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# **Sexual violence as a weapon of war: the case of ISIS in Syria and Iraq**

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*This thesis is submitted for obtaining the Master's Degree in International Humanitarian Action. By submitting the thesis, the author certifies that the text is from his/her hand, does not include the work of someone else unless clearly indicated, and that the thesis has been produced in accordance with proper academic practices.*

*“Not enough people understand what rape is, and,  
until they do . . . , not enough will be done to stop it”.*

— Rape victim, quoted in ‘Men Who Rape:  
The Psychology of the Offender’ by Groth, 1979, p. 87.

## **Abstract**

This thesis set out to research why ISIS combatants use sexual violence when they target the Yazidi community in particular. The aims have been to provide an understanding of why ISIS target Yazidi women and girls with sexual violence and develop a better understanding of both groups and thus hopefully provide assistance that is contextually adapted to the needs of Yazidi women and girls who have been targeted by ISIS. This has been done through a case study, where ISIS has been the case and the Yazidi population has been the subunit of analysis. Materials that have been released by ISIS, as well as witness statements that have been made available as secondary sources have been analysed, by applying the three theories/conceptual frameworks evolution theory, feminist theory, and the strategic rape concept to this data. The results are that the three frameworks separately cannot provide an explanation for the phenomena. Evolution theory did not provide any explanations for ISIS' behaviour at all, not even when combined with the other frameworks. However, feminist theory in combination with the strategic rape concept explains the behaviour of ISIS, to a certain extent. There is however, a gap today in wartime sexual violence conceptualizations that need to be filled with an overarching theory that includes elements of both feminist theory and the strategic rape concept. The reasons for ISIS' use of sexual violence are multi-layered. Sexual violence is used as strategy of war for political and religious reasons, as well as, to an extent, because of misogyny. ISIS are aiming to assimilate the area of the caliphate, while at the same time violently targeting the Yazidi population, by using their interpretation of religion as a justification, and until they reach this target of homogeneity for the caliphate, they will continue using sexual violence as a strategy of war and for the appropriation of territory and justify it with religion.

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## **Preface/Acknowledgments**

This thesis has been written for the thousands of women in the Middle East that during the last few years have been struggling under ISIS' terror, for those who have become victims of their cruelty, and for those who have survived. I am especially grateful to all Yazidi women and girls, for sharing their stories with the world and for being part of this thesis. Without them, this thesis would not have been possible.

I would like to thank my parents and my two siblings in Sweden as well as my family in Canada for their unconditional support, inspiration, and love and for believing in me.

Last but not least, I would like to thank my supervisor, Professor Luz Paula Parra, for her continued invaluable support, inspiration, and advice throughout the research process.

## **Acronyms**

AQI	al Qaeda in Iraq
CEDAW	Convention on the Elimination of Discrimination against Women
CRC	Convention on the Rights of the Child
HRL	Human Rights Law
HRW	Human Rights Watch
IASC	The Inter-Agency Standing Committee
ICC	International Criminal Court
ICL	International criminal Law
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for Yugoslavia
IHL	International Humanitarian Law
IS	Islamic State
ISI	Islamic State of Iraq
ISIL	Islamic State of Iraq and the Levant
ISIS	Islamic State of Iraq and al Sham
NGO	Non Governmental Organization
NSA	Non-State Actor
OHCHR	the Office of the United Nations High Commissioner for Human Rights
UN	United Nations
UNAMI	United Nations Assistance Mission for Iraq
WHO	World Health Organization

# 1. Introduction

“It has probably become more dangerous to be a woman than a soldier in armed conflict”  
(Cammaert cited in OHCHR, 2008?).

“Sexual violence has occurred during armed conflicts at all times, on all continents” (Gaggioli, 2014, p.504). Today, more civilians than military personnel are targeted, with violence and death following as a result (Unicef, n.d.). Sexual violence is part of that. According to Barstow, “the ratio of military personnel killed to civilians killed” has changed from 8:1 in World War I to 1:8 in wars after 1945 (2000, p.3). The majority of the victims are women, children and the elderly (Ibid.).

The topic of sexual violence has been absent from the discussions of war, conflict and international humanitarian law up until quite recently, considering the long history of sexual violence in wars that did not even have high rates of civilian casualties. In many of the first reports on previous conflicts, such as for instance the Japanese in Nanking, China in 1937, the Serbs in Bosnia in 1992, Hutus raping Tutsis in the Rwandan genocide of 1994, and the Guatemalan army and paramilitary in the decades long civil war in Guatemala<sup>1</sup>, sexual violence and this type of abuse of women and girls were often not mentioned. Susan Brownmiller’s groundbreaking work in 1975 set the scene for these topics to be lifted and part of the discussions of war, and after that the topic has flowed somewhat easier (Ibid, pp.4-7). However it was not until 2008 that the UN Security Council declared that sexual violence can be a tactic of war (OHCHR, 2008?).

Today, the topic of sexual violence is yet again being covered quite extensively in media, in connection to the phenomenon of ISIS. The use of sexual violence, rape, sexual and other forms of slavery, and other forms of abuse, are widespread among them. ISIS especially targets the religious and ethnic minority group, the Yazidis, and those in the areas of the Sinjar Mountains in Iraq, on the border to Syria, have been

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<sup>1</sup> ”The war in Guatemala has been likened to an ethnic cleansing, with the objective of eliminating the Mayan indigenous people as a social and political entity” (Barstow, 2000, p.134).

targeted the hardest. The Yazidi women and girls who manage to flee or are set free tell of horrific ordeals at the hands of ISIS soldiers.

This thesis has been especially difficult to write due to the topical, contemporary and violent nature of ISIS. Quality sources that are objective and scientific have been hard to find and sifting through what qualifies to be used in a scientific thesis, and what does not, have been a struggle throughout the research process.

ISIS as a Non State Actor (NSA) is still a relatively new phenomenon and the topic of their use of sexual violence, especially that targeting Yazidis, has not been researched properly. This thesis sets out to provide an understanding of the reasons why ISIS uses sexual violence and why they target the Yazidi population with it. The next chapter will show how this has been researched and the difficulties faced in this process.



## **2. The Research Process**

### **2.1 Aims and research objectives**

As mentioned above, ISIS and their use of sexual violence are yet to be researched scientifically. Thus the two aims of this thesis are to (1) provide an understanding of why ISIS target Yazidi women and girls with sexual violence. In this way, we can (2) develop a better understanding of both groups and thus hopefully provide assistance that is contextually adapted to the needs of Yazidi women and girls who have been targeted by ISIS.

In order to achieve these two aims, the thesis has the following objectives:

1. To test three different theories/conceptual frameworks on the reasons why sexual violence in conflict is used, by applying these to interviews done with Yazidi women and girls, in order to get an understanding of why ISIS uses it.
2. To analyse material released by ISIS on their viewpoints on sexual violence to get a better understanding of the phenomena and why Yazidis are targeted.
3. To arrive at a set of recommendations that the humanitarian community can use in their work with and support to Yazidi women and girls.

### **2.2 Research question and assumptions/propositions**

What ISIS are doing today to the minorities of the Middle East, and especially to the Yazidi minority, need to be highlighted and understood from a scientific perspective. The response to the needs of the Yazidi community should to be context based and thus research with a contextual frame is needed on the matter. This thesis holds one wide, overarching research question:

- Why do ISIS combatants use sexual violence when targeting the Yazidi community in particular?

Thus the Middle East, especially Syria and Iraq, provide the context where ISIS is the case in this study and Yazidi women and girls are the subunit of analysis.

There are two assumptions that have been developed for this thesis. As the definition suggests, they are assumptions or propositions and will be tested in this thesis.

These are:

1. ISIS uses sexual violence as a strategic objective in order to empty the areas of their caliphate of anyone that is not already, or will not convert to Sunni Islam, and uses their interpretation of the Islamic Holy book, the Quran, to justify it.

2. Yazidi women are especially targeted as Yazidis are considered the ultimate heretics since they have no holy scripture (in comparison with for instance Christian minorities in the region that have the Bible and thus are “only” asked to either convert, pay religious tax, or leave the area, which most of them do). Thus since ISIS’ interpretation of what the Quran say is that it approves of sexual violation of who they consider heretics, they are sexually violated. ISIS’ final strategic objective is the same, no matter what group is targeted and what strategy is used, the aim is to empty the area of the caliphate of ‘infidels’ and anyone who is not or will not become Sunni Muslim.

### **2.3 Previous academic research**

There has been quite extensive research made on the topic of sexual violence in conflict and war situations, but the case has yet to be ISIS in Syria and/or Iraq. For the theoretical perspective, the previous research has been of value, for instance articles on wartime rape in Bosnia mainly but also Darfur and Rwanda. Some examples are Cheryl Benard’s article ‘Rape as terror: The case of Bosnia’ (1994), the article by Christopher W. Mullins, ‘“He Would Kill Me With His Penis”’: Genocidal Rape in Rwanda as a State Crime’ (2009), Lisa Sharlach’s article ‘Rape as Genocide: Bangladesh, the Former Yugoslavia, and Rwanda’ (2000), as well as the two articles by Elisabeth Jean Wood ‘Variation in Sexual Violence during War’ (2006) and ‘Conflict-related sexual violence and the policy implications of recent research’ (2014). These are but some examples of useful studies where sexual violence has been discussed in the setting of conflict and war.

In 1975, Susan Brownmiller published what would become a groundbreaking book on feminist theory and its view on sexual violence in conflict. This book has been the provider of the feminist framework in the theory chapter of this thesis as it was one of the first big tries on applying the feminist framework to the topic. Others have followed but this thesis focuses on Brownmiller’s feminist viewpoint. Thornhill & Palmer’s book

‘A Natural History of Rape’ (2000) provides the theoretical framework called evolution theory. They are following Darwinian ideas as they have developed this theory in explaining wartime sexual violence. Anne Llewellyn Barstow’s book ‘War’s Dirty Secret: Rape, Prostitution, and Other Crimes Against Women’ (2000) is a good source of information when it comes to the strategic rape concept, where she discusses the concept of how sexual violence is used in wartime as a means for reaching strategic objectives. This book is more recent in comparison with Brownmiller’s feminist theory.

All of the articles mentioned were written after the wars in Bosnia and Rwanda, and certainly before the rise of ISIS, as we know it today. Thus, more research is necessary, especially in applying the ideas in the articles and the theories/concepts mentioned to the case of ISIS, as have been previously done with other conflicts such as Rwanda and Bosnia.

#### **2.4 Relevance to the field of Humanitarian Action**

At first glance, it might seem that the topic of this thesis has more relevance with political science and gender studies than humanitarian action. However, the general public today seem to have a narrow understanding of ISIS, the conflicts in Syria, Iraq and the Muslim world, as well as the role of sexual violence and of religion in this conflict. In order to maximise the efforts that are carried out in the region by the humanitarian community and in order to remedy the lack of those efforts, we need to understand the context that we are dealing with. Because of how unique ISIS’ behaviour is in the brute violence they use as a NSA today, this thesis brings about an understanding on a topical subject that is yet to be fully understood. Yazidi women and girls that have been targeted by ISIS, come back to a community that is in pieces, and more often than not, to Internally Displaced People (IDP) camps. Thus the psychological and medical healthcare and professional support that they need, has to be adapted to those needs. Interviews carried out with some of these women have showed that they have not received any or very little help after being freed or released from ISIS (Zbis, 2015; Human Rights Watch, 2015; Begum & Muscati, 2015; Bedirian, 2015; Amnesty International, 2014). The last chapter provides recommendations for the humanitarian community and for governments on how they can adapt the psychosocial

and physical healthcare and support they do give to Yazidi women and girls, to the actual needs and to existing standards.

More and more so, the topic of sexual violence in conflict and war is gaining attention within the field of International Humanitarian Law (IHL). As mentioned previously, it was only a few years back that the UN Security Council considered sexual violence a tactic of war (OHCHR, 2008?). International Criminal Law (ICL) has made sexual violence in conflict a violation of the Rome Statute. The developments within IHL and ICL are quite interesting, but the phenomena of ISIS shows how the international community, yet again, lack the international instruments that are needed to bring perpetrators such as ISIS to justice.

All these threads are brought together in this thesis to provide a contextual framework of understanding of the topic of ISIS, their violations of international law and how Yazidi minorities can be best helped.

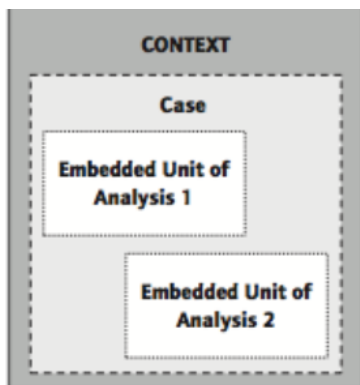
## **2.5 Method**

A case study is the research of something specific, for instance something that happened, a person, a social group or an institution (Merriam, 1994, p.24). In this thesis, the case study method is useful as the aim is to “describe and analyse some entity in qualitative, complex, and comprehensive terms not infrequently as it unfolds over a period of time” (Wilson, 1979, p.448). The case study is a suitable option here as it helps to provide a perspective for understanding the contemporary phenomena of ISIS within their complex content, the Middle East (Yin, 2014, pp.4, 16; Merriam, 1994, p.21). The case study is also a good option when the research is of an explanatory nature, as is the case here. It helps in answering why and how questions (Yin, 2014, p.10). More specifically, in this thesis the context is Syria and Iraq, the case is ISIS and the embedded unit of analysis is Yazidi women. Yin shows clearly how this can look below in figure 1.

There is only one embedded unit of analysis in this thesis. The fact that the line between the context and the case is dotted in figure 1 means that the analysis has been done by studying the “contextual conditions in relation to the “case”” (Ibid., p.10). This is

because it can be hard to draw a clear line between context and case, and indeed one cannot study ISIS without taking the context of Syria and Iraq and the multiculturalism of the region into account. If the holistic design of case study would have been used,

**Figure 1. The embedded single-case design.**



(Ibid., p.50)

where one would only have a single case and no subunits of analysis, the study would have been done at an abstract overarching level, without the possibility of going into details. When doing it with at least one subunit of analysis, one can analyse ISIS at depth as well as analyse the reasons why Yazidis are targeted. A weakness of the embedded design, however, can be that the study only focuses on the subunits and not the bigger case (Ibid.,

p.55). However, this has not been a problem since the case here has such a big focus and the matter of the subunits would not be relevant without the actual case. Thus there has been no choice but to prioritise the case before going into the analysis of the subunits.

### 2.5.1 The research design

Much emphasis has been placed on the method chapter in this thesis in order to ensure the transparency and the quality of it. The first step has been to create a research design. “The design is the logical sequence that connects the empirical data to a study’s initial research questions, and ultimately, to its conclusions” (Ibid., 28). Important in the research design is to start with the formulation of research question-s, in order to focus the research, and the research question in this thesis has been a why-question. But this is not enough, since it does not say in what direction the research should be guided. Thus assumptions or propositions were also designed, that gave the research guidance in the right direction. These were identified at an early onset but remained open to change throughout the research process, as this is a sign of quality, since one should be able to adapt “as a result of discoveries during [...] data collection” (Ibid., p.32). The analysis technique used to analyse the findings has been the explanation building technique, since this is an explanatory thesis (Ibid., pp.35-36, 147). The final step is the interpretation of the findings. This can be done by analysing the findings through different theoretical or conceptual frameworks. Three different theories/conceptual

frameworks have been used in this thesis, which should increase the quality of it. This will be discussed further in the coming subchapters.

The regular methods of data gathering in case studies are surveys, interviews and/or observations, besides literature reviews. However, it is still possible, and sometimes even the only option, to do high-quality research through case studies by literature review and the use of Internet sources (Ibid., p.21). Due to the security situation in Syria and Iraq, travel to the region to perform interviews with Yazidi women was not possible, but fortunately there are interviews available online that have been used, if this research was to take place. Contact was established with organizations working with Yazidis<sup>2</sup>, especially women and children that have suffered at the hands of ISIS soldiers, and from there, contact was further established with Yazidi scholars and authors. One of these persons is the Yazidi author Daoud Murad Al-Khatari, who has personally carried out almost a hundred interviews with Yazidi men, women, boys, and girls, and has made some of these available for this thesis. Besides this, he has written a book on the experiences of the Yazidi village Kojo (in Iraq), and in there, collected many of these witness statements on the experiences of the Yazidis that used to live in Kojo. The book was still unpublished when access was provided to it. Furthermore, there are interviews in the form of video sources available online, that have been used. In addition, ISIS' own documents, such as articles from their magazine, Dabiq, and other documents they have released have also been used. I have been aware of the risk of low quality output, but strategies of making sure that this thesis remained a high quality one have been used, for instance by aiming for high reliability and validity and by critically analysing the materials during the literature review, as well as keeping a critical view on what was read, as well as using triangulation techniques, which will be discussed below. The interviews that were made available for this thesis were all in Arabic and thus required translation to English. A first translator was hired to carry out the work, but due to the low quality output, his contract had to be ended and a new translator was found. The second translator did the remaining translation, but again with poor language quality. However even though the quality was not perfect English, it was still understandable. One problem though that became clear after the translations were

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<sup>2</sup> For transparency's sake, these organisations are <http://www.yazda.org> and <http://www.amarfoundation.org>. At Yazda contact was made with Murad Ismael, Director of Board and Hadi Pir, Vice President. At Amar Foundation, email communication was done through a generic account and no personalised contact with anyone specific was made.

done was that the material I was provided with was not all useful for this thesis. Thus more reliance than anticipated was placed on videos of interviews, as well as on the unpublished book by Khatari. But still, one has to ensure that the translation was done correctly and that nothing was left out or changed, and for this a type of triangulation was carried out. For instance, the witness statements that have been used have been compared to other witness statements that are already in English and they are very similar to each other, and thus nothing that seems odd or unlikely has been translated. Considering my Arabic reading and writing skills, sample translations have been done of parts of the interviews, to see if my translation matches the one of translators and it did indeed match up, thus eliminating this risk factor.

