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Content

Abbreviations.....	6
Figures, Tables, Maps.....	8
1. Introduction	9
1.1 Context.....	9
1.2 Research Questions	10
1.3 Research Design	11
1.4 Definitions of Sexual Violence	13
1.5 Arguments	15
1.6 Plan for Thesis.....	16
2. State of the Art.....	18
2.1 South Sudan	18
2.1.1 History and Politics	18
2.1.2 Sexual Violence.....	18
2.2 Sexual Violence.....	20
2.2.1 Historical Background	20
2.2.2 Birth of a new field of research	21
2.2.3 Sexual Violence in Studies of Violence	23
3. Feminist Approaches to Sexual Violence	25
3.1 Feminist Scholarship and Feminist Approaches to Sexual Violence.....	25
3.2 Core Concepts, Themes and Approaches to Sexual Violence.....	28
3.2.1 A Continuum of Sexual Violence in Times of War and Peace	29
3.2.2 Rape as a Weapon of War Discourse	31
3.2.3 Hierarchy of Rape	33
3.2.4 Masculinities.....	35
3.2.5 Women as Perpetrators of Sexual Violence	36
4. Typologies of Sexual Violence & Constructing an Analytical Framework.....	39
4.1 Introduction	39
4.2 Categorisation of Conflict-Related Sexual Violence.....	39
4.3 Analytical Eclecticism.....	40
4.4 Typologies of Conflict-Related Sexual Violence	42
4.4.1 Strategic vs. Opportunistic Sexual Violence	43
4.4.2 Wood's Typology of Political Violence	44
4.4.3 Sara Meger's Preliminary Typology of Wartime Sexual Violence	45
4.4.4 Bonn International Center for Conversion (BICC) – A Typology of Wartime Rape	46
4.5 Terminology and Definitions	47
4.6 Building an Analytical Framework for the Analysis of Conflict-Related Sexual Violence	49
4.7 Analytical Framework: Presenting the Typology of Conflict-Related Sexual Violence	50
4.7.1 Form.....	52
4.7.2 Function and Objective	53

4.8	<i>Gender as An Analytical Category</i>	54
5.	Methodology	56
5.1	<i>Introduction</i>	56
5.2	<i>Qualitative Method</i>	56
5.3	<i>The Case Study</i>	57
5.3.1	Conflict-Related Sexual Violence in South Sudan as a Case Study.....	58
5.3.2	Collecting Evidence: Data Collection.....	59
5.3.3	Analysing Case Study Evidence: Document Analysis.....	59
5.3.4	Reporting Case Studies.....	61
5.4	<i>Feminist Approaches to Conflict-Related Sexual Violence – Implications for Methodology</i>	61
5.5	<i>Theory development and theory testing</i>	62
5.6	<i>Materials</i>	63
5.6.1	United Nations Documents	64
5.6.2	Non-Governmental Organisation (NGO) bias.....	64
5.6.3	Strengths of my sources.....	64
5.7	<i>Summary of Method: How the analysis will be done</i>	65
6.	Historical, Social and Political Background for South Sudan	67
6.1	<i>Introduction</i>	67
6.2	<i>From Revolution to Independence</i>	67
6.3	<i>Civil War</i>	67
6.4	<i>Main Actors</i>	69
6.5	<i>United Nations Mission in South Sudan (UNMISS)</i>	69
6.6	<i>Protection of Civilians (PoC) Sites</i>	70
6.7	<i>Geography</i>	70
6.8	<i>Pastoralism</i>	71
6.9	<i>Ethnic Groups</i>	71
6.10	<i>Gender in South Sudan</i>	73
6.11	<i>Sexual Violence in South Sudan</i>	74
7.	Case Study: Document Analysis	76
7.1	<i>2014</i>	77
7.1.1	Interim Summary of Reports Published in 2014	81
7.2	<i>2015</i>	82
7.2.1	Interim Summary of Reports Published in 2015	84
7.3	<i>2016</i>	84
7.3.1	Interim Summary of Reports Published in 2016	86
7.4	<i>2017</i>	86
7.4.1	Interim Summary of Reports Published in 2017	92
7.5	<i>2018</i>	93
7.5.1	Interim Summary of Reports Published in 2018	96
7.6	<i>2019</i>	97
7.6.1	Interim Summary of Reports Published in 2019	100
7.7	<i>Summary of Document Analysis</i>	101

8. Case Study: Results	102
8.1 <i>A Preliminary Typology of Conflict-Related Sexual Violence</i>	<i>104</i>
8.1.1 Opportunistic Rape	105
8.1.2 Gang Rape	106
8.1.3 Rape as a Practice	108
8.1.4 Rape as a Policy	111
8.1.5 Sexual Slavery	113
8.1.6 Sexual Torture	115
8.1.7 Sexual Mutilation	117
8.1.8 Forced Sterilisation/Abortion & Forced Pregnancy	119
8.1.9 Forced Prostitution	121
8.2 <i>Deviations from Framework.....</i>	<i>121</i>
8.2.1 Forced Marriage	121
8.2.2 Abduction for the Purposes of Sexual Slavery.....	122
8.2.3 Forced nudity.....	122
8.2.4 Men vs Women as Victims of Sexual Violence	122
8.3 <i>Revision of Typology in Light of Findings About South Sudan</i>	<i>123</i>
8.4 <i>Revised Typology of Conflict-Related Sexual Violence</i>	<i>124</i>
8.5 <i>Generalisability of the Revised Typology</i>	<i>126</i>
9. Conclusion.....	128
9.1 <i>Research Question 1</i>	<i>128</i>
9.2 <i>Research Question 2</i>	<i>130</i>
References	134
Annex 1: List of Documents Consulted in Case Study	148
Annex 2: Abstract [English]	152
Annex 3: Abstract [Deutsch].....	153

Abbreviations

ACLED	Armed Conflict Location & Event Data Project
AI	Amnesty International
ARCSS	Agreement on the Resolution of the Conflict in South Sudan
BICC	Bonn International Centre for Conversion
CPA	Comprehensive Peace Agreement
CRSV	Conflict-Related Sexual Violence
FFI	Norwegian Research Defence Establishment
GBV	Gender-Based Violence
HRC	Human Rights Council
HRW	Human Rights Watch
ICRC	International Committee of the Red Cross
MSF	Médecins Sans Frontières
NGO	Non-Governmental Organisation
OHCHR	United Nations High Commissioner for Human Rights
SPLM/A	The Sudan People's Liberation Movement and Army

SPLM-IO	Sudan People's Liberation Movement-in-Opposition
SVAC	Sexual Violence in Armed Conflict (dataset)
R-ARCSS	Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan
UNMISS	United Nations Mission in South Sudan
UNHRC	United Nations Human Rights Council
UNSC	United Nations Security Council

Figures, Tables, Maps

Figures

- Figure 1: “A Typology of Rape by Armed Organizations during Conflict”. Page 45.
- Figure 2: “Conditions of War and Types of Sexual Violence”. Page 46.

Tables

- Table 1: A Preliminary Typology of Conflict-Related Sexual Violence: Analytical Framework Built for Case study. Page 50-51.
- Table 2: A Preliminary Typology of Conflict-Related Sexual Violence: Analytical Framework Built for Case study. Page 104.
- Table 3: Revised Typology of Conflict-Related Sexual Violence: Analytical Framework Built for Case study. Page 124 – 126.

Map

- Map 1: Showing the distribution of Ethnic groups in South Sudan. Page 72.

1. Introduction

1.1 Context

The history of sexual violence in conflict goes back thousands of years, and its occurrence has for the greater part of history been considered an unfortunate but inevitable aspect of warfare (Meger, 2016, p. 1). Today, much thanks to the efforts of feminist movements in the 1970s and 1980s, sexual violence in conflict is viewed with greater nuance, and is commonly considered to be both preventable and avoidable (Skjelsbæk, 2010, p. 7). Importantly, the role that gender inequality and patriarchal norms play as drivers of conflict-related sexual violence are increasingly recognised thanks to analyses made by feminist scholars looking at the interlinkages between gender, conflict and violence (e.g. by Sjoberg, 2016; Meger, 2016; Baaz & Stern, 2013).

While sexual violence is a common feature of many contemporary conflicts, some conflicts have a higher prevalence of sexual violence than others (Wood, 2009, p. 131). In general, conflicts on the African continent see a higher proportion of sexual violence against women than conflicts on other continents (Kishi & Pavlik & Matfess, 2019, p. 6). One of the countries on the African continent that has seen a relatively high occurrence of sexual violence is South Sudan. Since the outbreak of a civil war in 2013, sexual violence has come to be a widespread problem affecting large numbers of people. According to the Commission on Human Rights in South Sudan, which is under the UN Human Rights Council (HRC), sexual violence has been witnessed “on a massive scale” (HRC, 2019, p. 6) throughout the conflict, perpetrated by both government and opposition forces, targeting a variety of victims including women, girls, men and boys.

South Sudan today remains a deeply patriarchal society, where gender inequality is pervasive, and where a gendered concept of power positions women as subordinate to men who are seen as the rightful guardians and protectors of women (Al, 2017, p. 17-18; D’Awol, 2011, p. 60). Decades of conflict and war has led to a weakening of social structures and to the militarisation of society (Bubenzer & Stern, 2011, p. xiii). These factors, coupled with deeply patriarchal norms, appear to have created a context where sexual violence has become

normalised and widespread. It is the high prevalence of conflict-related sexual violence, occurring within a deeply patriarchal society, which makes the civil war in South Sudan an interesting case to study. By analysing incidents of sexual violence in the South Sudanese civil war, this thesis aims to identify patterns in the form, function and objective of sexual violence, and to see how these are connected to different levels of gender inequalities in South Sudanese society. In doing this, the goal is to understand how and to what extent patriarchal norms and the gender inequality resulting from these can be seen as the causes and drivers of conflict-related sexual violence.

This thesis has a twofold objective: Firstly, the aim is to conduct a case study of incidents of conflict-related sexual violence in South Sudan. This will be done by constructing an analytical framework, a preliminary typology of conflict-related sexual violence, that will guide the case study. The goal is, through the case study, to identify patterns in the form, function and objective of conflict-related sexual violence in the case of South Sudan's civil war. Secondly, the thesis also aims to shed light on the links between gender, conflict and violence. This will be done by integrating a gender analysis into the typology and the case study, thus exploring how conflict-related sexual violence is linked to patriarchal norms and gender inequalities in South Sudanese society. Combined, the hope is that the findings from this thesis can be used by a wide range of actors, including civil society, UN entities and military planners, to design better prevention and response mechanisms to conflict-related sexual violence. Importantly, the thesis also has a normative objective, namely, through the gender analysis, to show that conflict-related sexual violence cannot be understood, prevented or ended without acknowledging the importance of patriarchy and gender inequality as drivers of this form of gender-based violence (GBV).

1.2 Research Questions

There are two research questions that will guide the investigations of this thesis:

Research Question 1: *Using a typology of conflict-related sexual violence, what can we learn about the form, function and objective of the phenomenon in the case of the South Sudanese civil war?*

Research Question 2: *To what extent is conflict-related sexual violence in South Sudan attributable to patriarchal norms in South Sudanese society?*

Research question (RQ) 1 is slightly broader than RQ 2. RQ 1 asks how one can use a typology to learn about the form, function and objective of conflict-related sexual violence (CRSV) in South Sudan, while RQ focusses more specifically on the links between CRSV and patriarchal norms.

The typology is central to the approach taken in the thesis. A typology is defined as a “study or analysis using a classification according to a general type” by the Oxford Dictionary (Lexico, 2019), and is a way to organise and group a phenomenon into categories based on some common characteristics. The idea is that one can use a typology to categorise a phenomenon, especially something characterised by complexity and chaos which can benefit from being inserted into categories in order to create a better overview and understanding thereof. By using the form, function and objective of CRSV as units of analysis, the goal is to identify some common themes and patterns that can increase our understanding of how sexual violence manifests and is used in the South Sudanese civil war.

RQ 2 asks the question to what extent one can understand conflict-related sexual violence in South Sudan as an expression of patriarchal norms in South Sudanese society. The question thus addresses the role of *patriarchy* and *gender inequality* in South Sudanese society, and provides an entryway to ask questions about how sexual violence and patriarchy are linked in conflict. Although this question is closely related to an underlying assumption guiding the approach taken in this thesis, namely that gender, conflict and sexual violence are related and need to be understood together, I have chosen to explicitly formulate the question to directly address the issue of how patriarchy and gender inequality can be considered to be a cause and driver of conflict-related sexual violence.

1.3 Research Design

In order to answer the research questions presented above, the thesis will make use of a qualitative method. More specifically, a case study based on a document analysis will be conducted. The case study will be guided by an analytical framework, a preliminary typology

of conflict-related sexual violence, which will be constructed specifically for the purposes of this thesis.

Although there already exist several *typologies* of sexual violence (e.g. Enloe, 2000; Isikozlu & Millard, 2010; Meger, 2016; Wood, 2018), none of these have been found to comprehensively cover the linkages between gender, conflict and sexual violence. For that reason, a new typology, informed by different feminist approaches to sexual violence, will be constructed and used to guide the case study of South Sudan and to categorise conflict-related sexual violence according to its different forms, functions and objectives.

The typology will be heavily influenced by so-called *feminist approaches* to sexual violence (which will be thoroughly explained and explored in chapter 3). Although there exists no single feminist approach to sexual violence (Ackerly, Stern & True, 2006, p. 6) (and for that reason *approach* is mostly referred to in plural form throughout the thesis), there are some common characteristics found in research that identifies as *feminist*: Crucially, feminist scholarship studies politics from a standpoint that “gender matters” (Ackerly et. al., 2006, p. 6), acknowledges that gender is socially constructed, and believes that gender needs to be used as an analytical category to reveal gender hierarchies and power relations (Tickner, 2006, p. 24; Sjoberg, 2013, p. 3). This is also the central innovation in the typology constructed as part of this thesis, namely that gender will be included as an analytical category, in order to support an analysis of conflict-related sexual violence that aims to better understand how sexual violence, gender and conflict are linked and related.

Much feminist research has concerned itself with deconstructing and critiquing existing frameworks and mainstream/dominant understandings of sexual violence (e.g. Baaz & Stern, 2013; Sjoberg, 2016). These critiques will serve a purpose when constructing a new framework: By integrating the concerns revealed into a new typology, the shortages of the existing frames of understanding can be addressed when building new theory. In the thesis, an eclectic analytical approach has therefore been chosen in order to build a new typology based on, and considering the strengths and weaknesses, of different approaches and existing typologies.

The goal of this thesis is not to formulate one grand theory of conflict-related sexual violence. Rather, by building a typology influenced by feminist approaches to sexual violence, and by using gender as an analytical category when analysing different forms of conflict-related sexual violence in the deeply patriarchal society of South Sudan, the goal is to increase our understanding of how and to what extent patriarchy may function as a causer and driver of CRSV in specific contexts. By doing this, the goal is to identify the root causes of the phenomenon that will need to be addressed in order to prevent and end conflict-related sexual violence.

1.4 Definitions of Sexual Violence

This thesis will use two distinct definitions of sexual violence that in different ways inform the understanding of conflict-related sexual violence taken in this thesis:

The first is a definition that focusses on the *forms* that sexual violence might have in conflict. It was developed by Cohen & Nordås (2014), the researchers behind the Sexual Violence in Armed Conflict (SVAC) dataset, which again have made their definition by merging the one used by the International Criminal Court (ICC) and a definition developed by Elisabeth Wood (2009). It is a gender-neutral definition which does not exclude the possibility of there being female perpetrators and male victims or vice versa. The first definition defines sexual violence as:

(1) rape, (2) sexual slavery, (3) forced prostitution, (4) forced pregnancy, and (5) forced sterilization/abortion, (...) (6) sexual mutilation, and (7) sexual torture. (Cohen & Nordås, 2014, p. 419).

The second definition of sexual violence used in this thesis is formulated by Laura Sjoberg (2016). Unlike the SVAC definition, Sjoberg's definition does not concern itself with the different *forms* of sexual violence, but instead focusses on how one should understand the origins of sexual violence and its functions in conflict. It has been deemed necessary to employ both definitions in the thesis because they offer important information about how conflict-related sexual violence may be understood. While definition 1 provides a basis for understanding *what* CRSV is in physical terms, definition 2 goes beyond the first by pointing

to the underlying causes and mechanisms that influence the making and causes of conflict-related sexual violence. The second definition of sexual violence used in this thesis is as follows:

it is best to describe sexual violence in war and conflict as a gendered, embodied, intimate, and iterated social practice, enacted within the context of the background knowledges of normalization, repetition, and gender subordination. (Sjoberg, 2016, p. 156).

Sjoberg's definition of sexual violence in conflict is more complex than the one used by SVAC and requires further unpacking and explaining: Firstly, the definition is based on an assumption that sexual violence in conflict cannot be understood without reference to gender, because "the sexualization, domination, subordination, and in-group bonding in sexual violence in war and conflict cannot be understood without reference to masculinities, femininities, and the construction of power relationships among them." (Sjoberg, 2016, p. 155). These power relationships referred to can also be understood as *gender hierarchies*, and the act of sexual violence in conflict is thus seen simultaneously as a result of and as the construction and institutionalisation of these hierarchies. This definition also sees sexual violence in conflict as a *social practice*, putting emphasis on the common background knowledges, social groups and experiences that perpetrators and victims often share (e.g. common understandings of gender, race, class and conflict) (Sjoberg, 2016, p. 155).

Sjoberg's definition provides an important basis for understanding how sexual violence stems from gender inequalities found in a society, and how it can be an expression and affirmation of these differences. For those reasons, it is crucial for the research design, as it provides support for the decision to include gender as an analytical category to reveal the power relations and gender hierarchies influencing and being influenced by different forms of sexual violence. Finally, starting the analysis of conflict-related sexual violence from the position that it is *gendered* and that it needs to be understood with reference to femininities, masculinities and power, will enable a thorough analysis of how gender inequalities influence expressions of sexual violence in the conflict in South Sudan.

Finally, it is necessary to clarify that this thesis will only concern itself with *conflict*-related sexual violence. The line between which sexual violence can be considered related to conflict or not may not seem straightforward; however, the thesis will use the same understanding as the one employed by Wood (2018) and Amnesty International (2017). In Wood's analysis, conflict-related is taken to mean sexual violence of "men as well as women by members of armed organizations during armed conflict (but not necessarily combat)" (Wood, 2018, p. 515). This is similar to the definition used by Amnesty International (2017), which sees conflict-related sexual violence as "incidents or patterns of sexual violence against women, men, girls or boys occurring in a conflict or post-conflict setting that have direct or indirect links with the conflict itself" (p. 6). Furthermore, as is also done by the SVAC researchers, this thesis will not concern itself with sexual violence where civilians are the perpetrators, for instance cases of intimate partner violence or other forms of domestic violence (Cohen & Nordås, 2014, p. 419). The term *gender-based violence* is often considered to include also violence that takes place in the domestic sphere (Green, 2004, p. 510), and would thus have been a more suitable term to use if the analysis should have included these types of gender-based harms. However, as the analysis is restricting itself to *conflict*-related sexual violence only, CRSV is the most appropriate term. Therefore, whenever sexual violence is mentioned in this thesis, it can be assumed that *conflict*-related sexual violence is meant unless explicitly stated otherwise.

1.5 Arguments

Throughout the thesis, I will make the three following arguments:

Firstly, the thesis finds current typologies and frameworks for analysing and understanding conflict-related sexual violence to be deficient, something which prompts the construction of a new typology which will guide a case study of South Sudan. Despite the deficiencies of existing frameworks, the utility of a typology and the categorisation of CRSV is still acknowledged and recognised. An underlying assumption of this thesis is therefore that categorisation of CRSV can increase our understanding of the phenomenon which again is crucial to prevent and end CRSV.

Secondly, the importance of gender and of using gender as an analytical category is integral to the methodological approach taken in this thesis. The link between conflict-related sexual

violence and gender takes place on several levels simultaneously, with an analysis of gender at the micro, meso and macro level enabling a deeper understanding of the causes of CRSV. Therefore, I argue that integrating gender as an analytical category transforms the study of conflict-related sexual violence and enables an analysis of links between different forms of sexual violence and how these are connected to patriarchal norms and gender inequalities at different analytical levels of South Sudanese society.

Thirdly, the core argument of the thesis is that conflict-related sexual violence needs to be understood as an expression of gender inequality, caused by patriarchal norms. By doing a gender analysis of CRSV in South Sudan, it will be shown that the targeting of victims is deeply gendered, and to a large extent based on the expected roles of men in society as soldiers and women as caretakers. Finally, as a consequence of this, it will be argued that without addressing the root causes of conflict-related sexual violence, which are identified as patriarchal norms and gender inequality, it will not be possible to prevent and end conflict-related sexual violence.

1.6 Plan for Thesis

The thesis starts with chapter 1 which holds the introduction, presents the research questions and arguments, and makes some important clarifications about the definitions used.

Chapter 2 will give a state of the art of the most relevant literature on the topic of conflict-related sexual violence and on South Sudan.

Chapter 3 will be used to introduce and examine different feminist approaches to conflict-related sexual violence. The purpose of this chapter is to present the theoretical understanding guiding the thesis, and to show why feminist approaches have been deemed the most suitable to: a) Support the theoretical approach of the thesis and b) Assist in answering the research questions.

Chapter 4 will examine different typologies of sexual violence and will then go on to construct a preliminary typology of conflict-related sexual violence that will function as an analytical framework guiding the case study of South Sudan. The purpose of this chapter is also to

demonstrate the deficiencies of existing typologies, and to integrate and address these in the new framework.

Chapter 5 presents the methods used to answer the research questions, and shows why a case study approach, based on a document analysis, guided by a typology of CRSV, has been chosen as the strategy to answer the research questions posed in this thesis.

Chapter 6 gives a short historical background to the civil war in South Sudan, and also presents some of the gender dynamics that can be found in South Sudanese society. The purpose of this chapter is to provide context and historical and societal background for the case study.

Chapter 7 is used for the document analysis which is the data basis for the case study. The chapter is used to systematically work through all the documents deemed relevant for the case study and to extract the most relevant information that speaks to the form, function and objective of different incidents of conflict-related sexual violence in South Sudan's civil war.

Chapter 8 is used to apply the analytical framework to the data extracted in chapter 7. Firstly, the aim is to identify patterns in the form, function and objective of conflict-related sexual violence. Secondly, through the gender analysis conducted in this chapter, it is found that there are strong links between patriarchal norms and sexual violence in the civil war in South Sudan. Finally, after showing the results of the case study of South Sudan, the preliminary typology developed in chapter 4 is re-examined and revised in light of the findings from the case study. Importantly, the analytical categories pertaining to the three levels of gender analysis at the micro, meso and macro level are filled in and the revised typology thus clearly shows the links between specific forms of conflict-related sexual violence and patriarchal norms and gender inequality in South Sudanese society.

Chapter 9 offers a conclusion and is used to summarise the findings that offer answers to the research questions. The thesis ends by arguing that the link between conflict-related sexual violence in the South Sudanese civil war and patriarchal norms and gender inequality in South Sudanese society is strong and must be addressed in order to prevent and end CRSV in South Sudan.

2. State of the Art

The aim of this chapter is to show the state of the art of research and scholarship important to the topic of this thesis. The state of the art is relatively short and presents the most relevant research and publications on South Sudan and on the general topic of conflict-related sexual violence. The different theoretical approaches influencing the methodology and research design of the thesis will be explored in more detail in the two chapters preceding this one.

2.1 South Sudan

2.1.1 History and Politics

On the general topic of the Republic of South Sudan, given the young age of the country, research and academic works on the country are relatively few, although some comprehensive and authoritative works on the history of South Sudan as a country exist. These are, among others, *A History of South Sudan - From Slavery to Independence* by Ø. Rolandsen and M. Daly (2016) and *South Sudan - A New History for a New Nation* by Douglas Johnson (2016). Former UN Secretary-General's Special Representative in South Sudan Hilde Frafjord Johnson's book *South Sudan: The Untold Story from Independence to Civil War* (2016) provides a helpful first-hand account of the events that led to the outbreak of the civil war in 2013, and of subsequent major political events. Alex de Waal (2016) in his review article on literature about South Sudan *Introduction: Making Sense of South Sudan* heavily criticises much writing on South Sudan, especially journalistic and advocacy-motivated writing on the country which he argues is often "notoriously ill-informed and simplistic" (p. 1). Still, he acknowledges that well-informed and relevant research does exist, citing for instance Douglas Johnson, as referred to above.

2.1.2 Sexual Violence

Conflict-related sexual violence in Africa is a widespread problem which has warranted several systematic studies, notably on the conflicts in the Democratic Republic of Congo (DRC), Sierra Leone, and the Central African Republic (Skjelsbæk, 2010, p. 47). There exist a few studies that look at the broader topic of gender-based violence in South Sudan, but the author has not

been successful in finding a single systematic academic study looking at conflict-related sexual violence in South Sudan.

Examples of scholarship that looks at gender-based violence in South Sudan include Scott et. al. who investigate *gender inequitable norms and gender-based violence* and find that there is both a high level of acceptance and a high frequency of violence against women in the communities researched in South Sudan (Scott et. al., 2013). Murphy et. al. investigate how conflict and displacement affect adolescent girl's vulnerability to sexual violence (both non-partner and intimate partner violence) and find that direct exposure to armed conflict increases the likelihood of an adolescent girl experiencing all forms of sexual violence (Murphy et. al., 2019). Important for the topic of this thesis, Murphy et. al. (2019) also find that "patriarchal practices, compounded by poverty and unequal power relationships within the home, remain some of the primary drivers of VAWG [Violence against Women and Girls]" (p. 1). Beyond these journal articles, there also exist some reports researched and written on the topic by different NGOs such as Amnesty International, Human Rights Watch and Médecins Sans Frontières (MSF). These reports will be of great importance as a data basis for the case study of South Sudan conducted in this thesis. Despite these few publications cited above, the topic of conflict-related sexual violence in South Sudan remains understudied and largely unexplored, especially within the field of political science and International Relations.

On the topic of gender in South Sudanese society, there exist a few reports by NGOs that tackle the topic of gender inequality and the role of women in South Sudan, for example Care International's report *Inequality and injustice: The deteriorating situation for women and girls in South Sudan's war A Progressive Gender Analysis: 2013 – 2016* (Care International, 2016). Additionally, the volume *Hope, Pain & Patience: The Lives of Women in South Sudan* (2011) edited by Friederike Bubenzer and Orly Stern provides a thorough background for both a historical and contemporary understanding of patriarchal norms, gender inequality and women's role in South Sudanese society.

Although relatively scarce, the quality of the academic works mentioned here provides a solid foundation for providing context and historical background to the country and South Sudanese society. However, academic works on the conflict, civil war and sexual violence

specifically are few, and the thesis will therefore largely rely on reports by the UN and NGOs to find information about on the ground incidents during the conflict.

2.2 Sexual Violence

2.2.1 Historical Background

Sexual violence in conflict is a phenomenon that can be traced back thousands of years; rape in war is well documented through literature, art and poetry, and the idea that “the female body is treated as an extension of the battlefield” (Skjelsbæk, 2010, p. 6) has resulted in war and rape being seen as two inevitably interlinked phenomena. Despite the strong historical and cultural connections between rape and war, academic studies on these linkages have until recently been extremely scarce (Wood, 2014, p. 458). One reason for this could be that it has mainly been a “female” problem, that rape in war has mostly harmed women, and that the problem has thus been marginalised as a personal and shameful problem belonging to the private female sphere, not to be discussed in public (Skjelsbæk, 2010, p. 6).

The wars of the 20th century saw a number of incidences of sexual violence; but although incidents such as the Rape of Nanking, and rape by American, German and Russian soldiers are well documented in literature, no systematic studies of sexual violence during the second world war have been conducted (Skjelsbæk, 2010, p. 7). The 18th and 19th century also saw a movement in international law that fought to change the idea of rape in war from “a reward for the victors’ to ‘a crime against the woman’” (De Brouwer, 2005, p. 5). From ancient times, rape had been considered a property crime, not a crime against the woman herself, but against the man who “owned” the woman (De Brouwer, 2005, p. 4). Even after rape was made a war crime under international law in the Geneva Conventions, there was still no explicit mention of sexual violence in international legal texts. Rape was defined as an “attack on [a woman’s] honour” (Geneva Convention IV, 1949, Article 27), a definition of rape which has been criticised for focussing on a woman’s character rather than on her rights (Green, 2004, p. 101). But despite advances in international law, the will to prosecute for sexual crimes during the wars of the 20th century was low until the latter half of the century.

It is not until the 1990s, with the conflicts in the former Yugoslavia and Rwanda and the associated grave crimes committed against civilians, often of a sexual nature, that the issue of sexual violence in conflict was given widespread public attention (Bernard & Durham, 2014, p. 427). This of course in no way means that sexual violence before the 1990s was in any way less prevalent than in the wars of the 1990s, but thorough political analysis of the phenomenon was virtually absent before that period (Skjelsbæk, 2010, p. 14). The increase in public awareness of sexual violence in conflict was probably a strong contributing factor to creating significant progress in several areas that dealt with sexual violence in conflict, including furthering the work of NGOs, UN agencies, militaries, governments and academics analysing the phenomenon (Bernard & Durham, 2014, p. 427). An important step in putting sexual violence in conflict at the heart of a new international framework for the promotion of women's security and rights, was the adoption of the Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1979 and the passing of UN Security Council Resolution 1325 on women, peace, and security adopted in 2000.

