial system, increasing civilian protection and conflict prevention, improving the capacity of the security sector to address sexual violence, and increasing quality services for victims (Dusen et al.). However, while there is some progress in these objectives, there is still no change in the prevalence of sexual violence in the DRC.

MOUSCO is currently the largest UN effort in terms of people on the ground (Bjørkhaug, Jennings, and Bøås 4) yet sexual violence has been increasing as cited earlier in the introduction.

Despite successes at judicial reform, mass rape continues. These reforms should have strengthened judicial authority and power, especially with the help of resources from the US and UN; they should have made rape more costly, through an increased capability to prosecute and punish; and they should have made laws more legitimate and rape less legitimate, due to the nature of the reform and international backing;. But because increases in state authority, albeit limited ones, have not affected mass rape, failed statehood as the political structural cause of mass rape in the DRC is an insufficient explanation.

Economic Structural Causes

Theoretical Framework

The Democratic Republic of Congo is simultaneously blessed and cursed with a vast amount of mineral resources. This mineral wealth is undoubtedly an opportunity for domestic growth and trade, but it is also a target for the black market and a lucrative way to fund a small army (Meger). Militia groups thus have an economic incentive to gain access to mineral-rich land, which they tend to do by taking land forcefully from civilians after raping the women. Here, rape is used as a weapon of war or “weapon of dispersal” (Macklin qtd. in Meger 114).

The economic practices of capitalism have become embodiments of structural violence because they provide capital gains as the incentive of strategic rape against populations.

We can say the causes of mass rape are primarily economic if there are immediate gains to be had from engaging in it. If mass rape disperses populations who otherwise would remain on valuable territory, then self-interested individuals will rape in order to empty the land and create conditions for enjoying its wealth. In the case of the Congo, militia groups are seeking ways to fund themselves. Illicit mining has quicker payoffs and is more lucrative than legitimate mining. Therefore, militia groups have a greater incentive to participate in the black market mineral trade.

The notion that militias rape in order to disperse populations and gain access to valuable land is consistent with the strategic approach to rape. Strategic rape theory, as previously discussed, argues that rape can serve as a strategic and purposeful action, a tool and weapon, that has intended consequences such as demoralization, disintegration of social fabric, submission, ethnic cleansing, etc. As Dr. Denis Mukwege puts it with perfect gruesomeness, “rape is cheaper than bullets” in its efficiency as a technique of dispersal and submission (163).

Application of economic structural causes as an explanation for mass rape in the DRC

Mineral resource looting by armed groups is particularly common the Eastern Kivu provinces (Collins 607) for diamonds (Collins 612), gold, tin, tungsten, and coltan (Meger 118). Coltan in particular has been a focus of mineral looting because it is used in the manufacture of electronics and the DRC houses 80% of the world’s deposits of it in the world (Meger 118). Due to the vast amount of wealth available, militia groups have a great economic incentive to engage in illicit activities (Meger 102), in order to fund themselves. As Michael Klare puts it: “Rising

global demand and the pressure of global scarcity for these resources, which drives up prices, provides an incentive for domestic contenders to seek control of the resource” (qtd. in Meger 109). The greater return from participation in the mineral black market comes from those basic microeconomic premises that there is a rising demand for fewer mineral resources and that the black market is willing to pay more for these minerals in the course of avoiding international regulation (Meger 109). For example, it is estimated that through the black market and its illegal exportation, \$1 million worth of coltan exits the DRC per day (Meger 118). When this economic mineral black market situation that militias take advantage of is compounded with the great chaos and political instability seen throughout the region, it creates easier, illicit and violent pathways to access this wealth since the Congolese government and the international community is unable to create and maintain stability (Meger 110). Thus, it is immediately obvious why these armed groups benefit from the conflict and perpetuate it.

Mineral looting as a principal practice for funding is commonly used by the Democratic Forces for the Liberation of Rwanda (FDLR), military of the Democratic Republic of Congo (FARDC), and Lord’s Resistance Army (LRA) in the East (Bloomfield; Cooke) and they commonly supply illegal, black market minerals to American, Belgian, British, and South African companies (Meger 120). With the participation of international businesses the Congolese mineral black market becomes somewhat legitimized and valued (Meger 112), which increases the economic incentive for militias to seek access to mineral wealth in the DRC. Meger summarizes that “what is largely being witnessed in contemporary war is an increased use of conflict as a means of acquiring and maintaining control of informal economic structures” (Meger 114).