There are four principles that one should adhere to or at least keep in mind when collecting data for the analysis. These are “(a) using multiple, not just single, sources of evidence; (b) creating a case study database; (c) maintaining a chain of evidence; and (d) exercising care in using data from electronic sources of evidence, such as social media communications” (Ibid., p.105). These principles are important as they can increase and ensure a maintained high quality throughout the research process and in the end result. They can also increase what is called the construct validity and reliability of the data. Below one can read more on this.

The first principle, the use of multiple sources for data allows for triangulation. Data triangulation involves gathering data from different sources in order to support the findings by the use of multiple sources. The use of several sources also strengthens the construct validity of the study (Merriam, 1994, p.179; Yin, 2014, p.121). As I have previously mentioned, in this thesis, several data collection methods have been used, those being interviews that have already been carried out, in different formats, as well as first hand documents from ISIS.

The second principle is the one of creating a case study database. It includes a compilation of all the documents and other materials collected during the data collection process. This also increases the reliability of the thesis (Yin, 2014, pp.123-124). For this thesis, the database has been created separately, and is a compilation of the interview records, as well as the documents from ISIS, that have been used. This database is available for anyone reading this thesis to access, upon request.

The third principle is about maintaining a chain of evidence throughout the research process, which will also increase reliability. The point is to “allow an external observer [...] to follow the derivation of any evidence from initial research questions to ultimate case study conclusions” (Ibid., p.127). In this thesis, this has been done by the exhaustive and frequent use of references. Another way is to clearly show how one has collected the data for the analysis (Ibid., p.128). This has been done as detailed as is possible, especially by having an exhaustive method chapter. One thing that Yin misses though is that the database discussed above also contributes to this principle, as this is the actual evidence in the chain of evidence.

The fourth and last principle is especially important to this thesis, as it is about exerting caution when using data from electronic sources. In this thesis, this has been a main source of information, besides books and journals. However one has to remember what an electronic resource is and not get hung up on the abstract words ‘electronic resource’. It is in fact information that people, among them researchers, have made available to the great public. Thus this could be for instance interviews that are uploaded and made available, instead of being notes on a paper that are made available. So the quality does not have to be poorer, as long as one exerts caution in the use of it. There are some things to keep in mind, for instance the crosschecking of sources and information (Ibid.). Considering how widely known it is by now how ISIS treats the Yazidi ethnic group, especially through internationally known news channels, it has not been difficult to conclude that the information in the interviews is credible. First of all, it is hard to be suspicious of a woman telling of her ordeal when the ordeal is about sexual violence or sexual slavery. Second, the stories these women keep repeating are not only available in the interviews this thesis is based on, but are also available in many interviews that news channels have done and published. Third and lastly, there are also interviews in video format where one can watch these women and/or girls speak for themselves.

As mentioned earlier, the last step in the research design is the interpretation or analysis of findings. One strategy for this is to rely on assumptions/propositions. These assumptions have shaped the data collection in this thesis, and “...have yielded analytic priorities” (Ibid., p.136). A second useful strategy is to “examine plausible rival explanations” (Ibid., p.140). This strategy is based on having rival



assumptions/propositions that are tried. This thesis has not included any rival prepositions, but it has included three different rival theoretical/conceptual frameworks (Ibid., p.141). The use of this strategy can increase the objectivity of the thesis by excluding the risk of being “...accused of stacking the deck in favour of the original hypothesis” (Ibid., p.140). The more rivals one can include and discard in the analysis, the stronger the quality of the findings (Ibid., p.142).

As mentioned earlier, the analytical technique that has been used in this thesis is the technique of explanation building, as it is appropriate for a thesis of an explanatory nature (Ibid., pp.35-36, 147). “...The goal is to analyse the case study data by building an explanation about the case” (Ibid., p.147). The process included in this technique is quite undocumented by researchers but the idea is to have theoretical statements, and initial assumptions or propositions that are tested and then compare the results with other cases against the set assumptions, in order to revisit these and make sure they do not need revision, and if they do, revise them, and then repeat the process all over as many times as is needed, i.e. iteration (Ibid., p.149). This thesis includes a background chapter on the cases of Bosnia and Rwanda and these have been compared with the case in this thesis, ISIS, in order to come to the correct conclusions. This technique is similar to the strategy of rival explanations and triangulations.

### **2.5.2 The sources of data**

Besides interview materials, the documents that have been used in this thesis are the articles that ISIS releases in their journal Dabiq, as well as the Questions and Answers (Q&A) that they released on the “do’s and don’ts” of sexual slavery. Besides this, documents such as news articles and United Nations (UN) resolutions and treaties have also been used, but not in the same extent as the other sources of data, as for instance the news articles can have more quality weaknesses, like reporting bias. One thing to keep in mind about the documentation source is that “...it was written for some specific purpose and some specific audience *other than* those of the case study being done” (Ibid., p.108). When keeping this in mind, as well as trying to identify these objectives, and staying critical, the likelihood of being misled decreased in this thesis (Ibid.).

Interviews can be an invaluable source of information, especially when carried out by the researcher. In this thesis, interviews that have been carried out by other researchers have been relied on. This is called a secondary data analysis (Robson, 2011, p.358; Heaton, 2008, p.34). Hakim defines this as “any re-analysis of data collected by another researcher or organisation” (2000 cited in Robson, 2011, p.358). This is exactly what has been done with the interviews used in this thesis. There are strengths and weaknesses with using secondary data analysis, and one such strength is that it allows the researcher “to capitalize on the efforts of others in collecting the data”, i.e. it saves valuable time that can be placed on other important parts of the research process (Ibid., p.359). For this purpose, the use of electronic sources is valuable. At the time of writing, this was a new subject, and the region has been quite inaccessible for a long time now, therefore the available data and information has been limited. The interviews used have not had any direct interest in the research question of this thesis and thus they are impartial to it. In this way the objectivity of the interviews in regards to the research question is secured. However, “retrospective interview evidence may not provide the relative objectivity of contemporary records, but even those are often biased by the perspective of the recorder. [...] The available evidence [can] provide a unique opportunity to explore an interesting research question, and though conclusions must be treated as no more definitive than the evidence on which they are based, such opportunities should not be rejected simply out of desire for more perfect evidence” (Tsintsadze-Maass & Maass, 2014, p.755). The lack of access to the region at the time of writing this thesis should not hinder the research that needs to be done on this important subject, and thus the sources that are available have been used to carry out this task, even though they have, at times, been secondary.

Another strength is that using electronic sources facilitate research on topics such as sexual violence, which are normally sensitive (Robson, 2011, p.378). One matter that can become an issue though is the difficulty of accessing a representative sample (Ibid., p.381). This has been a challenge throughout this research process, but the number of interviews used, in different formats, is as many as could be possibly accessed within the limitations of this research. Then there is the most obvious issue, the one of not being ‘there’ when the interviews were done, which leads to the researcher having to rely on his/her own interpretations (Ibid.). It is the reality of this thesis that these

matters have been unavoidable issues to keep in mind, unless the quality is to be affected. Thus remaining objective as the author of this thesis, has been crucial.

### **2.5.3 Strengths and weaknesses of the case study method**

Case studies, like any other research methods, have both strengths and weaknesses. One such weakness can be that the empirical material is adapted so that it fits a specific explanation better than it originally would. For this reason much emphasis has been put on the method chapter in this thesis, in order to be as transparent as possible as to show that no adaptation has been made of the empirical material. Another weakness that can occur lies in bias. This can happen when the researcher does not present “all evidence fairly” and so one must work hard no matter what to remain subjective, even though the topic might be a sensitive one (Yin, 2014, p.20). Clearly in this thesis, this could have been an issue. But as long as the researcher is aware of this and does his/her utmost best to remain objective, he/she should remain on the right path. I have had this in mind throughout the research process. One has to aim to be a “good listener” by “...being able to assimilate large amounts of new information without bias” (Ibid., p.74). A strategy for this when using secondary sources is to ‘read between the lines’, not only when reading narrative documentation of interviews or other documents, but also even when listening to someone speak. One also has to remember that bias can occur no matter what method is used or what case is studied, and no matter if it is a qualitative or quantitative study. There are also strategies for strengthening the quality of the thesis, and this is through the strengthening of its validity and reliability, as we will see in the next subchapter.

### **2.5.4 Validity and Reliability**

There are three tests one can use to further ensure the quality of ones thesis and that are relevant to this thesis. These are the construct validity, internal validity, and reliability, and the difference between some of these can at times be diffuse. The construct validity is the toughest one on a thesis. This shows if the research is objective and if operational measures have been used to collect the data. In order to increase objectivity, a chapter on definitions of what is studied is included in this thesis. Besides, three different theories/conceptual frameworks have been used, since in this way, one cannot be blinded by a focus on a preconceived notion. I have also aimed to show different

sources that have come to similar conclusions, not only through referencing, but also through the background chapter on Rwanda and Bosnia (Ibid., pp.45-46).

The internal validity is mostly relevant for explanatory case studies, such as this one (Ibid., p.47). Basically, it is about how well the results match the reality that is studied (Merriam, 1994, p.177). The role of internal validity comes into play in the analysis of the research data, and increases depending on the tactic of analysing the data, where two such ways are explanation building and the addressing of rival explanations. The explanation-building tactic is basically done through “building an explanation about the case” (Yin, 2014, pp.48, 147). It is not about telling the ultimate truth, but about interpreting the findings as the researcher understands them. According to Ratcliffe, there is no objective or universal way of guaranteeing validity; there are only interpretations of it (1983 cited in Merriam, 1994, p.176). Because of this diffusion, the theoretical/conceptual framework has a greater importance, since it grounds and focuses the whole research. This is also why the theory chapter is rather big in this thesis.

The last test of quality assurance in this thesis lies in the abstract level of reliability. The meaning of reliability lies in “demonstrating that the operations of a study- such as the data collection procedures- can be repeated, with the same results” (Yin, 2014, p.48). The aim of reliability is to reduce mistakes and biases in a research. This can be done through the keeping of the previously mentioned database of all interviews that have been used for the analysis (Ibid., p.49). In this way, the reader can follow and backtrack the steps taken in the research process. The weakness of reliability is that human behaviour is not static but can change, for instance the result of the study of a phenomena can yield a different result if studied several times if there is a factor of human behaviour involved (Merriam, 1994, p.180).

## **2.6 Limitations**

The research topics of this thesis can be studied from many viewpoints or through the lens of different theoretical frameworks, and one of the limitations of the research has been in limiting it to three main theories/conceptual frameworks. One can even only choose one of these fields, such as feminism, and analyse the topic from different

branches within that one field. To maintain a high level of variety for a critical analysis, evolution theory, feminist theory and the concept of strategic rape were chosen.

Another limitation lies in the choice of one subunit of analysis; the Yazidis. The limits of this thesis does not allow for the study of how or why other minority groups are targeted, since there are so many ethnic and/or religious groups that ISIS targets in the Middle East.

From this, a limitation has been the lack of primary data. The security situation in the Middle East did not allow for travel to the region to carry out interviews for this thesis. Thus I have had to rely on secondary data in the form of narrative and video format interviews with Yazidi women and girls, which have already been carried out previously by others. However some primary material was also used, such as ISIS' own released material as well as scientific research in the form of a literature review.

The last limitation lies in the research questions. There is no analysis done in this thesis on why ISIS are what they are or a comparison to a more well-known terrorist organisation, such as al Qaeda for instance, but this information has been limited to a background chapter instead.

## **2.7 Ethical considerations**

The ethical consideration in this thesis has been mainly regarding the Yazidi women who have been interviewed. I have had no control over the interview environment or the interview itself since narratives and videos of interviews already carried out, have been used. What I have had to consider ethically is to keep all identities of the interviewees anonymous by using aliases where information on the identity of a woman has been revealed.

The next chapter will discuss the feminist, evolution and strategic war rape theoretical and conceptual frameworks before going into the background chapters, in order to provide the reader with just that, a framework, for going forward.

### **3. Theoretical and Conceptual Frameworks**

The theoretical framework is an important analytical tool in a thesis since it provides the important lens through which to study the case. According to Sutton and Staw the theoretical framework is "...a [hypothetical] story about why acts, events, structure, and thoughts occur" (1995, p.378 cited in Yin, 2014, p.38). The conceptual framework is also an important analytical tool. These are ideas and thoughts that are debated and discussed by researchers, but that have not yet reached the status and wide acknowledgement of a theory among researchers of that specific field. Nonetheless this does not necessarily mean that a conceptual framework has a lesser importance. Au contraire, it can still be an interesting and important 'lens' to use in different research.

There are many different theoretical and conceptual frameworks aiming to explain why sexual violence occurs, both in and outside the war context. In this thesis, the focus has been on the following three frameworks, namely evolution theory, feminist theory, and the concept of strategic rape. The last one is leading when it comes to explaining wartime sexual violence, but the other theories also put forward interesting and contrasting claims worth discussing. In this chapter, these frameworks will be systematically presented, in order to further investigate if they can explain why ISIS are using sexual violence in their warfare.

There are other theories and concepts one can consider when doing an analysis such as this one. Not only that, but there are different conceptualizations and genres of the same theories to consider as well. For instance feminist theory has several different views on wartime sexual violence within the feminist doctrine, and not even considering the limitations of this thesis, the reason why I have chosen to focus on Susan Brownmiller's version and not others is that she is the leading figure of the classic feminist discourse on the topic, and wrote her book in 1975, when the topic of rape in general and not even during wartimes, bore a veil of taboo. She wrote her book during these times and after her, the writings have followed, with different genres developing and providing their understanding of wartime sexual violence, such as postmodern feminism or poststructural feminism. I will provide more examples of these under the chapter on feminist theory. When it comes to evolution theory, I am aware that it is not the first explanation that comes to mind when speaking scientifically about wartime sexual

violence. However, “the most productive conceptual frameworks are often those that bring in ideas from *outside* the traditionally defined field of your study, or that integrate different approaches, lines of investigation, or theories that no one had previously connected” (Maxwell, 2013, p.40). I cannot say that no one has previously used this theory in the type of research I am doing, since it is a theory that many acknowledge and do see fit to provide an explanation. It *is* also paradoxically enough quite extreme in its simplicity as an explanation and thus sheds an interesting light on the research question, which one would not have first considered. Last but not least, the conceptual framework of strategic rape; I cannot see a fruitful analysis done without actually including this concept in it. The starting point or assumption is already that, if not the other ones then at least this concept might provide the framework in understanding why ISIS uses sexual violence, thus it becomes crucial to include it. When choosing theoretical and conceptual frameworks, the point is not to use the “strategy of “covering the field” rather than focusing specifically on those studies and theories that are particularly *relevant* to your research” (Ibid). This is the point of the focus of this thesis, when focusing on these three theories and concepts and not others; the point is not to give an overview of the field, but use what might be useful for this research topic.

### **3.1 Definitions**

There are today several definitions of rape and no universal one. I have chosen to focus on the definitions provided by The International Criminal Tribunal for Rwanda (ICTR) and the International Criminal Tribunal for Yugoslavia (ICTY). ICTR has taken a stand and provided a definition of it in the 1998 case of Akayesu. Not only that, but they also provide what can be understood as an explicit statement of circumstances of wartime rape. The ICTR stated that, “the Chamber defines rape as a physical invasion of a sexual nature, committed on a person under circumstances which are coercive. Sexual violence, which includes rape, is considered to be any act of a sexual nature, which is committed on a person under circumstances which are coercive. This act must be committed:

- (a) as part of a wide spread or systematic attack;
- (b) on a civilian population;

(c) on certain catalogued discriminatory grounds, namely: national, ethnic, political, racial, or religious grounds” (*Akayesu*, 2 September 1998, para. 598).