In addition to important improvements in the international legal framework, the 1990s also brought with them an evolution of how the concept of sexual violence in conflict came to be understood. Rape in war went from being seen as an unavoidable part of warfare to being seen as a (preventable) strategy and weapon of war (Baaz & Stern, 2013, p. 2; Meger, 2016, p. 7). Following conflicts in Bosnia, Rwanda, East-Timor and Kosovo, where incidents of sexual violence were prevalent and well-documented, it became clear that sexual violence could be used strategically as a weapon to achieve specific political goals (Skjelsbæk, 2010, p. 28-29).

2.2.2 Birth of a new field of research

Research on sexual violence is a relatively new field compared to research on other types of violence, and scholarship on the phenomenon often suffers from unclear and diffuse definitions (Green, 2004, p. 101). Furthermore, studies on the phenomenon can be found in a number of academic fields, such as psychology (looking at the psychological effects of sexual violence on victim or perpetrator or both), sociology (how it influences a society) or anthropology (cultural meanings of the phenomenon). The focus of this thesis, however, is on the political dimensions of the phenomenon.

The feminist movement of the 1970s and 1980s was closely associated with the growing awareness of the links between unequal gender relations and rape in war (Meger, 2016, p. 7; Baaz & Stern, 2018, p. 299). A pioneer when it came to writing about rape as a political issue rather than something belonging to the private sphere was Susan Brownmiller, who in her influential book *Against Our Will: Men, Women and Rape* said that “rape flourishes in warfare irrespective of nationality or geographic location” (Brownmiller, 2013 [1975], loc. 520). In arguing that “War provides men with the perfect psychologic backdrop to give vent to their contempt for women” (2013 [1975], loc. 529), Brownmiller contends that rape in war is an act of men asserting their power over women. She thus became one of the first to point to the structural causes of and reasons for wartime rape, and to dispel the myth that rape was an inevitable and unavoidable part of war, produced by the uncontrollable biological needs and impulses of men.

But despite some early feminist works such as Brownmiller’s on rape and war, the political and systematic use of sexual violence in war was not explored academically until the 1990s: The edited volume *Mass rape: The war against women in Bosnia-Herzegovina* (Stiglmeier, 1994) holds a collection of articles written by academics, journalists and activists which details mass-rape in the former Yugoslavia. Beverly Allen (1996) in her book *Rape warfare: The hidden genocide in Bosnia-Herzegovina and Croatia* also documents the widespread use of rape as a tactic in the wars in Bosnia-Herzegovina and Croatia, and was one of the first to coin the term “genocidal rape” which she defines as “a military policy of rape for the purpose of genocide” (loc. 60).

In addition to numerous works detailing the atrocities of specific wars, there was also progress in terms of conceptualising and defining sexual violence in war: Claudia Card (1996) in her article *Rape as a Weapon of War* is among the first to point to the *objectives* of “martial rape” as she terms wartime rape, and argues that the objective of rape in war is “expulsion and dispersion” (p. 8). Carolyn Nordstrom (1996) in her article *Rape: Politics and Theory in War and Peace* goes a long way in revealing and describing the gender dimensions of conflict in arguing that “rape is a fundamentally gendered phenomenon” (p. 150).

The publications cited above, that look at the connections between rape and conflict, have in common an awareness of and sensitivity to the interlinkages between gender and war. Nordstrom (1996, p. 147) points out that most of the literature on rape is predominantly feminist. Furthermore, looking more broadly at the academic field of military studies, she says that out of all the “scores of thousands of texts on military matters” (p. 147) there are virtually none that tackle the issue of rape in war, and that sexual violence “has been largely silenced in the history of academic and military discourses” (p. 147). Considering the issue of security and gender, Sjoberg (2009, p. 185) points out that out of 5000 articles in the top security journals, less than 40 substantively address gender issues.

If one restricts oneself to look at only the small subfield in academia that looks specifically at sexual violence in war, an awareness of the gender dimensions of war is widespread. Where such an awareness is more difficult to find, however, is in the broader field of violence and military studies in the field of political science and International Relations. Chapter 3 on feminist approaches to sexual violence will be used to present and discuss the literature that directly deals with gender, war and sexual violence. But before presenting feminist approaches to sexual violence, I will briefly demonstrate the deficiency with which the “mainstream” war and violence literature deals with the topic of sexual violence.

2.2.3 Sexual Violence in Studies of Violence

The study of violence in wars and conflicts has a long tradition within political science, and studies of violence in conflict are often placed under the subfield of security studies (Downes, 2008, p. 6). Stathis Kalyvas (2012) argues that there has been “an explosion of research on political violence and conflict” (p. 658) in recent years, with an increasing focus on violence within civil wars, while Jeffrey Kopstein (2018) says that the analysis of the “logic of violence within civil wars” (p. 751) in recent years has evolved into a rich field of political science. What is missing from much of this research, however, is any attention to the interlinkages of gender and conflict and an explanation for why sexual violence is so prevalent in modern conflicts. Furthermore, despite the existence of frameworks that systematise and categorise violence in conflict (such as for example Beadle, 2014), no information on how to understand and categorise sexual violence has been found within the mainstream literature on the topic.

For example, in his authoritative work that aims to explain rebel violence in civil wars *Inside rebellion: The politics of insurgent violence*, Jeremy Weinstein (2007) at no point tries to explain why it is that rebels frequently commit violence of a sexual nature towards civilians and combatant enemies alike. Rape is mentioned in a few places, but only to describe a behaviour adopted by rebels, never to explain the causes of why it is taking place. The same is true for Stathis Kalyvas who in his influential book *The Logic of Violence in Civil War* from 2006 makes no attempt at explaining why sexual violence seems to be the method of choice for so many combatants, both government and rebel forces, in modern conflicts.

The list of influential scholars who fail to address sexual violence in conflict in their works goes on, but the point here is not to give a comprehensive overview over scholarship that fails to integrate gender as an analytical category into their research. The point is also not to discredit the works themselves or the findings contained therein. The point is rather to highlight the gap that exists between the “mainstream” literature on violence in conflict and feminist studies of conflict-related sexual violence. Besides this, failing to address the gender dimensions of conflict and violence can also be seen as an empirical problem. As Sjoberg (2009) argues; “Failing to recognize gender hierarchy makes IR scholarship less descriptively accurate and predictively powerful for its omission of this major force in global politics” (p. 191).

3. Feminist Approaches to Sexual Violence

The purpose of this chapter is to outline the theoretical understanding guiding the methodology of this thesis, by exploring central concepts and theories that are used by feminist scholars to understand and explain sexual violence.

Before going into detail on the different concepts and theories of sexual violence, it is important to clarify what is meant by *feminist scholarship* and by *feminist approaches to sexual violence*, and to say why and how the feminist approaches to sexual violence have been deemed the most appropriate to assist in answering the research questions posed in this thesis.

3.1 Feminist Scholarship and Feminist Approaches to Sexual Violence

To be clear, when discussing feminist scholarship, I am restricting the discussion here to feminist scholarship within political science and International Relations, as that is the field within which the thesis is written and thus the most relevant area to focus on. There exists no single authoritative definition of what constitutes feminist scholarship (Ackerly et. al., 2006, p. 6; Sjoberg, 2013, p. 4), and, in fact, a strict definition of *feminist scholarship* would be against its purpose as it is a field that “eschews definition” (Ackerly et. al., 2006, p. 2). Still, it is possible to give some common characteristics of research made by different scholars that can be gathered under the umbrella term *feminist*: In essence, they are “scholars who are interested in studying global politics from a stance that gender matters” (Ackerly et. al., 2006, p. 6). It is in large part this core characteristic of feminist scholarship which has made it relevant to use to inform the theoretical approach taken in this thesis in order to answer the research questions. It was largely the bafflement with the *gender blindness* displayed by “mainstream” researchers on violence against civilians which sparked my interest in the topic of gender-based harms, and conflict-related sexual violence in particular. One of the goals of this thesis is thus to work under the assumption that gender matters, and that gender needs to be included in any analysis of conflict and violence. The assumption that politics cannot be understood without reference to gender is a core concept within feminist scholarship, and accordingly resonates with one of the primary goals of this thesis, namely to explore how

conflict-related sexual violence and gender are connected and to argue that is not possible to understand conflict-related sexual violence without reference to gender.

A feminist approach believes that gender as a concept is *conceptually, empirically, and normatively* vital to understanding politics and security (Sjoberg, 2009, p. 186). Gender can be understood as “a system of symbolic meaning that creates social hierarchies based on perceived associations with masculine and feminine characteristics” (Sjoberg, 2009, p. 187). A feminist approach to sexual violence acknowledges the existence of gender hierarchies, which, according to Meger (2016), may be understood as “a means of social stratification that privileges a particular form of masculinity as superior and therefore dominant” (p. 5). This is connected with the idea that people inhabiting some forms of masculine attributes are privileged at the expense of other people defined as displaying feminine attributes (Kirby, 2013, p. 799). A feminist approach to sexual violence thus acknowledges the existence of gender hierarchies and their influence on conflict, and furthermore believes that gender (“as a system of symbolic meaning”) must form part of any analysis of the phenomenon.

As argued by Tickner et. al. (2006, p. 6), all research within political science and IR is motivated by a normative purpose, although this is not always acknowledged (or known even to the researcher herself). The normative purpose of a feminist researcher is closely linked to an emancipatory commitment, one that believes it to be necessary to analyse and reveal gender subordination in order to end it. Another common characteristic of feminist scholarship is thus an interest in understanding and analysing gender subordination and inequality in its various forms (Sjoberg, 2013, p. 5).

In the context of this thesis, it is especially research question 2 on the linkages between conflict-related sexual violence and patriarchal norms that can be said to correspond well to the characteristics of feminist scholarship described above: Not only does the research question ask about the influence of patriarchal norms on a form of gender-based violence, thereby seeking to know more about linkages between gender (inequalities) and violence, but the underlying assumption of the connected argument is also that one needs to end gender inequality and subordination in order to end sexual violence, thus also having an emancipatory purpose and motivation.

Finally, feminist approaches tend to agree that any research that does not include gender is “not gender-neutral but gender-biased” (Sjoberg, 2009, p. 201), meaning that when “mainstream” security studies describe a world without acknowledging gender hierarchies they are thus presenting and perpetuating a gendered world view themselves.

Despite these common characteristics of feminist scholarship, it is also possible to divide feminist scholarship into different categories based on their theoretical approach, examples including realist, liberal, critical, constructivist, poststructural or postcolonial approaches (Sjoberg, 2013, p. 4). When it comes to feminist approaches to sexual violence specifically, Inger Skjelsbæk (2001, 2010) divides them into three separate *epistemologies* based on who they see as the victim of sexual violence: 1. Essentialism, which sees all women as victims because sexual violence is a militarised expression of masculinity, 2. Structuralism, which sees some women becoming victims of sexual violence because of their membership of a specific group, and 3. Social Constructionism, which conceptualises both men and women as victims of sexual violence, and sees masculinity and femininity as flexible categories that may be applied freely in a conflict (Skjelsbæk, 2001, p. 227, 2010, p. 40). This thesis employs the third understanding of who can become victims of sexual violence, seeing both women and men as possible victims. Furthermore, as will be explored in more detail below in this chapter, the concepts of masculinity and femininity are also seen as flexible categories which can be used as a frame for explaining some incidents of sexual violence.

When used as a lens for research, different theoretical approaches can lead to different and sometimes even contradicting research findings (Meger, 2016, p. 8-9). While the more traditional approaches, such as realist or liberal theories, are guided by a belief that it is possible to find some common truths about the causes of conflict and war, other critical approaches argue that it is necessary to acknowledge the existence of multiple histories, theories and understandings of war (Sjoberg, 2013, p. 41). Critical feminist approaches also tend to favour a “broadening” of the focus on war to a wider understanding of what should be considered a security issue (Sjoberg, 2013, p. 38). Had this thesis adopted that approach, it would perhaps have been natural to consider a broad range of gender-based harms, and not limiting the analysis to conflict-related sexual violence specifically. While a broadening of the

object to be theorised could have made sense if the purpose was to highlight all gender-based violence, it would at the same time also have been a trade-off that would take attention away from conflict-related sexual violence and which would generalise and possibly dilute the specific relevance of the findings. For that reason, a “narrow” focus on CRSV has been chosen in this thesis.

Beyond saying that the approach taken in this thesis is informed by feminist scholarship on political and International Relations, there is no attempt to further label the approach as realist, liberal, poststructuralist or under any other theory. Still, it is definitely possible to say that the approach guiding the methodology of this thesis is informed by a belief that it is possible to find some common knowledge about the causes and nature of sexual violence in conflict. Despite acknowledging the existence of multiple understandings and theories of sexual violence, the aim in this thesis is to identify some findings about sexual violence in conflict that can help improve prevention mechanisms and inform policy on the issue. This idea of the existence of common knowledge would be disputed by some feminist scholars, for example by normatively driven critical scholars who see knowledge as subjective and specific to context (Sjoberg, 2013, p. 38). Instead of trying to identify some hypotheses about the origins of specific incidents of sexual violence in conflict, critical scholars might instead focus on deconstructing discourses, knowledge and interpretations of conflict-related sexual violence. Despite being a valid method, taking such an approach to the topic would make it difficult to say something definitive about the causes of sexual violence, which again would make it even harder to use findings from this research in policy that aims to prevent and protect people from sexual violence in real present-day conflicts.

3.2 Core Concepts, Themes and Approaches to Sexual Violence

The following discussion aims to present the core concepts, debates and theories of sexual violence that are deemed the most relevant for the focus of and methodological choices made for this thesis. By showing the state contemporary research and debates, the goal is to outline where this thesis positions itself on central issues and to show how the debates inform the specific approach and theoretical understanding underpinning this thesis.

3.2.1 A Continuum of Sexual Violence in Times of War and Peace

One of the core areas where feminist approaches to sexual violence differ between one another, is in their understanding of under which conditions sexual violence should be analysed. Another way to describe this debate is to ask *when* the sexual violence takes place: Whereas some see sexual violence on a spectrum of gender-based violence that exists across times of war and peace (e.g.: True, 2012; Baaz & Stern, 2018), others argue that sexual violence in war and peace are so substantively different that they need to be analysed separately (e.g.: Wood, 2018; Alison, 2007).

Elisabeth J. Wood is one of the strongest voices proposing conflict-related sexual violence to be analysed as a category separate from peacetime sexual violence (Wood, 2018, p. 515). Looking especially at variation in the prevalence of sexual violence between different conflicts, Wood's argument is that it is exactly that variation, where some conflicts see a high frequency of sexual violence and other conflicts have a marked absence of the phenomenon, which requires conflict-related sexual violence to be analysed and understood in its wartime context (Wood, 2018, p. 516, 524). Following this line of reasoning, this thesis investigates the conflict in South Sudan which sees a high prevalence of sexual violence and will thus increase our understanding of settings where it is prevalent.

Sara Meger (2016), in her book *Rape Loot Pillage: The Political Economy of Sexual Violence in Armed Conflict*, also operates with the concept of conflict-related sexual violence as a separately analysable category from peacetime sexual violence. Her focus is on pointing out the need to analyse the phenomenon given its "contextually specific social, cultural, political, and economic determinants that inform the conflict and give meaning to this violence" (Meger, 2016, p. 2). Meger's focus is thus similar to Wood's in that they both focus on explaining the variation in the functions and forms of sexual violence in different conflicts. This awareness of variation by conflict and according to context is useful to keep in mind when analysing one specific conflict, especially as it can be a reminder that not all conflicts see the same logics of sexual violence and thus cannot be treated with the same policies and prevention mechanisms. As this thesis will focus on an in-depth case study of one particular conflict, this awareness and knowledge is important to keep in mind when trying to generalise from the findings about sexual violence in this specific conflict to say something more general

about sexual violence in other conflicts; although some lessons and insights might be transferable, context is still of great importance, and findings about conflict-related sexual violence in South Sudan might not be directly transferrable or relevant to conflicts in other countries and contexts.

Researchers in The Armed Conflict Location & Event Data Project (ACLED) display a broader understanding of what they call “political gender-based violence” in their report *Terribly And Terrifyingly Normal – Political Violence Targeting Women* (Kishi & Pavlik & Matfess, 2019) where they investigate violence against women in both times of war and peace. Nevertheless, when looking specifically at sexual violence, Kishi, Pavlik and Matfess of ACLED still maintain the method of looking at *war-time* sexual violence only (Kishi et. al., 2019, p. 9, 14). This would suggest that even though they acknowledge that violence against women can take place in both times of war and peace, they find sexual violence in times of war to be of particular relevance, and also to be unique enough to warrant analysis as a separate category.

Baaz & Stern (2018) are strong critics of the separation of sexual violence in war and peace into different analytical categories, and argue that by “drawing these lines, sexual violence in the (seemingly) exceptional state of war emerges as particularly urgent” (p. 296), thereby somehow discounting the urgency of sexual violence that takes place during times of peace. In a similar manner, Jacqui True (2012) argues that especially feminist security studies tend to focus exclusively on sexual violence in conflict, thereby contributing to “perpetuate the invisibility of violence against women in peacetime” (p. 5). True (2012) argues that by focussing on the context of war and conflict, feminist scholarship on sexual violence often fails to incorporate the “gendered social, political, and economic inequalities” (p. 6) that influence women’s exposure to violence in all settings, whether in war or in peace. This theoretical approach that sees sexual violence on a continuum going through war and peace can be related to the critical feminist approach to politics described above that proposes a broadening of what should be considered a security issue. Instead of restricting the analysis to sexual violence in conflict, they propose a broader understanding of the phenomenon that analyses it whether it takes place in war or in peace (which in itself are two concepts that can also be understood as a continuum rather than a dichotomy). In sum, this group of authors

believes that by focussing on sexual violence in conflict, one discounts the significance and importance of addressing sexual violence that takes place during times of peace.

The debate on whether sexual violence must be analysed across times of war and peace, or whether *conflict*-related sexual violence may be understood as a separately analysable category has implications for the research methods of this thesis: The thesis will investigate conflict-related sexual violence specifically, and thus follows the approach that believes sexual violence in times of war and times of peace, given their unique and different context, are so different that they need to be analysed as distinct categories. This approach is supported by Miranda Alison (2007, p. 78) who agrees that despite the similarities between sexual violence in war and in peace, the widespread and systematic nature of sexual violence in conflict requires a separate, comprehensive analysis. Furthermore, given the “massive scale” (HRC, 2019, p.6) on which sexual violence is being witnessed in the South Sudanese conflict, a separate analysis of conflict-related sexual violence in that setting will increase our understanding of conflicts where CRSV is prevalent.

Still, it is important to emphasise that it should be possible to analyse *conflict*-related sexual violence without discounting the importance of sexual violence where conflict is absent. In fact, one could even argue that a focus on wartime sexual violence promotes awareness and understanding of peacetime sexual violence too, as it also brings attention to the broader issue of the sexual violence. Furthermore, while this thesis will indeed look exclusively at conflict-related sexual violence, this also does not mean that it sees sexual violence in conflict and in peace as two different categories of violence; rather, it acknowledges the unique context of a conflict and the impact this may have on different forms of gender-based violence such as sexual violence.

3.2.2 Rape as a Weapon of War Discourse

The 1990s saw a significant shift in the way rape in war was seen and understood: It went from being seen as an unavoidable byproduct of warfare to being considered something organised and systematic. Sara Meger (2016) refers to this as a shift from the “rape-loot-pillage paradigm” to the “rape as a weapon of war paradigm” (p. 7), where *rape-loot-pillage* represents the idea that sexual violence is about the spoils of war and *rape as a weapon* is about its systematic

and strategic usage in war. Thus, the Rape as a Weapon of War Discourse can broadly be understood as an umbrella term for those discussions and approaches to sexual violence that acknowledge and focus on the systematic nature of rape in war. And although the Rape as a Weapon of War Discourse has seen some criticism in recent years from feminist scholars (e.g. Baaz & Stern, 2018), it still remains the leading frame of understanding for sexual violence today, significantly by policy-makers, NGOs and within the UN system (Baaz & Stern, 2018, p. 296; Kirby, 2013, p. 798).

Inger Skjelsbæk (2010) argues that a “weapon of war” may be understood as something that is “part of a systematic political campaign that has strategic military purposes” (p. 27). It is exactly this *strategic* aspect of the Rape as a Weapon of War Discourse that has been criticised by some scholars: Elisabeth Wood argues that the strategic aspect of rape is often presumed instead of being demonstrated (Wood, 2018, p. 514). Although she acknowledges that mass rape can be adopted as a strategy and used as part of military campaigns to achieve specific, strategic objectives, she also criticises existing literature for deducting the strategic nature of rape from its effects (for example, when mass rape is followed by expulsion of an ethnic group from an area) rather than demonstrating evidence that rape formed part of the original strategy (Wood, 2018, p. 514).

Furthermore, the Rape as a Weapon of War Discourse has been criticised for being both *reductionist* and *universalising* (Baaz & Stern, 2018, p. 296). It is reductionist because it reduces our understanding of gender-based harms to focus only on rape and only in the context of a conflict, and it is universalising because it creates one single frame of understanding for wartime rape and leaves no room for alternative explanations. These critiques are echoed by Paul Kirby (2013) who argues that “the consensus that rape is a weapon of war obscures important, and frequently unacknowledged, differences in our ways of understanding and explaining it” (p. 798). He thus proceeds to do an analysis of different *modes of critical explanation* within feminist approaches to sexual violence, and argues that by acknowledging the different ways that rape might be a weapon of war, and the multitude of ways of responding to it, one can improve feminist analyses of the phenomenon (Kirby, 2013, p. 816). Keeping a singular focus on the causes and consequences of sexual violence in conflict as all stemming from its strategic nature could contribute to all incidents and forms of

this type of violence being treated in the same way without attention to the contextually specific variations.

Baaz & Stern in their book *Sexual violence as a weapon of war?: Perceptions, prescriptions, problems in the Congo and beyond* (2013) spend greater parts of their book unpacking and deconstructing the Rape as a Weapon of War Discourse. While taking great care not to nullify the hard-won victories of the feminist movement that took sexual violence in war out of the private sphere and onto the agenda of academics, civil society and policymakers, they still go far in criticising the dominant discourse for being “decidedly policy friendly, lending itself to the necessary reductionism for arriving at viable policy goals” (Baaz & Stern, 2013, p. 4) and for how its “generalised story of rape in war limits our abilities to analyse and redress instances of sexual violence in specific warscapes” (Baaz & Stern, 2013, p. 5).

The implications of the above criticisms of the Rape As a Weapon of War Discourse for this thesis are many: Firstly, the deconstructions of the dominant explanatory discourse for conflict-related sexual violence, as done by Baaz & Stern, is useful to understand how the discourse came into being, and how it can be counterproductive to uncritically employ and apply an existing discourse in your own research. Seeing sexual violence in conflict strictly in terms of the systematic qualities it can take on puts the researcher at risk of missing out on other potentially important causes or consequences of conflict-related sexual violence. Given the multiple and very valid criticisms of the Rape As a Weapon of War Discourse, it will be attempted to avoid employing both the terminology and the related assumptions in this thesis. This does not mean that the strategic and systematic character of conflict-related sexual violence cannot be acknowledged; rather, the goal will be to follow Wood’s advice to make sure rape as a strategy, if identified in the case study, is demonstrated rather than deduced from its effects.

3.2.3 Hierarchy of Rape

A related debate within feminist approaches to sexual violence, is on whether the strong focus on sexual violence in conflict is creating a “hierarchy of crime” (Henry, 2014, p. 93). Nicola Henry (2014) terms this criticism part of a *post-feminist discourse* which is concerned about “the effect of exceptionalising some rapes and not others” (p. 100). This can be related to the

debates outlined above on whether an exclusive focus on *conflict*-related sexual violence silences incidents of sexual violence during peacetime. According to the post-feminist discourse, an exclusive focus on wartime rape will not only work to discredit the gravity of peacetime rape, but it will also remove the focus from other gender-based harms, whether these take place during times of war or times of peace. Furthermore, positioning wartime rape as the “ultimate” crime, can lead to a “one-dimensional narrative of suffering and perpetration” (Henry, 2014, p. 99). Sahla Aroussi (2011) argues along similar lines in saying that “making gender-based violence synonymous with sexual violence against women clearly obscures all other types of violations and the multiple identities of victims and perpetrators” (p. 588-589). Ultimately, the argument goes, the focus on conflict-related sexual violence can lead to: a) A hierarchy of rape where wartime rape is worse than peacetime rape, and b) A hierarchy of crimes in war where rape is considered the worst form of gender-based harm. The problems arising from a singular focus on rape in conflicts is confirmed by Baaz & Stern who in their study of sexual violence in the Democratic Republic of Congo describe the phenomenon of women who lie about being victims of rape in order to receive basic assistance offered only to victims of rape (and not of other harms) (Baaz & Stern, 2013, p. 102).

To respond to these criticisms, one could argue that an exclusive focus on rape does not preclude an awareness of other gender-based harms, and that, in fact, a stronger focus on sexual violence in war could lead to more knowledge about all forms of gender-based harms which sexual violence is a part of. Additionally, it would be difficult to acknowledge the existence of a hierarchy of rapes without simultaneously saying that some experiences of rape are more or less bad than others; this line of reasoning would only contribute to further marginalising some victims of rape. Additionally, as this thesis is employing a broad definition of conflict-related sexual violence that goes beyond rape, and includes in its definition gender-based harms such as sexual slavery, forced prostitution, forced pregnancy, forced sterilization/abortion, sexual mutilation, and sexual torture, it is believed that the research contained in this thesis will not contribute to the strengthening of a hierarchy of gender-based harms, but rather contribute to a stronger focus on and awareness of the different forms they might take in a conflict setting.

3.2.4 Masculinities

There are several theories surrounding *masculinity* which are used as an explanatory frame for conflict-related sexual violence, including concepts such as *hegemonic masculinity*, *militarised masculinity* and the *masculinity reaffirming act*, to name a few.

In general, *masculinity* and *femininity* are flexible categories, and which traits are seen as either are fully dependent on context, culture and history (Hooper, 2001, p. 4). Oftentimes, masculinity is defined as everything that it not feminine, as non-femininity, meaning that femininity serves as a “backdrop against which masculinity can be constructed and defined” (Kronsell, 2006, p. 124). The concepts of masculinity and femininity are important because they enable an analysis of sexual violence that considers gender norms, and how existing gender norms can be perpetuated by expressions of sexual violence. The concept of *hegemonic masculinity* can be understood as “the currently most honored way of being a man” (Connell & Messerschmidt, 2005, p. 832), an ideal way of being a man which all men aspire to, and according to which all other men (and women) need to position themselves. The concept of the hegemonic masculinity also postulates that there is a hierarchy of masculinities, and that all other masculinities (and femininities) are subordinate to the ideal form (Connell & Messerschmidt, 2005, p. 846). This subordination of all other masculinities and femininities is what legitimises “the global subordination of women to men” (Connell & Messerschmidt, 2005, p. 832). Importantly, what constitutes the *hegemonic masculinity* is culturally specific to each society, meaning that the hegemonic masculinity found in South Sudan is different from the one found in another country.

One explanation for how ideas and ideals of masculinity influence sexual violence is offered by Valorie Vojdik (2019), who argues that *masculinities theory* can be used to explain how sexual violence works as a “a gendered means to empower particular groups of men in specific spaces during conflict” (p. 111). Sexual violence thus serves as a tool for men to endow themselves with a specific idea of masculinity which they aspire to (i.e. a hegemonic masculinity). Vojdik defines masculinity not as a set identity category, but as a social practice that may be expressed through multiple masculinities, some to be understood as hegemonic and others as subordinated or marginalised (Vojdik, 2019, p. 111). Conflict-related sexual

violence is then seen as a way to *create* and *enforce* (hegemonic) masculine power (Vojdik, 2019, p. 112).

More specific to the context of war, theories of the *militarised* masculinity are also significant within feminist scholarship. The idea of a militarised masculinity is associated with the process of the masculinity of soldiers changing through military training to become violent, aggressive, and hyper-masculine (Dietrich-Ortega, 2012, p. 491). Sexual violence in conflict can thus become an assertion of the individual militarised masculinity of a soldier, but at the same time also functioning as a bonding experience for a group (Alison, 2007, p. 77). This explanation of sexual violence does not see it as part of a grand military strategy, but instead understands it as an affirmation and manifestation of a militarised form of masculinity. An important point is made by Cynthia Enloe (2000) who argues that militarisation does not only take place in the “obvious places” (p. 289), but it can occur in the home or anywhere far from uniformed personnel or arms. In the case of South Sudan, it is clear that this process of militarisation (which privileges masculinity (Enloe, 2000, p. 289)) manifests in all spheres of society, exemplified for example by the militarisation of pastoralist communities which have come to play a prominent part in the production of communal violence (Wild, Jok & Patel, 2018, p. 3, 9).