Rape has proven to be a particularly useful and successful method of forcing Congolese off of mineral-rich land (Meger). Rape as a weapon of war uses violence to erode the social fabric of communities by exploiting traditional cultural values, “core social themes of honor, shame, family, and identity” (Meger 113). These rapes are performed in front of male family members, denigrating the masculine duty to protect female family members and destroying women as the untainted, pure givers of life in that community. Stigmatization and shunning usually follow, and victims find themselves without a home or family unit (Mechanic 18). Continual strategic rape employed in this manner, accompanied by violence and general terror, breaks down and subdues a community and eventually easily removes civilians from the land that militias have effectively taken away with force. Thus, as Meger summarizes, in the case of the DRC we see the black market for minerals has been pushed by capitalism and globalization; this has led to sexual violence that is an example of structural violence because it is institutionalized as a functioning part of the market. While economic structural causes are convincing, we will find that economic structural causes and their logical framework are unsatisfying explanations for the excess rape seen in the Congo.

Evaluation of economic structural causes of mass rape

The great amount of mineral wealth in the Congo, or excess of wealth comparatively speaking, could account for the excess levels of rape. However, Nordstrom argues that rape as a strategy to subdue, oppress, or drive away from land can lead to retaliation by both civilians and victims (153). Nordstrom explains, “dirty war [wars with wartime tactics that are not widely considered “just” (Nordstrom 151) is doomed to fail: not only because it provokes resistance, but because it unleashes destabilizing cultures of violence that will affect perpetrators as well as victims” (153). While using rape as a tactic to gain access to mineral wealth may have

immediate benefits, it is uncertain whether the perpetrators' ability to maintain access to mineral wealth will last if there are serious obstacles to using rape tactically. Therefore, economic incentive may not entirely explain the continued use of rape in the face of resistance from victim communities.

Unfortunately, massive amounts of sexual violence still occur in the Congo despite somewhat successful policy efforts to clean up and regulate the mineral economy in Africa. In 2010, the US Congress passed the Wall Street Reform and Consumer Protection Act, which requires American companies to report from where and from whom they receive mineral resources (Dagne 1); and it passed the Feingold-McDermott Act, which specifically targets the LRA (Bloomfield et al.). While the overall effectiveness of these pieces of legislation may be debated, there has been some marginal improvement by simply attempting to regulate black market goods and hold international businesses accountable. However, the scale of rape in this context is far too excessive to be attributed to this single cause. Rape might be an efficient way to drive people off of valuable land, but even militia members themselves have readily admitted that economic incentive is not the only reason they commit mass rapes (Kelly). With this in mind, it seems necessary to look beyond economic motives if we are to eradicate the phenomenon.

Sociocultural structural causes

Theoretical framework

The sociocultural structure of patriarchy gives rise to two distinct explanations for mass rape: the context and situation that primes societies for sexual violence on a large scale and the manifestation of these cultural norms and values, which in the DRC translates to militarization

and an expectation of sexual violence. The ingrained system of patriarchy, defined for this thesis as a system of social organization in which men hold most of the power (including male inheritance, land-ownership, leadership in the community, control of the household, etc.), in cultures and societies is a form of structural violence as well because the culture is institutionalized by its commonality and pervasiveness. The culture of patriarchal countries such as the DRC defines femininity as weak and undesirable and masculinity as aggressive and virile. This creates a dichotomy in which women are second class citizens, marginalized and victimized by a pervasive structural violence.

In cultures that are excessively patriarchal, actions and behaviors are common that reinforce masculine and feminine identities. Feminist rape theory argues that the ultimate manifestation of these behaviors and actions is sexual violence, which serves as a primal debasement and objectification of the female form, as discussed in the summaries of rape theories earlier. The act of rape also can be seen as a strategy of “feminization” of the victim and the entire community, an effort on the part of the perpetrator to make his own group more ‘masculine’ (Buss, Meger, and Sjkelsbæk). Militarization represents a parallel institutionalization of sexual violence and is greatly similar to masculinization.