After this, the International Criminal Tribunal for Yugoslavia (ICTY) took it one step further by also providing a definition in a case, but they put more emphasis on the physical nature of rape and what constitutes it: “...the crime of rape in international law is constituted by: the sexual penetration, however slight: (a) of the vagina or anus of the victim by the penis of the perpetrator or any other object used by the perpetrator; or (b) the mouth of the victim by the penis of the perpetrator; where such sexual penetration occurs without the consent of the victim. Consent for this purpose must be consent given voluntarily, as a result of the victim’s free will, assessed in the context of the surrounding circumstances. The mens rea [i.e. criminal intent] is the intention to effect this sexual penetration, and the knowledge that it occurs without the consent of the victim” (*Kunarac, Kovac and Vukovic*, 12 June 2002, para. 127). ICTY also explicitly clarifies their viewpoint on the relationship between force and consent: ”Force or threat of force provides clear evidence of non- consent, but force is not an element per se of rape” (*Ibid.*, para.129). This is an important aspect since violence or the fear of it is not always part of the rape. An example is if a woman is about to be raped, she will not struggle if she is afraid of the oral threat of the return of the rapist for her family in case she struggles.

Rape is included in the wider term sexual violence, which Wood describes as “...a broader category that includes rape, coerced undressing, and non-penetrating sexual assault such as sexual mutilation” (Wood, 2006, p.308). The UN defines sexual violence as “...any violence, physical or psychological, carried out through sexual means or by targeting sexuality. Sexual violence covers both physical and psychological attacks directed at a person’s sexual characteristics, such as forcing a person to strip naked in public, mutilating a person’s genitals, or slicing off a woman’s breasts” (Parker and Chew, 1994 cited in McDougall, 1998, pp.7-8).

It is interesting to see that none of the above definitions take into account sexual slavery. Wood defines sexual slavery as the following; “in some conflicts, sexual violence takes the form of sexual slavery, whereby women are abducted to serve as servants and sexual partners of combatants for extended periods; in others, it takes the



form of torture in detention” (2006, p.308). The Slavery Convention defines slavery as “(1)...the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised. (2) The slave trade includes all acts involved in the capture, acquisition or disposal of a person with intent to reduce him to slavery; all acts involved in the acquisition of a slave with a view to selling or exchanging him; all acts of disposal by sale or exchange of a slave acquired with a view to being sold or exchanged, and, in general, every act of trade or transport in slaves” (1927, art.1). However, sexual slavery is not included in this article and it is not mentioned explicitly at all in the Convention, but it could be assumed to be included under point one (1) under article 1 above. There was a Supplementary made to the Convention in 1956, but it refers to the definitions stated in the original Convention<sup>3</sup>. It is however included in the Rome Statute of the International Criminal Court, under the definition of war crimes. Rape, sexual slavery, forced pregnancy and forced prostitution are all included in that definition (Rome Statute of ICC, 1998, Art.8(2)(b)(xxii), (e)(vi)).

The ICTR defined the circumstances for wartime rape, where, even though not explicitly defined, these could constitute genocide or ethnic cleansing. Genocide is defined in Article II of the Convention on the Prevention and Punishment of the Crime of Genocide as the following: “Genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group” (1948).

It is no wonder that the ICTR defined circumstances for rape, since it was used as a strategic tool of war in Rwanda, and the above definition also provides the purposes for which this can be done, and the implication then is that the purpose is to cause harm to a group, genocide. More often than not, this is done in a war scenario, and often rape and

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<sup>3</sup> To access the Supplementary Convention, go to:  
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/SupplementaryConventionAbolitionOfSlavery.aspx>.

sexual violence in general is then used as the tool to reach this objective.

### **3.2 Evolution theory**

Evolution theory pertains to the most basic question of why rape exists at all. It is the most basic framework one can give to a human physical or biological concept, in order to gain that basic understanding of it. Its main idea is that the reasons why someone (a male) would rape are wholly due to genetics and biology and it relies on Charles Darwin's evolution theories. Sociocultural reasons are completely dismissed (Gottschall, 2004, p.133; Thornhill & Palmer, 2000, pp.55, 84). According to this theory, the *natural selection* in evolution (a theory coined by Darwin), and especially that related to the sexual selection in humans, has created differences in males and females. The interesting difference here is that, according to this theory, males are more enthusiastic about and more willing to mate than females. This in turn creates a bigger selection of males to choose from as sexual partners for the female. This creates competition among men, and the way to sidestep this selection and the risk of not being 'selected' is to cut short the choice for the female, by rape (Thornhill & Palmer, 2000, p.53).

Either the man has the traits that a woman find appealing or he is not chosen. Evolution theory implies that if a female did not 'discriminate' when choosing sexual partner, and instead would be prepared to mate with any male, then rape would not transpire. In the same way would rape also be less frequent if males only had an attraction to one type of woman (whether that type be singled out due to aspects such as physical appeal or something else). If natural selection had made males interested in mating with females only when they were willing, then rape would not be possible at all (Ibid., p.84). Evolution theory assumes that it is in the nature of man to rape, because of how widely spread rape in general, as well as in wartime is, as well as since it happens among societies of different cultures, economies, and religions. In evolution theory, it boils down to sexual desire and lust of the human male causing him to rape (Gottschall, 2004, p.134). Besides desire, the evolution theory puts much emphasis on reproduction and the possibility for the male to reproduce. The natural selection keeps what is considered good traits and rejects what is considered bad traits. Good and bad here are not used in any moral sense, but as an objective view of the survival and reproduction of an

individual. Thus, reproduction is a good trait in the male and the natural selection has preserved this trait, no matter how one feels about the topic morally. To the evolution theorists, there is no connection, nor can any lines be drawn between questions of moral and natural selections (Thornhill & Palmer, 2000, pp.5-6).

Evolution theory is based on what is called proximate and ultimate causes. Proximate causations are the short term ones that explains the immediate cause of certain behaviour, i.e. rape and how it happened. They refer to the biological traits of the male and *how* they caused this type of behaviour. However, the proximate causation would never exist without the ultimate causation. The ultimate causation explains *why* these traits exist and in order to understand the ultimate causes, one must first get an understanding of how natural selection causes *adaptions*. Adaptations are the traits and features that exist in different organisms since natural selection kept them as good ones, no matter the moral implications. They are a solution to problems faced by humans throughout evolution. Thus the ability to reproduce is an adaptation or a good trait that the natural selection has kept. Awkwardly it has not taken into account the modern parts of evolution, such as contraception, which affect the possibility of reproduction. The evolution theory thus also includes the conclusion that human beings are, evolutionary speaking, not adapted very well to our contemporary circumstances (Ibid., pp.4-5, 7, 16).

One thing that evolution theorists cannot agree on is if the reason why rape exists is an adaptation in the evolution that is “rape-specific” or if it is “...a by-product of other adaptations” (Ibid., p.12). In other words, is the idea and ability of rape, something that has specifically developed in the human male or is it just something that has become a result of another development in the human male. If rape has developed as an adaptation in itself as psychological mechanisms that cause males to rape, the final aim or objective would be reproduction, since it would increase the number of potential partners. If it did not and was only an unfortunate result of another psychological adaptation, it would be from one that causes sexual lust in a man for women and would have nothing to do with reproduction. However, since rape can cause serious damage to the male in the form of punishment or injury by the victim or others, the gain has to be worth more than this possible cost or loss. The gain would then be the possibility of reproduction for the male. For instance in war, the potential cost or loss is less than in

an everyday situation. According to evolution theory, that is also one of the reasons why it occurs more frequently there. Those that suggest that rape only is a by-product of another adaptation point to the rape of children or elderly, since this clearly exist and has nothing to do with reproductivity (Ibid., pp.59-60, 66; Wood, 2006, p.322).

Evolution theory provides a biological evolutionary explanation for rape, but it does not explain the circumstances surrounding rape, the social context that can provide cause for a man to rape. Nor does it accept the feminist theory's idea that rape has nothing to do with sexuality, but everything to do with violence.

### **3.3 Feminist theory**

Susan Brownmiller has become somewhat of a pioneer in feminist theory, especially that relating to sexual violence and especially rape by men during wartime and conflict. Her book is a manifest that provides a feminist theory on sexual violence and rape, thus reference will be made to feminist theory hence on and not to the author, unless it is her explicit opinion that is vented. A sample of the different feminist theories and theorists that exist will however be presented in this thesis, in order to put feminist theory into its own context.

According to feminist theory, males are quite capable of raping, and it all comes down to the possibility of it, because of human anatomy. Basically, when males discovered they could rape, they started doing it (Brownmiller, 1975, pp.13-14). If it were not for this "accident of biology", rape would not exist (Ibid., p.14). Sexual violence has nothing to do with sexuality or desire, but it is a violent action, one in which the male sets out to practice control and dominance over a female. The reason for sexual violence is not natural instinct in a male, but misogyny, and war provides males with the perfect context to "...give vent to their contempt for women" and thus it occurs in conflict situations (Ibid., p.32; Gottschall, 2004, p.130; Thornhill & Palmer, 2000, pp.124-25). This also means that a difference to evolution theory is that feminist theory takes contextual factors into account (such as the aforementioned one, war). But nonetheless, everyone, including feminist theorists, agree with the fact that sexual violence occurs across cultures, irrespective of religion or other societal traits, but while evolution theory says that rape occurs since it is in mans' nature, feminist theory means that it is

due to power play and men's hatred towards women. The wartime scenario also provides the circumstances where violence is approved by governments, and thus the distinction between different types of violence, where sexual violence is one, disappears. "Rape becomes an unfortunate but inevitable by-product of the necessary game called war. Women, by this reasoning, are simply regrettable victims..." (Brownmiller, 1975, p.32). Not only this, but during war and conflict, men (soldiers) must prove themselves, not only to each other, but to themselves as well as to women. Sexual violence, especially rape, becomes the tool for it (Ibid.; Benard, 1994, p.38).

According to feminist theory, in war, the winning side are the ones that rape, and this is due to two reasons, where the first is that when the winning army marches through the villages of the losing side, the soldiers of the winning army will use the bodies of the losing side's women. The second reason is that "rape is the act of a conqueror", it is a way to gauge success and being on the winning side includes a sort of right to both property and women (Brownmiller, 1975, p.35; Benard, 1994, p.32). This way of thinking dates back to when women were considered property, and thus access to a woman would then be seen as a compensation of war. During the middle ages, one of the few incentives for men to join armies was the opportunity to rape, since salaries were not something that was to be counted on. The justification for the individual soldier might lie in different things, such as religion or ideology, for instance rape in the name of God (Brownmiller, 1975, pp.35-36).

Interestingly enough, feminist theory also acknowledges that there might be a military cause and result of sexual violence in war. The results are seen as those of inciting fear and discouragement on the side of the sexually violated women. It is far from unheard of that the males of the losing side, beside the natural worry for their families, get a sense of humiliation and disruption when 'their' women are sexually violated, especially in cultures where honour is a big concept. This is also a hit 'below the belt' as the symbolism of it implies a masculine impotency for the losing side, since the defence of women is part of the male pride and control of women is a sign of male success. Thus when 'their' women are sexually violated, both control and possessions are taken away from the losing side (Ibid., pp.37-38, 43-44, 49). Another war tactic of sexual violence is making the male family members watch the rape, and according to feminist theory, this is not only a sexual violation of the female, but an act of aggression

towards the males in the family, unless of course it is just that the males happen to be present with the woman/women of their family and thus are forced to watch (Ibid., p.40).

Another important aspect of feminist theory on the matter of sexual violence is anonymity. It is easier to rape and dehumanize a woman when she is anonymous than it is to do this to someone the male knows. For instance the “code of honour” among men is to not do it against a friend’s sister (Ibid., p.88). The scenario of war and conflict provides the needed anonymity for the soldier, he is not known to the woman he is about to rape, and neither is the woman known to him.

“In some conflicts, sexual violence takes the form of sexual slavery, whereby women are abducted to serve as servants and sexual partners of combatants for extended periods; in others, it takes the form of torture in detention” (Wood, 2006, p.308). Brownmiller discusses slavery in her book, but she focuses on the American slavery of the South. She points out that, “it was an *institutional* crime, part and parcel of the white man’s subjugation of a people for economic and psychological gain” (1975, p.153). She focuses on economic gains, and means that it was also connected to a psychological aspect in that it gave (white) men access to women who would not resist, and this in turn was a proof of masculinity for the slaveholding males (Ibid., p.154). Applying this to more contemporary contexts of war, many wars today have seen sexual slavery and they are based on the same concept, where soldiers gain quick and easy access to multiple females who will mostly not resist due to fear for their lives. In turn, this could also provide a proof of masculinity for soldiers among their fellow soldiers. Brownmiller goes on to explain that “one cannot rape one’s own property” (Ibid., p.162). During the American days of slavery, rape did not exist since the slaveholders actually wrote the laws concerning slavery (Ibid.). When applying this to contemporary situations where it exists, the basics are the same. Males (soldiers) get away with rape, although there are laws governing warfare, they clearly have not been/are not applied in these situations, and neither are soldiers prosecuted very often for rape, thus it happens. Since, as Brownmiller writes, it is institutionalised (Ibid., pp.153, 256). Also as evolution theorists claim, if there is a lower cost of rape in comparison with what is gained, it is more probable that the male is willing to do it.

Another front figure in feminist theory, especially that related to rape, is the French philosopher Michel Foucault, who was born in 1926 and died in 1986 (O'Farrell, 2013). His stance is that rape is not sexual in any way, but a crime of violence like that of a punch to the face (Henderson, 2013, p.225). According to Foucault, "...rape is an instance in which discourses of power produce the feminine body as violable and weak. Foucault tells us, however, that resistance to this constitutive discourse of power is also located with the feminine body. [...] If the feminine body is a surface on which the tenets of a sexually hierarchical culture are written, Foucault suggests that it is also the site where those tenets may be fought. Thus, when women's bodies are defined as a powerful force of counteracting violence, the very power structures that support rape will be crippled" (Ibid., pp.229-230). Thus Foucault's main idea is about power. When a female is raped, the male exerts power over her through the rape, but women also hold power, and thus they should exert it, and society need to understand this fact in order for underlying social norms to change so that rape has no support at all. However, the critics to this point of view are many within feminist theory. His desexualisation of the act removes it from its "social and cultural" context (Ibid., p.230). Feminists argue that there is de facto a difference in power relations today in the "patriarchal, heteronormative" society we live in, and we cannot ignore this fact (Ibid.). "From this standpoint, Foucault presents a particular account of rape legislation that is not simply untenable for feminist goals, but also detrimental to the victims of rape. While Foucault's call for the desexualization of rape allows for a repositioning of female subjectivity, it does so in a particular way: at the expense of women's lived experience of rape" (Ibid.). Thus Foucault has ideas that are meant to be in favour of females and feminism, but they are too theoretical and not contextualized.

Brownmiller also desexualizes the act of rape in her feminist understanding, but the difference between her and Foucault lie in that Brownmiller feminism in the 1970's was a direct response to evolution theory (Ibid., p.239). Since Brownmiller feminism believes that men rape because they can, this also means that the very basics of rape lies in biology, but Brownmiller adds the social and political context to the action (Wood, 2006, pp.322-23; Henderson, 2013, pp.240, 242-243). For Foucault, the desexualization of rape is meant as to not compare rape to sex since sex is not something negative. "Foucault's desexualized account of rape is based upon the notion that by collapsing the crime of rape into the crime of assault, only the violence of rape is punished"

(Henderson, 2013, p.239), and thus the sexual aspect of rape is removed and the act of rape is an act of violence and should be punished as such.

As mentioned previously, this account of Foucault's viewpoint was to give the reader of this thesis a context for comparison. There are other feminist viewpoints on rape, but due to the limitations of this thesis, the focus will be on Brownmiller's theory and therefore they are not mentioned.

### **3.4 The Concept of Strategic Rape**

The concept of strategic rape is the most influential framework when talking about sexual violence in wartimes. It is receiving more and more attention since gender analysis of war and conflict is gaining bigger ground. Sexual violence in war and conflict is a tactic employed by military forces in order to reach bigger strategic objectives. It can be ordered from higher ranks but does not have to be, but still, it is employed as a strategic tool of warfare, and becomes a weapon, used by soldiers. The reasons for using sexual violence as a strategy of warfare can be many. Whatever the reasons, one can assume that the strategic use of sexual violence and especially rape has a debilitating effect on populations and communities. It can be used to cause humiliation and the breaking up of family bonds and even communities, it can also be used as a means of genocide, with the aim to wipe out an ethnic group.