Theories of masculinity and conflict are closely related to what Skjelsbæk (2010, p. 34) terms the *masculinity reaffirming act*, where sexual violence is used as a tool whereby a perpetrator can reaffirm their masculinity by “feminising” their victim, based on a system where masculinity is related to power and femininity is a symbol of the opposite. The understanding is that a perpetrator may use sexual violence to demonstrate and communicate their masculinity in a system where sex is used to express power over a victim. This understanding of sexual violence fits well within the frame of this thesis as well, especially in that it acknowledges one of the ways in which unequal gender relations can come to be expressed through an assertion and reaffirmation of masculinity through the act of sexual violence.

3.2.5 Women as Perpetrators of Sexual Violence

Early scholarship on conflict-related sexual violence has been heavily criticised for focussing exclusively on sexual violence perpetrated by men targeting women (by, for example, Baaz &

Stern, 2009, 2013; Sjoberg, 2016; Wood, 2018; Alison, 2007). Furthermore, the International Criminal Court and other international tribunals have also been criticised for focussing exclusively on sexual violence perpetrated against women, failing to recognise that this form of violence can also harm men and boys (Vojdik, 2019, p. 95). It appears both academia and international criminal law has a way to when it comes to acknowledging the *gendered* nature of conflict and the many forms in which it might be expressed.

Despite statistical evidence supporting the claim that *most* people who rape in war are men, feminist approaches to sexual violence tend to agree that academic literature that completely excludes the possibility of women being rapists are part of a wider (mis)understanding of conflict-related sexual violence that sustain structures of gender hierarchy and inequality. According to Alison (2007, p. 89), explanations for conflict-related sexual violence that acknowledge the importance and influence of unequal gender relations, but see these as strictly relating to male violence against women, are part of perpetuating the male-perpetrator/female-victim binary which fails to account for the possibility of there being female perpetrators of sexual violence and male victims thereof. This is problematic for a number of reasons: Firstly, because it frames women as victims, requiring the protection of a man, thereby perpetuating the idea of the male protector and female victim. Secondly, seeing women only as victims of sexual violence contributes to framing all women as part of the same universal group, disregarding the variety of experiences and backgrounds they may have. Despite advocating for theory that leaves open the possibility of women perpetrators and male victims, most feminist scholars still agree that the reality shows that women and girls are the main victims of conflict-related sexual violence, and thus a more nuanced view of perpetrators and victims should not preclude a focus on preventing violence against women in conflict. As Alison (2007) argues, it is possible to maintain “sexual violence as a feminist issue within the framework of human rights – though definitely not as exclusively a women’s issue” (p. 90).

One of the most influential theories on women perpetrators of sexual violence in recent years was formulated by Laura Sjoberg who posed that the “invisibility” of women perpetrators severely limits our understanding of conflict-related sexual violence (Sjoberg, 2016). The core argument of her work is that conflict-related sexual violence is structured and legitimised by

gendered orders which play out in complex gender hierarchies. This argument leads to a reconceptualisation of sexual violence “as an act of feminization of the victim and the victim’s group, regardless of the biological sex of the perpetrator or the victim” (Sjoberg, 2016, p. 25). Conflict-related sexual violence is thus related to and an expression of power relationships, of gender hierarchy. It is also related to what was described above as the *masculinities reaffirmation act*, where sexual violence is perpetrated to affirm the masculinity of the perpetrator and to feminise the victim. The reason why more men than women rape in war, according to Sjoberg (2016), is simply that “access to the tools of gender subordination is not equally distributed” (p. 144). Sjoberg’s reconceptualisation of sexual violence is useful because it does not preclude neither women nor men from being perpetrators or victims of sexual violence. Furthermore, her understanding of sexual violence as being an expression of gender hierarchies and gender inequality fits well with the approach taken in this thesis that sees gender and conflict as inherently linked.

4. Typologies of Sexual Violence & Constructing an Analytical Framework

4.1 Introduction

The purpose of this chapter is to develop an eclectic analytical framework, a preliminary typology, for the categorisation of conflict-related sexual violence. This chapter is also intended to build a bridge between chapter 3 on feminist approaches to sexual violence and the following chapter 5 on methods, by showing how the different concepts and theories from chapter 3 on feminist approaches to sexual violence are integrated into the analytical framework and thereby inform the research design.

The current chapter continues to present some of the main feminist approaches to conflict-related sexual violence, with a focus on different typologies (which is a way to organise and group conflict-related sexual violence into categories based on common characteristics).

It goes beyond a literature review to develop an eclectic analytical framework, a preliminary typology, for the categorisation of conflict-related sexual violence. Instead of taking a typology developed by one author and applying it to the case study, the aim is to develop a new analytical framework, a preliminary typology of conflict-related sexual violence, that incorporates strengths identified in established feminist approaches to and typologies of sexual violence and is therefore well suited to guide the case study of conflict-related sexual violence in South Sudan that will be conducted in this thesis. The typology is preliminary because, at this stage, it will be based on theory only, and its validity will need to be controlled and checked when it is being applied to the case study of South Sudan.

4.2 Categorisation of Conflict-Related Sexual Violence

But before delving into a selection of *typologies* of sexual violence developed by different feminist scholars, it is first important to justify why the thesis will focus on categorisation of sexual violence as a way to guide the case study and to answer the research questions.

When investigating an issue characterised by complexity and disorder, a framework can be used to guide an analysis and to give it more structure. Still, using any framework to

understand a specific phenomenon will inevitably focus our attention on some issues and blind out others. The application of an existing frame of understanding to a phenomenon can be criticised for restricting our understanding and for making us see things in a particular light, blinding out aspects of the phenomenon that might be of importance. While much feminist theory on the topic of this thesis is concerned with deconstructing and critiquing existing frameworks and dominant understandings of sexual violence, these critiques could also serve a purpose when constructing a new framework: By integrating the concerns revealed into a new framework, the shortages of the existing frames of understanding can be addressed when building new theory.

Additionally, it is important to acknowledge that an analytical framework is by its nature based on *theory* and could never reflect the full complexity of the social and political world. The analytical framework will serve primarily as a guide for the case study and should not be taken to be an exact representation of the different forms of sexual violence one can find in conflicts. Instead, the analytical framework will provide a structure and direction for the analysis of conflict-related sexual violence in South Sudan, facilitating the organisation of information and identification of common themes in the South Sudanese conflict, a context which is often characterised by uncertainty and chaos. The method of focussing on categorisation of sexual violence is also promoting an understanding of CRSV that does not try to explain the phenomenon by pointing to a single cause (such as is commonly done for example by those employing the Rape as A Weapon of War Discourse, who tend to see all forms of CRSV as part of a military strategy). Instead, by recognising and proposing that the phenomenon can be broken down into smaller categories, and that all forms of CRSV do not necessarily have the same causes, functions and objectives, the analytical framework enables a more comprehensive analysis of a complex phenomenon which promotes a more nuanced understanding of the issue.

4.3 Analytical Eclecticism

To build an analytical framework using an analytical eclectic approach in many ways responds to some of the criticism of the currently dominant approaches to conflict-related sexual violence, including their tendency to oversimplify a complex topic and their failure to include gender as an analytical category in their research. Sil & Katzenstein (2010) argue that the

eclectic analytical approach is “an intellectual stance a researcher can adopt when pursuing research that engages, but does not fit neatly within, established research traditions in a given discipline or field” (p. 411). This mode of research thus seems to be a perfect fit for the methods and goals of this thesis.

Another important argument which speaks in favour of using analytical eclecticism is the fact that what this thesis aims to achieve – to build a new typology which incorporates gender as an analytical category, and to apply that typology to the case of South Sudan in order to examine to what extent patriarchal norms and sexual violence are linked - is not a goal that can be achieved by using existing frameworks for the analysis of CRSV. As will be shown below, current typologies of sexual violence do not include gender as an analytical category, and oftentimes have a limiting focus on only some aspects of sexual violence and thereby fail to consider the full spectrum of conflict-related sexual violence.

Take for example the Rape as a Weapon of War Discourse, which is criticised for being universalising and reductionist. Using this discourse as a frame for analysis would promote a simplified and generalised view of sexual violence in conflict because the discourse reduces all sexual violence to one category and only understands it as serving a strategic military goal. Furthermore, relying on an understanding of CRSV that is too broad, and that does not acknowledge the different contextual specificities associated with different forms of the phenomenon, will make it difficult to “provide effective operational direction” (Claire, 2019, p. 46) i.e. to use the knowledge about sexual violence to develop good prevention and protection mechanisms. So instead of relying on that discredited, but still widely used discourse, the plan is to build a new framework that is based on a multitude of approaches and theoretical perspectives, avoiding the pitfalls of employing the existing frameworks that tend to blind out the diverse on the ground complexities of a conflict (Sil & Katzenstein, 2010, p. 412).

The method of this thesis takes inspiration from a number of different approaches and scholars: One such approach is found in a project on the Protection of Civilians (PoC) in Conflict by the Norwegian Defence Research Establishment (FFI) (see for example Beadle, 2014; Kjeksrud et. al, 2016). In that project, the researchers propose that we can increase our

understanding of violence against civilians by categorising the violence according to specific characteristics along a spectrum from least to most violent. The categorisation of violence and knowledge which is gained from this approach can be used by military planners, policy professionals and others to develop and improve protection measures (Beadle, 2014, p. 3). Applying that idea to this thesis, the goal is to categorise different forms of sexual violence in conflict, thereby producing knowledge which can assist in the creation of better protection and response mechanisms for conflict-related sexual violence specifically.

The thesis also takes inspiration from different feminist approaches to sexual violence, which have shown that “mainstream” methods of understanding violence (under which I would categorise the PoC project by the Norwegian Defence Research Establishment) are blind to the significance of gender and thereby unable to acknowledge, analyse and understand the links between gender and conflict, and how this influences our understanding of CRSV. The thesis therefore also borrows from *gender analysis*, a tool often used by NGOs and governments to assess gender inequalities in a specific context (Oxfam, 2014). A gender analysis looks at how women and men are affected differently by societal structures, and it can be conducted at all levels, including the micro, meso and macro-level (ITC/ILO, n.d., p. 1). The micro-level in gender analysis focusses on the grassroots and the individual, the meso-level on the interactional level such as groups, families and the community, and the macro-level on the national level and nation-wide institutions and structures (ITC/ILO, n.d., p. 1; Risman, 2004, p. 429).

The concept of analytical eclecticism, the idea that one can combine different perspectives and approaches in order to create an analytical framework suitable for a specific case, is thus embraced: In the thesis, a typology inspired by and building on different approaches to conflict, gender and violence, is built in order to support a case study that enables an analysis of the links between conflict-related sexual violence and gender inequality in South Sudanese society.

4.4 Typologies of Conflict-Related Sexual Violence

The question of *why* sexual violence in war takes place is heavily debated within feminist approaches to sexual violence and is closely linked with the question of how best to categorise

conflict-related sexual violence. Another way to ask *why* sexual violence takes place is to investigate what the causes and forms of the phenomenon are. The idea is that by understanding *why* and *how* sexual violence in conflict occurs, one can gain a better understanding of the phenomenon. This is underpinned by a belief that one cannot prevent the occurrence of sexual violence in conflict without understanding the underlying causes thereof.

A way that the categorisation of the phenomenon of conflict-related sexual violence is often referred to by feminist scholars is in terms of a *typology*. A typology is defined as a “study or analysis using a classification according to a general type” by the Oxford Dictionary (Lexico, 2019). A typology is thus a way to organise and group a phenomenon into categories based on some common characteristics. There exist several *typologies* of sexual violence within feminist scholarship, and those deemed most relevant to this thesis are outlined below to form a basis for and give background to the analytical framework that will be built to guide the case study of this thesis.

4.4.1 Strategic vs. Opportunistic Sexual Violence

A distinction commonly found in the literature on sexual violence is between *opportunistic* and *strategic* sexual violence (Bernard & Durham, 2014, p. 433; Meger, 2016, p. 9; Wood, 2014, p. 470). Whereas some authors see the causes of sexual violence in conflict to stem from opportunistic motivations of perpetrators, others emphasise the strategic character that sexual violence can take on. This distinction can also be understood as the difference between violence perpetrated for *private* reasons (opportunistic) and violence carried out to reach an organisational goal (strategic) (Wood, 2014, p. 470). However, this distinction has also been criticised by some for being too simplistic and for promoting a “one size fits all” model for prevention (Bernard & Durham, 2014, p. 433). Moreover, the author of this thesis finds that by categorising sexual violence as stemming from either “opportunistic” or “strategic” motivations, one is neglecting the deeply political nature of *all* conflict-related sexual violence. If one restricts an analysis of conflict-related sexual violence to see the phenomenon only in terms of this simple distinction, the complex patterns of conflict-related sexual violence cannot be identified, and it becomes impossible to understand, prevent and, finally, end conflict-related sexual violence.

4.4.2 Wood's Typology of Political Violence

An alternative typology to the common distinction of strategic vs. opportunistic sexual violence is developed by Elisabeth Wood who is critical of understanding sexual violence in terms of this distinction. Her critique of the literature describing "strategic" rape in war has been outlined earlier in the section on the Rape as a Weapon of War Discourse in chapter 3, but, in short, can be summarised as a critique of the way in which the strategic nature of rape in war is often taken for granted and is presumed rather than demonstrated.

Instead of employing that division, Wood proposes an alternative typology consisting of three main categories: 1. Rape as policy (and sometimes as a strategy), 2. Rape as a practice, and, 3. Rape as absent (Wood, 2018, p. 515). Her innovation is to conceptualise a new category, namely *rape as a practice* which she defines as "violence that has not been explicitly adopted as organization policy but is nonetheless tolerated by commanders" (Wood, 2018, p. 513). This conceptualisation of wartime rape enables an analysis that acknowledges the widespread use of rape within an armed organisation without automatically labelling the occurrence of that phenomenon as an organisational policy or strategy. Furthermore, adding the analytical category of "rape as a practice" avoids the issue of having to prove with irrefutable evidence that someone has purposefully commanded soldiers to commit rape (which, Wood argues, one would have to in order to say with certainty that rape has been adopted as a strategy). To be sure, there are indeed examples in recent history of evidence that rape has been adopted as a strategy to serve a specific purpose (e.g. genocidal rape in former Yugoslavia and Rwanda), but these examples are backed with strong evidence, following Wood's requirement that rape as a strategy needs "to be shown, not presumed" (Wood, 2018, p. 514).

Wood's typology of sexual violence is developed by analysing an armed organisation and its command structure, and especially by looking at and combining the commander's stance and the combatant's motives (Wood, 2018, p. 521). This way, an analytical category that acknowledges group social dynamics and how they can contribute to or prevent wartime rape is created. The development of Wood's typology is illustrated in Figure 1 that shows how the commander's stance and the combatant's motives for rape when combined make up the

three categories for wartime rape, namely rape as rare/absent, rape as a practice and rape as a policy/strategy.

Commander stance toward rape → Combatant motive for rape ↓	<i>Effectively prohibit by inculcating norms or punishing offenders</i>	<i>Tolerate</i>	<i>Promote as policy (order, authorize, or institutionalize) for strategic (military) or internal purposes</i>
	<i>Private preference for rape</i>	Rape as a practice: frequency will vary, and may be very high in some contexts	Rape as strategy during some cases of ethnic cleansing, genocide, or sexual torture
<i>Unit social dynamics: conformity, coercion</i>	Rape rare if social pressures discourage rape through inculcation of norm or effective punishment		Policies of forced marriage, sexual slavery, forced prostitution to manage sexual and reproductive lives of combatants
<i>Compliance to command</i>	Rape rare	N.A.	Frequency can be high

Figure 1: “A Typology of Rape by Armed Organizations during Conflict”, figure by Wood (2018, p. 522)

4.4.3 Sara Meger’s Preliminary Typology of Wartime Sexual Violence

Sara Meger (2016) opens her typology by arguing that “our understanding of the causes of sexual violence must be informed by a closer look at the objectives of the group employing this violence” (p. 54). Importantly, she distinguishes between literature that focusses on the *form* of sexual violence versus a focus on the *function* of sexual violence, and in her analysis concentrates on the latter. Arguing that an appreciation of the nuances of conflict is necessary for identifying the functions and causes of sexual violence, Meger develops a *typology of wartime sexual violence* that parallels and relates to a general typology of conflict (Meger, 2016, p. 55). The argument is that the *form* sexual violence takes will be dependent on the “politico-economic” conditions or the type of conflict wherein the violence is taking place which again influences the *function* that sexual violence plays in that particular context.

The typology distinguishes between three different types of conflict: Interstate war, ideological civil war, and economic civil war, with each type of conflict being associated with

a specific pattern of sexual violence. A model of the typology can be seen in figure 2 below, where it can be seen that interstate war is being connected to “opportunistic rape”, ideological civil war is associated with “Sexual Violence as Terror/Torture”, and economic civil war is related to “Sexual Violence as a Weapon of War” (Meger, 2016, p. 60). This model of conflict-related sexual violence is different from Wood’s typology above in that it incorporates different types of conflict into its analysis, as analytical categories. The conflict type is used as some kind of independent variable that influences the outcome (form and function) of sexual violence in a given context. Whereas this typology can be useful especially for the comparison of sexual violence in different conflicts, it remains too generalised for the purposes of this thesis which will focus its analysis on an in-depth case study of one specific conflict. Meger’s scholarship is also useful as it highlights a common tendency in literature on sexual violence to focus on either the *form* or the *function* of sexual violence, something which will not be done in this thesis as both form and function are seen as integral to understanding and analysing sexual violence.

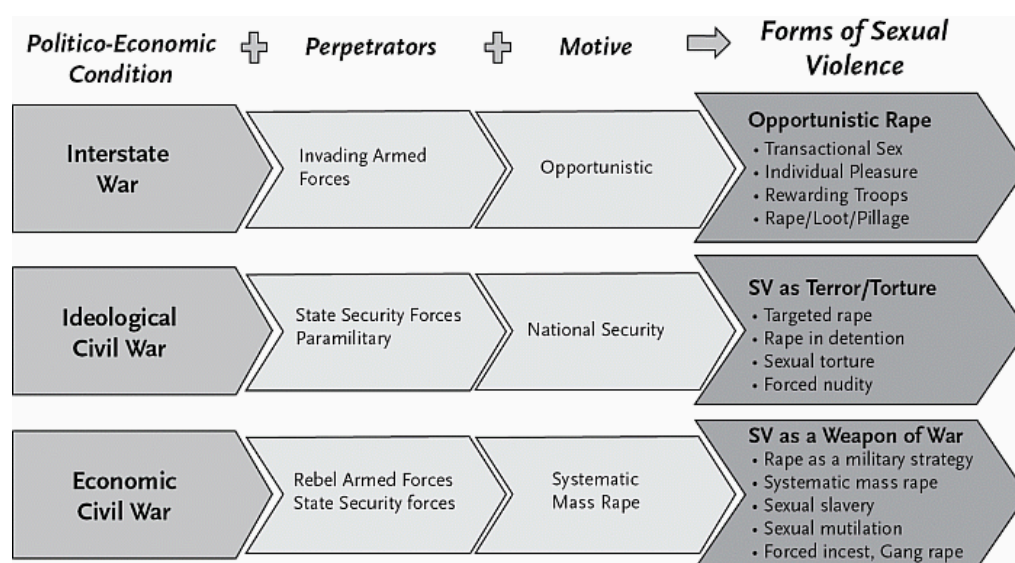


Figure 2: “Conditions of War and Types of Sexual Violence” by Meger (2016, p. 60)

4.4.4 Bonn International Center for Conversion (BICC) – A Typology of Wartime Rape

The last typology developed for conflict-related sexual violence that will be outlined is the result of a research project conducted by the Bonn International Center for Conversion (BICC), led by researchers Elvan Isikozlu and Ananda S. Millard (2010). The BICC project aims to develop a typology of wartime rape and focusses on the consequences that different types of

rape can have for individuals, families, the community, and interactions between these (Isikozlu & Millard, 2010, p. 5). Eight different categories of rape are identified, namely: "Rape by an ally; sexual slavery; rape as a military strategy; rape by a neighbour; rape camps; rape in detention; opportunistic rape; and, targeted rape" (Isikozlu & Millard, 2010, p. 66-67). The goal of developing a typology of wartime rape is explicitly stated by the researchers to be to support "donors and practitioners to help identify the necessary data to design more informed and targeted interventions" (Isikozlu & Millard, 2010, p. 6). This is closely related to the goals of this thesis, which aims to categorise sexual violence in South Sudan to reveal patterns that will increase an understanding of the phenomenon and thereby facilitate better response and protection measures.

The BICC typology is relevant for this thesis for two main reasons: Firstly, its disaggregation of different types of rape in war into smaller classes is important because it promotes an understanding of rape as more complex and multi-layered than would one broad category simply termed "rape". Secondly, the BICC approach is especially useful as it along with categorising wartime rapes also accompanies its classifications with suggestions for which types of interventions are the most appropriate responses to a specific type of rape. This can be useful in determining which responses and protection measures should accompany certain patterns of sexual violence identified in a specific case and in this thesis.

4.5 Terminology and Definitions

An overall challenge met when trying to draw on different typologies of conflict-related sexual violence to build a new analytical framework to assist a case study, is that some degree of anarchy seems to prevail when it comes to the application and usage of different terms and definitions. When reading the different academic literature, it becomes clear that scholars sometimes use different language to refer to the same things: For example, what Meger (2016, p. 60) refers to as *motives* of sexual violence (for example, ethnic cleansing, reward for troops, disperse populations etc.), is by Wood (2018, p. 529) referred to in terms of a *purpose* (for example, a common purpose of forcible displacement, for military objectives, etc.). There is also a difference in which part of sexual violence the typologies focus on: While the BICC researchers focus explicitly on *consequences* of CRSV, Meger focusses on the *functions* of this

type of violence in conflict, and Wood concentrates on the production of different *forms* of sexual violence in conflict.

In addition to these differences, the most important one for our purpose is probably the difference in *categories* of conflict-related sexual violence that the different scholars identify. While Wood identifies three categories of rape, Meger identifies three categories that are different from Wood's, as does the BICC project which divides rape into 8 separate categories.

One last significant point that needs to be made is with regards to the focus of the scholars mentioned above. Although they each acknowledge the high prevalence of *sexual violence* in conflict, they all create a typology that exclusively concerns itself with the narrower issue of *rape* rather than *sexual violence*. For example, Wood (2018) gives explicit definitions of both *conflict-related rape*, which is defined as "rape of men as well as women by members of armed organizations during armed conflict (but not necessarily combat)" (p. 515), and of *sexual violence*, which is defined as "rape; sexual slavery and forced marriage; forced prostitution, pregnancy, and sterilization; sexual mutilation; and sexual torture" (p. 515). Still, Wood goes on to develop a typology that concerns itself with rape exclusively. At no place in all the literature consulted in the work with this thesis has any justification for this distinction and the common practice to focus exclusively on *rape* been made.

Despite the typologies outlined above focussing exclusively on creating a typology of rape, this thesis will still concern itself with the "broader" issue of conflict-related sexual violence rather than "just" rape. There are multiple reasons for this: Firstly, an exclusive focus on different forms of rape will prevent the analysis from including all forms of sexual violence which can be found in conflicts. In the context of South Sudan, for example, the sexual mutilation of men or forced marriage of women and girls has been documented, acts of sexual violence which would not be included in an analysis if there was a narrow focus on rape only. In fact, from that perspective, the critique targeted at the Rape as a Weapon of War Discourse that says it promotes a view of rape as the only gender-based harm in conflict could perhaps also be applied to the typologies above. In their exclusive focus on classifying different forms of rape, the other types of gender-based harms which form part of a broader understanding of sexual violence in conflict are ignored and left out of the analysis.

4.6 Building an Analytical Framework for the Analysis of Conflict-Related Sexual Violence

The purpose of presenting and going into the details of different typologies of rape, as has been done above, is to show how some contemporary scholars have approached and solved the issue of categorisation. The point is not to merge all typologies into one grand theory of sexual violence; such a framework would be both unrealistic and impractical in its application. Seeing which categories have formed part of their analysis, or perhaps which categories have been left out, is still a useful as a basis for creating a new analytical framework. The new analytical framework will go beyond the narrower focus of the typologies above which focus exclusively on rape, to have a broader focus on different forms of conflict-related sexual violence. Still, the amount of information available on the specific issue of rape make a disaggregation of different forms of rape possible, which will be reflected in the categories in the typology.

I will attempt to create a simplified, yet inclusive analytical framework that incorporates not only some of the main categories identified through looking at different typologies in this chapter, but also the concerns of feminist approaches to sexual violence as outlined in chapter 3. Importantly, the new typology incorporates gender as an analytical category and thereby as an integrated part of the analytical framework. The inclusion of gender as a category is important primarily because it responds to the criticisms made by many feminist scholars that gender is often left out of analyses of conflict and war. But it is also important in this thesis specifically because it enables the typology to be used to answer research question 2 on the linkages between patriarchal norms and sexual violence. How gender as an analytical category influences the research design will be further elaborated below.

4.7 Analytical Framework: Presenting the Typology of Conflict-Related Sexual Violence

<i>A Preliminary Typology of Conflict-Related Sexual Violence</i>					
FORM	FUNCTION	OBJECTIVE	GENDER: MICRO	GENDER: MESO	GENDER: MACRO
Opportunistic Rape	Recreation	Sexual Gratification; Material Benefits			
Gang Rape	Bonding; Recreation	Sexual Gratification; Material Benefits			
Rape as a Practice	Bonding; Recreation; Communication	Destruction of Social Cohesion/Communities; Reward; Sexual Gratification; Asserting Masculinity			
Rape as a Policy	National Security	Genocide; Ethnic Cleansing; Dispersal of Population/Exodus; Deter Opposition			
Sexual Slavery	Recreation; Communication	Sexual Gratification; Asserting Masculinity			

Sexual Torture	National Security	Force Testimony			
Sexual Mutilation	Strategy/Tactic	Ethnic Cleansing			
Forced Sterilisation/ Abortion	Strategy/Tactic	Ethnic Cleansing			
Forced Pregnancy	Strategy/Tactic	Ethnic Cleansing			
Forced Prostitution	Recreation; Strategy/Tactic	Material Benefits; Ethnic Cleansing			
<i>Table 1: A Preliminary Typology of Conflict-Related Sexual Violence: Analytical Framework Built for Case study. Table created by author.</i>					

The analytical framework that has been built to guide the case study and to function as a structure for the analysis of conflict-related sexual violence South Sudan is presented in table 1 above. The framework has three different categories that refer to the *form*, *function* and *objective* of conflict-related sexual violence, and three additional categories on gender which represent the gender dimensions of the analysis.

The rationale for dividing conflict-related sexual violence into these three categories is based on an analysis of the different typologies outlined above and is an attempt to integrate different aspects of CRSV that are all deemed relevant for understanding the patterns of different forms of conflict-related sexual violence. The first column on the different *forms* of conflict-related sexual violence is a crucial first category that will guide the case study. This is because it is expected that in a case study based on a document analysis, the different forms that sexual violence might take on are those that can be most easily identified given their descriptive and explicit nature. Said in a different way, it is expected that different forms of sexual violence will be more easily identified in the documents that form the basis of the case study than the functions and objectives of the different incidents of sexual violence. Column two and three, on the *function* and the *objective* of CRSV, will require deduction and

interpretation of the available data and are therefore less suitable as the primary descriptive category. Furthermore, it is important to clarify here that the different functions and objectives of the various forms of sexual violence reflected in the typology are at this stage of the analysis based exclusively on information gathered from other existing typologies of sexual violence and from the different feminist approaches to sexual violence explored earlier. The theoretical framework that is the typology should therefore not be taken as a completed piece of theory, but should rather be seen as a work in progress, as a theoretical framework based on existing approaches, but that is open for modifications and additions according to what information is found as a result of the case study.

Lastly, the framework is divided into three main grids: The upper grid disaggregating different forms of rape, the lower grid categorising different types of sexual violence, and the left-side of the grid focussing on the gender dimension of the analysis. A more detailed description of the different categories of the analytical framework is given below:

4.7.1 Form

The *form* of sexual violence is related to what it looks like, the *types* of sexual violence the act can be broken down into. The forms of conflict-related sexual violence that are included in the analytical framework created for this thesis, as can be seen in table 1 above, are: Opportunistic Rape; Gang Rape; Rape as a Practice; Rape as a Policy; Sexual Slavery; Sexual Torture; Sexual Mutilation; Forced Sterilisation/Abortion; Forced Pregnancy; Forced Prostitution. These forms of conflict-related sexual violence have been chosen to give the analytical framework an inclusive starting point for incorporating gender-based harms beyond rape in conflict. These categories are based on the different forms of sexual violence outlined in the Sexual Violence in Armed Conflict (SVAC) definition which this thesis is employing (“(1) rape, (2) sexual slavery, (3) forced prostitution, (4) forced pregnancy, and (5) forced sterilization/abortion (6) sexual mutilation, and (7) sexual torture.” (Cohen & Nordås, 2014, p. 419)). However, the category of rape is further disaggregated into four categories (Opportunistic Rape; Gang Rape; Rape as a Practice; Rape as a Policy), which includes the important concept of Rape as a Practice as outlined by Wood (2018) and Opportunistic Rape as included by both Meger and Isikozlu & Millard (BICC) in their typologies.