Application of sociocultural structural causes as an explanation for mass rape in the DRC

The history of the DRC, traditional African culture, and the phenomenon of militarization as seen in militia groups are all sociocultural structures that promote excessive sexual violence in the Congo. First, beginning with the historical aspects that led to sociocultural structural violence requires addressing the colonization of the Congo by Belgium. According to Eli

Mechanic, the Belgian colonization created prime conditions for sexual violence (7). The colonization was especially brutal and resulted in much conflict and violence; the Belgians killed a large number of Congolese compared to other colonial powers. More recently, the conflict in Rwanda has incited ethnic violence across borders, including overthrowing the DRC regime in [[YR!]]. Already we see a history of exceptional violence in regards to the DRC, aiding in defining the DRC as an exceptionally patriarchal state

Secondly, apart from its imposed colonial history, the Congo exhibits typical aspects of traditional African culture, primarily patrilocality (women living with their husband's family/community) and patrilineal descent (names and inheritance are passed down the husband's side of the family) (Kelly, Puechguirbal, Mechanic, and Meger). Although technically women today have equal rights to vote and inherit under the law and cannot be forced into marriage, this is not usually the case in practice (Puechguirbal 1272-1273). Women are treated as essentially "second class citizens" (Human rights Watch qtd in Mechanic 13). These norms emphasize a binary system of the masculine and feminine manifested in strict, inflexible gender roles (Kelly 7). Men are expected to be breadwinners and primarily belong in the public sphere, while women are expected to be caregivers, mothers, and wives and primarily belong in the private, domestic sphere (Mechanic 4). The masculine ideal is a macho, virile, aggressive, and dominant breadwinner (Mechanic 4). Women are traditionally viewed as untrustworthy and opportunistic (Mechanic and Baaz). Their prime value is in marriage for domestic uses, procreation and for sexual pleasure (Mechanic. 14). The subordinate gender role for women as only the caregivers and submissive wives without economic input, significant rights, or respect are markers of an aggressively patriarchal society.

Sexual relations in the context of modern African culture are an important part of this determination of the DRC as an excessively patriarchal state. In African societies, including the Congo, it is not uncommon that women in their roles as second class citizens lack the ability to negotiate sexual encounters. Mechanic states that women are specifically not allowed to refuse their husbands and domestic discipline is considered a socially acceptable response to such a refusal (14). It is expected and common for men to have many sexual partners (Mechanic 14) while women are not permitted to have sexual relations with a man other than their husband. This lack of agency in regard to female sexuality easily gives rise to a culture of sexual violence and mass rape against women.

Thirdly, economic security, honor, respect, and fulfillment as a woman are defined in relation to her fertility. This means that women often not only lack personal control to determine how many children they have but also lack the ability to have fewer children, since the men are making the decisions. This solidifies the masculine public sphere and the feminine private sphere. With many children at home it is difficult for women to leave the house and seek economic and educational empowerment.

Furthermore, some patriarchal societies respond to the pressures of globalization, especially exposure to societies with looser and more diverse gender roles by reinvigorating the practices and behaviors that stress the traditional masculine and feminine gender roles (Mechanic 20-22). For example, according to Mechanic “rapid shifts in women’s role in society can lead to a violent backlash as some men, never taught to question gender norms, are suddenly confronted with empowered women” (22). Therefore, it is possible that today’s Congolese society and culture is more patriarchal than it was a hundred years ago. We see this in the increase in

domestic violence, particularly marital rape, in the DRC during the conflict (Democratic Republic of Congo: Epidemic of rape and Mechanic).

The DRC also exhibits two unique phenomena from its base culture (history and tradition) that make rape likely: the frequency of sexual violence and militarization. It has also been noted by psychiatric experts in the DRC that rape is so common that people brace for sexual violence to occur or arrive in their (Democratic Republic of Congo: Epidemic of Rape 17256). Furthermore, rape within a community or by nearby strangers is often handled with quick marriages rather than prosecutions (Mechanic 15). There is a process of enculturation to rape because it is considered inevitable.

There is also a separate but concurrent culture of militarization of the militia groups against the general, civilian culture in the Congo. The ideals of militarization are that of patriarchy: aggressiveness, strength, and virility. This is Enloe's "construction of militarized masculinity" in which patriarchy is enforced by militarization and vice versa (Okazawa-Rey 372); and where the military creates men based on fixed ideas of masculinity with institutionalized practices (499). Militarization needs a "strong ideological basis" (Meger 105) to unify military personnel and to create obedient, model warriors. In the case of the many militia groups in the DRC, patriarchy is that ideology.