When a woman is raped, a natural consequence might be pregnancy (Gottschall, 2004, p.131; Barstow, 2000, pp.2-3, 6, 74; Benard, 1994, p.36; Wood, 2006, pp.327-328; Skjelsbæk, 2001, p.213). Sometimes, this is even the aim of rape, since having control of the reproductive abilities of women means that an ethnic group or community cannot grow and last, since these women "...will no longer be considered as future mothers for their own people" and thus genocide becomes a fact (Barstow, 2000, pp.45, 78). Considering the definitions of genocide and ethnic cleansing, this was the case for instance in Bosnia, where rape camps were set up by Serbs, with the single intent of raping and impregnating Bosnian women for the higher objective of genocide or ethnic cleansing<sup>4</sup> (Ibid., pp.63-64, 68). While it might be easy to blow off the existence of

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<sup>4</sup> Rape was common on all sides of the Bosnian conflict, and was carried out against Serbs, Croats, and Muslims. The reason why only the Serbs are mentioned as using rape as a tool for reaching strategic



sexual violence as the actions of a mentally impaired person, the frequency of it in different wars and conflicts has shown and keeps showing that this cannot be correct, since that would mean that there would be “too many psychiatric patients recruited into regular and paramilitary units” (Skjelsbæk, 2001, p.213). Another result of using sexual violence for ethnic cleansing is the elevated will to run away. Everyone knows the terror of sexual violence and especially rape and if the rumour in the community is that the coming military force is using it, then the incentive to run will be bigger than if sexual violence was not a suspected tool of war (Benard, 1994, p.35). When the strategic objective is genocide or ethnic cleansing, causing psychological damage and trauma are basically sub-targets or a way to measure progress towards that goal. Clearly, rape and other forms of sexual violence causes trauma, even under normal, non-conflict circumstances, and even more severe trauma in war. Thus it can be used for this cause. When this is the case, there can be a preference to choose younger girls as victims, since the trauma with them will be bigger (Ibid., p.37). Another objective or purpose can be incentives, where rape is used to give soldiers incentive to stay and/or to fight better, as well as create group bonding and unity in the success and conquest among the soldiers (Ibid., p.38; Barstow, 2000, p.8; Wood, 2006, pp.326-327).

Feminist theory puts emphasis on the importance of anonymity in rape, where it is easier to rape a woman when she is anonymous, than to do it to someone the male knows (Brownmiller, 1975, p.88). In comparison, the strategic rape concept puts emphasis on recognition. In analysing the Bosnian conflict, Barstow claims that “the persecuted would be less likely to return to their towns and villages if their assailants were local inhabitants rather than men from distant territories” (2000, p.75). Thus this provides a difference in the concept of anonymity/recognition when it comes to rape.

According to Barstow, “...women now figure regularly in military strategy. The forms of “using” women are various, but the ultimate effect is the same: the combination of familiar forms of sexual objectification of women with the extraordinary power of the military in wartime has created enormous possibilities for new violence against women” (2000, p.8). Thus the idea of sexual violence being used as a means to a bigger end

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objectives is because the other sides of the conflict did not rape for this purpose (Barstow, 2000, p.70). Proof has shed light on this fact after the conflict. See pages 70-74 in Barstow for more information.

cannot be that far fetched. It can also "...alter regional balance" by "...establishing racial superiority of one group over another" (Ibid., p.45).

Just as with feminist theory, sexual slavery in war and conflict is acknowledged. According to Brownmiller, for the soldier, it is a proof of masculinity among his fellow soldiers to rape, and that is why sexual slavery is done (1975, p.162). However in the strategic rape concept, it is considered in a different light. The reasons according to this concept are ones of sexuality; a notion that feminist theorists like Brownmiller declines to connect to rape or sexual violence at all, since she does not consider rape to be about sex. The concept of strategic rape however, considers sexual slavery to be about satisfying the sexual desire of soldiers, in order for them to perform better as soldiers (Barstow, 2000, pp.8,11). Thus in order to avoid soldiers raping and pillaging out of control, which in itself has disadvantages such as sexually transmitted diseases being spread, sexual slavery is invoked to facilitate the raping.

### **3.5 Critical discussion**

In his article Gottschall writes that according to evolution theory, soldiers "...target women at the age of peak physical attractiveness" and that due to this, "young, reproductive-aged women" (ages mid-teen to mid-twenties) are overrepresented in the victim data (2004, p.134). Gottschall is proving that this point made by evolution theorists is true since victim data shows these tendencies. But further on he explains that it cannot be statistically demonstrated, but he relies on "anecdotal accounts" (Ibid.). Soldiers and men that use sexual violence during conflict target women of all ages. There are many such 'anecdotal accounts' that prove *this*. If we only look at one such collection, Barstow has witness statements from Nanking, Bosnia, Rwanda, Guatemala, and many other conflicts, that show this (2000). Even if young women of reproductive age are over represented, women of almost all ages are targeted. Evolution theorists focusing on the reasons of rape being reproduction, has a flaw in this assumption, since if it was correct, then women of other ages would not be targeted at all. Another flaw in evolution theory is that wars and the way war is done differ from one war to another. For instance in Bosnia, the Serbs indeed wanted to impregnate women and had rape camps for this, for the purpose of genocide. However, females of other ages were also targeted, for instance children, with the purpose of installing fear so that the Bosnian

Muslims would flee (Ibid., pp.63-64, 68-71). In Nanking, no age group was spared. Women of all ages were targeted and sexually violated, especially raped, around the clock. Often the women were killed right after since “dead bodies don’t talk” (Azuma Shiro, cited in Ibid, p.47). This also proves a flaw in evolution theory. Gottschall also provides his own critique on evolution theory, which I have to agree with; that not all soldiers rape. If the assumption of evolution theory was correct, that it is in the male genetics to rape, that it is an adaptation that natural selection has kept as something good, then all soldiers in all wars and conflicts should rape. Clearly this is not the case.

Also, I believe it is to let rapists and sexual perpetrators off easy when evolution theorists say that rape is an impulse that just cannot be helped. It also indirectly means that there is no remedy to this problem in society today, since it is in the male nature and biology. Gottschall supports this notion when he argues that, “...if human nature truly does underpin wartime rape, then we are powerless to fight it. After all, while you can conceivably change sociocultural factors, you cannot hope to change human nature” (2004, p.135). However, Brownmiller also say that men rape because they can, and this also gives a quite dark outlook on a remedy, since if men rape without more cause than the possibility, then it is naturally difficult to remedy this.

Evolution theorists focus on rape and not sexual violence, since rape, according to them, is the only type of sexual violence that can lead to reproduction. Sexual violence is violent and can be carried out for that reason. This is not a reason that evolution theorists acknowledge, and thus focus for this theory lies solely on rape. This is also the reason for what might appear as a selective use of the terms rape and sexual violence in this thesis. When rape is what is explicitly meant, this wording has been used, as have been done in the discussion of evolution theory. Similarly, when Brownmiller writes about feminist theory, she focuses on rape and not sexual violence in general. I have used the terms as I interpret her understanding of feminist theory in relation to the topic.

Another aspect that evolution theory fails to consider is a male raping another male. Why is it that sometimes men rape men in war and conflict? What purpose does this have according to evolution theory? This theory focuses so narrowly on rape due to genetics in the male for the production of offspring and thus fails to see other perspectives such as males raping males. This is a vacuum that needs to be filled by

fruitful discussions and viewpoints by evolution theorists if it is to have any real impact. For instance feminist theory, does discuss this matter. I have not yet found any explicit discussions retaining this area in the strategic rape concept, but considering the foundations of it, one explanation might be that it is another strategy for reaching strategic objectives.

In the end, all three frameworks have an overlap when it comes to explaining why men use sexual violence in war. For instance there is an overlap between feminist theory and the strategic rape concept in that the first one also acknowledges that sexual violence during wartime might have a more strategic importance than only using it because of the male hatred towards women. Feminist theory, just like the strategic rape concept acknowledges that this can be done in order to incite fear and discouragement on the side of the sexually violated women and in order to cause shame and humiliation in the males on that side. However, feminist theory takes it one step further and explains that this is possible since it is ‘their’ women that are raped, i.e. the men on the side of the raped women. Women are owned and thus the symbolism of it implies a masculine impotency for the losing side, since the defence of women is part of the male pride, and control of women is a sign of male success. Thus when ‘their’ women are raped, both control and possessions are taken away from the losing side (Brownmiller, 1975, pp.37-38, 43-44, 49). This is but one example and there are others.

Gottschall provides some critique towards the strategic rape concept when he writes that researchers of the concept might confuse the consequences of wartime sexual violence with the actual motives of the action (2004, p.132). He means that, just because the results of wartime sexual violence turn out to be that, for instance, the families flee the area, it does not mean that this was the original strategic objective with it. Does this then mean that the whole concept is based on erroneous assumptions and perceptions of wartime situations where sexual violence happened? There are actually proof that there have been strategic objectives at play in different conflicts, for instance the RAM Plan in Bosnia<sup>5</sup> (Barstow, 2000, pp.70-71). During the Japan-China war, the installing of comfort women was a way to provide sexual release for the Japanese soldiers so they would not rape and pillage (since this was not a strategy of that war). The critics of the

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<sup>5</sup> See background chapter on Bosnia and Rwanda for more information on the RAM Plan.

strategic rape concept claim that using sexual violence for strategic purposes might, in fact, have the opposite reaction from those the perpetrators wish to oppress. They might result in vengeful actions and “counter-rapes” (Gottschall, 2004, p.132; Benard, 1994, p.36). This was the case in China due to the sexual violence carried out by Japanese soldiers. Thus comfort women were installed instead, as to avoid this attitude of vengeance and retribution from the Chinese population. This does not mean that the soldiers stopped using sexual violence though. Comfort women were kidnapped or deceived into forced prostitution with false promises of well-paying work, food, schooling, etcetera. This is what Barstow calls “military sexual slavery” (2000, pp.8, 19). Soldiers would refer to these women as toilets and none of it was voluntary on the part of the women (Ibid., pp.8, 18; Wood, 2006, p.311). Forced prostitution constitutes both a war crime and the crime of sexual slavery and thus sexual violence and especially rape was still a widespread reoccurring action, but now it was even institutionalised. When it is carried out in such a wide extent, according to the concept of strategic rape, it usually has a bigger strategic objective. Whether the truth of it is exactly *that*, that there was a strategic objective behind it (Tanaka, 1999, cited in Gottschall, 2004, p.132), or if the truth is that there was no strategy of war behind the installing of comfort women, one can only guess, since there are no solid proof. Also, when Gottschall claims that motives and consequences might be confused, it might be true for some conflicts, since they all differ from one another. There is not one model of reasoning to apply to wartime strategizing.

According to feminist theory, men rape because they can, due to their contempt towards women. War then provides the context for the increased possibility of it. As I wrote above, evolution theory has a similar idea, that men rape in war because it is in their nature and war provides the opportunity and a facilitating context, even though evolution theory does not consider it being due to contempt towards women. But as with evolution theory, the assumption of feminist theory then implies that all men in all conflicts and wars would rape and clearly, this is not the case (Wood, 2006, pp.322-323). If these two thoughts were demonstrated in conflicts, it would mean that there would not be any selection or targeting of specific women when choosing whom to rape, as is done in wars where genocide or the targeting of a specific ethnic or religious group is the case.

A similarity between feminist theory and the strategic rape concept considers the relation men have to women as one of ownership instead of relationship. Thus when a woman is violated sexually, the male feels a sense of failure for protecting what he owns and he has thus shown a lack of masculinity. The difference however, to feminist theory is that the strategic rape concept connects this to the honour concept (Barstow, 2000, pp.81, 85).

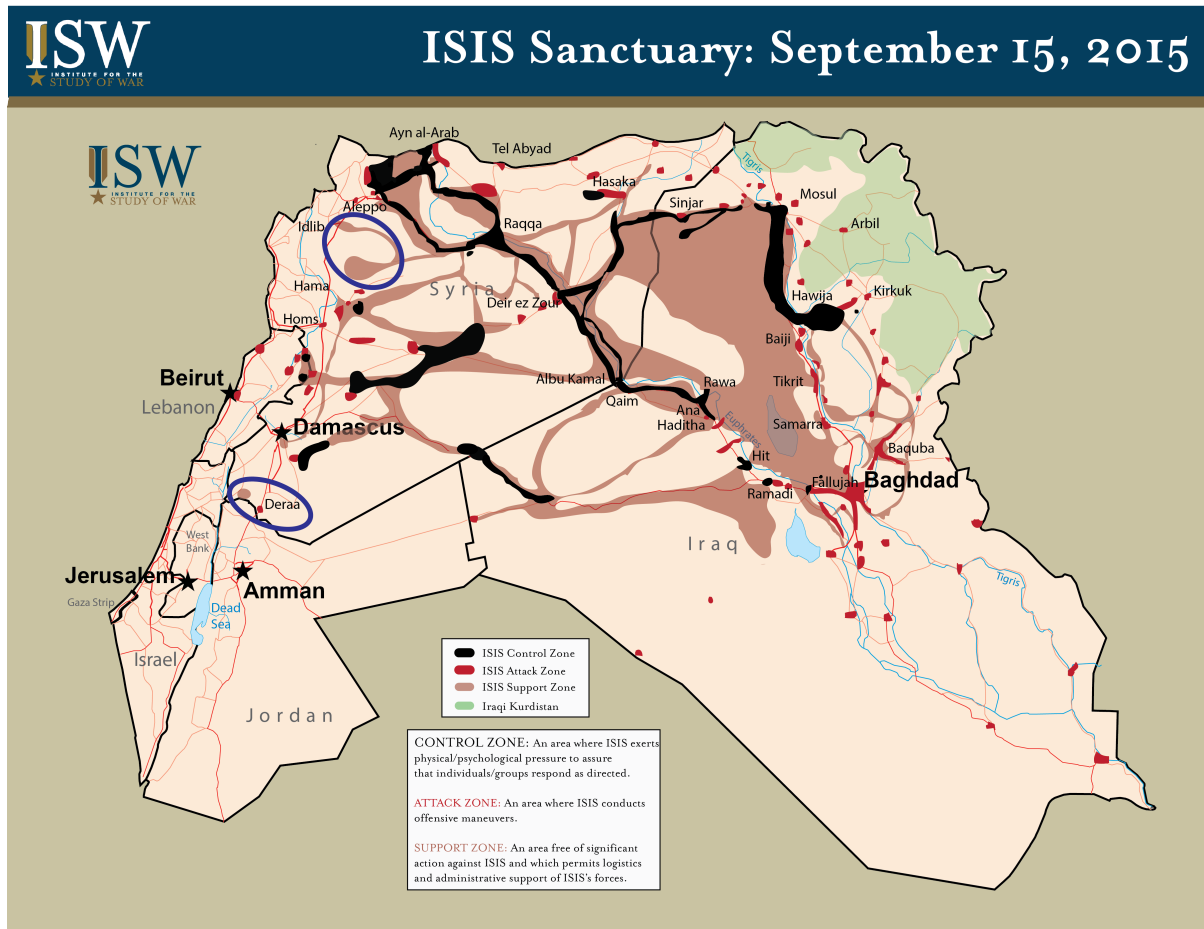
The theoretical and conceptual frameworks chapter is situated before the background chapters in this thesis in order to provide the reader with a framework for going forward. The next chapter, the background, will provide the reader with information on the background on ISIS, Yazidis, the legal framework that ISIS might be breaching and a chapter on how sexual violence has been used in other conflicts with the strategic rape concept explaining those actions. In order to understand these chapters, one needs to understand the theoretical/conceptual frameworks first and that is why it is placed before the background chapter.

## **4. Background**

The purpose of the background chapter of ISIS is to provide the reader with a basic understanding of what ISIS are, the different ideas and ideologies it is built on, as well as provide a contextual understanding of how ISIS came to be. After all, one cannot study a case without the context it lies within (Yin, 2014, p.10). However, the chapter is focused on the background of ISIS, and many aspects such as the so called Arabic Spring in Syria that led up to ISIS' presence, how the situation is today, the geopolitical interests in ISIS, the latest news on ISIS' progress/regression, or for instance ISIS' connections with other terrorist organisations, such as Jabhat Al Nusra, has been left out. This is due to both the limitations in time and space of this thesis, as well as the focus on the objectives of the thesis, where the actual limited background also provides enough information to give the reader the needed understanding of the context, in order to understand the research questions and concurrent analysis. For a more comprehensive understanding, a good source of reading would be the books by Stern and Berger (2015) and Cockburn (2015).

## 4.1 ISIS

Map 1. Map the areas in Syria and Iraq where ISIS controls land.