4.7.2 Function and Objective

The *function* of sexual violence in a conflict refers to its utility, or the way in which a specific type of sexual violence is used to reach an objective. Function thus refers to how sexual violence contributes to reach a goal; it is a means to an end. The objective, sometimes referred to as the *goal*, *a motive* or *the purpose*, is related to the overall thing aimed at, the thing which is to be achieved. The function and objective are thus closely related, in that the *function* of sexual violence is used to refer to the way in which it is used to reach a specific objective in a conflict. Importantly, the function and objective are to be understood from the perspective of the *perpetrator*, so the analytical categories in the framework indicate the function that sexual violence has for the perpetrator in order for them to reach a specific objective.

In the analytical framework, the different forms of sexual violence have been linked with both a function and an objective. The selection of which function and objective is most closely linked with a specific form of sexual violence is made based on an analysis of the different typologies outlined above, and how they see the connections between form, function and objective (although sometimes different terminologies are used to refer to the same things).

To give some examples, one can look at when conflict-related sexual violence takes the form of Opportunistic Rape. In the analytical framework, this form of sexual violence serves the function of *recreation* for the perpetrators, which serves the purpose of reaching the overall objective of sexual gratification or material benefits. Another example is Rape as a Policy, which serves the function of promoting national security for the perpetrator (indicating the likelihood that this form of CRSV can only be employed by a state actor), with the objective likely to be related to Genocide, Ethnic Cleansing, Dispersal of Population/Exodus or to Deter the Opposition. Contrasting these two forms of rape can also be useful to illustrate that the overall objective of the sexual violence can be based on individuals needs and plans, as it is in opportunistic rape, but that at the same time the *objective* can also refer to a large political strategy involving a high number of individuals, as it often does when rape is used as a practice. The objective thus is not necessarily a grand plan involving many actors, but can also be the objective of a single perpetrator with an individualistic goal and purpose.

4.8 Gender as An Analytical Category

The central innovation in the new typology which has been constructed for this thesis is the integration of gender as an analytical category into the typology. The methodological choice has been made to respond to the criticism which is often made of analyses of violence in conflict, that the importance of gender and its influence on and interaction with the different dynamics of conflict are often left out of the analysis (e.g. by Ackerly et. al., 2006, p. 6; Tickner, 2006, p. 24; Sjoberg, 2013, p. 3). Laura Sjoberg (2013, p. 3) argues that “using gender as a category of analysis transforms the study of war”, and argument which is found to be equally applicable to the study of conflict-related sexual violence specifically.

For these reasons, the new analytical framework incorporates gender as an analytical category. In an attempt to avoid just “adding gender” on top of a framework and expecting this to produce new insights into the linkages between sexual violence and gender (Ackerly & True, 2006, p. 246), the thesis borrows from gender analysis often employed by NGOs and governments to identify gender inequalities and to see how men and women are affected differently by power relations in society (Oxfam, 2014, p. 1). Gender is thus added as an analytical category to the typology, on three different levels of analysis, namely at the micro (grassroots, individual, the meso (interactional, groups, local government) and the macro (nation-wide structures, norms and policies) level (ITCILO, n.d., p. 1; Risman, 2004, p. 429).

It is expected that some analytical levels, and the associated findings about gender inequalities and gender subordination at that level of analysis, can be better suited to explain some forms of sexual violence than others: To illustrate this point with an example, one can predict that the meso-level, with its focus on among other things the interactional level and groups, could be well-suited to explain how gang rape might be used as a form of social bonding, while the macro level, with its focus on national-level norms and policies, might be a less suitable analytical level to explain gang rape. Similarly, the *form* opportunistic rape is in the typology associated with fulfilling the objective of sexual gratification, an objective which can be primarily understood by looking at gender inequalities at the micro level as it is associated with individuals. The point is not that one level of analysis of gender inequality will be directly connected to one form of sexual violence, and that the other levels have no influence on that form of sexual violence. Rather, the different levels of analysis are meant to be used as tools

to identify patterns and to increase our understanding of how sexual violence and gender are connected, at different analytical levels. It is a way to break down the complex issue of understanding gender, gender hierarchies and patriarchy and finding a way to connect an analysis of gender in South Sudanese society to an analysis of sexual violence.

As this is the first analytical framework of its kind which integrates gender analysis on three analytical levels into its structure, the boxes in the table under the three categories of gender are left empty at this point of the analysis. This is done purposefully in order to let the case study and findings from the analysis of actual incidents of sexual violence in South Sudan guide and inform how three levels of gender analysis is found to influence and be influenced by different forms of conflict-related sexual violence. This is following the approach of feminist scholars such as Ackerly et. al. (2006, p. 7) that believe research can be conducted without knowing strictly which answers one is looking for. Despite the analytical categories being labelled “gender”, a more accurate description might be to say that they will explore how gender inequalities manifest at the three analytical levels and how these levels in various ways can be found to be related to different forms of sexual violence.

It is important to emphasise that the gender category of the framework should not be seen as a sort of independent variable, predicting different forms of sexual violence. This means that gender inequality is not seen as a one-directional cause of different forms of sexual violence, but instead that gender inequality and sexual violence are seen as mutually reinforcing and affecting each other.

5. Methodology

5.1 Introduction

The goal of this chapter is to outline the research design, explain the methods chosen to answer the research questions, and describe how these methods will be used. Broadly speaking, the thesis will make use of a qualitative method, in particular a document analysis which will form the data basis for a case study of conflict-related sexual violence in South Sudan. The case study will be supported by an eclectic analytical framework, the typology developed in chapter 4, which has been constructed specifically for this thesis. Additionally, the chapter will also outline the sources used in this thesis, including their strengths and weaknesses. Finally, at the end of the chapter, a summary of the research method and a step-by-step description of how the analysis will be done is presented.

5.2 Qualitative Method

A qualitative method has been chosen as the most appropriate approach to answering the research questions. In fact, both qualitative and quantitative methods have previously been used in research on conflict-related sexual violence. But whereas a quantitative method can be useful when doing cross-national studies of sexual violence, in particular those that focus on variation in the prevalence of the phenomenon between different conflicts (as for example Kishi et. al., 2019; Cohen & Nordås, 2014), a qualitative method is more suitable when doing an in-depth case study searching for patterns, connections and trends within a single case.

Qualitative research “emphasizes understanding by closely examining people’s words, actions, and records” (Lunenburg & Irby, 2008, p. 89), examines “patterns of meaning that emerge from data gathered” (Lunenburg & Irby, 2008, p. 89), and uses non-numerical data, i.e. narrative data such as words. The aim of this thesis is through the case study to identify exactly those *patterns of meaning* that can bring us closer to an understanding of different forms of conflict-related sexual violence in South Sudan. As is important when using a qualitative approach to research, the results of the research will need to be contextualised given the circumstances they are emerging from, namely a civil war in South Sudan. The

specific strategies and methods used to answer the research questions will be further elaborated below.

5.3 The Case Study

Research using a case study is one of the main methods of conducting scientific inquiry within the social sciences (Thomas, 2011, p. 511). The case study as a research method is well established within the field of political science, and Gerring (2011) even argues that there is currently a movement away from a “variable-centered approach to causality” (p. 1133) (i.e. a quantitative method) towards a case study approach. The research method of this thesis could be seen as part of that move, as it is choosing a qualitative case study approach to investigate its topic. In general, a case study is often thought of as a useful tool in research that seeks to study complex social and political phenomena (Yin, 2003, p. 2). But despite its popularity as a research method, there appears to be some degree of disagreement on the theoretical framing and structure for a case study research design, something John Gerring (2004) terms as a “curious methodological limbo” (p. 341). Given this “methodological limbo”, this section will be used to show how this thesis understands a case study and how it is going to be used to help answer the research questions.

There are a few widely used definitions of a case study that appear to receive support from a number of scholars: Robert Yin defines the case study as “an empirical inquiry that investigates a contemporary phenomenon in depth and within its real-life context, especially when the boundaries between phenomenon and context are not clearly evident” (Yin, 2009a, p. 18). A case study thus looks at one particular phenomenon and analyses it within its context. In an analysis of several definitions of the case study, Simons (2009 *cited in* Thomas, 2011, p. 512) identifies the common uniting theme as an intention to examine and understand the complexity of real-life situations. The case study is thus a method well suited to investigate a topic where the situation on the ground is characterised by chaos, uncertainty and complexity, as is the case in contemporary conflict and civil war in South Sudan which is the subject of study here.

For the purposes of this thesis, the definition that most clearly shows both the method and intention of using a case study in the research design is offered by John Gerring who defines

the case study as: “the intensive study of a single unit or a small number of units (the cases), for the purpose of understanding a larger class of similar units (a population of cases)” (Gerring, 2011, p. 1139). This thesis will do an in-depth study of documents that investigate and describe incidents of conflict-related sexual violence in South Sudan, for the purpose of understanding something about the phenomenon of conflict-related sexual violence in both South Sudan and in a broader context of a civil war. Gerring’s definition of a case study thus clearly supports the understanding of how a case study will help facilitate the analysis contained in this thesis.

5.3.1 Conflict-Related Sexual Violence in South Sudan as a Case Study

In an attempt to deconstruct the case study and create a typology for the case study in social science, Gary Thomas (2011) makes the distinction in a case study between “(1) the subject of the study, which is the case itself”, and “(2) the object, which is the analytical frame or theory through which the subject is viewed and which the subject explicates” (p. 511). This distinction of a case study is useful for the purposes of this thesis: Whereas the subject is related to the “practical, historical unity” (Thomas, 2011, p. 513) of a case, the object is related to the “analytical or theoretical frame” (Thomas, 2011, p. 513). The subject of the case study in this thesis is thus the civil war in South Sudan, and in particular conflict-related sexual violence in that context. The object of this thesis, or the analytical or theoretical frame, is broadly speaking the feminist approaches to sexual violence, and more specifically the eclectic analytical framework developed in chapter 4 which will provide a structure for the document analysis and case study. The object, conflict-related sexual violence in South Sudan, is what needs to be explained. The subject, a typology of conflict-related sexual violence based on feminist approaches to sexual violence, offers an explanation and facilitates an analysis of the phenomenon.

Importantly, there is wide agreement in academia that whereas the case study approach influences research design, it does not constitute a comprehensive research method in itself (Thomas, 2011, p. 512). What is meant by this, is that when designing a case study, one may include several different methods that facilitate an investigation of a specific case. As stated by Stake (2005, p. 443): “Case study is not a methodological choice but a choice of what is to be studied”. Kohlbacher (2006, p. 10-12) identifies the following main steps for conducting a

case study: 1. Collecting Evidence, 2. Analysing Case Study Evidence, and 3. Reporting Case Studies. These and other specific tools and methods guiding the study will be further elaborated below.

5.3.2 Collecting Evidence: Data Collection

The data on conflict-related sexual violence in South Sudan used as a basis for the case study of this thesis is found primarily in documents, published by either UN organisations, NGOs, government entities or other relevant units in the time period from the outbreak of the civil war (December 2013) and until mid-2019. Other forms of data collection that would have been valuable ways of gathering information for a case study are for example field studies and conducting interviews and surveys in the place under scrutiny (Yin, 2009, p. 102). This would require the researcher to physically go to South Sudan to gather data on the phenomenon through different techniques such as interviews with perpetrators and victims of sexual violence, with experts and government officials, and with other groups deemed relevant for the case. Such a field study would strengthen both the reliability and validity of the findings (Kohlbacher, 2006, p. 10; Yin, 2009, p. 114), but is not possible at this stage primarily due to security reasons which make travel and field work in South Sudan difficult. For that reason, the case study of this thesis will base itself exclusively on documents and on data contained therein. The methods used in the analysis of the documents is therefore of utmost importance and will be elaborated below. The entirety of the documents used as a basis of the case study are available online, and most of them have been downloaded from the official websites of the different organisations and entities responsible for their publication.

5.3.3 Analysing Case Study Evidence: Document Analysis

After the data collection has been done, and documents suitable for the case study have been identified and collected, it is necessary to systematically work through the documents to identify those pieces of information that are important and relevant to shine light on the topic of this thesis. Said in a different way, the documents need to be analysed in order to identify patterns and common themes in the data that can assist in answering the research questions on the forms, functions and objectives of conflict-related sexual violence, and on the linkages between patriarchal norms and sexual violence in South Sudanese society.

A document analysis is one of the methods identified as a suitable way of collecting data for a case study (Kohlbacher, 2006, p. 10; Yin, 2009, p. 102). There are different approaches to how documents can be analysed, depending on the type of document, the amount of data to be analysed and on the information one is looking for. Analysing the documents consists of "examining, categorizing, tabulating, testing, or otherwise recombining (...) evidence to address the initial propositions of a study" (Yin, 2003, p. 109). There are different strategies for this analysis a researcher can employ, and this thesis will take inspiration from *qualitative content analysis*, which, at its core, is concerned with using a theory-guided approach and a category system to analyse text (Kohlbacher, 2006, p. 14). Using this approach to analyse documents, it is believed that one can retain both openness and adherence to theory simultaneously throughout the analysis (Kohlbacher, 2006, p. 14). Using the typology to guide the case study will ensure that the approach in this thesis is both theory-guided and that specific categories are identified at the outset to guide the analysis.

According to Kohlbacher (2006), a theory-guided approach to a case study should be taken to mean that "the state-of the field of the respective research subject as well as subjects closely related are required to be taken into account and integrated into the analysis" (p. 17). The thesis has attempted to achieve this firstly, by discussing at length different feminist approaches to sexual violence in chapter 3, presenting and examining the state of the art of feminist research on the topic, and secondly, by developing a new typology of sexual violence in chapter 4 which integrates many of the concerns with mainstream approaches to sexual violence into its framework. Both chapter 3 and chapter 4 form the basis of the theoretical approach taken in this thesis, and ensure that a theory-guided approach to the case study is taken.

The category system is central to guide the reading and analysis of the documents, to help identify which information needs to be filtered out from the material (Kohlbacher, 2006, p. 16). Another way of understanding the category system is to see them as units of analysis. The typology which was developed in chapter 4 fits the purpose of a category system very well; the framework that was developed contains an initial analysis of how different forms of sexual violence in conflict are connected to different functions and objectives of that violence. It is specifically the first part of the typology on different *forms* of sexual violence that will be used

to guide the document analysis. The framework shows which forms of sexual violence one can expect to find in a conflict, and thereby shows the researcher what to look for when analysing the documents. Once a specific form of sexual violence has been identified in the document under scrutiny, it is necessary to interpret the text to see whether any information on the function and objective of that specific form of sexual violence is identifiable. After that analysis has been done, it will also be necessary to investigate the text under scrutiny for any information on the *gendered* dimensions of that specific form of sexual violence. By looking at numerous documents, which outline a high number of incidences of sexual violence in South Sudan, the hope is that this analysis will reveal specific themes and patterns. These patterns can be both in the perpetration and victimisation of sexual violence. However, given that gender analysis forms part of the framework, the hope is also that the analysis will reveal how gender inequalities influence different expressions of sexual violence, at the different analytical levels.

5.3.4 Reporting Case Studies

The last of the three steps integral to a case study identified by Kohlbacher (2006, p. 10-12), is the report which presents the findings which have been done in the process of conducting the case study. This final step will be chapter 8 of this thesis where the results of the case study will be presented.

5.4 Feminist Approaches to Conflict-Related Sexual Violence – Implications for Methodology

The analytical framework guiding the case study of this thesis has been developed on the basis of feminist approaches to conflict-related sexual violence (CRSV). What exactly characterises a feminist approach to CRSV has been outlined in great detail in chapter 3, but some characteristics have important implications for the methods employed in this thesis:

The case study will be used to explore the links between gender, power and violence. The approach taken in this thesis emphasises that CRSV can only be understood if one acknowledges the existence of gender hierarchies and that these influence expressions of violence, including sexual violence, in conflict. One of the main goals of the case study is thus

to find out how the gendered nature of conflict influences different expressions of CRSV. This will be done by taking gender into the analysis: This approach is guided by an underlying assumption that it will not be possible to create effective and appropriate responses to conflict-related sexual violence unless the structural conditions created by unequal gender relations and how these manifest in different forms of sexual violence are taken into account. Following Wenona Giles & Jennifer Hyndman and their claim that “gender analysis is a matter of seeing” (Giles & Hyndman, 2004, p. 28), integrating gender as an analytical category into the analytical framework guiding the case study will enable the researcher to look for and see how gender, and more specifically gender inequalities, are related to different forms of sexual violence. Gender analysis will enable us to acknowledge the gendered nature of conflict, manifesting at different analytical levels, and thereby uncover existing (power) structures which cause and influence expressions of sexual violence in conflict.

5.5 Theory development and theory testing

The development of theory is an important aspect of designing and preparing for a case study, as it can provide a framework and structure that increases the validity, reliability and even the replicability of a case study. Kohlbacher (2006) argues that “theory development taking place prior to the collection of any case study data [is] an essential step in doing case studies” (p.9). The development of a preliminary typology in chapter 4 is thus of great importance because it provides a direction for the analysis. Still, it is important to emphasise that the typology in chapter 4 should be seen as a *preliminary* typology, not least because the analytical categories pertaining to gender specifically have been intentionally left blank. Because it is the first typology of its kind which integrates gender at different analytical levels, the goal is to be able to fill in the blanks after conducting the case study, when more data and information about the linkages between gender and CRSV are potentially known. Furthermore, in addition to filling in the categories on gender, the three already conceptualised categories of *form*, *function* and *objective* of CRSV will also be reviewed in light of the data and information gathered about South Sudan, to test whether the theory holds up or whether insights from the case study can be used to improve the categories and to develop further the typology of conflict-related sexual violence.

5.6 Materials

Academic literature on South Sudan, and on conflict-related sexual violence in the country in particular, is very limited. There is thus a thin academic basis for the case study of conflict-related sexual violence in South Sudan. There is however a larger amount of reports from the UN, NGOs and other civil society actors available, and the analysis will thus rely mainly on these materials. Where possible, triangulation and comparison of data and findings in the different documents is done to ensure the reliability of a statement. The importance of using data from more than one source when conducting a case study is also underlined by Robert Yin (2009b) who says this is the only way to ensure events are “accurately depicted (...) as they transpired” (p. 266). Using any type of source in academic research requires certain precautions and a critical treatment, in particular with regards to the validity, reliability and accuracy of the sources (Pierce, 2008, p. 83).

A major source for this document analysis is documents and reports from different UN entities, including the United Nations Mission in South Sudan (UNMISS), the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the UN Commission on Human Rights in South Sudan (an independent body mandated by the UN Human Rights Council (HRC)). In addition to these UN documents, other key sources that will be used for the analysis are reports from NGOs such as Amnesty International (AI) and Human Rights Watch (HRW), and documents from other relevant international organisations such as the African Union. I have chosen to base my case study on these materials for the following reasons: 1) Access: The documents are openly and freely available for anyone to download from the internet and are thus easy to access. Furthermore, they are the only quality documents that detail specific incidents of CRSV in South Sudan that could be found. 2) Reliability: The reports are published by entities which are generally considered to be highly reliable and balanced in their reporting. 3) Proximity of researchers: All documents used for the case study are based on information obtained from fact-finding missions on the ground in South Sudan. They are often based on primary sources such as interviews with people directly involved in the conflict, something which increases the likelihood that the information contained in the reports accurately depicts events on the ground. When using these materials, certain precautions and reservations are made, which are outlined below:

5.6.1 United Nations Documents

Reports and documents from various UN entities are among the most important sources for providing material for the case study of this thesis. These sources are considered highly reliable, as they are based mainly on information from on the ground fact-finding missions. Also, given the size and extent of the UN network in South Sudan, it is reasonable to assume that the UN has access to large amounts of information about what goes on around South Sudan.

5.6.2 Non-Governmental Organisation (NGO) bias

When basing research on reports published by NGOs one has to be aware that such organisations represent certain interests and have their own agendas which they are promoting through their work. Of course, this does not mean that what they report is not true, or that the agendas they are promoting are not honourable and important. Rather, it means that when using their reports as sources, one has to be aware that they might be only displaying parts of a reality, and that they are reporting on those things that are important to the cause of that organisation.

According to Jennifer Green (2004, p. 106), there are several types of biases that can be passed on and transferred when using an NGO report as a basis for an academic study, firstly related to the tendency of NGOs to over-report on incidents with a high number of casualties, and secondly related to the problem of NGOs and researchers often using different definitions and conceptualisations for the same phenomenon. Meger (2016, p. 58) concurs, and argues that because NGO reports on the topic are often produced to raise awareness about sexual violence they tend to (over)emphasise the systematic nature of the issue. Therefore, when working with NGO-produced materials, one has to be aware of any biases they might contain and work consciously to avoid transferring those biases into the research produced.

5.6.3 Strengths of my sources

Despite the above-mentioned reservations regarding the sources used for the case study in this thesis, the authors of these reports have a clear strength when it comes to their proximity

to the events they are reporting on. Common for the reports from the UN and the different NGOs is that they are based on a broad network of researchers and activists on the ground in South Sudan who are reporting directly from the events where things are happening. The hope is that this will lend credibility and reliability to the findings of this thesis.

5.7 Summary of Method: How the analysis will be done

The main principles of the research method used in order to answer the research questions of this thesis have been outlined above as a qualitative method, using the case study approach which will be supported by a document analysis and an eclectic analytical framework built for this thesis. Still, it would make sense to make explicit the way in which the analysis for the case study will be conducted. A step-by-step description of the method used for document analysis follows below:

- A list of all documents consulted can be found in Annex 1.
- The analysis will be done by looking at the documents in chronological order, i.e. in the order in which they were published, which roughly corresponds to the time period which the documents are covering.
- Some of the documents focus in their entirety on different incidents of sexual violence, while other documents detail a broader variety of human rights abuses or other related issues. For that reason, the first step when looking at each document will be to isolate those parts that are of relevance and speak specifically to the topic under inspection (namely sexual violence).
- The different *forms* of sexual violence outlined in the typology will guide the reading of the documents: When the part of the document that details incidents of sexual violence has been identified, the next step is to identify what *form* the incident of sexual violence which is being described in the document takes.
- When the *form* of sexual violence has been identified, the rest of the text will need to be analysed and interpreted to see if it can reveal anything about the function or objective of the violence described in that specific incident.
- The inclusion of gender as an analytical category was integral to the construction of the new typology: When the analysis of form, function and objective of an incident of sexual violence described in the document has been done, the next step is therefore

to do the gender analysis: This will also require the researcher herself to interpret and deduct from the text that information which says something about how issues to do with gender inequalities or patriarchal norms might influence the particular form and incident of sexual violence under examination.

- By analysing several documents which detail numerous incidences of sexual violence, the hope is that common themes and patterns in conflict-related sexual violence and their linkages to patriarchal norms and gender inequalities can be revealed.

6. Historical, Social and Political Background for South Sudan

6.1 Introduction

It is not possible to understand conflict-related sexual violence without understanding the broader societal and political context wherein it is occurring. Therefore, before starting the analysis of documents that outline incidents of conflict-related sexual violence in South Sudan, it is first necessary to give a short introduction to the history and politics of the country. First, a brief historical background to the conflict in South Sudan will be given, before an overview over the gender dynamics commonly found in South Sudanese society will be presented. The latter is deemed especially important as it will provide an insight into the role that gender norms play in South Sudanese society, and how these are expressed in specific gender hierarchies, which again influence the different patterns of conflict-related sexual violence.

6.2 From Revolution to Independence

South Sudan is the world's youngest nation, gaining independence from Sudan in July 2011 following a referendum on independence where the South Sudanese people voted overwhelmingly for independence, with 98.83 per cent of the voters voting in favour (De Waal 2016, p. 3). South Sudan's independence is the result of a decades long struggle between Southern Sudanese people and the central Sudanese government in Khartoum who repeatedly failed to include South Sudanese people in political processes and excluded the region from social and economic development (Johnson, 2016, p. 28). Since independence in 1956, Sudan saw two of the lengthiest and most destructive civil wars of the 20th century on the African continent, the first Sudanese civil war taking place 1955 – 1972, and the second Sudanese civil war lasting from 1983 – 2005 (Johnson, 2016, p. 134). Consequently, when South Sudan gained independence in July 2011, the country had already gone through decades of war, conflict and destruction. The country had only been independent for just over two years when it was engulfed in yet another destructive civil war in December 2013.

6.3 Civil War

The civil war in South Sudan broke out in December 2013 when the president of South Sudan, Salva Kiir Mayardit (of the Dinka ethnic group), accused the former vice president Riek Machar

(of the Nuer ethnic group) and several other politicians of attempting a coup in the capital Juba (Frafjord Johnson, 2016, loc. 3773). The alleged coup was the trigger for what appeared to be targeted violence against Nuer people in Juba, violence exercised by people in uniform loyal to the President. The violence in Juba quickly spread throughout the country, engulfing it in a civil war that would last nearly 5 years. Several attempts at ending the war have been made, and numerous ceasefires have repeatedly been broken. For now, the civil war has ended with a fragile peace agreement, namely the Revitalized Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS), signed in September 2018 between the main warring parties (UNMISS, 2019a, p. 3). Still, levels of conflict remain high, the different parties to the conflict continue to fight in several parts of the country, and incidents of conflict-related sexual violence continue to occur (Pavlik, 2018; UNMISS, 2019a, p. 8).

The civil war can be understood from many different angles, resulting from one or a combination of the following: A power struggle between elites, in particular between South Sudan's political leadership President Salva Kiir and former vice-president Riek Machar (Frafjord Johnson, 2016, loc. 3106), deep divisions within the ruling party Sudan People's Liberation Movement (SPLM) (Rolandsen, 2015, p. 163), ethnic conflict (according to Douglas Johnson (2014, p. 300), a perspective promoted mostly by journalists in Western media), as a class struggle between a new aristocracy and ordinary citizens (Pinaud, 2014, p. 211), or as a conflict erupting because a corrupt ("kleptocratic") system of governance ran out of money (De Waal, 2014). In sum, the civil war resulted from a complex set of political relationships, historical incidents, and a power struggle at the top of South Sudan's political leadership.

There have been multiple attempts at ending the South Sudanese civil war since its outbreak in 2013. Despite the high number of failed ceasefires and negotiations (at least seven shattered ceasefires), two agreements stand out as more significant in the process to resolve South Sudan's civil war: The Agreement on the Resolution of the Conflict in South Sudan (ARCSS), signed in 2015, and the Revitalized Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS), signed in 2018. Given the signing of the R-ARCSS, the civil war can officially be said to be over. Nevertheless, insecurity and danger persist for most people in South Sudan, and it remains a highly militarised society with a volatile security situation (HRC, 2019, p. 1). For that reason, the conflict cannot be said to be over.

6.4 Main Actors

The two individuals that can best be said to represent the civil war in South Sudan are the President of the Republic, Salva Kiir, and his former vice-president, Riek Machar. Salva Kiir is the President of South Sudan, Chairman of SPLM, and Commander-in-Chief of the SPLA. Riek Machar is the leader of the anti-governmental forces, also known as the SPLM-IO, which split out of the SPLM/A following the outbreak of the civil war in December 2013 (Frafjord Johnson, 2016, loc. 3106). Although these important political figures represent the two main actors in the fighting, one cannot reduce the conflict to one between these two only. This simplification would overly simplify the complexities of the conflict which are what make it so protracted and difficult to resolve. There are shifting allegiances, and according to some estimates, more than 50 different factions operating independently from the government, sometimes shifting their allegiances to one of the main actors, sometimes retreating away from both of them (Beaumont, 2018). The factionalism and shifting allegiances are often based on an opportunistic logic, and local rebel groups tend to pledge their allegiance to that actor who can offer the most in terms of material benefits at any given moment (Seymour, 2014, p. 105).

6.5 United Nations Mission in South Sudan (UNMISS)

UN Peacekeepers have had a presence in Southern Sudan since the establishment of the United Nations Mission in the Sudan (UNMIS) following the signing of the peace agreement between Sudan and Southern Sudan, the Comprehensive Peace Agreement (CPA), in 2005. With independence for South Sudan in 2011, the UN Mission in South Sudan (UNMISS) was established with UN Security Council Resolution 1996 (UNSC, 2011). At first, the mandate of UNMISS was one of nation building. However, following the outbreak of the civil war, the mandate was significantly changed from one of nation-building to one focussing on the protection of civilians. In UNSC Resolution 2155 (2014), UNMISS was given a robust mandate to protect civilians, meaning that they were authorised to use force, if necessary, to protect civilians from violence (Zambakari, Kang & Sanders, 2018, p. 124). As of the most recent UNSC Resolution 2459 (2019), renewing the mandate of UNMISS, the peacekeeping mission is authorised with up to 17.000 troops and 2101 police personnel (UNSC, 2019, p. 7).