In Jocelyn Kelly's (2010) study about the motives behind the rape committed by members of the Mai Mai militia in the Congo, she interviewed militia men and found that rape functioned as initiation process and enforced a system of command. Men were commonly commanded to bring girls to superiors for rape and were also ordered to rape girls in communities. Additionally, she found that there was a point where men eventually succumbed

to the commonplace of rape despite guilt and from there on rape occurred due to boredom, drugs, and beliefs in magic (Kelly 1-10). Drawing on Sarah Meger's argument, it is possible to see here that any military group relies on masculinist norms that easily lead soldiers to devalue women. The act of gang rape or successive rapes in a group serves as an initiation into a "brotherhood of guilt," creating solidarity and working to eliminate guilt with excessive sexual violence against women. Liz Kelly argues that "men affirm one another as men through exclusion, humiliation, and objectification of women" (Meger 105). Militia men masculinize their group, their cause, and themselves, and part of this can be to encourage sexual violence because it helps members feel more masculine.

It is important to note that this explanation for mass rape does not fatalistically denounce men as aggressive, fighting machines. In fact, it is commonly noted by researchers dealing with militia members, even those who have raped, that most Congolese men are not overly aggressive, violent, and sexual soldiers. Rather that they are men desperate for a role to provide for their families and are sometimes conscripted against their will (Mechanic 24). Militarization is the concentration of African cultural system of patriarchy as an ideological base. Patriarchy in this sense defines womanhood as everything that is profane, weak, unworthy, and undesirable; it is the fuel for militarization which has contributed to mass systematic rape. It is also an explicit form of structural violence institutionalized through military practices that draw from the society; it is a vicious cycle.

This analysis has shown that these hyper-patriarchal values and manifestations through the belief of the inevitability of rape and militarization are a large part of the reason why rape happens on such a large scale. As discussed earlier, the culture in the Congo makes an especially successful tool for the "exploitation of social and cultural norms of honour and identity" (Meger

125). This occurs in part because the rapes happen on a massive scale and often as gang rapes, which indicates that the cause must be something beyond individual prerogative, the ability to escape repercussions, or an efficient weapon of dispersal. Such grisly sexual violence is used because it attacks women as a cultural symbol of motherhood and the cornerstone of society. This in turn “shatter[s] the very symbols of masculinity, stripping way men’s “manliness” when they are unable to protect their partners, wives, and children” (Mechanic 21). Feminist rape theory and the culture of the Congo help explain the gruesome nature of the sexual violence and the effectiveness seen when rape is also used as a weapon to disintegrate communities.

Evaluation of sociocultural structural causes of rape to the DRC

It is here at the end of the analysis that it is possible to evaluate and assess an aspect of human behavior as complex as culture, which arguably encompasses political and economic structures and environments. Culture does not predetermine human action and so mass rape in the Congo cannot be reduced to a ‘cultural proclivity.’ In any community there are subcultures and underground cultures that are purposefully contrary to mainstream cultural norms. This is clear in the case of the DRC because not all men are sexually violent towards women. In terms of militiamen, it is impossible to say if all members partake in sexual violence towards women as it would be difficult to record and quantify this.

CONCLUSION AND POLICY IMPLICATIONS

Based on the analysis of these three structural causes of mass, or excess, rape in the DRC, it is clear that there is not one single explanation for the unprecedented, unique level of mass rape. The unique political landscape, mineral wealth its black market, and the intersection of African, patriarchal cultural traditions with the militarization employed by the dozens of militia

groups in the DRC each play important roles. The complexity of this backdrop suggests that any policy or initiative meant to combat the scale of sexual violence in the Congo is doomed to fail and prove inadequate if it only addresses a single cause. Rather, analysts, policymakers, and global leaders should adopt an integrated perspective that considers all three.