(Institute for the Study of War, 2015)

### 4.1.1 Basic definitions and the relation to Islam

The Islamic State of Iraq and al Sham (ISIS) has since their emergence held many names. The most widely used one today is the above one, ISIS. However they have changed names several times, and other names that have been used are Islamic State (IS), Islamic State in Iraq and the Levant (ISIL), and the Arabic name Daesh (even though Daesh is not ISIS' invention) (Stern & Berger, 2015, p.8). Daesh is a derogatory name for ISIS in Arabic. Its English translation is 'to trample' or 'crush', which is a reference to what they have been and are doing to people in the Middle East. This name carries an emotional meaning, and since this paper set out to remain objective, the name Daesh has not been used. Even though ISIS dropped the IS and IL in ISIS/ISIL when they declared the caliphate (an Islamic State – IS), the acronym ISIS is what has been used in this thesis, as the use of the acronym IS would be an acknowledgement of an



Islamic caliphate. Other authors use this logic in referencing as well, such as Stern and Berger and Matt Apuzzo of the New York Times (Ibid.).

ISIS, like most Jihadist organizations are jihadi Salafi, where Salafism is an ideology based in Sunni Islam, where some of the basics of it include "...a return to the beliefs, practices, and sincerity of early Islam" known as Salaf, where they believe that the Islam of those days had not yet been changed and corrupted by human interpretations, and thus "...centuries of scholarship and interpretation" are rejected (Ibid., p.263). However another branch that one need to understand and keep in mind in order to fully contextually grasp ISIS, is Wahhabism. This is a movement that started in the eighteenth century by Muhammad Ibn Abd al Wahhab and is a conservative and strict interpretation of Salafism and Sunni Islam, where polytheism, worshipping graves of saints, and Shi'ism are not considered Muslim at all. Saudi Arabia's royal house of Saud embraced this interpretation during the nineteenth century and today rule under this religious interpretation (Ibid, p.265; Cockburn, 2015, loc.188-191, 194).

The term 'jihad' is in the Quran used to "refer to the act of striving to serve the purposes of God on this earth" and thus it can be interpreted in different ways (El Fadl, 2009 cited in Stern & Berger, 2015, p.271). In Salafism it usually refers to physical warfare and militant jihad, but it can also be interpreted as for instance a struggle to be a good person (Ibid.). Jihadi Salafism is "...based on the principle that any government that does not rule through a strict interpretation of Shariah [which is the strict law of Islam and the perceived words of Muhammad] is an infidel regime that must be violently opposed" (Ibid., p.15).

ISIS is a Non-State Actor and often defined and referred to as a terrorist group. Whether this is the case or not is discussed below. They follow a strict interpretation of the Islamic Holy book, the Quran, and the Sharia laws therein. The religion of Islam has two main schools of thought; Sunni and Shia. ISIS are Sunni, and often use the perceived injustices (as discussed below) of Shia towards Sunnis in their recruitment strategies. "Whether in the form of civil war or terrorism, religious violence takes into account theological convictions as well as pragmatic, contextual issues" such as these injustices between the branches (Duffy Toft, 2012, p.129). The actual differences between the branches emerged over who should be his successor, when the Islamic

prophet Muhammad died in 632 A.D. The Sunni branch believe that Islamic authorities can choose the successor and the Shia branch believe the successor must be a direct descendant of Muhammad through his son-in-law and cousin Ali (Stern & Berger, 2015, pp.19-20, 258; Ashgar Razwy, n.d.; Cockburn, 2015, loc.197-199). These differences have often created tension in the region, especially in Iraq where ISIS was born (Stern & Berger, 2015, p.13). More often than not, violence that is inspired by religion causes more death than violence that is inspired by other factors. According to Duffy Toft, “Muslim communities have come to play a disproportionate role in violence: more than 80 per cent of religious civil wars involve Muslims, and religiously motivated incidents of terrorism involve adherents of Islam more than any other faith” (2012, p.128). However, as Henne puts it, we “...can thus neither deny the importance of religion in religious terrorists’ actions nor place the blame for their violence on an entire religious tradition”, as the topic is much more contextually complex than at first sight (2009 cited in Ibid, p.141). Clearly religion is an important aspect of ISIS as it provides the “utopian vision that motivates individuals to join the fight...” but this is also how ideologies work, for instance nationalism or socialism as we have seen throughout history (Kalyvas, 2015, p.46). As important as religion is, it would be unwise to ignore it in a conflict where it has such a prominent role, but it could also be a distraction from the real underlying reasons for ISIS’ use of sexual violence. How much religion actually matters in the end is an important question, without an answer so far, and thus needs further research.

#### **4.1.2 The origins and rise of ISIS**

There are many factors that have contributed to the creation of ISIS, but the idea is one from the Jordanian Abu Musab al Zarqawi, as this was his answer to the US invasion of Iraq in 2003. His name started appearing in media when the Bush administration considered him the link between al Qaeda and Saddam Hussein. In reality, it was only when USA invaded Iraq that Zarqawi established a relation with bin Laden and al Qaeda. It was also the US invasion of Iraq that provided the opportunity for terrorist organisations to flourish in Iraq, since they now gathered there to confront the Americans. At the same time, the Saddam regime’s military was disbanded and all members of Saddam’s ruling party were fired from civil service positions, which created a 100 000 man strong armed, and angry mob, fit for recruitment by terror cells.

Most of the party members were Sunni's and thus the differences between Sunni and Shia were deepened when the US strengthened the role of the Shia population by firing the mostly Sunni party members and military. At the same time, Zarqawi created al Qaeda in Iraq (AQI) and declared allegiance to bin Laden. However, this was merely a convenience as Zarqawi kept clashing with bin Laden in his use and promotion of extreme violence, especially that targeting Muslims, which bin Laden opposed. When bin Laden was killed in 2011, Ayman al Zawahiri, bin Laden's deputy, took his place. Simultaneously, the first Iraqi election took place at the end of 2005 and the Sunni Kurd Jalal Talabani, popular among both Shia and Sunni Iraqis, became president. He in turn appointed the Shia politician Nuri al Maliki Prime Minister (Stern & Berger, 2015, pp.13, 17-22, 24-25).

One year later, in 2006, Zarqawi was killed in an American airstrike and was replaced by Abu Hamza al Muhajir. Zawahiri and al Qaeda eulogized Zarqawi as a martyr for their cause and his death became the opportunity for them to found an Islamic state. From there the Islamic State of Iraq (ISI) was formed by a coalition of jihadists, whose leader was Abu Omar al Baghdadi, whom al Muhajir pledged loyalty to. In an effort to stop ISI, US troops were sent into Iraq, and Sunni Arabs were recruited to help in this fight, with a promise of safety and a job in the Iraqi army or local police force, and these promises made tens of thousands of Sunni Arabs join in. It was a success by 2008, but by 2010, Prime Minister Maliki's coalition did not gain a majority of the seats in parliament, which caused him concern for his seat as Prime Minister. This led to him turning to Iran and the Iranian proxy militia organization the Badr, to which he gave one of its members a place in his government as Iraq's minister of the interior. The US ambassador to Iraq from 2005 to 2009, Zalmay Khalilzad, believed that Iran pressured Maliki into insisting on US forces to leave in 2011. Just one day after the troops left, Maliki had his Sunni vice president arrested, charged with terrorism, due to Maliki's own fear of being overthrown by an alliance of rivals. This led to Sunni leaders boycotting the parliament and Sunni fighters leaving their posts, if not being fired by Maliki's orders, and thus becoming ripe for the picking by radical groups. Uprisings and protests started around the country, but these were clamped down on harshly, with many left dead as a result. All this has caused the Sunni community of Iraq to walk straight into the arms of ISIS, as their own government was an even bigger cause for fear now (Ibid., pp.26-31, 33).

When Abu Omar al Baghdadi, then the leader of ISI was killed in 2010, he was replaced by Abu Bakr al Baghdadi, born Ibrahim Awwad Ibrahim Ali al-Badri al-Samarrai. At the time ISI was in pieces, and Baghdadi aimed to piece it together by replacing many members in high positions by members of Saddam's previous Ba'ath party. This alliance between ISIS and former Ba'athists was strategic and an objective towards higher goals (those being an Islamic state based on Sharia laws) (Ibid., pp.37-38).

In 2012, the sectarianism that Prime Minister Maliki had created, had also provided the right circumstances for Baghdadi to announce the campaign "Breaking Down the Walls", where hundreds of prisoners were freed from eight prisons by ISI, and subsequently joined ISI. The US had spent \$25 billion on training and providing equipment to the Iraqi army during the years, an army of 350 000 soldiers, but the level of corruption and tension within the army itself between Sunni and Shia led to the swift abandonment of all military postings and responsibilities in the face of ISI. The Iraqi government also rejected the help when Massoud Barzani, the Kurdish leader offered it from the Kurdish forces, the Peshmerga militia, in the country as well. Maliki considered the offer to be an ill-concealed attempt to claim Mosul as part of Iraqi Kurdistan. However Peshmerga was also defeated when ISI pushed into their territory of Iraq (Stern & Berger, 2015, p.39, 45; Cockburn, 2015, loc.59-60, 104-106, 264, 271-272)

Besides this, the violence that followed the start of the Arabic Spring in Syria gave Baghdadi the opportunity to declare the expansion of ISI into the country, and a change of the name to the Islamic State in Iraq and Syria, ISIS, a move that al Qaeda did not approve of (Stern & Berger, 2015, p.39). They formally renounced their cooperation with ISIS on February 2, 2014. Officially this was done due to the exaggerated violence that ISIS uses, which al Qaeda do condemn, but "...it's more accurate to say that..." Zawahiri, the al Qaeda leader, renounced ISIS "...for its public defiance of his wishes and commands", such as the expansion into Syria (Ibid., p.180). Baghdadi said that the caliphate is "a state where the Arab and non-Arab, the white man and black man, the easterner and westerner are all brothers...Syria is not for the Syrians, and Iraq is not for the Iraqis. The Earth is Allah's" (Cockburn, 2015, loc.62-64). After declaring the expansion, ISIS went on a violent and sectarian rampage through Syria, ascribing their

victories to “divine intervention” (Ibid., loc.58-59). They gained large areas of territory; cities, steppes and deserts, and also seized control of the city of Raqqa in 2014, a city which would be declared as the capital of their caliphate. The caliphate was declared to the world in June that year, and the Muslims of the world and especially Salafi jihadists were encouraged to relocate there. The caliphate is divided into what is called ‘wilayat’, provinces, that has one governor each, with local governments below them, as well as administrative units. Baghdadi was declared the new caliph of Islamic State, IS, but the design of the caliphate was done in a way as to survive in case Baghdadi was killed. The military of the caliphate is mostly constituted of Iraqis, but foreigners man its civil institutions. This was the biggest change to Middle East geography since the colonial redrawing of it through the Sykes-Picot Agreement after World War I (Stern & Berger, 2015, pp.43-44, 46, 51; Cockburn, 2015, loc.249-252, 379-380).

This advancement of ISIS into bigger territories in both Syria and Iraq put the minorities in both countries at big risk, especially those in Iraq, around mount Sinjar and in the Nineveh Plains. Those that ISIS would consider polytheists and apostates were all at risk. The Christian minorities were forced to pay a religious tax, ‘Jizya’, convert, leave the area or die, while the tens of thousands of Yazidis’ were hunted down, enslaved or killed (Stern & Berger, 2015, p.47-48, 216; Cockburn, 2015, loc.52-53, 409-412, 1097-1098). As Cockburn puts it, “ethnic and sectarian cleansing has become the norm in the war in both Iraq and Syria” (2015, loc.1501). But ISIS’ interests do not stop there. Their intentions, according to Baghdadi, are to “expand around the world” and it is yet to be seen how the future will look for ISIS, whether they expand even more or if they are defeated (Stern & Berger, 2015, p.51).

#### **4.1.3 The voluntary female members of ISIS**

The women that have voluntarily joined ISIS are not as few as one would think, but there are hundreds of them coming from Europe alone. The examples of this happening have been on Western news several times, and especially highlighted was the case of the three teenage girls from the suburbs of London, United Kingdom. Two of these girls were even reported to have married within a short time after their arrival to Syria (Dodd & Khomami, 2015; Sherwood et al., 2014). “In most cases, women and girls appear to have left home to marry jihadis, drawn to the idea of supporting their “brother fighters”

and having “jihadist children to continue the spread of Islam”, according to Louis Caprioli, former head of the French security agency Direction de la Surveillance du Territoire” (Sherwood et al., 2014). Much of the recruitment takes place online, where many of ISIS’ online supporters actually are women, focused on recruiting other women. It is a gearwheel that is kept alive by these women, since they are convinced, recruited, leave their life, family, and friends, make the journey to Syria or Iraq and then are swiftly married of to an ISIS fighter and from there keep the recruitment strategy going themselves. Some of these girls and women are lured there by false promises, but others are aware of the reality and make the conscious choice to join ISIS themselves (Stern & Berger, 2015, pp.89-90). It is yet a mystery why women would join ISIS voluntarily, but one must remember that not all Muslims are Salafists or Wahhabis, but just the ‘regular Muslim’. According to the Islamic scholar Sheikh Mohammad Akram Nadwi, the Quran is not even gender unequal, but on the contrary, considers women as equals to men (Power, 2015). Thus it depends on the interpretation one has of Islam that could be convincing that the cause of ISIS is the right way to go. Certainly this requires further quality research. The women that are active within ISIS are not only active online, but they also constitute an all-women’s squad, a sort of “moral police” called the al Khansa’a Brigade. They patrol the streets of Raqqa in Syria and physically punish women who break the law of Sharia, for instance by whipping women who are not covered up to the standards of ISIS’ interpretation of Sharia (Ibid., p.91). Clearly these are women that strongly believe in the ISIS ideology, and not the gender equal version that Akram Nadwi proposes above, even though it is a sexist and extremely discriminating (not to mention violent and dangerous) one. Thus the reasoning is still unclear on why these women do join, whether it be individual conviction, indoctrination, or something else, it is yet to be researched.

#### **4.1.4 Defining the phenomenon of ISIS**

According to Stern and Berger, “terrorism is psychological warfare. Its most immediate goals are to bolster the morale of its supporters and demoralise and frighten its victims and their sympathizers. For the audience, the radius of fear dwarfs that of injury and death. [...] While they don’t always get what they want, terrorists often succeed at these two vital goals: spreading fear and provoking reactive policies” (2015, p.199). The reaction that a terrorist organization can cause as a response to their own actions can

sometimes be aimed at the wrong enemy, as in the US invasion of Iraq in 2003 (Ibid.). The perception of terrorists is often that they are 'psychopathic' or 'monsters', and as for the case of ISIS, they do indeed seem psychopathic in the way they use violence, but they would not have gained the success that they have today without being extremely clever in the steps they have taken, the manpower they have installed at strategically important posts, the bureaucracy and administration they maintain, and as Stern puts it, knowing "what will most horrify and disgust us" (Ibid., p.206; Shapiro & Jung, 2014). It is not by accident that ISIS in fact are far more successful in their endeavours than al Qaeda ever was.

In order to discuss the type of organization ISIS could be described as, one need to first understand the concept of terrorism. The United Nations General Assembly have not been able to provide a *legal* definition to the concept of terrorism due to different political interests, especially those stemming from Arab countries (Human Rights Voices, n.d.; Schmid, 2012). Schmid provides an *academic* definition consisting of 12 parts, where two parts are especially important in order to have somewhat of an understanding of it: "1. Terrorism refers, on the one hand, to a doctrine about the presumed effectiveness of a special form or tactic of fear-generating, coercive political violence and, on the other hand, to a conspiratorial practice of calculated, demonstrative, direct violent action without legal or moral restraints, targeting mainly civilians and non-combatants, performed for its propagandistic and psychological effects on various audiences and conflict parties" and "9. While showing similarities with methods employed by organized crime as well as those found in war crimes, terrorist violence is predominantly political – usually in its motivation but nearly always in its societal repercussions" (pp.158-159). The remaining parts are available to read in Appendix I of this thesis. While one can certainly call ISIS' methods both violent, lacking morals, calculated, targeting civilians and political (the aim for a caliphate), there are other definitions one has to consider. The biggest difference between one of the most well known terrorist organizations today, al Qaeda, and ISIS is that, as far as we know, al Qaeda have never aimed to create their own country (such as the ISIS caliphate). They 'settled' for irregular bombings and killings of civilians, as to make a point of their political hatred towards the West, and especially USA. But does it mean that ISIS are *not* terrorists just because they *are* aiming to create a new country?