6.6 Protection of Civilians (PoC) Sites

The Protection of Civilians (PoC) Sites in South Sudan have played a significant role in protecting civilians since the outbreak of civil war in December 2013. PoC sites is used as an expression “to describe IDPs residing in UNMISS peacekeeping bases for protection” (Arensen, 2016, p. 16). In total, PoC sites in South Sudan hosted 178,201 civilians in June 2019, in the following five different locations: 1) UN House PoC I & III, Central Equatoria, 2) Bentiu, Unity, 3) Malakal, Upper Nile, 4) Bor, Jonglei, and 5) “AA”, Area Adjacent to UNMISS in Wau (UNMISS PoC Update No. 234, 2019). Despite the purpose of a PoC Site is to protect civilians, PoC sites are a controversial and much criticised way of doing so (Claire, 2019, p. 61). Many NGOs, among others Médecins Sans Frontières (MSF), have argued that the PoC sites encourage people to leave their homes and seek protection within the camp, abandoning the rest of South Sudan and creating the impression that there are no other solutions for the protection of civilians (Claire, 2019, p. 62). The areas close to PoC sites have also become hot spots for incidents of sexual violence. People who are on their way to PoC sites to seek protection have frequently been targeted on their journeys, at checkpoints, on main roads, bridges and at intersections. People residing within the sites also become especially vulnerable to attacks when going outside to look for firewood, water and other life necessities that cannot be found within the UNMISS compounds (UNMISS, 2019a, p. 9).

6.7 Geography

South Sudan is a landlocked country and remains among the least accessible countries in the world (Rolandsen & Daly, 2016, p. 2). The country has been described as “cut off from the rest of the world” and “as remote an environment as can be found” (LeRiche & Arnold, 2013, p. 4). With a population of about 12 million people, and a territory of 620.000 square km², it has one of the lowest population densities of any country in the world.

The geography and climate of South Sudan are of significance for and can be used to explain the dynamics of conflict: During the rainy season, for example, mudslides, difficult terrain, and bad road conditions contribute to making violent encounters less frequent, as it becomes almost impossible for troops and soldiers to move about without the proper equipment in ground vehicles and air force (Frafjord Johnson, 2016, loc. 2929). The rainy season also has an

influence on UN Peacekeepers, who can be prevented from doing their job of protecting civilians, due to the problems created for mobility, and the inability to quickly get to the place of action within a short time frame (UNMISS, 2019a, p. 9).

6.8 Pastoralism

Large parts of South Sudanese society revolve around pastoralism; the cattle economy is a central institution in society and forms a fundamental part of people's identities (Norwegian Refugee Council, 2016, p. 1). Pastoralism as a form of livelihood has been necessitated by the country's geography and climate, and more than 70% of the country's population takes part in the pastoral economy (Norwegian Refugee Council, 2016, p. 2). Pastoralist communities in South Sudan are patrilineal and tend to adhere to traditional gender roles where men are the head of the household and women have caretaking duties (Blench, 2001, p. 42).

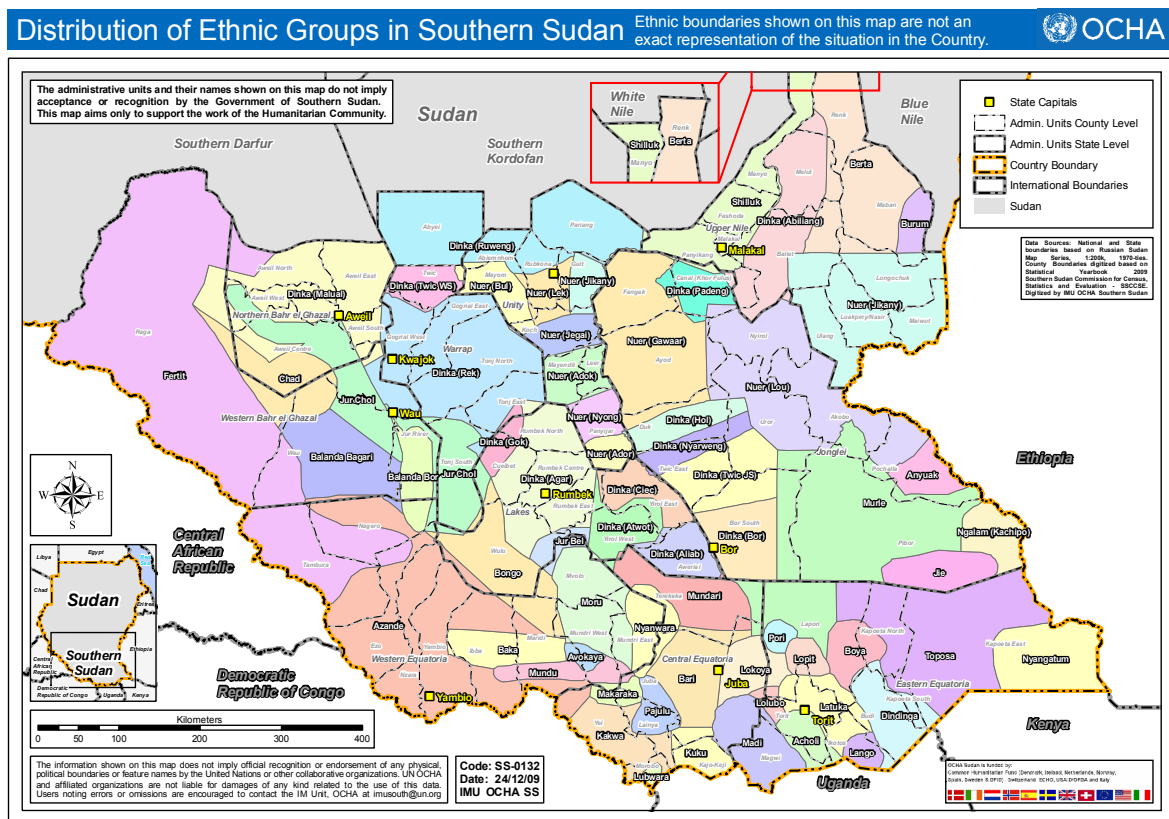
The linkages between pastoralism and conflict are manifold and complex, and cattle-raiding has become a common feature of conflict in South Sudan (Frafjord Johnson, 2016, loc 2288). Targeting pastoralist's cattle means targeting their livelihoods, and cattle raids thus have detrimental consequences to the people living in pastoral communities. The need to guard cattle populations with arms has contributed to the militarisation of people's domestic sphere (Pendle, 2015, p. 411). Pastoralism also contributes to the war economy, and the keeping of cattle is seen as the safest way to store assets in a country with few banks and an unstable currency. Destruction of pastoralist communities has been used both as a weapon of war, as well as being a goal in itself (Norwegian Refugee Council, 2016, p. 3). There are also links between pastoralism, conflict, and sexual violence, although these have thus far not been methodically explored. Still, incidents of sexual violence have been reported in association with cattle raids by some organisations (AI, 2017, p. 17).

6.9 Ethnic Groups

South Sudan has a diverse ethnic composition, with more than 50 documented ethnic groups, speaking up to 400 different languages and dialects (LeRiche & Arnold, 2013, p. 4). The largest ethnic group in South Sudan is the Dinka, making up about 38% of the entire population. The second largest is the Nuer group, constituting 17% of the population. Other ethnic groups of

significant size are the Zande (10%), Bari (10%), Shilluk/Anywa (10%), and Arabs (4%) (Collins et. al., 2018). A map over the main ethnic groups, their subdivisions, and in which regions they can be found, is displayed in Map 1 below.

In the South Sudanese conflict, ethnicity has frequently been used as a way to target specific people with violence. Sometimes people are targeted purposely for their membership of a specific ethnic group, other times ethnicity has been used as an “ordering device” (Fjelde & Hultman, 2014, p. 1251) to identify a certain ethnicity that is believed to have allegiance to a specific armed group. The relationship between ethnicity and sexual violence is complex, but victims have frequently been targeted on the basis of their ethnicity (AI, 2017, p. 10), whether this is because perpetrators wish to harm members of a specific ethnicity, or whether they are simply using a person’s ethnicity as a proxy for their presumed loyalties in the conflict.



Map 1: Showing the distribution of Ethnic groups in South Sudan. Source: United Nations Office for the Coordination of Humanitarian Affairs (OCHA), 2009.

6.10 Gender in South Sudan

One of the underlying assumptions guiding the approach to conflict-related violence taken in this thesis, is that the phenomenon cannot be understood in isolation from the long-term underlying gender dynamics of South Sudanese society. Only when placed in this context can conflict-related sexual violence be properly analysed and understood.

South Sudan is a deeply patriarchal society, meaning that men are seen as the protectors of women who hold a subordinate position in society to men (D'Awol, 2011, p. 60). South Sudanese Society is governed by patriarchal norms which dictate that men hold power over women, and are seen as protectors who display masculinity through strength and dominance, including through the protection and control of woman's sexual activities (AI, 2017, p. 20). This is closely linked with a gendered concept of power that sees men as active protectors of women, and women as their caretakers. In a household, the main responsibility of a woman is to collect water, firewood and to care for the children, while the man is the decision-maker responsible for keeping cattle, hunting and fishing (Care International, 2016, p. 6). The ideal of masculinity is important for South Sudanese men, who strive for "stoicism in the face of pain" (Care International, 2016, p. 6) and wish to be seen as warriors fighting for and protecting their women. The value of a married woman is closely linked to her role in the household as a caretaker, while the value of an unmarried girl or women is linked to "her potential for marriage and the consolidation of clan and social relations" (HRC, 2018a, p. 34).

Gender dynamics in South Sudanese society are displayed through a number of social and cultural customs and practices that see women systematically discriminated against, creating a deeply unequal society. This can be seen in for example the wide disparities in education and literacy; At primary school level, 40.3% of the students are girls. This is reduced to 32.5% at secondary level, and even further reduced to only 22.2% of university students being girls (Government of the Republic of South Sudan, 2015). When it comes to literacy rates, numbers from 2009 indicated that while 40% of males over 15 could read and write, only 16% of females in the same age group could do so (National Bureau of Statistics, 2009).

Gender inequality has significant consequences for the lives of women as wives and in family life: Both forced marriage and child marriages remain a widespread occurrence, even though

South Sudanese law contains provisions criminalising both (AI, 2017, p. 19). The custom of bride price is almost universally practiced – a tradition where the family of the bride receive money or even more commonly cattle from the groom’s family as a “payment” for the bride. This functions as a driver for early marriages as it creates a financial incentive for marriage. The rules of marriage are dictated by various customary laws of the different ethnic groups of South Sudan, commonly not giving women the right to divorce, to own or inherit property or to have custody of their own children (AI, 2017, p. 19). This means that if someone’s husband passes away, this woman is often left without any property, wealth or even the right to her own children as these are seen to be the property of the husband’s family.

In the context of gender inequality in the home, domestic violence is largely tolerated and seen as a private matter. Under many customary laws, wife beating is tolerated and seen as a husband’s right. As Scott et. al. (2013) found in their study of gender norms and gender-based violence (GBV) in South Sudan, 82% of female respondents and 81% of male respondents agreed to the statement that “a woman should tolerate violence in order to keep her family together” (p. 5). Traditional beliefs about a woman’s role and duties in the family are thus not held by males only, but are equally part of many South Sudanese women’s value system.

6.11 Sexual Violence in South Sudan

Throughout the long and brutal civil wars that have taken place in South Sudan, both when it was a part of Sudan, and today as an independent country, sexual violence and rape has become an increasingly more common feature of conflict (D’Awol, 2011, p. 53). Thousands of people have been victims of sexual violence as a direct result of conflict. Through decades of war, South Sudanese society has become highly militarised, displacing and separating families and communities, and increasing access to weapons, factors which have all contributed to the increase in and normalisation of sexual violence. In a highly militarised culture, weapons and guns have been associated with power, and have entitled their owners to exercise their power over women both within and outside of the home (D’Awol, 2011, p. 54). War has also disrupted previously held norms and structures governing family relations which could have functioned as a check on gender-based violence (AI, 2017, p. 17). With a disruption of these, sexual violence has been allowed to thrive. Murphy et. al. (2019) found that the main drivers of violence in South Sudan are “unequal and patriarchal practices which are compounded by

poverty and unequal power relationships within the home” (p. 9), confirming that the issue of conflict-related sexual violence cannot be addressed without acknowledging the role that the deeply entrenched gender norms in South Sudanese society play for different expressions of sexual violence.

Despite its high prevalence, there are still high levels of stigma and shame associated with sexual violence. There is a low availability of legal means for victims, and with few perpetrators legally prosecuted, a culture of impunity for crimes of sexual violence persist. Instead of seeking justice through the legal system, cases of rape are often settled within communities where the victim is forced to marry her rapist (D’Awol, 2011, p. 62). This is part of a pattern seen often in South Sudan where victims of sexual violence frequently experience greater stigmatisation and shame than the perpetrators of the violence themselves.

7. Case Study: Document Analysis

This chapter will be used to systematically work through the different documents that form the data basis for the case study. As was elaborated on in chapter 5 on methodology, the documents have been chosen for three main reasons: 1) Access: the documents are freely and openly available online, 2) Reliability: The documents are published by authoritative and trustworthy entities, and 3) Proximity of researchers: The documents are based on research conducted at ground level in South Sudan which increases their reliability and the likelihood that events are accurately understood and depicted in the reports.

The analysis covers incidents taking place from the outbreak of the civil war in December 2013 and until the end of 2018, which is the time period for which documents are available. The analysis will be done in chronological order, meaning that I will start by looking at documents published in 2014 going up all the way until 2019. I will analyse one document at a time, and also add interim summaries after every year in order to review and present the most important findings about conflict-related sexual violence in South Sudan from documents published in that year. By doing the document analysis in chronological order, the idea is that one can follow the “natural” progression of the conflict and capture how different forms of conflict-related sexual violence developed as the civil war progressed. The point of this chapter is to extract the most relevant information that speaks to the form, function and objective of incidents of sexual violence in the conflict in South Sudan from the documents under scrutiny. This chapter is concerned with establishing a factual basis for the case study, and the actual application of the typology, the analytical framework constructed specifically for this thesis, will be done in the succeeding chapter where a detailed analysis and investigation of the information extracted in this chapter will be conducted.

The documents analysed in this chapter are published by: The United Nations Mission in South Sudan (UNMISS), the Office of the United Nations High Commissioner for Human Rights (OHCHR), the UN Commission on Human Rights in South Sudan, which is an independent body mandated by the UN Human Rights Council (HRC), The African Union (AU) Commission Of Inquiry On South Sudan, and Amnesty International (AI). Additional documents by other UN

entities, such as UN Women, IMO, and UNICEF, and other NGOs such as Human Rights Watch (HRW) and Médecins Sans Frontières (MSF) were also part of an initial reading, but are not included in the analysis below as they contained little specific information on different forms of sexual violence in South Sudan. Please refer to Annex 1 to see a complete list of all documents consulted.

7.1 2014

Interim Report on Human Rights - Crisis in South Sudan (UNMISS, 2014a)

The first document published by UNMISS after the outbreak of the civil war in South Sudan in December 2013 (UNMISS, 2014a), is meant to offer a “snapshot” of the first six weeks of the conflict and to show the way for further investigations. The report shows that sexual violence was already widespread at the outset of the conflict, stating that “sexual violence was a consistent characteristic of the crisis in all affected states” (UNMISS, 2014a, p. 9). Forms of sexual violence identified in this preliminary report are rape, forced abortion, sexual harassment and “opportunistic” sexual violence. It is also stated that “it is premature to judge whether or not sexual violence was used as a weapon of war” (UNMISS, 2014a, p. 9). Given its preliminary nature, the document contains few details on the actual acts of sexual violence, although they do state that UNMISS Human Rights Division (HRD) has “received numerous reports of CRSV” (UNMISS, 2014a, p. 19). They also say that all parties of the conflict have committed acts of sexual violence in the first six weeks of the conflict, and highlight that “women leaving the PoC site within the UNMISS compound to fetch water were particularly exposed to threats, harassment, abductions, and sexual violence” (UNMISS, 2014a, p. 19), pointing to the link between areas close to safe spaces and their association with higher risks of a number of threats including sexual violence.

Conflict in South Sudan: A Human Rights Report (UNMISS, 2014b)

The second document published by UNMISS after the outbreak of the civil war in South Sudan in December 2013, which covers the period from December 2013 to April 2014, is a comprehensive report on the developments in the country, based primarily on interviews with more than 900 witnesses. In the document, several references to different forms of sexual violence are made:

The forms of sexual violence used during the conflict include rape, sometimes with an object (guns or bullets), gang-rape, abduction and sexual slavery, and forced abortion. In some instances, women's bodies were mutilated and, in at least one instance, women were forced to go outside of their homes naked. (UNMISS, 2014b, p. 49)

From the above statement it is clear that from the very outset of the civil war in December 2013, a wide spectrum of different forms of sexual violence were used against victims, including rape, gang rape, sexual slavery and forced abortion. The report clearly states that all parties to the conflict are responsible for some form of sexual violence: "All parties to the conflict have committed acts of rape and other forms of sexual violence against women of different ethnic groups." (UNMISS, 2014b, p. 49). Despite the fact that the majority of incidents described in the report are concerned with male perpetrators and female victims, examples of the opposite are also reported already at the outset of the conflict: "three boys were allegedly raped by JEM [Justice and Equality Movement]. The youngest one reportedly died as a result of the rape." (UNMISS, 2014b, p. 50).

Incidents of sexual violence were reported in several different parts of the country: In Central Equatoria (Southern part of the country, capital city: Juba), a total of 27 incidences of sexual violence were documented with 22 of these being directly attributable to government forces. Of these, there were 14 incidences of rape and gang-rape and 4 incidences of sexual slavery (UNMISS, 2014b, p. 49). In all these cases except one, the violence was perpetrated against women of the Nuer ethnic group. Additionally, there were reports of Nuer women being raped by SPLA soldiers and thereafter "taken as 'wives' by the soldiers" (UNMISS, 2014b, p. 50).

In Jonglei State (Eastern part of the country, capital city: Bor), in total 11 incidents of sexual violence were documented, including five rapes, four gang rapes, one attempted rape, one abduction and sexual slavery, and one abduction of a woman threatened with rape. Both government and opposition forces were implicated in the attacks, and people in both the Dinka and Nuer ethnic groups were targeted (UNMISS, 2014b, p. 50).

In Upper Nile State (North-Eastern part of the country, capital city: Malakal), a total of 21 incidents of sexual violence were reported, including 11 rapes, 2 gang rapes, 2 attempted rapes, 2 abductions for sexual slavery, and other unspecified forms of sexual violence. At least two incidences of women being captured to be used as “wives” was also confirmed. Both government and opposition forces, and unidentified groups and individuals, were implicated as perpetrators of the attacks. Victims were people of Shilluk, Nuer, Dinka and Murle ethnicity (UNMISS, 2014b, p. 50).

In Unity State (Northern part of the country, capital city: Bentiu), 14 cases of rape were reported, 9 cases of gang rape, and 2 cases of sexual harassment. Both government and opposition forces were implicated, and people of foreign nationality and both Nuer and Equatorian ethnicity were targeted (UNMISS, 2014b, p. 50). The incidents reported in Unity State include gang rape of 7 foreign women in their place of work by government forces, and rape of more than 20 women by JEM forces, where eye witnesses stated that “soldiers urinated into victims’ mouths”. (UNMISS, 2014b, p. 50). In Leer County in Unity State, an incident was reported where women were sexually harassed, followed by the soldier stealing money and items from the women they had assaulted (UNMISS, 2014b, p. 50).

Report of the United Nations High Commissioner for Human Rights on the situation of human rights in South Sudan (OHCHR, 2014)

This report was published by the United Nations High Commissioner for Human Rights and details human rights abuses in South Sudan from the outbreak of the conflict until mid-2014. The report documents different forms of sexual violence, including rape and gang rape. The report finds that the risk of sexual violence is high when women and girls leave UNMISS PoC sites to look for food, water and other items, but that there is an additional risk of sexual violence in the evenings when “soldier’s alcohol consumption increased” (OHCHR, 2014, p. 9), showing that there is a link between soldiers consuming alcohol and their likelihood to abuse women. Furthermore, the report also points to the links between “cyclical intercommunal clashes” and sexual violence, finding that recurring rounds of revenge between different ethnic communities leads to an increase in sexual violence such as rape and gang rape which are used as a tool for revenge (OHCHR, 2014, p. 10). The risk of sexual violence thus increases whenever there is inter-clan violence or other ethnically motivated disagreements.

Final Report of the African Union Commission of Inquiry on South Sudan (AU, 2014)

This report was published by the African Union and details the findings of the African Union Commission Of Inquiry On South Sudan and details their investigation into human rights abuses occurring in South Sudan after the outbreak of conflict in December 2013 and until mid-2014.

The report features interviews with several high-ranking officials, including an SPLA commander who talks about the links between controlling military troops and sexual violence. According to him, sexual violence was rampant because it is difficult to control large groups of troops who are on the ground, especially when the commander is at headquarters and not in the vicinity of troops: “When you are at war, you cannot control the forces on the ground if you are not there and you are in Headquarters” (AU, 2014, p. 173). Furthermore, according to the commander, he himself had issued orders for soldiers to not harm women:

When he arrived, he did not allow any soldiers to commit acts of rape and it was his duty to defend the women. Acts of SGBV [Sexual and Gender Based Violence] were happening before the Commander arrived in Bentiu but when he arrived he put a stop to it. (AU, 2014, p. 173)

It is not possible to verify whether the statement is true or not, but the information contained is interesting for a number of reasons: Firstly, it shows that the commander himself was aware of the consequence of a weak command structure that makes controlling the troops difficult or impossible. This conflict dynamic where a lack of clear instructions and orders contributes to a higher likelihood of sexual violence against women by troops is thus acknowledged. Furthermore, his statement also shows the awareness held by a high-ranking commander of the problem of sexual violence, and demonstrates his will to contribute to prevent it.

Nowhere Safe: Civilians Under Attack In South Sudan (AI, 2014)

This report was published by Amnesty International and details attacks against civilians in South Sudan from the outbreak of the conflict in December 2013 to April 2014. The document contains several statements from survivors of rape and eyewitnesses to various atrocities: A

recurring feature in the statements on sexual violence is that it is perpetrated by groups of two or more soldiers (i.e. gang rape) against more than one victim. If victims refuse to be raped, they are frequently killed by the soldiers, as stated by one victim:

She recounted that soldiers made her watch as they forced large wooden sticks inside the vaginas of seven women who refused to be raped. The soldiers said, 'If you do not want [to be raped], we will do this to you. They [the other women] were strong, and refused. I wanted to live, so I allowed them to rape me.' Nyawal said that the seven women died as a result. (AI, 2014, p. 28)

All witness statements read similarly: Women and girls are brutally raped by groups of soldiers. If they refuse, they are killed. Those that do not refuse often suffer serious long-term injury and often also die from injuries suffered as a result of the rape. The report also points to an interesting effect war has on society: "Many women and girls are living without husbands or fathers — because they are fighting, have been killed, or are in hiding, afraid of being targeted" (AI, 2014, p. 27). The loss of a male guardian in the daily lives of women thus increases their risk to be subjected to sexual violence, indicating the strong patriarchal norms governing South Sudanese society where a woman without male guardianship moves with greater personal insecurity and risk.

7.1.1 Interim Summary of Reports Published in 2014

The year 2014 saw the publication of a high number of reports on incidents taking place during the South Sudanese civil war since its outbreak in December 2013. The reports show that different forms of sexual violence, including gang rape, forced marriage, forced abortion and opportunistic rape were all present already at the outset of the conflict. Furthermore, there are also reports of a high degree of brutality and violence accompanying different acts of sexual violence. The reports by different entities all make similar finding; conflict-related sexual violence in South Sudan in 2014 is widespread and affects a wide range of people, including people of different ethnicities. The documents also show that although women were most frequently targeted, boys and men were also victims of CRSV in the first year of the conflict.

7.2 2015

Attacks on Civilians in Bentiu & Bor April 2014 (UNMISS, 2015a)

This document looks at attacks against civilians in Bentiu (Unity State) and Bor (Jonglei State) committed in April 2014 and focusses on a wide range of violent acts committed against civilians. The document in particular focusses on abduction and forced marriage as a specific form of sexual violence:

There are also reasonable grounds to believe that abductions and sexual violence, rising to the level of conflict-related sexual violence, were committed. (...) several women and children were abducted from the Bor PoC site during the attack. (...) The fate of abductees in South Sudan varies. In some cases, abducted women are subsequently forced to become the 'wives' of their abductors or other men in the abductors' community. The abducted 'wife' is often raped and forced into sexual slavery with her "husband" and to bear children. (UNMISS, 2015a, p. 28)

From the above passages it is clear that abduction of women and girls is widespread and can lead them to suffer a number of different acts of sexual violence including rape, sexual slavery and forced marriage, but also other types of violations such as threats and assault. The document also shows that there exists a link between the PoC sites which are supposed to be safe zones for civilians and sexual violence. The PoC sites appear to be used as locations to identify vulnerable people who may be abducted and subjected to different forms of sexual violence.

Flash Human Rights Report on the Escalation of Fighting in Greater Upper Nile (UNMISS, 2015b)

This document details human rights abuses in the Greater Upper Nile Region (consisting of Unity, Upper Nile and Jonglei States). The document highlights that "reports of rape have increased during the current wave of fighting" (UNMISS, 2015b, p. 7), perhaps indicating that rape becomes more widespread as conflict persists. The report also explicitly states that children are increasingly involved in the conflict by being "killed, raped and abducted"

(UNMISS, 2015b, p. 7). Furthermore, the document goes into great detail on different incidents of gang rape which are described by eyewitnesses and survivors:

A survivor from Koch County narrated to HRD how she was dragged out of her tukul and gang-raped alongside her neighbour by government soldiers in front of her three-year old child. The soldiers then taunted them that they would appreciate what men from Mayom County were made of. In another instance, a witness from Rubkona County narrated that she saw government forces gang-raping a lactating mother after tossing her baby aside. While in another case, two witnesses from Nhialdiu narrated how a 17-year-old girl was gang-raped by armed militia who shot her dead. In at least nine separate incidents, women and girls were burnt in tukuls after being gang-raped, particularly in Boaw Village of Koch County. In at least five villages in Rubkona, Guit and Koch counties, women and girls were shot and killed after they were subjected to gang-rape. (UNMISS, 2015b, p. 7)

The above passage shows that gang rape was perpetrated by both government soldier and armed militias. The witness statements rendered above all demonstrate an extreme disregard by the perpetrators for the dignity and worth of their victims. The eyewitness accounts also show that there are at least two types of gang rape, one where the victim is raped and then left alone, and another where the victim is killed after being subjected to gang rape. There is reason to believe that an act of rape followed by the killing of the victim is substantially different from one where the victim is left alive; the killing of victims of rape may suggest either an ethnic dimension (where the goal is to kill someone belonging to a specific ethnic group), or an attempt by the perpetrator to kill the witness/evidence to their attack.

This document details how the areas surrounding UNMISS PoC sites become hotspots for violations including sexual violence. There are reports of checkpoints being set up by soldiers to prevent civilians from entering the PoC sites to receive humanitarian assistance; “many of those that came across these checkpoints were attacked, arrested, subjected to sexual violence, torture or killed.” (UNMISS, 2015b, p. 9). The paradoxical situation thus arises where people on their way to safe spaces set up by the United Nations are put at even great danger

and risk being subjected to great harm before being able to find the protection they are looking for.

Human rights situation in South Sudan - Report of the United Nations High Commissioner for Human Rights (OHCHR, 2015)

This report was published by the United Nations High Commissioner for Human Rights and details human rights abuses in South Sudan in 2014 and 2015. This report finds that “Incidents of sexual violence have also been reported in the context of intercommunal violence” (OHCHR, 2015, p. 9). Incidents of sexual violence such as rape and gang rape have thus continued to take place, forming part of cycles of revenge violence between different clans. Although specific incidents are not detailed in this report, I am still choosing to include this short description as it shows a dimension of CRSV not included in the reports of other entities, namely how sexual violence also can form part of violence committed across communal and ethnic lines.

7.2.1 Interim Summary of Reports Published in 2015

The reports from 2015 continue to show persistently high levels of conflict-related sexual violence in South Sudan, with rape being found in all locations of the country, in forms including gang rape, rape where the victim was targeted based on ethnicity, and rape followed by killing of the victim. Importantly, 2015 sees the first mention of girls and women being abducted for the purposes of sexual slavery and forced marriage, a form of sexual violence which is to become among the most common and widespread in the South Sudanese civil war.

7.3 2016

UNMISS Statement on Incidents of Sexual Violence in the July 2016 conflict in Juba South Sudan (UNMISS, 2016)

There were not published any official reports by UNMISS in the year 2016, only one short press release which was released in response to a spike in incidences of sexual violence in Juba in July 2016, with more than 100 separately reported incidences of sexual violence in two weeks.