A policy or NGO initiative that adopts the integrated perspective would include provisions addressing all three structural causes of rape. Policies should first address political instability by strengthening the legal system. I showed that current laws in place are structurally sound and appropriate for prosecuting sexual violence. But they need to be enforced so that there are fewer disincentives for men to disobey. Political change is already underway from within the country at the level of the civilians as seen by the referendum on the constitution, from within the African Union and at the international level from UN and US as seen from their continued involvement in the Congo. The political infrastructure is the most tangible problem and so these should be the first measures taken. Encouraging judicial reform, providing victim services including psychological care and protection, fighting impunity of offenders including policemen and FARDC soldiers (Bjørkhaug, Jennings, Bøås, Demetriou and Magnuson, and Mukwege) are some of the key tenets that should be included in any action meant to tackle political structural causes of rape by way of deterring rapists. Belief in the inevitability of punishment is the most basic element of deterring rapists. It also would have positive effects on the rest of the country, increasing trust in the government.

Second, policies should address the black market for the mineral wealth of the Congo. While preventing illegal exports to first world countries is difficult (Meger 118-120), it is possible to build off of policies already in place. Policies should look to limit the monetary pay off from participating in mineral looting and illegal exports; by limiting wealth to be had from

the black market, militias would logically have less of a reason to utilize rape as a weapon of dispersal to get at mineral-wealth for quick and easy access to funds. The DRC does not have the resources to control this illegal exportation and so the next logical step is to penalize the companies that buy these illicit minerals from militias. According to Meger, most of the companies that engage in this illegal trade are from first world countries, including the US, UK, Belgium, and South Africa (120). By forcing companies to disclose where they obtain these metals from, the governments of these countries can regulate and curb illegal exportation of minerals from the DRC and increase consumer awareness and demand for humanely procured products. As discussed above, US legislation already is tackling this problem (Dagne i). But this effort much be internationalized if the goal is to destroy the incentive behind the black market of conflict minerals.

Finally, sociocultural structural causes must be addressed. These are the most difficult as they are the most intangible and ingrained into an entire country. There is no ethical or non-invasive policy that can be enacted to address patriarchy directly and there is no logistically feasible effort that can be made to address militarization in militias effectively. The best way to address the system of gender inequality and dismantle the belief that men are dominant over women is to bring women to the table to solve the problem (Puechguirbal 1278). In the groundbreaking article, "Women Waging Peace: Inclusive Security," Swanee Hunt and Cristina Posa argued that women have as much or more to bring to the peace making process than men and advocated for women to be viewed politically and culturally as more than just victims who are vulnerable, but as women who have agency and problem solving skills (38-39). By encouraging or perhaps even requiring women to be included in policymaking at the international level, this can set an example for the DRC and hopefully begin to raise the sociocultural status of women.

Militarization is even harder to address. However, the proposals above will increase the chances that the conflict will stop once and for all and women will be targeted less frequently.

Importantly, providing rehabilitation and reintegration programs of former militia men will increase their well-being and decrease the likelihood of their return to militia groups (Mukwege and Kelly).

Ideally, these three causes will be addressed as described above by the government of the DRC with the support and coordination of the international community and the United Nations. Because the feasibility and logistical difficulty in enacting a single policy or initiative that would encompass all of these suggestions would be overwhelming and formidable, several states and organizations acting in concert with regular, organized communication and drafting of policy would be the most successful. For example, other states and NGOs might focus on the legal system while countries that trade with DRC ensure clean mineral markets, and while the UN through UNIFEM, and other interested NGOs, work on integrating women in the peace making and policymaking tables and providing victim's services. All of these efforts are essentially happening now or have happened in the past, but without coordination. The orchestration between countries and the UN is not impossible, but the effective inclusion and integration of NGOs is difficult. The work of NGOs cannot be discounted, but a reevaluation of the long-term effects and Congolese success as a state should be considered.

While mass rape in the Congo is a complex, articulating three structural causes of rape with three different theories of motivation behind rape, and applying each to the DRC case, helps untangle the problem. None of these causes fully accounts for mass rape. Ideally, if one structural cause could be fully addressed without feasibility and logistics in mind, it would be sociocultural causes of rape because they are the most pervasive and the most basic. But because

this is not feasible, I conclude that an integrated or three-pronged approach is the most useful. Policymakers and international leaders should focus on the complexity of mass rape in the Congo and accept that solving the problem will not be quick or easy. Only by integrating the three broadest, structural causes and better coordinating responses at the international level can we hope to tackle this severe problem.

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