According to Kalyvas, ISIS could in fact be defined as a revolutionary group instead of a terrorist organization. Kalyvas defines a revolutionary group "...as a group that aims not just to gain power but self-consciously to transform society in a deep and radical way, by profoundly rearranging social and political relations" (2015, p.43). Clearly this is something that ISIS wants to do and are doing, especially by their declaration of an Islamic caliphate, but does this mean that they are a revolutionary group then and can the definition of terrorists completely be dismissed? For instance Stern and Berger define terrorists as "nonstate actors who engage in violence against noncombatants in order to accomplish a political goal or amplify a message" (2015, p.10). According to the authors, terrorism is different from other forms of violence due to the fact that it targets civilians, military staff not taking part in conflict, and political leaders, and due to the fact that violence is used to instil fear and terror in the target group-s. This is also what makes terrorism different from the 'regular' murder (Ibid.). This definition is quite narrow, and in this sense then, ISIS could still be considered a terrorist group, even though they take it one step further and also aim for a caliphate.

The discussion on the definition of ISIS is quite interesting and as new as the NSA itself, and thus more research need to be carried out on the topic, and a decision need to be taken on a universal definition of 'terrorism' before any fruitful results can come out of such discussions.



## 4.2 Yazidis

Map 2. Cities where Yazidis are present in the Middle East.



(Açıkyıldız, 2010, p.4)

The Yazidi population and the Yazidi religion are ancient and trace back to the 12<sup>th</sup> century when they appeared in the northern Sinjar mountains of Iraq, and before ISIS attacked the area, they constituted 60 per cent of the people in the Sinjar province (Fuccaro, 1997, p.564; Açıkyıldız, 2010, pp.1, 33). According to Açıkyıldız, there are today an estimated 600,000 – 620,000 Yazidis around the world. Although some of them speak Arabic, the majority speak Kurdish with the northern Kurdish dialect Kurmanji. Kurdish is also their religious language. Basically the Yazidis are Kurds, since their belief is that all Kurds originally were Yazidis before they were forced under pressure to leave their original religion Yazidism and convert to Islam. Considering the fact that the Yazidis do not have a holy book like the Quran to Islam or the Bible to Christianity, there are many contradicting notions of their origins. The religion is wholly based on oral myths, folk legends and hymns (2010, pp.34-36). This fact is also something that ISIS uses to make a difference between Yazidis and for instance Christians in the region by calling the Christians ‘people of the book’ and Yazidis devil worshippers or heretics. The reason for this is further elaborated on below.

There *are* two books that are considered holy to the Yazidis, the *Mishefa Resh* (the Black Book) and the *Kitêb-i Cilwê* (the Book of the Revelation). However, “...according to scholars, these two scripts probably existed not as written text but in the Yezidi oral tradition. They were likely written down at the end of the nineteenth century when Western travellers, missionaries and scholars began to take an interest in the Yezidi religion and were looking for ancient manuscripts for trade purposes” (Ibid., p.90)<sup>6</sup>.

The Yazidis define themselves as Êzîd, Êzî or Izid. This may come from the Kurdish word for God (Yazdān) or from the Persian word for Angel (Izad) (Ibid., pp.1, 35). There are many further interpretations of the name and in different languages that one can study. The Yazidis believe in one God, Xwedê, the creator of the world. He has seven angels that assist him, of which “...the Peacock Angel, Tawûsî Melek, [is] to take care of worldly affairs and human fortune; God is interested only in heavenly affairs” (Ibid., p.71). The Peacock Angel is the most important Angel among the seven of them. He is believed to be God’s alter ego and thus they are one unity. “He is the manifestation of the creator, but not the creator itself” and so when Yazidis pray, they pray to a statue of a peacock (Ibid., p.73).

Sheikh Adî, a holy figure of worship for Yazidis, is believed to be buried in northern Iraq and thus the Iraqi Yazidis hold a special place among the Yazidi community as the guardians of what has become the main Yazidi location of worship (Fuccaro, 1997, p.564).

There are many similarities between Yazidism and the Abrahamic religions, for instance the Yazidis believe in the Flood, but that it actually happened not once but twice (Açıkyıldız, 2010, p.88). They also believe that God created the world in six days and rested on the seventh (Kreyenbroek, 1995, p.9). The Yazidis also believe in the religious tradition of baptism, called *mor kirin*, but it can only happen at the baptistery of Kanîya Spî at Lalish in Iraq, and the tradition is quite similar to the Christian baptism (Açıkyıldız, 2010, p.99). 20 days after the baptism, male children are circumcised and are allocated a godfather. As with the Muslim tradition, the circumcision is then

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<sup>6</sup> The same account can be confirmed in more detail in Kreyenbroek (1995, pp.12-15).

celebrated (Ibid., p.100). Yazidism is a conservative religion and Yazidis are not allowed to marry outside their religion, but even more restricted than marrying for instance a Christian is the marriage to a Muslim, even if he/she is Kurdish. One cannot convert to Yazidism and when a Yazidi marries a non-Yazidi, he/she automatically converts to the religion of the one he/she married, and is thus cast out from the family (ibid., p.102). The shame aspect of culture is big with the Yazidi population, as is usually the case in the Middle East that contain mostly patriarchal cultures, and thus when ISIS target the females of the Yazidi ethnic group, the whole family suffers.

The reason why Yazidis are considered devil worshippers by many Muslims and even Christians in the Middle East is because they see the Peacock Angel as the embodiment of Satan. The devil is considered a fallen angel that was banished from Paradise when he was defiant to God and because Yazidis worship God through the seven angels and especially the Peacock, they are considered to be worshipping Satan. However, the Yazidis have a different view on the matter of evil. According to them, Satan is the only agent of God on earth. Satan would not submit to Adam (whom Yazidis also include in their religious stories) due to his love for God, even though God had ordered him to do this as a test of his righteousness and obligation. When he would not do this, god made him the chief of angels, i.e. the Peacock Angel (Ibid., p.2).

Yazidis have throughout history been hunted, massacred, and forced to convert to Islam, not least by Ottoman sultans in the 16<sup>th</sup> century, Sunni Kurds in 1834 and 1847 as well as through the rule of the Ottoman Empire in the beginning of 1900, then also with the help of Kurds. This has been done because they are not considered 'people of the book' and because they are considered devil worshippers (Fuccaro, 1997, pp.564-66). It is thus no surprise that this abhorrent tradition of hunt and slaughter is taken up again today by ISIS.

### **4.3 International legal framework that ISIS could be breaching in regards to Yazidis**

What ISIS are doing could be breaking International Criminal law, International Humanitarian Law, and Human Rights law (HRL). Lately there have been several reports released on the crimes of ISIS and it is clear that they are breaking laws

(UNHCHR, 2015; Human Rights Watch, 2015). The common Article 3 in the Geneva conventions under IHL forbids “violence to life and person” as well as cruel treatment and torture, especially that to personal dignity. It also states that prisoners of war shall be treated with “respect for their persons and their honour” (Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 1949). Even though it does not explicitly mention sexual violence in any form, the act is what the words imply, violence. The Additional Protocol II to the Geneva Conventions however does explicitly mention sexual violence and states that “...the following act shall remain prohibited...(e) outrages upon personal dignity, in particular humiliating and degrading treatment, rape, enforced prostitution and any form of indecent assault” (Additional Protocol to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 1978, Art.4). Article 27 of the Fourth Geneva Convention also explicitly states that “women shall be especially protected against any attack on their honour, in particular against rape, enforced prostitution, or any form of indecent assault” (Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War, 1949). The Conventions are not just for states to follow but also for NSA’s according to Article 1, which states that “this Protocol...shall apply to... all armed conflicts...which take place in the territory of a High Contracting Party between its armed forces and dissident armed forces or other organized armed groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted military operations and to implement this Protocol”, which thus includes NSA’s like ISIS (Additional Protocol to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 1978, Art.1).

ICL includes the Rome Statute of the International Criminal Court (ICC). There are two Articles in the Rome Statute that are especially important in this case; Article 7, on crimes against humanity and Article 8 on war crimes. Article 7 is valid when the mentioned crimes are “committed as part of a widespread or systematic attack directed against any civilian population” and include torture, enslavement, which in this article is defined as “the exercise of any or all of the powers attaching to the right of ownership over a person and includes the exercise of such power in the course of trafficking in persons, in particular women and children”, and “rape, sexual slavery, enforced

prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity” (Rome Statute of ICC, 1998). Article 8 on war crimes include a prohibition on the crimes in the following two parts, “2(e)(vi) committing rape, sexual slavery, enforced prostitution, forced pregnancy, as defined in article 7, paragraph 2 (f), enforced sterilization, and any other form of sexual violence also constituting a serious violation of article 3 common to the four Geneva Conventions” and “2(c)(ii) committing outrages upon personal dignity, in particular humiliating and degrading treatment” (Ibid.). ISIS could be breaking other parts of the articles as well, for instance the part on taking hostages (Art.8, para.2(c)(iii)) or persecution (Art.7, para.1(a)) or extermination (Art.7, para.1(b)), but because this paper is limited to sexual violence, the laws governing these crimes are the ones focused on here (Ibid.). Considering the many witness statements of ISIS’ brutality and the extent of it, it seems quite certain that they have breached these laws.

International HRL is focused on State parties that have signed and ratified the Conventions therein and not NSA’s. Surprisingly, however, is that most HR treaties have no explicit prohibitions on sexual violence (Gaggioli, 2014, p.519). Worth mentioning though is the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), where only “traffic in women and exploitation of prostitution of women” is prohibited (Convention on the Elimination of All Forms of Discrimination Against Women, 1979, Art.6). The Convention on the Rights of the Child (CRC), says that “States Parties must protect children from all forms of sexual exploitation and sexual abuse”, but this is brief and is only relevant for State parties (Gaggioli, 2014). Another law under HRL worth mentioning is the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (generally known as the UN Convention against Torture), which again is aimed at State parties (Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1987). Thus ISIS are not obliged to adhere to any of the conventions under HRL, but the governments of Iraq and Syria as well, have an obligation to uphold these conventions, but if they are trying, they are clearly failing.

It is, today, not a question of whether there are laws prohibiting sexual violence in conflict, but it is rather a question of whether these international laws will have any bearing in contemporary conflicts. As far as ISIS are concerned, it seems that these laws

have no meaning as they continue to breach them, and it is thus more a question of what is needed in order to make sure that they are applied and adhered to by conflicting parties whether they be a state, or an NSA like ISIS.

The next chapter will provide a context for the reader to get a point of comparison on the use of sexual violence in conflict and ISIS use of it, by providing knowledge on how sexual violence was used as a weapon of war in the conflicts in Rwanda and Bosnia in the 1990's.

#### **4.4 Sexual violence as a weapon of war in Bosnia and Rwanda**

The Bosnian war of 1992 and the civil war in Rwanda in 1994 brought on massive amounts of civilian casualties. In both cases, sexual violence was used indiscriminately. By now, most researchers agree that rape and other forms of sexual violence were used as strategies for reaching higher objectives in both wars<sup>7</sup>. In Bosnia it was at the hands of the Christian Orthodox Serbs, who wanted to ethnically cleans the area of former Yugoslavia of Muslims. In the case of Rwanda, it was the Hutu ethnic group that wanted to exterminate the Tutsi ethnic group; the two biggest ethnic groups in Rwanda. The many witness accounts of the atrocities in both countries leaves no uncertainty about this (Farwell, 2004, p.391; Benard, 1994, p.29).

Benard's analysis of sexual violence in the war in Bosnia provides what she calls four 'configurations' and six tactical functions of sexual violence in the Bosnian war. The first-mentioned was the use by Serbian soldiers of Bosnian women and girls as bounty in order to keep the motivation high among the soldiers. The second reason according to Benard was abusing Bosnian women as an outlet between fights. The third reason was a breakdown in the command structure causing officers to loose control of their troops. When they did not loose control of them, they have in fact ordered the rapes, and this is the fourth reason (1994, pp.31-33). The more interesting part of this analysis is the strategic objectives for the use of sexual violence. According to Benard, the sexual violence was used for ethnic cleansing, by making the Bosnians wanting to flee, it demoralized them, caused a breakup in the Bosnian society by making any political solution to the situation out of the question for the regular Bosnian, caused intentional

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<sup>7</sup> See chapter 2.3 on previous academic research.

trauma and psychological damage, while providing psychological benefits for the Serbs such as group cohesion, and lastly it is a significant loss to the enemy when a valuable group is targeted, in this case women and children, and thus they were targeted (Ibid., pp.35-39). There are many other accounts of what happened in Bosnia and how the use of sexual violence was carried out for strategic purposes, Benard's is but one of them.

The civil war in Rwanda is today called the Rwandan genocide. Hutus killed around one million Tutsis and an estimation of 250,000 to 500,000 women were raped between April and July 1994 (Sharlach, 2000, p.98; Mullins, 2009, p.16). The sexual violence that took place was part of this genocide. It has become evident, not least through the ICTR trial of Akayesu in 1998, where the court declared that the sexual violence carried out during the civil war was part of the genocide (*Akayesu*, 2 September 1998, para. 598; Sharlach, 2000, p.100). Countless amounts of witness statements have provided the fair share of proof of this. For instance Hutu men with HIV were especially encouraged by higher officers to rape so that Tutsi women would be infected and die a slow death due to the lack of medical care and medicines in the country (Sharlach, 2000, p.100; Mullins, 2009, p.17). Some of the sexual violence was however opportunistic, as Wood describes it, but the amount of leaders, both military and local civilians, encouraging the use of sexual violence in order to create fear in Tutsis, as well as the many witness statements, show that the use of it was a deliberate strategy by Hutu leadership (Wood, 2006, p.323; Mullins, 2009, p.23).

According to Sharlach, one difference between the wars in Bosnia and Rwanda is that in Bosnia, the Serbs tried to impregnate Bosnian Muslim women in order to exterminate the Muslim population, as the offspring would be considered Serbian Christian Orthodox, where in Rwanda this was not an aim. There, the main purpose was extermination through violence and murder. Pregnancy was just a possible consequence (2000, p.100). There are ample proof that the RAM Plan in Bosnia did exist and was "...a Serbian military policy to ethnically cleanse Bosnia-Herzegovina, and designating rape as a specific means of attaining this goal" (Barstow, 2000, p.70). The RAM Plan was ordered by the Serbian government and military forces and was written by Serb army officers in August 1991. The proof of this piled up after a journalist on the Ljubljana newspaper Delo confirmed its existence. The UN, Human Rights Watch (HRW), and different Non Governmental Organisations (NGOs), have later on

confirmed proof of this Plan. The policy was to create fear and panic among Bosnian Muslims and to give them a reason to leave the strategically important areas by targeting women, and children, especially adolescents (Ibid., p.101).

In the aftermath of conflicts such as Rwanda, Bosnia, Darfur, and Liberia, where rape was a common occurrence, the UN Security Council adopted Resolution 1820 where they describe rape as a tactic of war when a widespread systematic attack is carried out against a civilian population. They also note that “women and girls are particularly targeted by the use of sexual violence, including as a tactic of war to humiliate, dominate, instil fear in, disperse and/or forcibly relocate civilian members of a community or ethnic group” (UN Security Council Resolution 1820, p.1). This is a milestone in the affirmation that rape has been used as a tactic of war in both Rwanda and Bosnia, even though these conflicts are not mentioned explicitly in the resolution.

This chapter has provided the background that is needed in order to understand the analysis that answers the research question and the assumptions of this paper. The next chapter provides the analysis that will provide the actual answers.



## **5. Research findings**

For an easier overview and greater transparency, the chapter has been divided into three subchapters. The analysis has been carried out through the application of the three theoretical/conceptual frameworks, and thus the chapters have been divided accordingly, so that a conclusion could be reached in the end. The Yazidi girls/women that are referenced in this chapter will be referred to as survivors, and identified through the false pseudonyms they have already been given in the interview material that is used.

Sexual violence, sexual slavery and torture have been part of almost every single witness statement that has been available for this thesis. The sources I reference in this chapter are just few examples of many that are available, since referencing all sources would not be practical or feasible. The sources are, however, available in the database of primary data for anyone who wishes to view them.

### **5.1 Evolution theory**

Using evolution theory to explain wartime rape means that the causes are put down to male biology, genetics, lust, and/or a will and instinct to reproduce. It has been hard to find evidence that point in the direction of evolution theory being a reasonable explanation. The wing within evolution theory that believes that rape is a genetic trait for the objective of reproduction would search for evidence such as the rape camps set up by Serbs in Bosnia (Barstow, 2000, pp.63-64, 68). In the witness statements available for this analysis, there are some examples of women who have gotten pregnant ('A.K.B', story 58 in Al-Khatari Murad, 2015; 'S' in Zbis, 2015). However it does not seem like this has been an aim for ISIS, but more of an inevitable consequence of rape due to the relatively low reported numbers of pregnant women. Evolution theorists would point to the fact that ISIS soldiers do focus on women in reproductive ages, and this is confirmed in witness statements telling of how children, women of reproductive age and elderly women were separated upon capture: "they separated girls and young women from the women and the children who exceeded the age of 3 years. The beautiful and young are their favourites" ('Siham' in Zbis, 2015). Another survivor adds that "they preferred beautiful girls, young in age, and unmarried" ('Nadia' in Ibid.). However, even if young women of reproductive age are over represented, there

are proof of ISIS soldiers targeting young girls that clearly have not reached puberty (AMAR International Charitable Foundation, 2015a). Thus evolution theory has a flaw in that reproduction cannot be the focus here, since if it were, women/girls of other ages would not be targeted at all.