The press release acknowledges that sexual violence in the vicinity of the PoC Site in Juba is frequent, and details measure UNMISS has taken to prevent its occurrence:

UNMISS has intensified its patrols in and around the protection sites, as well as in the wider Juba city area. (...) UNMISS is working with community leaders and protection partners to coordinate peacekeeper escorts of women and young girls leaving protection sites to collect food and non-food items at scheduled times of the day. (UNMISS, 2016, para. 3)

The above passage shows again the link between sexual violence and the areas adjacent to PoC sites, and also for the first time highlight the increased vulnerability of women and girls who leave the sites in search for items necessary for their daily lives. The effort by UNMISS to accompany these persons outside of the PoC Site for their protection illustrates the idea that the presence of security forces protecting the women and girls will have a deterring effect on potential perpetrators of sexual violence. The press release finishes by calling on the different parties to the conflict “to take personal responsibility for the immediate sanctioning of their men, in and out of uniform” (UNMISS, 2016, para. 9), underlining the perception of UNMISS of a tendency seen in the South Sudanese civil war that nearly *all* men, whether in uniform or not can be complicit in acts of sexual violence. Furthermore, this statements shows that as far as UNMISS are concerned, only men, and not women, have committed acts of sexual violence in the period and place on which they are reporting.

‘We Are Still Running’ - War Crimes In Leer, South Sudan (AI, 2016)

This report was published by Amnesty International and details attacks against civilians in Leer County, Unity State, between August and December 2015. The report gives detailed witness statements from women and girls subjected to sexual violence, and divides the acts of sexual violence into three main categories according to the victims: 1. Women above 18 years of age, 2. Girls under the age of 18, 3. Nursing mothers and elderly women. All categories of victims were subjected to different forms of sexual violence, including rape, gang rape, sexual slavery, and abduction for sexual slavery. One survivor explained:

Seven men raped me in Yang. All were wearing uniforms. I was in Yang three days. For three days I was sleeping with them. If someone felt like sex...they would use you. They used us to cook, fetch water, milk cows, and get firewood. (AI, 2016, p. 17)

This is just one of many examples showing that women were used for sex (often by multiple perpetrators) and at the same time were also forced to do household chores for the perpetrators, demonstrating the ingrained norm in South Sudanese society that women are responsible for the household and related tasks.

In the report, the wide extent of the sexual violence is described as “a community wide trauma”, pointing to the deep impact acts of sexual violence can have on individuals, families and the community. It is also stated that, sometimes, female survivors of sexual violence will blame their male family members for failing to protect them, while male family members will blame the women for “letting” themselves be sexually abused (AI, 2016, p. 26). These ideas underscore the strong patriarchal norms and gendered concepts of power present in South Sudanese society that dictate males as protectors and guardians of females.

7.3.1 Interim Summary of Reports Published in 2016

The reports published in 2016 show that there is no decrease in incidences of conflict-related sexual violence, with for example the UNMISS press release having been triggered by a spike in incidents reported in Juba. The reports also show that at this point in the conflict, *all* women have become potential victims of sexual violence; there are no extenuating circumstances, and girls and women of any age or any physical or mental state may become targets. These reports also start to speak of the “community wide trauma” that sexual violence may constitute, showing that the long-term effect of CRSV in South Sudan may have a lasting impact on family and community structures.

7.4 2017

A Report On Violations And Abuses Of International Human Rights Law And Violations Of International Humanitarian Law In The Context Of The Fighting In Juba, South Sudan, In July 2016 (UNMISS, 2017a)

This report was jointly published by UNMISS and OHCHR, and investigates human rights abuses committed against civilians in Juba primarily from 8 to 12 July 2016 and in the aftermath, which resulted from fighting between the SPLA and the SPLM/A-IO. In the period, UNMISS recorded 217 incidences of rape, mainly committed by soldiers affiliated with the government, such as the SPLA, police officers and National Security Services (NSS) members. Hotspots for acts of sexual violence were around checkpoints and took place during house-to-house searches. Internally displaced women and girls were especially vulnerable, in particular when leaving PoC sites to search for water, food, firewood or to conduct other business (UNMISS, 2017a, p. 3). Eyewitness accounts reported the following:

SPLA soldiers would reportedly separate the women and girls they judged more attractive to them, to be raped or gang-raped, while the remaining women were forced to wait, sometimes held at gunpoint. On another occasion, women and girls were ordered to cook for the soldiers at checkpoints when their friends or family members were raped. According to survivors and witnesses, those who resisted rape were verbally abused, severely beaten and/or threatened with death. Other survivors narrated that women leaving the PoC sites moved in groups of five, 10, 15 or more as a protective measure. However, this did not prevent them from being raped by SPLA soldiers and other uniformed personnel at various places, including at SPLA checkpoints. (UNMISS, 2017a, p. 18)

Different specific behaviours can be identified from the above passage: Firstly, it appears that the perpetrators choose who they are going to rape based purely on the characteristic of the victim's looks, indicating that the goal of the rape may be related to sexual gratification. Secondly, women are aware of the risks associated with leaving the PoC sites, and try to move in larger groups as a protective measure. The different acts of sexual violence were often accompanied by victims being "robbed, beaten up, harassed and verbally abused by SPLA soldiers and other security officers" (UNMISS, 2017a, p. 18), indicating that sexual violence is used as part of a larger sets of acts of harm, including robbing victims for the perpetrators to

gain material benefits. This dynamic was also seen in a different incident, where persons affiliated with the SPLM/A-IO first raped three women and six girls, before stealing their personal items and running away (UNMISS, 2017a, p. 19), suggesting that rape was used as a way to gain material benefits.

The report also details the incidents taking place at Terrain Hotel on July 11 where a number of women were raped by SPLA soldiers, including some foreign humanitarian workers. The incidents at Terrain Hotel were marked by high levels of violence, primarily through gang rape, and also display signs that the soldiers are ridiculing and humiliating their victims through means such as accompanying violations with singing:

Some of the victims interviewed reported that they were gang-raped by more than four armed men. One survivor reported that she was raped by 15 men. (...) In one incident, the soldiers took out 10 people one by one. They ordered one of the women to go into a separate room, where she was assaulted, hit on her genitalia, bitten on her face and neck, and repeatedly raped. (...) The last soldier who raped her sprayed insect repellent on her face while singing. (UNMISS, 2017a, p. 19)

The function that gang rape had for the soldiers is also pointed to in the following statement: “Another victim testified that she was also raped by a very young soldier who was under pressure from other soldiers to do so” (UNMISS, 2017a, p. 19), showing that social bonds between soldiers play a role in producing some forms of sexual violence through peer pressure.

Human Rights Violations And Abuses In Yei July 2016 – January 2017 (UNMISS, 2017b)

This report was jointly published by UNMISS and OHCHR, and investigates human rights abuses committed against civilians in Yei town (Central Equatoria) from July 2016 to January 2017. A number of rapes were reported in this period, by both SPLA and opposition forces, with an ethnic dimension becoming apparent through “both parties appearing to have targeted civilians on the basis of ethnicity and suspected support for the other side” (UNMISS, 2017b, p. 5). There were several incidences of gang rape, and in several incidents of sexual violence, the victims were killed after being raped (UNMISS, 2017b, p. 17). There is reason to interpret rapes that are followed with murder differently from those that have a clear

opportunistic element such as for example robbery, as the death of the victim significantly changes the outcome of the act.

One reported incident of gang rape also clearly shows the social element of that form of sexual violence: “Four soldiers raped a young displaced woman in front of her family while other soldiers cheered. When the woman tried to resist, one of the men threatened to kill her. The armed men then looted possessions and livestock.” (UNMISS, 2017b, p. 17). Not only does the cheering of the soldiers illustrate the function of social bonding that gang rape has for the soldiers, but looting of possessions and livestock in the aftermath also demonstrate a clear intention held by the soldiers to gain material benefits by using sexual violence as a tool.

"Do Not Remain Silent" - Survivors Of Sexual Violence In South Sudan Call For Justice And Reparations (AI, 2017)

This report was published by Amnesty International and documents a wide range of acts of sexual violence committed in South Sudan from the outbreak of the conflict in December 2013 to March 2017. The forms of sexual violence documented in the report range from rape, gang rape, sexual slavery, torture, forced nudity, forced abortion, forced pregnancy, sexual mutilation and castration (AI, 2017, p. 9). The report shows that sexual violence has been a rampant issue since the outbreak of the conflict, taking place in a wide range of places, but primarily whenever a civilian comes into contact with an armed actor:

Survivors interviewed for this report described sexual violence taking place essentially anytime civilians come into close proximity with armed actors. This includes during military attacks on villages, during searches of residential areas by armed actors, along roads and at checkpoints, and following abduction or detention. (AI, 2017, p. 21)

Witness statements show that people are frequently targeted by ethnicity; ethnicity is often used as a proxy for knowing a person's political affiliation (AI, 2017, p. 23). This is shown by witness statements such as:

One interviewee recounted that the men who beat and gang raped her (...) said to her, 'We don't want Nuer here...this land belongs to Dinka...go to Malakal, that is where

you belong. Your husbands killed our brothers long ago and they even killed children. So here we are going to kill you...' (AI, 2017, p. 23)

Nyachah believes that she was raped because she is Nuer. 'They [the soldiers] were telling me that I should blame God for creating me a Nuer....' (AI, 2017, p. 24)

'She must be a Nuer woman.' Some were saying, 'Let us kill her, let us kill her' while others were saying 'We can rape her.' (...) Finally they decided to rape me. All of them raped me...After the rape, they left me unconscious. (AI, 2017, p. 24)

From the above statements, it is clear that some incidents of sexual violence take place on the basis of the victim's ethnicity. What is not clear from the statements, however, is whether ethnicity was used as a proxy for political affiliation, or whether it was the ethnicity in itself that made the person a victim. To determine whether the latter is the case, it would probably be necessary to have more information on the stated intention of the perpetrator: If he had for example clearly voiced an intent to impregnate the victim for the spread of his genetic (ethnic) material, the targeting of women based on ethnicity would have been clearer than in the ambiguous cases above. Another potential purpose of targeting someone based on their ethnicity is for the purpose of revenge – some divisions between the different ethnic groups, such as the Dinka and the Nuer, go back decades to the Sudanese civil wars, and are still used as an excuse for targeting people of specific ethnicities (AI, 2017, p. 24).

Another recurring feature of the sexual violence documented in this report are "the insufficient orders or sanctions from military commanders, and the general context of lawlessness and impunity that has allowed soldiers to do as they please" (AI, 2017, p. 23). Soldiers or persons in military uniforms are implicated in the majority of the cases of sexual violence, but in most cases, there are no persons of authority or commander status present, leaving the impression that soldiers may do as they please. In those few cases where commanders were identified as present, these were often found to give "explicit orders condoning sexual violence" or participating themselves (AI, 2017, p. 23).

Furthermore, several witness statements show that soldiers were frequently laughing at their victims, leading to further humiliation and feelings of despair: “I cried and groaned with pain, but they just laughed among themselves as though it was not a human being who they were treating like that” (AI, 2017, p. 43).

Finally, the report also presents a number of witness statement on sexual violence committed against boys and men. Most of these abuses took place during arrest or detention, and include forms of sexual violence such as rape, castration, sexual torture and sexual mutilation. Witness statements give further details:

They shot my penis and removed my testicles. Then I ran away to hide, because I knew that if they found me, they would have killed me, like the rest of my friends... (AI, 2017, p. 42)

They shot one boy on the spot. The other boy was stripped naked. The soldiers inserted dry grass in his anus and set it on fire with a lighter. They watched the boy burn until he died. (AI, 2017, p. 42)

They used sewing needles... We were being interrogated while they were doing it. They would ask us, ‘Where is Riek Machar?’ ...There is still pain up to now in my testicles... I can’t have sex. (AI, 2017, p. 43)

They started beating us and they stripped us naked. They forced us to dance while naked and they were laughing at us as we danced....They watched us from behind as we danced and they could also ask us to turn around as we danced, just to see our penises and testicles jumping. They were laughing and laughing... (...) We really felt humiliated but we did not have a choice to refuse... We just danced so we would be left to live. (AI, 2017, p. 42)

The above statements detail cases of castration, sexual torture and forced nudity. Cases of castration can sometimes have an ethnic dimension, as this form of sexual violence prevents men from procreating and having children, something of grave consequence for men in a

society where procreation is seen as one of the most important values for both family life and for manhood. The last of the above witness statements also clearly shows the intention of perpetrators using sexual violence as a way to humiliate the victim and assert their power over them. Sexual violence against men is associated with a deep stigma in South Sudanese society, as demonstrated by Moses who suffered castration and said that:

I feel humiliated and my status as a man is no longer there, am now like a woman and I feel sometimes women are better than me because they can have children. I don't have anybody left...I cannot have children to carry my name and my father's name. (AI, 2017, p. 61)

Castration thus leads male survivors to feel emasculated. Broken gender norms may increase the shame felt, both because of the feeling of emasculation, but also because of the loss of ability for a man to have children and fulfil his expected duty to become a husband and a father.

7.4.1 Interim Summary of Reports Published in 2017

The two UNMISS reports published in 2017 show no sign of a reduction in CRSV as a significant feature of the South Sudanese civil war. Regarding the forms of sexual violence reported on, violations against internally displaced women leaving PoC sites continue to persist, while rapes in conjunction with looting and robbery continue to be commonplace. The UNMISS reports also point to the function gang rape has as a forger of social bonds between groups of soldiers, and to the role of peer pressure in forcing soldiers to partake in gang rapes, even when they have expressed hesitation to do so.

The report published by AI in 2017 actually covers incidents of sexual violence taking place in South Sudan from the outbreak of the conflict and until the publication of the report. It is a comprehensive report based on large amounts of data and interviews with eyewitnesses and survivors; one of its main findings is that CRSV appears to occur anytime someone in a uniform comes into contact with a civilian, indicating the strong link between the militarisation of society and the perpetration of sexual violence. This is also the first report to go into detail of acts of sexual violence committed specifically against boys and men, showing that the problem

is likely to be more widespread and common than one could assume based on the information from previously published reports.

7.5 2018

Violations And Abuses Against Civilians In Gbudue And Tambura States (Western Equatoria) April-August 2018 (UNMISS, 2018a)

This report was jointly published by UNMISS and OHCHR, and investigates human rights abuses committed against civilians in Gbudue And Tambura States (Western Equatoria State, South-Western part of the country, capital city: Yambio). The report focusses in large part on the abduction of women and girls, and the associated acts of sexual violence these victims are subjected to. During the attacks investigated, 505 women and 63 girls were abducted; “Considering the high prevalence of rape in cases of abduction by SPLA-IO (RM) forces, UNMISS HRD and OHCHR are concerned that these women and girls have been raped and/or sexually enslaved” (UNMISS, 2018a, p. 4). According to the report, abducted women and girls are subjected to sexual violence in the form of rape and sexual slavery, and attacks are often accompanied with looting of private property, which the abducted women and girls are often forced to carry from the villages to military settlements (UNMISS, 2018a, p. 9, 12). The abductions and accompanying sexual violence are perpetrated by both commanders and fighters, and are used “as a way of exercising ownership over victims and survivors” (UNMISS, 2018a, p. 11). There are no known cases of abductees being released, but it appears that the victims of sexual violence are able to escape abuse if they become fighters: “Sexual abuses would reportedly stop only once abducted women became fighters” (UNMISS, 2018a, p. 12).

The report also features evidence that high-ranking commanders in the SPLA-IO (RM), including major-generals and generals (only identified as G1, G2, G3 and so on in the report), were aware of and can be held directly accountable for a number of the abuses detailed in the report:

G2 and G4 were also engaged in the commission of abuses, particularly sexual violence (...) Since April 2018, G2 and G4 knew that their fighters were committing serious abuses of international human rights law and violations international humanitarian

law, but there is no indication that they took measures to address these abuses or to punish individuals involved in the forced recruitment of adults and children, the rape and sexual slavery of women and girls, or the looting of civilian property. (...) there is no indication that G1 made any effort to stop or hold accountable these commanders and members of their forces for these abuses against civilians. (UNMISS, 2018a, p. 18)

The fact that there is strong evidence to suggest the direct involvement of high-ranking commanders in incidents of sexual violence is of great importance: It increases the likelihood that sexual violence can have been used as part of a deliberate strategy of warfare (which is often referred to as a requirement for rape to be used as a *weapon* of war), or that it at least was condoned and tolerated from the top down (what in Elisabeth Wood's (2018) typology is referred to as rape as a practice).

This is the first UNMISS report where the gendered nature of the conflict in South Sudan is directly acknowledged: "The high numbers of women and girls abducted, and of victims of sexual violence, indicate the gendered dimension of the conflict in Western Equatoria and in South Sudan more generally." (UNMISS, 2018a, p. 10). Out of 887 abducted civilians, 505 were women and 63 girls, indicating that targeting of victims for abductions is gendered.

Indiscriminate Attacks Against Civilians In Southern Unity April-May 2018 (UNMISS, 2018b)

This report was jointly published by UNMISS and OHCHR, and investigates human rights abuses committed against civilians in the Southern parts of Unity State in April to May 2018. This report also finds that abductions of women and girls for the purposes of forced marriage and sexual enslavement are common, and victims are often forced to carry looted items for their captors (UNMISS, 2018b, p. 8). Additionally, the report goes into great detail on a number of incidences of sexual violence of a particularly brutal nature in the form of rapes and gang rapes:

The patterns of conduct and the scale of rape and other forms of sexual violence indicate that it was used as a weapon of war. The brutality and ruthlessness of the attack, as described by survivors and witnesses, seems to have been carried out to punish and terrorize civilians. (...) In at least 40 targeted villages, at least 120 women

and girls, including pregnant and lactating mothers, and girls as young as four-year-old, were raped and gang raped by one or multiple armed elements. (...) Those who resisted were sometimes reportedly shot dead on the spot. (...) Rape was used by the attackers to demonstrate power over their victims, impose extreme humiliation, destroy their dignity and to fracture families and the community through the stigma and shame attached to survivors. (UNMISS, 2018b, p. 7-8)

From the passage above, it is evident that both rape and gang rape took place on a wide scale, used for the perpetrators to assert power, to humiliate, to destroy families and communities by attaching shame and stigma through the use of sexual violence. Interestingly, the document also makes the conclusion that both the patterns and scale of sexual violence in the conflict suggest that it can have been used as a weapon of war, associating a widespread use of sexual violence in conflict with its categorisation as a weapon of war.

Report of the Commission on Human Rights in South Sudan (HRC, 2018)

This report was published by the Commission on Human Rights in South Sudan which was established by the United Nations Human Rights Council (HRC), and documents human rights abuses in Western Bahr el Ghazal, Central Equatoria, Eastern Equatoria and Upper Nile taking place in 2016 and 2017. The report documents a wide range of incidents of sexual violence, perpetrated against both women and men, and also goes far in associating acts of sexual violence with patriarchal traditions and customs: “In the current context women’s lives have little value resulting in extremely high levels of sexual and gender-based violence” (HRC, 2018, p. 36). Furthermore, the report details how conflict has worsened the situation for many women and girls as traditional practices as for example forced marriage, and child and early marriage, have become increasingly more common (HRC, 2018, p. 47). In fact, marriage is often used as a “solution” to the issue of rape of an unmarried child or woman, to prevent both perpetrator and victim to face the stigma associated with sex out of marriage (HRC, 2018, p. 47).

The report also finds that both women and men are frequently targeted with sexual violence for their perceived allegiance to a specific armed group or militia. A survivor of rape reported: “What I can remember is that the time they were torturing us, they called us rebels and that's

why they were torturing us. They were just calling us enemies; the word they used was enemies.” (HRC, 2018, p. 37). Sexual violence is thus used to punish and humiliate a person perceived to be associated with the opposition.

The commission also reports on sexual violence against boys and men, finding that it is common “in detention, during flight, and as punishment during attacks. Incidents included gang rape, forced sexual acts, castration, genital mutilation, severe harm to genital areas and forced stripping” (HRC, 2018, p. 39). Witness statements show how men struggle to cope with the stigma, feelings of emasculation and expectations of how a man should act. A man who suffered genital mutilation says: “As a man, it is more difficult sometimes... women can show their emotions... I am a man, I laugh during the day, but at night... I can’t sleep, I cry...” (HRC, 2018, p. 40). In light of such statements, the detrimental effects on the individual and their feeling of self-worth is clear. Furthermore, one can also see how sexual violence may have been used as a tool to destroy the social fabric of communities and families. Additionally, incidents where family members are subjected to acts of sexual violence in the presence of family and community members, and sometimes made to commit acts against members of the same family, also contributes to a breakdown of the social fabric and humiliation.

Abductions for the purposes of forced marriage or sexual slavery were also found to be common (HRC, 2018, p. 38): Abducted women and girls are frequently victims of rape and are forced to do household tasks such as cleaning, fetching water and cooking. These are tasks traditionally associated with the role of the woman in the household and show how expectations about a woman’s role in the household is kept even when a woman is forced into slavery. Expectations about a woman’s role in the household also puts women directly at risk of sexual violence as they lead women to leave their homes or the UNMISS PoC sites to look for water, firewood and other non-food items (HRC, 2018, p. 46).

7.5.1 Interim Summary of Reports Published in 2018

All reports published in 2018, from UNMISS and from HRC, illustrate how the long-term presence of sexual violence is starting to take its toll on communities, families and individuals: All the reports mention how the widespread use of rape in the conflict contribute to the destruction of families and communities by attaching shame and stigma to its members

through acts of sexual violence. This is something which has become clearer as the conflict has progressed, and the long-term effects of pervasive sexual violence start to manifest as entire communities are struggling to deal with the effects sexual violence has on its members. All point at patriarchic customs and traditions as drivers of conflict-related sexual violence, and the HRC report even argues that a woman's life in South Sudan is of little value compared to that of a man. The reports from UNMISS for the first time also speak of specific individuals associated with armed groups who are implicated in acts of sexual violence (but without naming them). This shows that sexual violence is likely to be, if not explicitly adopted as a policy from above, at least condoned and tolerated from persons high in the military hierarchy.

7.6 2019

Conflict-Related Sexual Violence In Northern Unity September - December 2018 (UNMISS, 2019a)

This report was jointly published by UNMISS and OHCHR, and investigates human rights abuses committed against civilians in the Northern parts of Unity State, from September to December 2018, the period directly following the signing of the Revitalized Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS). The acts of sexual violence documented in this report “suggest a certain level of organization by various armed [...] in perpetrating sexual violence.” (UNMISS, 2019a, p. 4). Importantly, the signing of the peace agreement appears to have led to a spike in incidents of sexual violence in Unity State, attributed to many fighters being on “standby mode” in the aftermath of the signing of the R-ARCSS together with a high presence of youth militias in the state. Fighters being left unoccupied without anything to do appears to have led to a direct rise in incidents of sexual violence, coupled with the absence of any accountability measures holding those responsible for attacks to account.

According to the report: “impunity has contributed to the normalization of violence against women and girls, further entrenching structural power imbalances in society that underpin gender inequality” (UNMISS, 2019a, p. 4), showing that the links between power structures, gender inequality and sexual violence are acknowledged in the report. Furthermore, the report also notes that while other forms of violence have decreased in the wake of the signing

of the R-ARCSS, violence against women and girls in the form of sexual violence persists (UNMISS, 2019a, p. 8). Incidents of sexual violence almost exclusively take place against women and girls who travel outside their homes or the UNMISS PoC sites looking for water, firewood and other necessary items. The report notes that: “In South Sudan’s highly patriarchal society, the tasks of gathering food and collecting firewood generally fall to women and girls, as, according to deeply-entrenched social norms, they are assigned responsibility for cooking family meals” (UNMISS, 2019a, p. 9). Accordingly, one can conclude that norms and expectation about the role of women in the household in South Sudanese society are putting women directly at high risk of sexual violence. Importantly, the report explicitly states that no incidents of sexual violence against men have been reported, and that when men have joined groups of women going outside to offer them protection, these men have ended up being beaten and harmed (UNMISS, 2019a, p. 10). It appears that a number of factors together, including patriarchal norms about what is expected of women in the household and a culture of impunity for crimes of sexual violence, have combined to create a context where sexual violence is normalised, tolerated and even expected.

Conflict-Related Violations And Abuses In Central Equatoria September 2018—April 2019 (UNMISS, 2019b)

This report was published by UNMISS, and investigates human rights abuses committed against civilians in Central Equatoria State, from September 2018 to April 2019, in the period directly following the signing of the R-ARCSS. Despite the signing of the peace agreement, sexual violence in Central Equatoria continued, and this report in particular highlights how sexual violence has been used as a “punishment” for those women and girls believed to be supporting competing armed groups throughout the conflict (UNMISS, 2019b, p. 17).

Several incidents were reported where soldiers, from both government and opposition forces, stated an intention to impregnate their rape victims or where the focus was on the victim’s reproductive capabilities: In one incident, soldiers threatened to kill a 65 year old woman for “giving birth to rebels” (UNMISS, 2019b, p. 16). In another incident, a woman tried to plead with soldiers for them to take her instead of her daughter, upon which she states that the soldier told her that “he needed fresh blood, meaning a young girl who is able to procreate” (UNMISS, 2019b, p. 16). Still more, several similar incidents implicating government soldiers

were reported: Eyewitnesses said that government forces had “boasted of eventually transforming the demographic landscape of South Sudan by producing children with women and girls from other communities in Central Equatoria” (UNMISS, 2019b, p. 16). A survivor of rape who had been pregnant during the attack stated that: “prior to raping her, an SSPDF combatant threatened to forcibly abort the survivor’s pregnancy in order to impregnate her with ‘his own child’” (UNMISS, 2019b, p. 16). In yet another incident, a mother reported of being forced to watch while a soldier raped her daughter “with the stated intention of impregnating her” (UNMISS, 2019b, p. 17). These incidents indicate that sexual violence in the form of rape has been used with the intention of impregnating women, which could be interpreted both as an intention for soldiers to spread their own genetic materials, but in a larger picture can also be seen as displaying an ethnic dimension of the conflict and indicating that ethnic cleansing might have taken place. With reference to the statement above on transforming the demographic landscape of Central Equatoria, this could be interpreted as an intention to change the ethnic composition of that state by using sexual violence as a means.

In the report, an SPLA-IO (RM) commander is identified by several eyewitnesses as “providing instructions to fighters for the abduction of civilians and promoting sexual violence against abductees” (UNMISS, 2019b, p. 21). The explicit instruction of a commander for his troops to make use of sexual violence against civilian targets provides evidence for sexual violence being used strategically as a weapon in the conflict.

Report of the Commission on Human Rights in South Sudan (HRC, 2019)

This report was published by the Commission on Human Rights in South Sudan which was established by the UN (HRC), and documents human rights abuses in all of South Sudan throughout 2018. The report does not go into much detail on specific incidents of sexual violence, but is interesting because it details some of the gendered aspects of attacks in South Sudan: While men are targeted for forced recruitment or because of their perceived membership of opposition groups, women are targeted for acts of sexual violence, including “the savagery of gang rapes, sexual violence, sexual exploitation, rape, forced marriage, forced pregnancy, forced abortion, and mutilation of sexual organs.” (HRC, 2019, p. 16-17). Furthermore, the links between patriarchal norms, gender inequality and sexual violence are explained:

South Sudan remains a deeply patriarchal society in which custom and tradition entrench the subservience of women and girls to men. The prevailing inequalities, discrimination and unequal power relations between men and women, lack of access to resources and inability to access quality education result in women and girls being susceptible to sexual and gender-based violence. This exacerbated by the protracted conflict impacting on gender norms and the roles of women and men. (HRC, 2019, p. 6)

Of specific incidents documented in the report, an offensive in Unity State is of interest as in its aftermath, “militias were told they could take women as wives as payment for their services during attacks” (HRC, 2019, p. 6). This suggests that acts of sexual violence in the forms of abduction for forced marriage and sexual enslavement can result from a culture where women are seen as the property of men, and where they may be used as a commodity to pay soldiers for their services. This demonstrates the deeply entrenched patriarchal ideas in South Sudanese society that see women as subordinate to men and that see the value of women primarily through their roles as wives and caretakers in the household.

The report also documents acts of sexual violence committed by 18 different UNMISS peacekeepers (HRC, 2019, p. 7). The fact that peacekeepers would also commit acts of sexual violence is interesting because as they are theoretically speaking supposed to be independent parties to the conflict, there is no apparent strategic motivation or goal for them to commit such abuse (such as for example rape as a tactic to demoralise the enemy or as revenge). The fact that UN peacekeepers engaged in acts of sexual violence in the context of the South Sudanese conflict suggests that there is perhaps something about the general context of impunity and opportunity that drives soldiers to commit acts of sexual violence.

7.6.1 Interim Summary of Reports Published in 2019

The reports from the final year under scrutiny in this document analysis show that despite the signing of the peace agreement, the R-ARCSS, sexual violence did not dissipate. In fact, while other types of violence decreased, incidents of sexual violence actually increased. The increase in CRSV was explained by a large number of soldiers being on “standby” mode, being bored

and having nothing to do, suggesting that sexual violence may be used as a way for soldiers to pass time. This also clearly shows the low value attached to a woman and her sexual integrity, as “boredom” becomes a valid excuse for sexually assaulting women. Furthermore, the increase in sexual violence *after* the signing of a peace agreement, shows that it does not make sense to analyse incidents of sexual violence taking place strictly within the time period wherein a country is officially at (civil) war. In fact, the increase in sexual violence shows that it is a form of violence which exists on a continuum, where patriarchy and gender inequality are identified in the above reports as main drivers of this form of gender-based violence. Similarly, the reports also show that the targeting of victims, in addition to being gendered, also was done on the basis of ethnicity. This shows that despite the war having been “officially” ended, hostilities and antagonisms between different groups persist and continue to put people at risk of sexual violence.

7.7 Summary of Document Analysis

To summarise, this analysis of documents that detail specific incidents of conflict-related sexual violence in the South Sudanese civil war from 2013 to 2018 has found that ever since the outbreak of the conflict in December 2013, CRSV has been widespread and pervasive in South Sudan. From the outset of the conflict, a wide range of acts of conflict-related sexual violence can be identified, with forms including gang rape, sexual torture, opportunistic rape, sexual slavery and forced marriages, to name the most common. By doing the analysis in chronological order, it became clear that as the conflict persisted, the gendered patterns of perpetration also became more evident: According to the documents analysed above, women and men are frequently targeted with sexual violence, and they are targeted differently based on their perceived different roles and responsibilities in South Sudanese society. The following chapter will use the findings made here about the different forms of sexual violence, and their associated functions and objectives, in order to identify common themes and patterns in conflict-related sexual violence in the South Sudanese civil war. Importantly, the findings will also inform a multi-level gender analysis which will illustrate how specific forms of CRSV can be associated with gender inequalities at different analytical levels of South Sudanese society.

8. Case Study: Results

The purpose of this chapter is to examine the findings from the document analysis in chapter 7 in order to identify patterns and common themes in the different forms, functions and objectives of conflict-related sexual violence in the case of South Sudan, and how these can be related to different levels of gender inequality in South Sudanese society.

In order to support that analysis, and to create structure and a frame for understanding the different incidents of conflict-related sexual violence explored in the previous chapter, an analytical framework was constructed in chapter 4 of this thesis. The analytical framework, which should also be understood as a preliminary typology of conflict-related sexual violence, is being used to guide the study which aims to identify different forms of sexual violence and their associated functions and objectives. Additionally, to ensure that the gender dimensions of conflict in general, and of conflict-related sexual violence specifically, are taken into account, gender as an analytical category has been integrated into the framework and will serve as a tool for identifying how different forms of sexual violence can be understood to be associated with gender inequalities in South Sudanese society on different analytical levels. The three analytical levels are as follows: The micro-level focusses on the grassroots and the individual, the meso-level on the interactional level such as groups, families and the community, and the macro-level on the national level and nation-wide institutions and structures (ITC/ILO, n.d., p. 1; Risman, 2004, p. 429). Importantly, as was explained in detail in chapter 4, it is expected that some forms of sexual violence will correspond better to gender analysis on one level than another, and thus only the analytical level(s) deemed the most relevant for that form of sexual violence will be described under each form of sexual violence below. The gender analysis under each form of sexual violence in this section draws on the information on patriarchy and gender inequality in South Sudan presented and explored in chapter 6.

As a reminder, the analytical framework is displayed again below in Table 2. The analysis will be done by starting with column one of the framework on different *forms* of sexual violence: By looking at one form of sexual violence at a time, and using the findings from the document

analysis in chapter 7 which speak to that form of sexual violence, the goal is to identify a pattern in the function and objective of that specific form of sexual violence, in addition to linking it to a gender analysis where the aim is to reveal how one specific form of sexual violence can be associated with gender inequalities manifesting at different levels of society.

Importantly, the analytical framework can be read as a preliminary typology of conflict-related sexual violence, containing initial predictions on what function and objective different forms of sexual violence have in conflict, based on an analysis of existing typologies. Although this will guide the reading and analysis, it is also a possibility that additional forms, functions and objectives of CRSV will be identified from the case study. Therefore, to conclude this chapter, the typology will be revised and findings from the case study of the civil war in South Sudan will be incorporated.

8.1 A Preliminary Typology of Conflict-Related Sexual Violence

FORM	FUNCTION	OBJECTIVE	GENDER: MICRO	GENDER: MESO	GENDER: MACRO
Opportunistic Rape	Recreation	Sexual Gratification; Material Benefits			
Gang Rape	Social Bonding; Recreation	Sexual Gratification; Material Benefits			
Rape as a Practice	Social Bonding; Recreation; Communication	Destruction of Social Cohesion/Communities; Reward; Sexual Gratification; Asserting Masculinity			
Rape as a Policy	National Security	Genocide; Ethnic Cleansing; Dispersal of Population/Exodus; Deter Opposition			
Sexual Slavery	Recreation; Communication	Sexual Gratification; Asserting Masculinity			
Sexual Torture	National Security	Force Testimony			
Sexual Mutilation	Strategy/Tactic	Ethnic Cleansing			
Forced Sterilisation/Abortion	Strategy/Tactic	Ethnic Cleansing			
Forced Pregnancy	Strategy/Tactic	Ethnic Cleansing			
Forced Prostitution	Recreation; Strategy/Tactic	Material Benefits; Ethnic Cleansing			
<i>Table 2: Preliminary Typology of Conflict-Related Sexual Violence: Analytical Framework Built for Case study. Table created by author.</i>					

8.1.1 Opportunistic Rape

Opportunistic rape is understood to stem from *opportunistic* motivations, a form of sexual violence perpetrated for *individual* reasons, by a person who simply had the opportunity to take advantage of a situation wherein rape was a possibility (Wood, 2018, p. 515). Per definition, it is a form of rape committed by one perpetrator against one victim. In the typology, this form of sexual violence is predicted to serve the function of *Recreation* for the perpetrator, fulfilling the objectives of *Sexual Gratification* and *Material Benefits*.

Many of the rapes described in the document analysis could fit into this category: This form of rape frequently took place when women left their homes or the PoC sites to search for firewood, water or other items. It appears that would-be perpetrators were aware of these behavioural patterns of women and targeted them. This pre-meditated nature of the attacks could stand in conflict with the understanding of opportunistic as something happening in the moment because the perpetrator simply had the opportunity. Still, I would argue that the rape of women in search of items in proximity to their homes or the PoC sites are still opportunistic, mainly because the perpetrator did not plan *who* to attack, and because there are no indications that the women were targeted based on any personal characteristics beyond their physical proximity to the attacker. Furthermore, the victims of these attacks were very often robbed in conjunction with the rape, demonstrating the objective of the perpetrator to gain material benefits from this form of sexual violence.

Regarding the objective in the typology of the perpetrator obtaining *sexual gratification*, several witness statements show that perpetrators often chose their rape victims on the basis of age and looks, sometimes explicitly stating that they want young, fertile and good-looking women and girls. This clearly indicates that the perpetration was also sexual in nature. This supports an understanding of conflict-related sexual violence which acknowledges that it can have its origins in *both* sex and in power (an understanding supported by for example Baaz & Stern, 2018).

Gender

Micro level: The extremely high probability of a woman being raped upon leaving her home might indicate a view held among men in South Sudanese society that a woman outside her

home, not accompanied by a guardian, is free game and may be targeted at the perpetrator's will (D'Awol, 2011, p. 58). At the individual level, from the perspective of the perpetrator, opportunistic rape could then be seen as an expression and manifestation of their perceived rightful power over women. A woman on her own cannot be seen to have any agency or individual freedom, her value is only in association with her reproductive capabilities and as a wife or a daughter (Jok, 1999, p. 427). According to a perpetrator, a woman alone outside is thus a fair target based on his assumptions about the position of women and men in South Sudanese society.

Meso level: Does not correspond.

Macro level: The expectation in South Sudanese society that women are responsible for household chores (Care International, 2016, p. 6), including the fetching of water, firewood and cooking of food, is indirectly what put women at direct risk of being targeted with opportunistic rape. Despite knowing the risks, women continue to put themselves in this danger because of the deeply held expectation (held by both women and men) that women are responsible for the household and all related tasks.

8.1.2 Gang Rape

Gang rape is a form of sexual violence that is committed by two or more perpetrators, against one or more victims. In the typology, this form of sexual violence is associated with the function of *Social bonding* and *Recreation*, fulfilling the objectives of *Sexual Gratification* and *Material Benefits*. In the case of South Sudan, examples of all of the functions and objectives listed in the typology can be identified. There are numerous references to incidents of gang rape in every single one of the documents analysed in chapter 7. Of all the forms of rape described, this is the form of rape that is most frequently made reference to, and it is a common feature of the conflict in South Sudan with more than 87 per cent of rape survivors reporting of being attacked by more than one perpetrator (UNMISS, 2019a, p. 10).

Given the widespread use of gang rape as a form of sexual violence in the conflict in South Sudan, a further disaggregation of this form of sexual violence might be of use: The form of gang rape varies by the number of victims and the duration of the rape. Some gang rapes are

committed against one single victim, while other are committed against a group of victims (as was the case in for example the Terrain Hotel incident described in document UNMISS 2017a). Furthermore, the duration of the rape varies from a few hours to lasting several days. However, despite these variations, all gang rapes appear to be guided by a similar logic: Gang rape is frequently accompanied with physical violence and a high degree of brutality. Victims are usually forced to perform numerous different acts of a sexual nature, including oral sex and penetration. As part of the high degree of brutality shown in cases of gang rape, victims are often penetrated with blunt objects such as sticks and weapons.

There are numerous reports of victims of gang rape being killed after the rape is finished, or of victims dying from the damage suffered as a result of the gang rape. One of the objectives of gang rape thus appear to be to inflict insufferable damage to victims. Furthermore, when a victim is killed after being gang raped, the function of *recreation* does not appear to offer a satisfactory explanation. In some cases, the killing of victims of gang rape may form part of a strategy to exterminate people belonging to a specific ethnic group, thus serving the objective of ethnic cleansing (which is not indicated in the preliminary typology). However, killing a victim could indeed serve the function of *social bonding* for a group, as the joint perpetration of a crime can connect the perpetrators closer together (Cohen, 2013, p. 461).

Gender

Micro level: Does not correspond.

Meso level: Gang rape frequently appears to serve the function of social bonding. Witness testimonies that describe perpetrators laughing and encouraging each other indicate that the act of gang rape can be used as *recreation*, as a social activity. In the context of conflict or warfare, the creation of the feeling of belonging is crucial for a group of soldiers fighting a war (Cohen, 2013, p. 461). It is used to boost morale and to unite soldiers under a common purpose, especially when soldiers have been forcibly recruited into an armed group, as is often the case in South Sudan. Gang rape serves as a bonding process, both the act in itself, but also the aftermath where stories of rape can be shared, told and retold between perpetrators to “revel in a sense of enhanced masculinity” (Sanday, 2007, p. 83 cited in Cohen, 2013, p. 463). Furthermore, according to a militarised ideal of masculinity, boys must become soldiers and

warriors in order to become men, a transition which can be assisted by committing the act of rape (Wood, 2014, p. 462). Gang rape can thus be used as a tool to produce strong (manly) soldiers and to generate a close-knit group of soldiers, who through their shared experience of rape, domination and “assertion of masculinity” develop unit cohesion and a closer social relationship to one another.

There are also examples of persons being peer pressured into taking part in gang rape, as for example was reported about a young man who was pressured to take part in a gang rape (in document UNMISS, 2017a). Peer pressure can also be seen as a form of social bonding in the group, as soldiers in war have “strong incentives to conform to the expectations and behaviour of their peers” (Wood, 2018, p. 518). This can also be related to the expectations that are held about men’s behaviour in war in general and in the situation of a gang rape specifically; if a soldier fails to conform to the behaviours expected of him in war, he risks being excluded from his group and may lose his social grounding. It is therefore better for a soldier to engage in “costly group behaviour” (Cohen, 2013, p. 463) such as gang rape than to risk being excluded from his group.

Macro level: Does not correspond.

8.1.3 Rape as a Practice

Rape as a practice is a term developed by Elisabeth Wood (2018) to describe incidents of rape which have not been explicitly ordered from “above” in the military hierarchy, but that at the same time are tolerated and not actively prohibited within a military organisation. This form of sexual violence is in the typology linked with serving the functions of *Social Bonding*, *Recreation* and *Communication*, fulfilling the objectives of *Destruction of Social Cohesion/Communities*, *Reward*, *Sexual Gratification* and *Asserting Masculinity*.

Rape as a practice is primarily useful as a conceptualisation of rape that explains how it can become widespread within military organisations where it is formally prohibited. It is not a *form* of sexual violence in the same sense as the other forms of CRSV contained in the typology. This is because rape as a practice refers more to a *condition* under which rape can flourish, while the other forms of CRSV in the typology are more concerned with the actual physical characteristics of such rapes. But even though rape as a practice needs to be

understood slightly differently than the other forms of CRSV contained in the typology, the conceptualisation of *rape as a practice* still has utility for explaining a condition under which rape becomes widespread.

As this form of sexual violence refers more to the conditions and social dynamics that allow rape to take place, than the physical characteristics of such rapes, it can be difficult to associate *rape as a practice* with specific functions and objectives that are related to the physical form that characterises the rape. Even though rape as a practice can indeed be associated with functions of *social bonding, recreation and communication*, and objectives of *destruction of social cohesion/communities, reward, sexual gratification and asserting masculinity*, rape as a practice is perhaps better understood as an umbrella term for all forms of sexual violence that have taken place as a result of the “toleration from above” within military organisations. Thus, when rape is being tolerated from above, although not explicitly encouraged, it may manifest as gang rape, as opportunistic rape or as another form of sexual violence with all its associated functions and objectives.

In the case of South Sudan, it has been reported that “sexual violence [takes] place essentially anytime civilians come into close proximity with armed actors” (AI, 2017, p. 21). Rape as a practice can thus be useful to explain how such a pattern of perpetration of the armed actors in South Sudan has become possible. There are several examples of witnesses stating that rape appears to have been tolerated by military commanders, although not explicitly adopted as a strategy. In document AU 2014, for example, a high-ranking SPLA commander explains the high prevalence of rape as a result of commanders being unable to control their troops on the ground. Document AI 2017 includes witness statements that say commanders were present when different types of rapes were committed against civilians, and nothing was done to prevent or stop it. These conditions enable rape to flourish, even when there exist formalised prohibitions against it within the different military organisations.

Gender

Micro level: When rape which results from rape as a practice serves the objective of *asserting masculinity*, this can be explained by looking at what forms of masculinity are dominant and prioritised in South Sudanese society. The so-called *hegemonic masculinity* in South Sudanese

society is closely linked to militarised notions of masculinity, where the ideal man is a warrior who can protect his wife and family (D'Awol, 2011, p. 59). In a highly militarised society, boys are brought up in an environment where they are "conditioned" to violence and where the use of violence to obtain sexual gratification becomes normalised (Jok, 1999, p. 427). Within this system, where violent forms of masculinity are highly revered, rape can function as a way for men to illustrate that they too embody this form of masculinity. Alternatively, rape could also be understood as a tool through which the perpetrator is "feminising" his victim in order to assert his own masculinity (Sjoberg, 2013, p. 222). Rape thus serves the function of communicating a specific (and aspired to) form of masculinity. By committing an act of rape, men are showing their dominance by feminising their victim, thereby asserting and communicating their masculinity and power through the act of rape.

Meso level: Given the recognition above that rape as a practice is a useful conceptualisation primarily because it explains how rape can become so widespread within an armed organisation, the level of analysis most relevant to this form of sexual violence is perhaps the meso level which looks at the interactional level and groups. The gender perspective on groups and social bonding is primarily related to the creation of a tight-knit group of soldiers, who are united through their shared experience of domination in rape, and who through the repeated acts of rape produce and reproduce a masculinised culture where domination over women is valued and encouraged (Cohen, 2013, p. 461). As described above in the paragraph on *gang rape*, acts of rape can be used as a way to socialise combatants, and to "create bonds of loyalty and esteem from initial circumstances of fear and mistrust" (Cohen, 2013, p. 461). The importance of creating internal social cohesion should not be underestimated in the context of a civil war and conflict where the general environment tends to be characterised by insecurity, uncertainty and instability. Rape is thus used as a mean to obtain and build this social cohesion.

Macro level: When rape is widely used as a way for a perpetrator to feminise his victim through the act of rape, at the macro level, it may turn into a strong symbolic weapon which the perpetrator can use to communicate specific messages to his enemies (Sjoberg, 2013, p. 222). According to Sjoberg (2013), the raped bodies of the enemy's women become "tablets for sending messages to the men who witness and cannot prevent the violation and injury"

(p. 222). In the case of South Sudan, this way of understanding widespread rape makes a lot of sense, as there are deeply held ideas and beliefs in South Sudanese society about the role of men as guardians for women, and a deep stigma associated with raped women. To rape a woman belonging to an “enemy” population or group thus attacks exactly these deeply held ideas about the roles of women and men, and communicates and proclaims domination over the enemy. This example also illustrates how the different levels of gender analysis may be linked and influence each other; even though each act of feminisation takes place at the individual level, at the aggregate, it may amount to a symbolic weapon sending a strong message to the enemy.

8.1.4 Rape as a Policy

Rape as a policy takes place when rape has explicitly been adopted as a strategy or an organisational policy by a military actor, usually a government, in conflict. In the typology, it serves the function of *National Security*, fulfilling the objectives of *Genocide*, *Ethnic Cleansing*, *Dispersal of Population/Exodus* or *Deterring Opposition*. To determine whether rape has been adopted as a policy, it needs to be shown that rape was explicitly adopted as a military strategy from the top down. This can be extremely difficult to prove, as few military commanders would admit to encouraging their troops to commit war crimes (as sexual violence may amount to (De Brouwer, 2005)). There is some evidence in the documents analysed that rape may have been adopted as a policy, with document UNMISS 2019b reporting that a SPLA-IO (RM) commander gave explicit instructions for his soldiers to commit acts of sexual violence against abductees, and document AI 2017 reporting on some incidents of commanders giving orders tolerating sexual violence or partaking themselves. In the case documented in UNMISS 2019b, the commander giving orders to commit sexual violence was a member of the opposition. To say that his orders were fulfilling the function of national security as contained in the typology might be misleading, as an opposition force (non-government) can by definition not be promoting *national* security. Nevertheless, depending on the degree of control the opposition forces had over the area in question, one might be able to say that rape as a policy was adopted to establish a general level of security maintained by the opposition forces in that area.

With regards to the objectives of rape as a policy in the typology, there are mixed findings: In all the documents analysed, no mention of genocide or genocidal tendencies in the conflict have been mentioned. There are however some indications that rape may have been used for both ethnic cleansing and as a tool to disperse a population/to deter the opposition. Several witness statements showed that people were frequently targeted with sexual violence on the basis of their membership of an ethnic group (e.g. in UNMISS, 2014b; UNMISS, 2017b; AI, 2017). Furthermore, sexual violence was found to be used in conjunction with the burning of entire villages (UNMISS, 2015b; HRW 2015, p. 4), something which leads to the exodus of large groups of people and dispersal of enemy population. Finally, the objective of deterring the opposition by using rape as a tool may also be achieved in the case of South Sudan: It harms all opposition members, both the women and girls who are raped, and their husbands, brothers and fathers who may feel humiliated and demoralised in light of the enormous stigma associated with victims of rape (Luedke, 2016, p. 34).

As was shown in chapter 3 on feminist approaches to sexual violence, rape as a policy is closely associated with the Rape as a Weapon of War Discourse, and both refer to rape which has been adopted as a military strategy in war (Skjelsbæk, 2010, p. 27). UN organisations, including the UN Security Council, frequently make use of the term when describing incidents of widespread rape (Aroussi, 2017, p. 489; Baaz & Stern, 2013, p. 42). For example, document UNMISS 2018b explicitly refers to rape being used as a weapon of war but fails to state any evidence that rape was adopted as a deliberate military strategy. This could indicate that UNMISS have fallen trap to what Wood (2018) criticises the broader literature on sexual violence for, that the strategic aspect of rape is often deduced from its effects, and not demonstrated with clear evidence.

Gender

Micro level: Does not correspond.

Meso level: When rape is used systematically to target civilians, this contributes to the destruction of the social fabric of a family and of a community, and makes it difficult for people to live up to the traditional expectations and ideas about what a man, woman and family should be (HRC, 2018, p. 38). Rape thus contributes to the disruption of existing customs,

traditions and norms and can lead to feelings of displacement and confusion about what role a person has in society.

Macro level: From a macro level perspective, when rape is used as a policy to promote ethnic cleansing, one can expect the reproductive capabilities of the target ethnic group to be systematically targeted (Short, 2004, p. 504; Sjoberg, 2016, p. 12). This would result in a large number of women being targeted with different forms of sexual violence, including forced abortions, forced pregnancies or other attacks on their reproductive organs (Allen, 1996, loc. 60; Short, 2004, p. 504), while men would be targeted with sexual torture and castration. The pure scale of such a strategy is what places it at the macro level of analysis. There is no clear evidence of whether this has taken place in South Sudan at the systematic level which would amount to rape being used as a policy. The consequences, if taking place, would at macro level be one of changing the demographic landscape of society, and affecting large groups of women and men of specific ethnic groups, their reproductive capabilities, and their ability to participate in a family and community life.

8.1.5 Sexual Slavery

Sexual slavery takes place when a person exercises ownership over another person and forces that person to take part in or perform acts of a sexual nature (AI, 2017, p. 7). In the typology, it is associated with serving the function of *Recreation* and *Communication*, to fulfil the objective of *Sexual Gratification* or *Asserting Masculinity*. Based on the document analysis, it is clear that sexual slavery is a common occurrence in the South Sudanese civil war. Usually, it is associated with the abduction of women and girls, lasting from just a few days and up to several years. The abduction of women and girls for the purposes of sexual slavery are well documented and is one of the forms of sexual violence which is most frequently found in the documents analysed in the previous chapter.

The sexual slavery can vary in its characteristics; while some women are enslaved to serve only one man, other women are shared by a group of soldiers who take turns in who get to have “ownership” over the enslaved subject. Many of the women and girls abducted in South Sudan also reported that they were forced to do household chores such as cooking and cleaning, in

addition to serving as a sex slave. This shows that women may be taken as slaves to serve both in the household and for purposes of sexual gratification of the perpetrator. Many women also reported that upon their abduction from their villages, they were forced to carry with them the items that had been robbed from those villages, the loot, to the army camps or barracks where the soldiers lived. This demonstrates that there are also links between looting, abduction and sexual slavery.

Gender

Micro level: At the individual level, this form of sexual violence is clearly linked to power. A perpetrator sexually enslaving a person is in full control and power over that subject, controlling every aspect of their (sexual) lives. In South Sudanese society, men are seen as the protectors and guardians of women, and are given wide-ranging power over women's lives, including their sexual activity (AI, 2017, p. 20). Sexual slavery can be seen as an exaggerated version of this dynamic, where extreme control and power is exercised by a man over a woman. Sexual slavery thus serves the function of communication both the power and the masculinity of the perpetrator. Furthermore, women used as sex slaves are frequently treated as commodities that can be traded between soldiers. This treatment of women demonstrates the low value assigned to their dignity and integrity (Stern, 2011, p. 8; Luedke, 2016, p. 23, 25), and is a clear demonstration of the already established position of women in South Sudanese society as subordinate, and of less (or no) value, to men (Arabi, 2011, p. 194).

Finally, *substitution theory* (explained in Wood, 2009 and Baaz & Stern, 2018), which sees sexual violence as a result of soldiers not having "normal" access to their wives, prostitutes or other women to satisfy their sexual needs (Baaz & Stern, 2018, p. 18), may also be a useful perspective to understand how sexual slavery and associated rape has become so widespread in South Sudan. When used to explain sexual slavery specifically, one could say that victims of this form of sexual violence are used as "substitutes" for the persons the perpetrators under normal circumstances (i.e. not during war) would use for sexual gratification.

Meso level: Widespread sexual slavery in South Sudanese society could also be seen as a result of the disintegration of traditional family structures, where men leave their families to join war, and women are left alone in the house without their traditional guardians (husbands and

fathers) present (Bubenzer & Stern, 2011, p. xiii). For the men, as described above, the “loss” of their wives when they are out fighting may result in them abducting women and girls to serve the role that their wives and mothers previously served (Baaz & Stern, 2018, p. 18). This becomes especially clear when abducted women are forced to perform both sexual acts and household duties. With regards to the women who are “left behind” when their husbands, brother and fathers go out to fight in the war, these are left in a particularly vulnerable position to all forms of sexual violence as their traditional guardians are no longer there to protect them from outside harms. All these dynamics brought together jointly contribute to the disintegration of traditional family structures in South Sudan, and can be seen as a contributing factor to enabling sexual slavery as a form of sexual violence.

Macro level: At the macro level, the ideas held about the role of women as caretakers and belonging to the domestic sphere are spread widely and are commonly held by most people in South Sudanese society (Care International, 2016, p. 6). The fact that these ideas are so ingrained in people’s ideas about and expectations for women and their role in society might contribute to abductees being widely used simultaneously for both sexual slavery and household duties.

8.1.6 Sexual Torture

Sexual torture is a form of sexual violence where a perpetrator deliberately inflicts pain on a victim revolving around acts of a sexual nature (Wood, 2009, p. 145). In the typology, this form of sexual violence serves the function of *Promoting National Security* with the objective of *Forcing Testimony* from the victim. Strictly looking at sexual torture used with the objective to force testimony, this form of sexual violence appears to be more frequently committed against men and boys in South Sudan, and takes place primarily during arrest, detention and imprisonment. Examples of this were contained in document AI 2017 and HRC 2018. Document AI 2017, for example, contains information about how sewing needles were pierced through the testicles of a man in order to force him to give up the location of Riek Machar (leader of SPLM-IO). This witness statement fits well with the expected function and objective of this form of sexual violence in the typology, as sexual torture was used to promote national security by forcing testimony from the victim.

Considering sexual torture more broadly as an act used to inflict pain, this form of sexual violence appears to be widespread in the South Sudanese conflict, with sexual torture frequently accompanying other forms of sexual violence. The severe beatings and high degree of violence frequently accompanying different forms of sexual violence such as rape, gang rape, sexual slavery etc., may be characterised as sexual torture, especially when they are used to force the victim to do or say something. Additionally, the numerous witness statements reporting that people were penetrated with sticks, weapons and other blunt objects also suggest that sexual torture was widely used, often in conjunction with other forms of sexual violence.

Gender

Micro level: At the individual level, when sexual torture is used to force testimony from a victim, this form of sexual violence is closely linked with a perpetrator trying to inflict humiliation and shame on a victim by targeting their sexuality. The targeting and harming of a victim's sexual organs can also be understood as an act of emasculation, where the perpetrator through this violent act is affirming his own masculinity while "feminising" his victim (Couturier, 2012, p. 9). Importantly, the act of feminisation takes place irrespective of the gender of the perpetrator and victim. The crucial point is that sexual torture is used on a gendered basis, and that it is used to position the involved actors in a "gendered hierarchy of power" (Meger, 2016, 91). The rationale behind using sexual torture to force testimony could thus be that by emasculating and humiliating a victim, they will be so demoralised and broken down that they give up valuable information (Meger, 2016, p. 91).

The aspect of pain is also central to sexual torture; victims are inflicted pain to the level where they cannot take it anymore and give up the information requested (if they have it) by the torturers. According to beliefs about men in a highly militarised and masculine culture, men should show "stoicism in the face of pain" (Care International 2016, p. 6) and be able to handle pain (Meger, 2016, p. 91). For a male victim to give in to the pain, to become *submissive* to his torturer, and give testimony will thus function as a way for him to display behaviour in conflict with the reigning ideals of manhood and masculinity in South Sudanese culture, and contributes to inflict feelings of emasculation and humiliation on the victim.

Meso level: Does not correspond.

Macro level: At the macro level, when sexual torture is used for the objective of forcing testimony and promoting national security, it could be part of a larger military operation of repression (Meger, 2016, p. 72). Such a military campaign can be instigated in order to discourage civilians from supporting an armed group, whereby the civilians fear reprisals in the form of sexual torture if they support (or are perceived to be supporting) an opposition group. The effectiveness of this form of sexual violence can be explained by looking at gender dynamics: Sexual torture is used to humiliate a victim, who may function as a proxy for the entire enemy population. The victim, and the group he or she belongs to, is humiliated because the perpetrator uses their power to assert dominance over the victim, feminising the victim and forcing them into subordination. Sexual torture is thus an effective tool at the macro level to humiliate and demoralise an entire group, because the attack on one person symbolises an attack on the masculinity, and an act of feminization, off all people connected with the victim.