Another point is that the focus in all the witness accounts available for this thesis seems to be on beauty and not reproductive age. It can seem that this has to do with sexual desire and lust then, something that evolution theory also focus on, but all the variables that point to the contrary of evolution theory strengthens the assumptions that the explanation this theory provides is flawed. Something that demonstrates this is how the marital status of women is as important as beauty, since single women are preferred.

As mentioned in the critical discussion in chapter 3.5, if evolution theory was correct, then all ISIS soldiers should rape, since it would be in their genetic attributes to do this. Although there are no proof, one cannot make assumptions as grave as the one saying all ISIS soldiers do rape.

Evolution theory cannot explain the many witness statements of torture and sexual violence other than rape. The survivor 'M.K.K.' for instance tells of a friend; "I had a friend from Kojo village [in Iraq] who was taken by one of ISIS terrorists. He tortured her every day without mercy. I called her one day, but she didn't answer. She said [later on]: I could not pick up the phone because he broke my four limbs" (Al-Khatari Murad, n.d.). Another statement comes from 'Noor', saying "he made me watch his sex videos, he burned me with cigarettes on my shoulders, my stomach and my legs" (Hall, 2015; AMAR International Charitable Foundation, 2015b). If evolution theory was correct, then torture and sexual violence besides rape should not exist.

It has been hard to find proof in the evidence that make up the primary data, thus an interpretive analysis has been carried out in order to see in what direction it points in regards to evolution theory, whether the evidence is in support of it or not. However in the light of the above discussion, it seems unlikely that evolution theory could explain ISIS' use of sexual violence.

## 5.2 Feminist theory

As mentioned in chapter 3.3, according to feminist theory, the rationale for wartime rape is misogyny and males' hatred of females. War is a perfect context for venting that hate. It is about dominance and control (Brownmiller, 1975, p.32). However, feminist theory also acknowledges that there might be a military cause and result of sexual violence in war (Ibid., p.37). In the Yazidi culture, the patriarch is strong and honour is a big component of it, and ISIS are well aware of this (as is the case with most cultures of the Middle East). Thus when they 'dishonour' 'their' (Yazidi men's) women by sexually violating them, the patriarchal structures of the Yazidi culture are disrupted, and the male family members of Yazidi women and girls are humiliated. Control of women is a sign of male success after all. Seen from a feminist perspective it is about male domination of women, but if one would look at it from the strategic rape concept, this tactic of ISIS *could* be considered a strategic move to incite an even bigger fear and discouragement among Yazidis. When this is the case, there can be a preference to choose younger girls as victims, since the trauma with them will be bigger, and indeed ISIS target adolescent girls and young women of reproductive age (Benard, 1994, p.37).

Feminist theory speaks of men's ownership of women instead of men's relationship to women. However the theory does not speak of the honour concept when women are targeted, but more of a lack of masculine show when 'his' woman is violated. The honour concept takes up more space in the strategic rape concept (Barstow, 2000, pp.81, 85). But why should this not be part of feminist theory for explaining wartime rape as well? The patriarch can still be a reason for much of the sexual violence that happens in conflicts and thus honour is a big part of that. Women that have been raped are often shunned due to the family's honour being dragged down by this. If ISIS were to use this tactic intentionally, it could be for the disruption of the Yazidi society. Even if this is more of a strategic rape objective, it is still a consequence for the woman of the family and thus a feminist view on things is important. Fortunately, the religious leaders of the Yazidi community have officially gone out with decrees of how Yazidi women and girls that are survivors of ISIS' captivity, should be welcomed back into the Yazidi society and not be shunned or held responsible for what has happened to them (Zbis, 2015).

Feminist theory say that during the middle ages, one of the few incentives for men to join armies was the opportunity to rape, since salaries were not something that was to be

counted on (Brownmiller, 1975, p.35). Today ISIS are using this in the same way. Even though they are actually paying their soldiers, women are also used as incentives. This also creates group bonding and unity among soldiers (Wood, 2006, p.326). Again and again proof has turned up of ISIS using sexual slavery in their caliphate. A video has emerged of ISIS soldiers discussing the purchase and trade of specifically Yazidi women among them, for the sum of 15 (whether that be dollars or another currency) or for the trade of a gun (StopPlayingChurch, 2015). This discussion definitely seems like something these soldiers are bonding over. It would not be a farfetched idea to conclude that these slave markets also are providing an incentive for ISIS fighters to remain loyal. This is however something that the strategic rape concept also discusses and thus this provides an overlap between it and feminist theory.

Both feminist theory and the strategic rape concept discuss how soldiers use sexual violence as a way to prove themselves to each other, but in the same video as above, a few of the ISIS soldiers answer 'no' when asked if they also will 'get a Yazidi girl as sex slave' (Ibid.). This shows that these men do not seem to have a need to prove themselves to each other. Thus this idea is flawed in both feminist theory and the strategic rape concept.

Brownmiller discusses the slave trade in the United States and how slavery can be an institutional crime (Brownmiller, 1975, p.152). It seems to be quite clear that ISIS have incorporated sexual slavery of Yazidi women and girls as part of everyday life in their caliphate, and just as the Americans used passages from the Bible to justify the slave trade, so are also ISIS soldiers using verses from the Quran to justify it. There are witness statements that the city of Raqqa in Syria- which ISIS have declared the capital of their caliphate- has become the capital of sexual slavery, institutionalizing the act. One survivor tells of the habits of the ones running the slave market; "the opening time of the market had often started from 9 o'clock in the morning and closed in the evening, men from Daesh militias were coming looking at the women, testing their bodies as if they were dealing with animals. The most beautiful women were attracting more buyers and higher prices" ('Y' in Al-Khatari Murad, in press, p.90). This provides ISIS soldiers with quick and easy access to girls that are too afraid or injured to resist, something that feminist theory explains as both an economic and psychological gain. Since this is far

from being illegal in the caliphate, and no one is prosecuted for it, it continues to happen (Brownmiller, 1975, p.153).

Another important aspect is anonymity. It is easier to sexually violate a woman when she is anonymous than it is to do this to someone the male knows (Ibid., p.88). According to feminist theory, the scenario of war and conflict provides the needed context for the soldier, he is not known to the woman he is about to rape, and neither is the woman known to him. Even though this might be the case in conflicts such as in Syria and Iraq today, there are also evidence that points to the contrary. There is a huge influx of foreign fighters coming in to Syria and Iraq from all over the world to join ISIS, but this does not mean that ‘locals’, especially local Sunni Arabs, have not joined ISIS too. Safwan, a Yazidi boy of 16, while fleeing, shot and bleeding, from an ISIS mass execution of Yazidi men and boys, has testified how “...he could recognize and identify some of the killers who were Arabs from the villages of Matuta, Khatuni Khela and Agedat”<sup>8</sup> (‘Safwan’ in Al-Khatari Murad, in press, p.39). Safwan was however talking about soldiers that were carrying out killings of men and not sexual violence of females. However, Jalila, a 12-year old Yazidi survivor, said that “...Arab men whom she recognized from her village north of Sinjar accosted her and seven family members on August 3, 2014, as they were trying to flee ISIS” (Human Rights Watch, 2015).

As with evolution theory, feminist theory implies that all men in all conflicts are capable of rape, and because of that ability, they rape. However, this implies that all ISIS soldiers rape and as discussed in the previous chapter, this is too big of an assumption to make. It would also mean that ISIS would not target specific women when choosing whom to rape, but they would rape women from all ethnicities and religions. ISIS *mostly* target Yazidi women with sexual violence, making this assumption erroneous.

With the analysis done through evolution theory, it was easier to draw conclusions. Feminist theory, however, has provided signs of both support for and dismissal of the theory as an explanation for ISIS’ use of sexual violence. It does seem arrogant to dismiss or acknowledge the whole theory as an explanation based on this thesis. What we can say for certain though, is that on its own, feminist theory cannot explain why

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<sup>8</sup> Villages close to Kojo in Sinjar, Iraq.

ISIS uses sexual violence. However, together with other theories or concepts, such as the strategic rape concept, it is possible, as some parts of feminist theory seem to provide feasible explanations and these schools of thought together can complement each other and provide a more useful explanation for this phenomena. The part of feminist theory that does seem to provide an answer for ISIS' behaviour, to a certain level, is the part on misogyny, males' hatred of females. However, ISIS members do not seem to treat women that have voluntarily joined ISIS as bad as they are treating Yazidi women. They are targeting Yazidi women specifically with their misogyny. That is also why feminist theory cannot provide an explanation for this behaviour on its own.

### **5.3 The concept of Strategic Rape**

The strategic rape concept suggests that sexual violence in war and conflict is a tactic of war, employed by NSA's, other armed groups or government militaries as a means for reaching bigger strategic objectives. When used this way, it becomes a weapon employed by soldiers for war aims (Barstow, 2000, pp.2-3). Most analyses that have been done on conflicts from this perspective are on older conflicts. Elisabeth Jean Wood, however, includes a small analysis on ISIS in Syria and Iraq in the article that she has written for the International Committee of the Red Cross (ICRC) in 2014. Although Wood suggests that "...widespread rape often occurs as a practice rather than as a strategy" (2014, p.457), she concludes the same article by stating that ISIS' use of sexual violence and sexual slavery "are clearly strategic: they are strongly institutionalized within the group, which has issued rules for their implementation" (Ibid., p.473). The analysis in this thesis shows that the use of sexual violence and sexual slavery has indeed become institutionalized by ISIS in Iraq and Syria, just as feminist theory suggests is the case in conflict and war generally<sup>9</sup>. Just as Wood proposes, the articles that ISIS have written and the rules pertaining sexual slavery that they have issued proves this<sup>10</sup>. We will come back to these documents further on in the analysis.

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<sup>9</sup> However, it is too big an assumption to make, to assume that it is the case for all conflicts where sexual violence is present.

<sup>10</sup> See 1. Appendix II: ISIS Q&A/Pamphlet On Female Slaves: [http://www.memrijttm.org/islamic-state-isis-releases-pamphlet-on-female-slaves.html#\\_edn1](http://www.memrijttm.org/islamic-state-isis-releases-pamphlet-on-female-slaves.html#_edn1),

2. "Slave-Girls or Prostitutes?", written by the woman Umm Sumayyah Al-Muhajirah, in ISIS' magazine Dabiq, issue 9, pp.44-49,

3. "The Revival of Slavery Before the Hour", writer unknown, in ISIS' magazine Dabiq, issue 4, pp.14-17.

Barstow states an interesting question in her book: “what makes a man, initially unwilling, finally agree to rape a woman prisoner?” (2000, p.9). In regards to ISIS, the first justification is religion. ISIS uses religion as a justification for their soldiers to sexually violate Yazidi women, as for instance the rape of a 12-year old Yazidi girl, who was told by the ISIS soldier raping her, that “according to Islam he is allowed to rape an unbeliever. He said that by raping me, he is drawing closer to God” (Callimachi, 2015). The Q&A that ISIS released on taking female slaves further institutionalises the religious justification by claiming that it is approved of to take an unbelieving woman captive and sexually violate her. The wording ‘unbelieving’ actually refers to all female non-Muslims, so both Yazidis and Christians (or women of any other religious group) are approved of to enslave, but proof of women other than Yazidis being targeted in this way and extent, has been hard to find. One Yazidi girl mentions how Christian women were captives with her when she was enslaved but it is hard to measure how reliable this information is since the witness statement is in a journalistic article (‘Maysa’ in Seivan, 2015). According to the Q&A (available in this thesis as Appendix II), “Allah the almighty said: '[Successful are the believers] who guard their chastity, except from their wives or (the captives and slaves) that their right hands possess, for then they are free from blame [Koran 23:5-6]" (The Research and Fatwa Department of the Islamic State, 2014). The expression “right hand possesses” refers to an ownership of the female slave. The Q&A also clarifies that it is approved of to beat a female slave and sell, give her as gift or keep her as property (Ibid.). The Q&A actually prohibits torture of female slaves, as well as intercourse with girls that “are not fit for”<sup>11</sup> it (Ibid.). If ISIS’ behaviour were purely religious, then the excessive violence and sexual violence of young girls that have not yet reached puberty would not happen. The many witness statements of this thesis show that excessive violence is common with ISIS soldiers and enslaved Yazidis, and so is sexual violation of young girls.

However on a higher level in command, the objective can be different. This use of sexual violence is so widespread among ISIS soldiers that anything but considering it a strategic move seem unwise. Just as armies in past wars, such as during the Japan-China war and the installing of the comfort women so that Japanese soldiers would refrain

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<sup>11</sup> Even though one can interpret “fit for intercourse” in different ways, it seems to be a reference to girls that have not yet reached puberty.

from rape and pillage of the locals, so also is the use of sexual violence and slavery by ISIS strategically used, since not using slavery can lead to “an increase in fāhishah (adultery, fornication, etc.), because the shar’ī [Sharia] alternative to marriage is not available, so a man who cannot afford marriage to a free woman finds himself surrounded by temptation towards sin” (ISIS, 2014, p.17). ISIS are after all, according to themselves, religious and thus institutionalizing sexual violence could be a strategy used to control the soldiers so that they do not commit sin by going on rampages, as well as give them incentive to remain with ISIS.

The second reason could be what was written in the second assumption of this thesis, to empty the area of the caliphate of anyone who is not or will not become a Sunni Muslim and making it religiously homogenous. According to Gottschall, motives and consequences might be confused when analysing conflicts, and thus to make it clear; the motive of ISIS seem to be the assimilation of inhabitants of the area of the caliphate, but genocide of the Yazidi population have turned out to be the consequence, in a region where multiculturalism is a fact (2004, p.132; UNAMI, OHCHR, 2015, p.20). It does not have to be the case that genocide was the actual objective, even if it has become a result. Some of the documents that ISIS have released are also specifically pointing out Yazidis<sup>12</sup>. Thus the idea of sexual violence being used as a means to a bigger end cannot be that far fetched. As Barstow writes, it can also “...alter regional balance” by “...establishing racial superiority of one group over another” (2000, p.45). As I wrote in the background, there has been a constant power struggle between Shia and Sunni Muslims in Iraq. As ISIS are Sunni Muslims and the caliphate is based on this branch of Islam, they are giving the bigger hand to Sunnis. Shia Muslims are also considered sinners, although not in the same degree as followers of other religions. However, the idea of the caliphate is an Islamic state based on Sunni Islam and Sharia laws.

According to the strategic rape concept, a result of using sexual violence in this magnitude is an elevated will to flee. Everyone knows the terror of sexual violence and especially rape and if the rumour in the community is that the coming military force is

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<sup>12</sup> See “The Revival of Slavery Before the Hour”, writer unknown, in ISIS’ magazine Dabiq, issue 4, pp.14-17, and “Slave-Girls or Prostitutes?”, written by the woman Umm Sumayyah Al-Muhajirah, in ISIS’ magazine Dabiq, issue 9, pp.45-46.



using it, then the incentive to run will be bigger than if sexual violence was not a suspected tool of war (Benard, 1994, p.35). When the Christian and other ethnic groups started to leave the areas that ISIS were getting close to, for instance the Nineveh Plains in northern Iraq, ISIS for the most part did not stop them. Those who stayed were asked to either pay a religious tax, convert, or leave. However, Yazidis that were fleeing were hunted down and enslaved or executed. Almost all witness statements that this thesis relies on tell of how the first attack on them, either as they were fleeing/hiding or on their village, amounted to either enslavement or murder. They also tell of how their Christian neighbours were treated differently (Al-Khatari Murad, in press, pp.34, 67.; 'Siham' in Zbis, 2015).

According to Benard, causing psychological damage and trauma can become sub-targets or a way to measure progress towards the objective of genocide (Benard, 1994, p.37). In the case of ISIS, this does not seem to be the objective but more of the method. However, rape and other forms of sexual violence causes trauma, no matter the reason they are carried out for, and thus it would be a mistake to write off ISIS' behaviour as only religious, when they are being selective in who they target, and using the strategy in such a wide extent. The witness statements and documents released by ISIS shows that they are assimilating the area, while at the same time targeting Yazidis extra hard and justify this behaviour with their interpretation of religious texts.