8.1.7 Sexual Mutilation

Sexual mutilation takes place when a perpetrator intentionally causes injury to another person's sexual or reproductive organs (AI, 2017, p. 15; Luedke, 2016, p. 16). In the typology, this form of sexual violence serves the function of being used as a *Strategy* or a *Tactic*, serving the objective of *Ethnic Cleansing*. Sexual mutilation has a strong link to ethnic cleansing, because it directly targets a person's reproductive organs and thereby their ability to reproduce and have children (Couturier, 2012, p. 10). If a person is targeted because of their ethnicity and sexually mutilated on the basis thereof, the intention of the perpetrator to prevent a person of a specific ethnicity to reproduce can be interpreted as a clear strategy of ethnic cleansing (AI, 2017, p. 42; Luedke, 2016, p. 16).

There are numerous incidents of sexual mutilation reported from South Sudan, and this is a form of sexual violence which men and boys are frequently targeted with, especially in the form of castration. Castration has been reported in association with arrests, detention, imprisonment, and as a punishment during and after attacks. Sexual mutilation goes beyond

sexual torture to completely destroy the reproductive organs of the victims, making victims unable to reproduce, and to live a normal family life according to South Sudanese ideals of family life where having children is essential (Stern, 2011, p. 9). An additional objective for sexual mutilation can thus be the destruction of social cohesion in families and/or communities.

Gender

Micro level: The act of castration from a gender perspective produces multiple meanings, both from the perspective of the perpetrator and for the victim. For the perpetrator, to remove a man's testicles must be seen as the ultimate act to take away that person's physical symbol of manhood. It can thus be clearly linked with the act of a perpetrator "feminising" their victim through the removal of their reproductive organs and the symbol of their manhood (Couturier, 2012, p. 9; Sjoberg, 2016, p. 24). The perpetrator is affirming his masculinity by feminising his victim through the act of removing his testicles.

For victims, as was shown by witness statements rendered in the previous chapter, men without testicles feel they are no longer men, and are even worth less than a woman (witness statement in Al, 2017, p. 61). In South Sudanese society, there is an enormous stigma associated with sexual violence, and even more so for men who have been subjected to sexual violence (Care International, 2016, p. 12; Luedke, 2016, p. 15). This stigma can be associated with the ideas in South Sudanese society about men as strong and virile, who should protect their women and have many children. This ideal about a man becomes harmed and difficult for a man who has suffered castration to live up to, thus challenging a man's self-perception about his role in society.

Meso level: Preventing men from reproducing and having children, which is an essential part of family life in South Sudan, destroys the unit of the family, and also harms the social fabric of a community as it prevents the formation of families which are the cornerstone of the community in South Sudan.

Macro level: The macro level consequences of sexual mutilation, and especially of castration, are best expressed through its links to ethnic cleansing. If a large group of men belonging to a

specific ethnic group are targeted with sexual mutilation, this will prevent that ethnic group from reproducing at a normal rate, and, if done systematically, may lead to a large reduction in the number of people of that ethnicity. The systematic castration of men of specific ethnic groups has not been documented in the case of South Sudan, although clear links between ethnicity and castration were documented, and ethnicity has been used as a marker to identify and target victims belonging to specific groups (AI, 2017, p. 10). Still, the prevalence of this form of sexual violence is undetermined, especially given the strong stigma associated with sexual violence against men which means that it is extremely underreported, and its prevalence is unknown.

8.1.8 Forced Sterilisation/Abortion & Forced Pregnancy

Even though forced sterilisation/abortion and forced pregnancy are separate in the typology (given their very different physical manifestations), they are very closely linked theoretically and in their function and objective and are therefore analysed jointly here. In the typology, they are both seen as having the function of Strategy/Tactic, serving the objective of Ethnic Cleansing. While forced sterilisation/abortion can serve as a tool for preventing a woman (belonging to a specific ethnic group) to reproduce, forced pregnancy can be a way for a perpetrator of a specific ethnicity to ensure the birth of children of his own ethnicity.

Both forms of sexual violence can be found in South Sudan: Forced abortion may be done in different ways, but in the case of South Sudan it happens mainly when soldiers brutally rape pregnant women who lose their children as a result of the rape. Forced pregnancy is also extremely common in South Sudan, and can occur as a result of sexual slavery or forced marriage, or because a rape victim was denied (or is unable to obtain) an abortion. Several incidents of forced pregnancy within forced marriages were reported, where abducted women were forced to become the “wives” of soldiers and have their children. Even more widespread is pregnancy resulting from rape. As women in South Sudan have no real alternative to carrying the child to term, given limited health services and a strong stigma associated with abortion, many children born by unmarried girls and women are a result of rape and forced pregnancy. Furthermore, children born as a result of rape to married women are often ostracised from their families and the community (together with their mothers) (Luedke, 2016, p. 34).

In the typology, these forms of sexual violence are used as a tactic or strategy for ethnic cleansing. Both can be seen to have a clear ethnic element: While forced abortion may be committed against a woman based on her ethnicity, a woman may also be forcibly impregnated for the perpetrator to produce children of his own ethnicity. Incidents of both are reported in South Sudan, and witness statements show that these incidents often occur in association with comments about a woman's or her family's assumed ethnicity and affiliation in the conflict.

Gender

Micro level: At the individual level, these forms of sexual violence are closely related to a person exercising control and power over another person's reproductive capabilities. In South Sudanese society, to control a woman's sexual activity is considered the prerogative of her husband or father (Luedke, 2016, p. 30). While the perpetrators of this form of sexual violence are usually complete strangers to their victims, this idea of an entitlement to sex and a right to control a woman's sexual activity might expand to also give perpetrators a sense of entitlement over the sexual activity of complete strangers. It may also be seen as a perpetrator exercising what he might interpret as his own prerogative or right over a woman he has "conquered" in war and who has become his property (Sjoberg, 2013, p. 222). The body of the targeted woman is thus used for the perpetrator to communicate his victory, domination and masculinity to the enemy (Sjoberg, 2013, p. 222).

Meso level: The birth of numerous children outside the traditional family structure, born as a result of rape, is a challenge to the social fabric of many South Sudanese communities (HRC, 2018, p. 47). The stigma associated with being a single mother, and a victim of rape, is enormous and there are examples of communities expelling these victims (Luedke, 2016, p. 34). Blaming the victim is a common occurrence, where raped women who get pregnant are accused of being responsible for the incident themselves. Married women who get pregnant as a result of rape are often kicked out of their homes by their husbands who do not consider the pregnancy a result of a rape, but blame the woman for it (AI, 2017, p. 10). Forced pregnancies are thus deeply disruptive to families and communities who are governed by norms which frequently stigmatise and ostracise women and children associated with rape.

Macro level: There are clear ethnic dimension of forced sterilisation and forced pregnancy which are explained above. If perpetrated on a large scale, these forms of sexual violence have the potential to change the ethnic demographic of a country, and to influence the reproductive patterns of women and of specific targeted ethnic groups.

8.1.9 Forced Prostitution

Forced prostitution is when someone exercises control over another person and their sexual activities, often for material benefit (ICC, 2011, Art. 7 (1) (g)-3). In the typology it serves the function as a Tactic/Strategy to serve the objective of Ethnic Cleansing and Material Benefits. Not a single case of forced prostitution was identified through the document analysis in chapter 7 and one can thus conclude that this form of sexual violence is likely to have a very low prevalence in South Sudan, if it exists at all.

8.2 Deviations from Framework

Now that the typology has been applied to the data extracted from the documents in chapter 7, I would like to address some forms of sexual violence or interesting dynamics which were found to be present in the case of South Sudan, but which were not addressed by the preliminary typology used for guiding the analysis:

8.2.1 Forced Marriage

There are numerous examples throughout the documents analysed in chapter 7 of women being taken as the “wives” of soldiers against their will. Although this is covered to some extent by the category of *sexual slavery*, the broader term of *forced marriage* (a term widely used within the UN system, including by the HRC, UN Security Council and by the Secretary General) , which includes a wider range of activities such as household chores, in some cases forced pregnancy, in addition to sexual slavery, is found to be so common in the case of South Sudan that it should be acknowledged as a separate category. Forced marriage as a form of sexual violence can be associated with the function of *Recreation* and *Strategy/Tactic*, which serve the objectives of *Material Benefits*, *Ethnic Cleansing* and *Household Duties*.

8.2.2 Abduction for the Purposes of Sexual Slavery

Although this form of sexual slavery has already been covered above under the category of *sexual slavery*, the high prevalence of abduction for the purposes of sexual slavery in the case of South Sudan warrant the creation of a separate category also for this form of sexual violence. This form of sexual violence is associated with the function of *Recreation* which serves the objectives of *Sexual Gratification* and *Household Duties*.

8.2.3 Forced nudity

Forced nudity, or forced stripping, is documented in several of the reports read for the case study. Forced nudity appears to often be used in conjunction with other forms of sexual violence, such as rape or sexual torture. This form of sexual violence is frequently used to humiliate and shame victims. There are examples of both women and men being subjected to this form of sexual violence; document AI 2017 reported on an incident where men were forced to strip naked and dance, an incident which clearly demonstrates the perpetrator's intention to humiliate their victims using forced nudity. Document UNMISS 2014a reports that women were forced to leave their homes naked, as a way of shaming and dishonouring them. Forced nudity relies on the shame associated with being naked and exposed, and should thus be understood as a form of sexual violence. Its widespread use in South Sudan, and the unsuitability of the existing categories of the typology to incorporate this form of sexual violence, warrant the creation of a separate category in the typology for forced nudity. Forced nudity as a form of sexual violence is associated with the function of *Recreation* and *Social Bonding*, which serve the objective of *Destroying Morale and Humiliation*.

8.2.4 Men vs Women as Victims of Sexual Violence

The preliminary typology on purpose did not make any distinction between women and men and what forms of sexual violence they may be targeted with. This was done to respond to the many criticisms that sexual violence is frequently seen as something which harms women only, perpetrated by men only (a critique made by among others Sjoberg, 2016; Meger, 2016; Vojdik, 2019). Despite this being a valid critique of much writing on conflict-related sexual violence, when analysing incidents of sexual violence in the case of South Sudan, it becomes clear that women and men are targeted differently, with different forms of sexual violence. The targeting thus appears to have a clearly gendered dimension to it: While men are primarily

subjected to sexual torture and sexual mutilation such as castration, women tend to be subjected to assault, rape, sexual slavery, forms of sexual violence where the physical overpowering of the victim is central, and acts of sexual violence often associated with the role of the women in the domestic sphere. While men were often targeted in detention or prison, suspected of belonging to an opposition group, women were often targeted when fulfilling the household duties which are expected of them, such as getting water and firewood. The targeting of victims with sexual violence is thus deeply gendered, to a large extent based on the expected roles of men in society as soldiers and women as caretakers.

8.3 Revision of Typology in Light of Findings About South Sudan

The revised typology, which integrates findings from the case study by adding categories, and inputs the findings from the gender analysis, is displayed in table 3 below. The category of “main target” has been added to the very left of the vertical columns, in order to integrate the finding about *who* the different forms of sexual violence are most frequently targeted at, and the gendered nature of the targeting. Furthermore, the category of “forced prostitution” under forms of sexual violence has been removed completely as not a single incidence thereof was identified in the case of South Sudan. Three additional forms of sexual violence have been added to the typology, as these were found to be of high prevalence in the South Sudanese case, and not fitting well under other existing forms. The three new categories are *abduction for the purpose of sexual slavery*, *forced marriage*, and *forced nudity*.

The gender categories, divided into three analytical levels micro, meso and macro, have also been filled in, based on the findings from the case study of conflict-related sexual violence conducted above in this chapter. As has already been emphasised, the analytical category/categories of gender should be understood as interactional with the form, function and objective of sexual violence, not as a direct, one-directional cause or result thereof. Sexual violence in South Sudan is understood to be an ongoing “iterated” social practice, and all the analytical categories in the typology should be understood as producing and reproducing the different forms of sexual violence.

8.4 Revised Typology of Conflict-Related Sexual Violence

Main target	FORM	FUNCTION	OBJECTIVE	GENDER: MICRO	GENDER: MESO	GENDER: MACRO
Women	Opportunistic Rape	Recreation	Sexual Gratification; Material Benefits	Men's perception of women as subordinate to men	-	Society's expectation of women being responsible for household tasks
Women	Gang Rape	Social Bonding; Recreation	Sexual Gratification; Material Benefits; Demoralising the enemy through infliction of pain; Ethnic cleansing	-	Masculinity affirmation: Shared experience of rape; Peer pressure: expectations of men in war	-
Women	Rape as a Practice	Social Bonding; Recreation; Communication	Destruction of Social Cohesion/Communities; Reward; Sexual Gratification; Asserting Masculinity	Affirming masculinity; aspiring to an ideal hegemonic masculinity	Shared experience of rape; Creation of culture of domination over women	-
Women and men	Rape as a Policy	National Security	Genocide; Ethnic Cleansing; Dispersal of Population/Exo	-	Disrupting social norms and expectations of what women and	Influencing reproductive capabilities for specific ethnic groups,

			dus; Deter Opposition		men should be	both women and men
Women	Sexual Slavery	Recreation; Communicati on	Sexual Gratification; Asserting Masculinity	Control and power, and exaggerated version of the existing “guardian” system in place in S.S.	Disintegrati on of the family due to war –men seek substitutes for the traditional wife	Beliefs about a woman’s role in the household contributing factor to abductions for sexual slavery
Women	Abduction for the purpose of sexual slavery	Recreation	Sexual gratification; Household duties	Control and power, an exaggerated version of the existing “guardian” system in place in S.S.	Disintegrati on of the family due to war –men seek substitutes for the traditional wife	Beliefs about a woman’s role in the household contributing factor to abductions for sexual slavery
Men	Sexual Torture	National Security	Force Testimony	Emasculatio n and “feminisatio n” of victim	-	-
Men	Sexual Mutilation	Strategy/Tac tic	Ethnic Cleansing	Emasculatio n and “feminisatio n” of victim; removal of ultimate symbol of manhood; destroying a man’s self- worth	Destruction of community; destruction of family unit	Influencing reproductiv e capabilities for specific ethnic groups

Women	Forced Sterilisation/ Abortion	Strategy/Tactic	Ethnic Cleansing	Exercising control over a woman's reproductive organs	Destruction of families	Influence reproductive patterns of women
Women	Forced Pregnancy	Strategy/Tactic	Ethnic Cleansing	Exercising control over a woman's reproductive organs	Destruction of families; destruction of woman's opportunity to get married	Influence reproductive patterns of women
Women	Forced Marriage	Recreation; Strategy/Tactic	Material Benefits; Ethnic Cleansing; Household Duties	Control and power, an exaggerated version of the existing "guardian" system in place in S.S.	Disintegration of the family due to war – men seek substitutes for the traditional wife; destruction of family unit	Beliefs about a woman's role in the household contributing factor to forced marriage
Men	Forced Nudity	Recreation; social bonding	Destroy morale; humiliation	Emasculation; "feminisation" of victim	-	-
<i>Table 3: Revised Typology of Conflict-Related Sexual Violence: Analytical Framework Built for Case-Study. Table created by author.</i>						

8.5 Generalisability of the Revised Typology

Considering the contextual specificity of the data analysed, which is the basis for the revised typology in table 3, it is not expected that the typology will be suitable to apply to *all* conflicts that see the occurrence of conflict-related sexual violence.

However, considering that the preliminary typology was developed on the basis of different *general* typologies that were not context-specific, and that only minor revisions to the preliminary typology were necessitated by the findings from the case study of South Sudan, one can expect that also the revised typology could be relevant for the analysis of other conflicts. This may be especially true for other conflicts with similar characteristics as the South Sudanese civil war, for example civil wars taking place in a country ranked low on different development indicators, in a context characterised by decades of war and militarisation.

The typology may be of even greater utility when analysing and trying to make sense of conflict-related sexual violence perpetrated in a context with a strong patriarchal culture and with high levels of gender inequality. The gender analysis illustrated and detailed how different levels of gender inequality, which are a result of patriarchal culture, norms and structures, influence and are influenced by different forms of CRSV. It was shown that every single form of CRSV contained in the typology can be related to and understood by looking at different levels of gender inequality. The typology can therefore be used and applied to other conflicts where conflict-related sexual violence is prevalent to understand how gender inequalities and patriarchal culture and norms influence and are influenced by these gender dynamics. It has already been argued that it is not possible to understand and end conflict-related sexual violence without acknowledging and addressing underlying gender dynamics in South Sudanese society, something which can be done by analysing and understanding how specific forms of CRSV are related to specific gender dynamics at different levels. This argument can easily be transferred to other conflicts taking place in societies characterised by patriarchal norms and gender inequality, and the typology can be utilised as a general framework to guide an exploration of conflict-related sexual violence in such contexts.

9. Conclusion

The motivation to write this thesis was an aspiration to better understand how sexual violence came to be so pervasive and widespread in the civil war in South Sudan, a country characterised by a deeply patriarchal culture. My choice of topic and method was also motivated by an aspiration to see how the inclusion of gender as an analytical category in the study of conflict-related sexual violence would influence the study of the phenomenon. Throughout this thesis, I have attempted to investigate the linkages between sexual violence, gender and conflict in the case of South Sudan. By using a preliminary typology of CRSV which incorporates a gender analysis at different analytical levels, I have found that there are clear linkages between specific forms of conflict-related sexual violence and how patriarchal norms and culture are expressed through gender inequalities at different levels of South Sudanese society. Instead of trying to understand CRSV simply in terms of its form, function and objective, the addition of gender as an analytical category has transformed the study of the phenomenon and enables us to draw new conclusions about how patriarchal norms are drivers of different forms of conflict-related sexual violence.

In order to conclude, I will use the findings from the case study of conflict-related sexual violence in the South Sudanese civil war to provide answers to the research questions posed at the start of this thesis:

9.1 Research Question 1

Using a typology of conflict-related sexual violence, what can we learn about the form, function and objective of the phenomenon in the case of the South Sudanese civil war?

Firstly, I started out by arguing that current typologies and frameworks for analysing and understanding conflict-related sexual violence (CRSV) were flawed or incomplete. Because of this, a new preliminary typology was constructed. The preliminary typology was used to categorise CRSV in the case of South Sudan according to its form, function and objective. The findings from the case study of South Sudan were then used to revise and improve the

framework which in its revised form offers a comprehensive frame for analysing different forms of CRSV and their related functions and objectives. The information about CRSV contained in the revised typology may be used by a wide range of actors to gain insights into the patterns and dynamics of the phenomenon in the case of South Sudan.

Regarding specific findings, the most common *form* of sexual violence in South Sudan is found to be gang rape, which in the case of South Sudan is used to by perpetrators for the objective of recreation and social bonding, serving the objective of demoralising the enemy and to gain material benefits. Opportunistic rape is also widespread, often targeting women and girls when they leave their homes or the UNMISS PoC sites. This form of sexual violence is frequently used by the perpetrator to serve the objective of gaining material benefits and sexual gratification. Furthermore, the case study of South Sudan revealed that *sexual slavery* as a form of conflict-related sexual violence is also extremely common, often occurring in conjunction with abductions and forced marriage. Women and girls are the main targets of this form of sexual violence, and victims are frequently forced to do household chores for the perpetrators in addition to being subjected to violations of an explicitly sexual nature. The case study of South Sudan revealed that there are some forms of sexual violence frequent in South Sudan which did not fit into the categories of the preliminary typology, namely abduction for the purpose of sexual slavery, forced marriage, and forced nudity. These forms of sexual violence have been integrated into the revised typology, ensuring the categories contained therein are based on findings from real events, thus making the revised typology more representative of events on the ground and more comprehensive.

According to findings from the case study, despite the high prevalence of rape in South Sudan, there is little evidence to indicate that it was used as a *policy*, something which would require it to be a military strategy adopted and enforced from above in the military hierarchy. Rape as a *practice*, however, offers a useful explanatory frame to show how rape came to permeate through the ranks of practically all armed groups fighting in the civil war in South Sudan. The conceptualisation of rape as a practice thus explains how rape came to be widely tolerated (but not explicitly adopted as a policy) from the top down in military organisations and armed groups in South Sudan.

In sum, the typology proved a useful tool to conduct a systematic case study of CRSV in the case of the South Sudanese civil war. Using the typology, we learned what forms of CRSV are frequent in the case of South Sudan. By looking at specific incidents of CRSV, we could also learn how different forms of sexual violence are associated with specific functions and objectives. The revised typology, which incorporates findings from the case study, may now be used to understand the patterns in different forms, functions and objectives of CRSV in the case of South Sudan specifically, and for other conflicts taking place in similar contexts generally.

9.2 Research Question 2

To what extent is conflict-related sexual violence in South Sudan attributable to patriarchal norms in South Sudanese society?

Throughout the thesis, it has been argued that it is not possible to understand conflict-related sexual violence in South Sudan without looking at the gendered hierarchies and concepts of power which exist and prevail in South Sudanese society. By using a preliminary typology of conflict-related sexual violence which incorporates a gender analysis at different analytical levels, I have found that there are clear linkages between specific forms of conflict-related sexual violence and how patriarchal norms are expressed through gender inequalities at different levels of South Sudanese society. The addition of gender as an analytical category has transformed the study of the phenomenon and enables us to draw new conclusions about how patriarchal norms are drivers of different forms of conflict-related sexual violence.

Patriarchal norms in South Sudanese society dictate that men are the rightful holders of power over women, who are seen as subordinate to men (D'Awol, 2011, p. 60). In the case study, the analytical category of *gender* was integrated on three different analytical levels in order to explore how these patriarchal norms, which are expressed through gender inequalities, are linked to specific forms of sexual violence. Through the case study of the civil war in South Sudan, it was found that it is not only patriarchal *norms* which enable the continuation and spread of CRSV, but also societal structures such as the ways families and communities are organised and the rules they are organised according, as well as divisions of labour which are

deeply gendered and situate women as caretakers and men as hunters and protectors. Below, the findings from the multi-level analysis of how gender inequalities at the micro, meso and macro level are linked to and can explain different forms of conflict-related sexual violence are presented and summarised. Through the gender analysis, it was found that many forms of sexual violence were either made possible by, or exacerbated by, the existing norms and expectations about what women and men's positions, roles and responsibilities in South Sudanese society are.

At the micro level, which is concerned with individuals, it was found that beliefs held about a man's right to control a woman, including her sexual activity, is expressed through different forms of sexual violence such as opportunistic rape. Opportunistic rape is frequently made possible because perpetrators consider women unprotected (or simply unaccompanied) by their male guardians as fair game and there for the taking.

At the meso level, it is especially the form of sexual violence *gang rape* that accurately illustrates how expectations about gender can produce sexual violence. The act of gang rape may be used by a group of soldiers to: a) Form a social bond and produce a close-knit group of soldiers through their shared experience of rape, and b) Exercise peer pressure on a person to take part in the gang rape in order for him to prove his manhood and conform to the expectations held of a soldier from the group. Expectations about how men should act, and the need to create social cohesion for men in war, thus enables and drives the perpetration of gang rape.

At the macro level, widely held beliefs about a woman's responsibilities in the household frequently put women at risk of different forms of sexual violence: One of the most frequent settings in which women are targeted with sexual violence, is when they leave their homes or UNMISS PoC sites to fulfil their household duties such as gathering firewood, water or other items. Patriarchal norms in South Sudanese society dictate that women are responsible for the household and such duties, and it is thus indirectly these expectations of women and their responsibilities which put them at direct risk of different forms of sexual violence. Furthermore, in the case study, abduction for the purposes of sexual slavery was found to frequently occur in conjunction with women being forced to fulfil household duties,

suggesting that women are targeted to serve the functions that for soldiers would previously have been filled by their wives and mothers. This indicates that ideas about and expectations for women and their role in society contribute to the high prevalence of abductions for the purposes of sexual slavery in the case of South Sudan.

The multi-level analysis of gender inequality in South Sudanese society revealed that conflict-related sexual violence can be understood as caused by and as an expression of patriarchal norms and culture. The analysis revealed that there is a gendered pattern of perpetration and victimisation, meaning that women and men are targeted differently, to a large extent based on the expected roles of men in society as soldiers and women as caretakers: While men were often targeted in detention or prison, suspected of belonging to an opposition group, women are often targeted when fulfilling the household duties which are expected of them, such as getting water and firewood. This means that the causes and drivers of conflict-related sexual violence are not strictly *conflict*-related, but can be explained by looking at long-term gender dynamics in South Sudanese society. From this perspective, conflict is simply the external context that allows and enables gender inequalities to be expressed in their most extreme form, namely through conflict-related sexual violence. Conflict-related sexual violence is thus not an abnormality or an extraordinary phenomenon taking place because South Sudan was engulfed in conflict and war. Rather, its widespread occurrence in South Sudan may be explained by the existence of norms, structures and a culture which promotes a gendered concept of power that positions women as subordinate to men.

In general, the findings from the case study support the understanding of conflict-related sexual violence as presented in the introduction of this thesis, influenced by Laura Sjoberg's understanding of sexual violence: Sjoberg sees sexual violence in conflict as a social practice, putting emphasis on the common background knowledges, social groups and experiences that perpetrators and victims often share (e.g. common understandings of gender, race, class and conflict) (Sjoberg, 2016, p. 155). These *common understandings* are frequently encountered throughout the gender analysis conducted: They are exemplified by victims marrying their rapists because both victim and perpetrator share the same view of the norms surrounding marriage, premarital sex and the stigma relating to it. They are exemplified by women who put themselves at risk of sexual violence when collecting firewood and doing household tasks,

tasks which they are doing only because of the shared ideas of what is expected of a woman in South Sudanese society. Common understandings of the importance of procreation and “normal” family life with children is also what gives power and meaning to acts of sexual torture and sexual mutilation committed against men. Shared norms and ideas about the role of women and men thus enable the continuation and contribute to the normalisation of sexual violence.

Given the strong links identified between patriarchal norms and different forms of conflict-related sexual violence, it is clear that without addressing deeply held beliefs about the roles, duties and responsibilities of both women and men, and without changing the way women are positioned as subordinate to men in South Sudan, it will not be possible to prevent and end conflict-related sexual violence and all other forms of gender-based violence.

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Annex 2: Abstract [English]

This thesis explores Conflict-Related Sexual Violence (CRSV) in the South Sudanese civil war, investigating incidents taking place from 2013 to 2018. The thesis identifies patterns in the form, function and objective of conflict-related sexual violence in South Sudan's civil war, and investigates to what extent patriarchal norms and the gender inequality resulting from these can be seen as the causes and drivers of CRSV. The thesis uses a qualitative method, more specifically a case study approach based on a document analysis. The case study will be guided by an analytical framework, a preliminary typology of CRSV, which has been constructed specifically for the purposes of the thesis. The core argument of the thesis is that CRSV in the South Sudanese civil war needs to be understood as an expression of gender inequality, caused by patriarchal norms deeply embedded in South Sudanese society. I argue that integrating gender as an analytical category transforms the study of CRSV and enables an analysis of links between different forms of sexual violence and how these are connected to patriarchal norms and gender inequalities at the micro, meso and macro analytical levels of South Sudanese society. Through the multi-level analysis, it is found that there are clear linkages between specific forms of CRSV and patriarchal norms and gender inequalities.

Keywords: Conflict-Related Sexual Violence, Gender, Patriarchy, South Sudan, Conflict, Civil War, Violence

Annex 3: Abstract [Deutsch]

Diese Arbeit untersucht konfliktbedingte sexuelle Gewalt im südsudanesischen Bürgerkrieg und untersucht Vorfälle, die in den Jahren 2013 bis 2018 stattgefunden haben. Die Arbeit identifiziert Muster in Form, Funktion und Ziel von konfliktbedingter sexueller Gewalt im Südsudanesischen Bürgerkrieg und untersucht inwieweit patriarchale Normen und daraus entstehende Geschlechterungleichheiten als die Ursache und Auslöser von konfliktbedingter sexueller Gewalt gesehen werden können. Die Arbeit verwendet eine qualitative Methode, genauer gesagt einen Fallstudienansatz gestützt auf eine Dokumentanalyse. Die Fallstudie stützt sich auf einen analytischen Rahmen, eine vorläufige Typologie von konfliktbedingter sexueller Gewalt, der eigens für diese Arbeit konstruiert wurde. Das Hauptargument dieser Arbeit ist, dass konfliktbedingte sexuelle Gewalt als Ausdruck von Geschlechterungleichheit gesehen werden muss, ausgelöst von den patriarchalen Normen, die tief verwurzelt in der Südsudanesischen Gesellschaft sind. Mein Argument ist, dass die Integration von Geschlecht als analytische Kategorie die Studie von konfliktbedingter sexueller Gewalt verwandelt. Außerdem ermöglicht dies die Analyse von verschiedenen Formen von sexueller Gewalt und hilft zu verstehen wie konfliktbedingte sexuelle Gewalt mit patriarchalen Normen und Geschlechterungleichheiten auf verschiedenen Analyseebenen (Mikro, Meso und Makro) von Südsudanesischer Gesellschaft zusammenhängt. Die Analyse zeigt, dass es eindeutige Verbindungen gibt zwischen bestimmten Formen von konfliktbedingter sexueller Gewalt und patriarchalen Normen und Geschlechterungleichheit.

Schlagwörter: Konfliktbedingte Sexuelle Gewalt, Geschlecht, Patriarchat, Südsudan, Konflikt, Bürgerkrieg, Gewalt