Another aspect that provides substance to the strategic rape concept in this case is the issue of anonymity. As mentioned previously, according to feminist theory, men that rape aim to remain anonymous. However, the strategic rape concept puts emphasis on recognition. In analysing the Bosnian conflict, Barstow claims that "the persecuted would be less likely to return to their towns and villages if their assailants were local inhabitants rather than men from distant territories" (2000, p.75). This is a reasonable deduction in the case of ISIS as well, as one of the goals is an assimilated caliphate where everyone are Sunni Muslim. The witness statements available also tell stories of how they recognized previous neighbours or other locals as their assailants, and they were not trying to hide their identity ('Safwan' in Al-Khatari Murad, in press, p.39; Human Rights Watch, 2015).

The “virtue of honour” is held very high in most Middle Eastern cultures and religions. In Islam, it is the ultimate dishonouring to be raped or to have a daughter or wife that has been raped. Thus ISIS soldiers rape, while knowing what they are doing to these women and girls and to this religious and ethnic group. Even if the group in itself is not Muslim, honour is still a culturally contextual trait that is shared over the borders of religions and ethnicities in the Middle East. The strategic rape concept puts emphasis on this and applying the concept to the case of Yazidis, one can see that by shaming and dishonouring Yazidi women through sexual violence, ISIS are also emasculating and psychologically damaging Yazidi men by showing how they failed to protect ‘their’ women. What ISIS seem to be doing is terrorising Yazidis on both a physical and psychological level, while knowing they are reaching the whole group by targeting the women this way.

The outside world is starting to realize that sexual violence can be widespread in conflicts and war. The fact that the UN have admitted that sexual violence can be used as a possible tactic of war also goes to show that it is a possibility that this is what ISIS are using it for (OHCHR, 2008?). The report by the United Nations Assistance Mission for Iraq (UNAMI) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) takes it one step further by actually claiming that “these acts appear to form part of a systematic and widespread policy that aims to suppress, permanently expel, or destroy many of these communities within ISIL areas of control”<sup>13</sup> (UNAMI, OHCHR, 2015, p.19).

As Wood puts it, “conflict-related sexual violence is undoubtedly a complex phenomenon” (Wood, 2014, p.463). The analysis has showed that the strategic rape concept is the best ‘fit’ towards an explanation for ISIS’ use of sexual violence if one has to be chosen. However, even if we can rule out evolution theory and however clearly some parts of feminist theory have proven to be unsuitable to explain ISIS’ behaviour in this conflict, there are some parts of it that make sense as an explanation for some of their behaviour. But neither of the two theories nor the strategic rape concept on their own provide enough of an explanation, considering the multi-layered reasons that are to be found for ISIS’ use of sexual violence, those being both religion

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<sup>13</sup> UNAMI and OHCHR refer to ISIS as ISIL in their report. With ”these communities”, they refer to the different ethnic and religious communities in Iraq.

and strategy, and to a certain degree male misogyny. ISIS are aiming to assimilate the area of the caliphate, while at the same time targeting the Yazidi population violently by using religion as a justification, and until they reach this target of homogeneity for the caliphate, they will continue using sexual violence as a strategy of war and justify it with religious interpretations. The conclusion is that a combination of the strategic rape concept, together with elements from feminist theory make up the best conceptual frameworks that can provide an explanation of ISIS' use of sexual violence, especially as feminist theory also acknowledges that there can be strategic objectives in the use of it.

#### **5.4 Conclusion**

When analysing the use of wartime sexual violence, one cannot simply apply a gendered analysis to it, even though that is a step in the right direction. But one must analyse *both* gender and sociocultural structures of wartime sexual violence in order to understand why some women and girls are targeted and others are not.

The conclusion of analysing ISIS' use of sexual violence from the perspectives of evolution theory, feminist theory and the strategic rape concept is that these three frameworks separately cannot provide an explanation for the phenomena. Evolution theory did not provide any explanations for ISIS' behaviour at all, not even when combined with the other frameworks. However, feminist theory in combination with the strategic rape concept explains the behaviour of ISIS to a certain extent. There is a gap today in theories pertaining wartime sexual violence that need to be filled and this should be done by an overarching theory that includes elements of both feminist theory and the strategic rape concept, as well as considers novel ideas of the use of sexual violence, considering how new ISIS are and how much they differ from other NSA's. New NSA's are emerging and we need to adapt our knowledge and theories to apply to these groups, in order to be able to understand them and their behaviour better.

The reasons for ISIS' use of sexual violence are multi-layered. Sexual violence is used as strategy of war and for religious reasons, as well as, to an extent, because of misogyny. ISIS are aiming to assimilate the area of the caliphate, while at the same time targeting the Yazidi population, by using religion as a justification, and until they reach

this target of homogeneity for the caliphate, they will continue using sexual violence as a strategy of war and justify it with religious interpretations.

## **6. Conclusion**

The aim with this thesis has been to provide an understanding of why ISIS target Yazidi women and girls with sexual violence and to develop a better understanding of both groups. When doing analyses such as this one, besides a gender analysis, a contextual understanding of the social and cultural norms, also need to be taken into account. The final answer to why ISIS uses sexual violence is multi-layered. The use of sexual violence is both strategic, religious and to an extent, misogynous and aimed at the Yazidi religious and ethnic group in particular. The second assumption of this thesis, that ISIS are aiming to assimilate the area of the caliphate, was confirmed. They are trying to do this, while at the same time targeting the Yazidi population, by using religion as a justification, and until they reach this target of homogeneity for the caliphate, they will continue using sexual violence as a strategy of war and justify it with religious interpretations (not to say that the use of sexual violence and slavery will stop if they reach that target). Unfortunately, genocide has become a consequence of it, however a very conscious consequence, even though this does not seem to be an objective, but more of a method. The first assumption of this thesis, that ISIS are using sexual violence as a strategic objective in order to empty the areas of their caliphate of anyone that is not or will not convert to Sunni Islam, and use their interpretation of the Quran to justify it, has also been confirmed.

Of the theories/concepts that have been tested, parts of the feminist theory and the strategic rape concept together, provide a valid explanation for ISIS' use of sexual violence. However, there is a lack of an overarching theory that takes into account different parts of existing theories, as well as provides new insights on the new ways that wars and conflicts are fought today, as well as by what actors, and the rationale they provide for the use of sexual violence, and this gap need to be filled by further research.

Even though a chapter on what laws might have been breached by ISIS is included in this thesis, in the end, there is a lack of international enforcement of IHL, such as instruments, mechanisms and institutions, to deal with new actors such as ISIS. Even though it was not the focus of this thesis, this is a gap that was recognized throughout

the research process. The fact that the use of sexual violence and the rampage and expansions of ISIS continue is in itself proof of this lack of enforcement.

The constraints of this thesis have been in the obvious difficulty of gaining quality primary data. The inability to travel to the region has made a reliance on secondary sources a must, something that could have affected the quality of the output. The aim has been to not let this become the case, but to always strive for quality and transparency throughout the research process.

## **7. Recommendations**

This chapter holds recommendations that have risen out of the research done for this thesis. The recommendations are of two kinds, those for the academic community and those for the humanitarian community.

### **7.1 Recommendations for the humanitarian community**

The witness statements for this thesis, as well as reports from HRW and other sources, have showed flaws in the support provided to Yazidi female survivors of ISIS' captivity (Zbis, 2015; Human Rights Watch, 2015; Begum & Muscati, 2015; Bedirian, 2015; Amnesty International, 2014). There are flaws such as women not finding out their medical test results months after they were carried out, and not even getting information on the purpose of the tests they undergo, and that very few women actually receive help. Both physical and psychosocial support is needed. Lobbying is also needed, as abortion is illegal in Iraq, unless "...a doctor considers it a medical necessity, such as a risk to the mother's life" (Human Rights Watch, 2015). There is also a need to address the lacking information systems, so that these women find out their rights and what help is available to them. Systems need to be put into place in order to assist the children that are born from rape by ISIS soldiers as well as the mothers that might be ostracized from their communities (Ibid.). Even though progress on this area has been made thanks to religious leaders asking for Yazidi communities to accept survivors, the offspring of these rapes will need professional help.

NGOs have reported on a lack of psychosocial support and therapists for these women as well as hesitance among survivors to accept such help. Information sharing and training is crucial in order to change the attitudes in the Yazidi societies so that the help to survivors can be maximized and utilized where it is available, as well as make it available.

Training of medical practitioners in treating patients that are survivors of sexual violence need to be a part of the agenda for the Iraqi and Kurdish governments. These women need to know their rights, what is done to them during treatment and be included in every step of the process. In this way, they are also empowered.

There are guidelines that can and should be used and integrated in the current work of, and by, the governments in Iraq and Kurdistan, local organizations and help groups, as well as by medical practitioners and NGO's in Syria and Iraq. These are the Inter-Agency Standing Committee (IASC) 'Guidelines for Integrating Gender-based Violence Interventions in Humanitarian Action: Reducing Risk, Promoting Resilience, and Aiding Recovery', and the World Health Organization (WHO) handbook on 'Health care for women subjected to intimate partner violence or sexual violence'.

## **7.2. Recommendations for the academic community**

As mentioned previously, there is a lack of an overarching theory that takes into account different parts of existing theories, as well as provides new insights in the new ways that wars and conflicts are fought today, as well as by what actors, and the rationale they provide for the use of sexual violence, and this gap need to be filled by further research.

During the research process, I recognized a need for further research on why women join ISIS. How can they join such an organization knowing that sexual violence happens? There is a need for scientific research in this area.

There is also a need for studying radicalization in relation to ISIS. There is today no established radicalization theory, and thus this could make understanding the phenomena more difficult, as there are many conflicting ideas out there, as has been the case with the many theories around sexual violence during wartime and conflict. There is also a huge influx of fighters coming into Syria and Iraq from around the world to join ISIS. Why this happens at such a massive scale with ISIS in comparison with for instance other NSAs, would be interesting and a needed research to do. There is also a need to provide a proper identification to ISIS, since it does not seem clear that they can be considered a terrorist group.

ISIS as a NSA is relatively new and this means that scientific research is still quite limited on the subject. More research needs to be done on ISIS, basically from all perspectives that one studies a NSA, as this knowledge today is quite limited.





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# Appendix

## Appendix I

### Revised Academic Consensus Definition of Terrorism (2011)

Compiled by Alex P. Schmid

- “1. Terrorism refers, on the one hand, to a doctrine about the presumed effectiveness of a special form or tactic of fear-generating, coercive political violence and, on the other hand, to a conspiratorial practice of calculated, demonstrative, direct violent action without legal or moral restraints, targeting mainly civilians and non-combatants, performed for its propagandistic and psychological effects on various audiences and conflict parties;
2. Terrorism as a tactic is employed in three main contexts: (i) illegal state repression, (ii) propagandistic agitation by non-state actors in times of peace or outside zones of conflict and (iii) as an illicit tactic of irregular warfare employed by state- and non-state actors;
3. The physical violence or threat thereof employed by terrorist actors involves single-phase acts of lethal violence (such as bombings and armed assaults), dual- phased life-threatening incidents (like kidnapping, hijacking and other forms of hostage-taking for coercive bargaining) as well as multi-phased sequences of actions (such as in ‘disappearances’ involving kidnapping, secret detention, torture and murder).
4. The public (-ized) terrorist victimization initiates threat-based communication processes whereby, on the one hand, conditional demands are made to individuals, groups, governments, societies or sections thereof, and, on the other hand, the support of specific constituencies (based on ties of ethnicity, religion, political affiliation and the like) is sought by the terrorist perpetrators;
5. At the origin of terrorism stands terror – instilled fear, dread, panic or mere anxiety - spread among those identifying, or sharing similarities, with the direct victims, generated by some of the modalities of the terrorist act – its shocking brutality, lack of discrimination, dramatic or symbolic quality and disregard of the rules of warfare and the rules of punishment;
6. The main direct victims of terrorist attacks are in general not any armed forces but are usually civilians, non-combatants or other innocent and defenceless persons who bear no direct responsibility for the conflict that gave rise to acts of terrorism;

7. The direct victims are not the ultimate target (as in a classical assassination where victim and target coincide) but serve as message generators, more or less unwittingly helped by the news values of the mass media, to reach various audiences and conflict parties that identify either with the victims' plight or the terrorists' professed cause;
8. Sources of terrorist violence can be individual perpetrators, small groups, diffuse transnational networks as well as state actors or state-sponsored clandestine agents (such as death squads and hit teams);
9. While showing similarities with methods employed by organized crime as well as those found in war crimes, terrorist violence is predominantly political – usually in its motivation but nearly always in its societal repercussions;
10. The immediate intent of acts of terrorism is to terrorize, intimidate, antagonize, disorientate, destabilize, coerce, compel, demoralize or provoke a target population or conflict party in the hope of achieving from the resulting insecurity a favourable power outcome, e.g. obtaining publicity, extorting ransom money, submission to terrorist demands and/or mobilizing or immobilizing sectors of the public;
11. The motivations to engage in terrorism cover a broad range, including redress for alleged grievances, personal or vicarious revenge, collective punishment, revolution, national liberation and the promotion of diverse ideological, political, social, national or religious causes and objectives;
- 12: Acts of terrorism rarely stand alone but form part of a campaign of violence which alone can, due to the serial character of acts of violence and threats of more to come, create a pervasive climate of fear that enables the terrorists to manipulate the political process”.

(Schmid, 2012, pp.158-59)



## **Appendix II**

### **ISIS Q&A/Pamphlet On Female Slaves (2014)**

Compiled by The Research and Fatwa Department of the Islamic State

#### **“Question 1: What is *al-sabi*?”**

Al-Sabi is a woman from among *ahl al-harb* [the people of war] who has been captured by Muslims.

#### **Question 2: What makes *al-sabi* permissible?**

What makes *al-sabi* permissible [i.e., what makes it permissible to take such a woman captive] is [her] unbelief. Unbelieving [women] who were captured and brought into the abode of Islam are permissible to us, after the imam distributes them [among us].

#### **Question 3: Can all unbelieving women be taken captive?**

There is no dispute among the scholars that it is permissible to capture unbelieving women [who are characterized by] original unbelief [*kufir asli*], such as the *kitabiyat* [women from among the People of the Book, i.e. Jews and Christians] and polytheists. However, [the scholars] are disputed over [the issue of] capturing apostate women. The consensus leans towards forbidding it, though some people of knowledge think it permissible. We [ISIS] lean towards accepting the consensus...

#### **Question 4: Is it permissible to have intercourse with a female captive?**

It is permissible to have sexual intercourse with the female captive. Allah the almighty said: “[Successful are the believers] who guard their chastity, except from their wives or (the captives and slaves) that their right hands possess, for then they are free from blame” [Koran 23:5-6]...

#### **Question 5: Is it permissible to have intercourse with a female captive immediately after taking possession [of her]?**

If she is a virgin, he [her master] can have intercourse with her immediately after taking possession of her. However, if she isn't, her uterus must be purified [first]...

#### **Question 6: Is it permissible to sell a female captive?**

It is permissible to buy, sell, or give as a gift female captives and slaves, for they are merely property, which can be disposed of [as long as that doesn't cause [the Muslim ummah] any harm or damage.

#### **Question 7: Is it permissible to separate a mother from her children through [the act of] buying and selling?**

It is not permissible to separate a mother from her prepubescent children through

buying, selling or giving away [a captive or slave]. [But] it is permissible to separate them if the children are grown and mature.

**Question 8: If two or more [men] buy a female captive together, does she then become [sexually] permissible to each of them?**

It is forbidden to have intercourse with a female captive if [the master] does not own her exclusively. One who owns [a captive] in partnership [with others] may not have sexual intercourse with her until the other [owners] sell or give him [their share].

**Question 9: If the female captive was impregnated by her owner, can he then sell her?**

He can't sell her if she becomes the mother of a child...

**Question 10: If a man dies, what is the law regarding the female captive he owned?**

Female captives are distributed as part of his estate, just as all [other parts] of his estate [are distributed]. However, they may only provide services, not intercourse, if a father or [one of the] sons has already had intercourse with them, or if several [people] inherit them in partnership.

**Question 11: May a man have intercourse with the female slave of his wife?**

A man may not have intercourse with the female slave of his wife, because [the slave] is owned by someone else.

**Question 12: May a man kiss the female slave of another, with the owner's permission?**

A man may not kiss the female slave of another, for kissing [involves] pleasure, and pleasure is prohibited unless [the man] owns [the slave] exclusively.

**Question 13: Is it permissible to have intercourse with a female slave who has not reached puberty?**

It is permissible to have intercourse with the female slave who hasn't reached puberty if she is fit for intercourse; however if she is not fit for intercourse, then it is enough to enjoy her without intercourse.

**Question 14: What private parts of the female slave's body must be concealed during prayer?**

Her private body parts [that must be concealed] during prayer are the same as those [that must be concealed] outside [prayer], and they [include] everything besides the head, neck, hands and feet.

**Question 15: May a female slave meet foreign men without wearing a hijab?**

A female slave is allowed to expose her head, neck, hands, and feet in front of foreign

men if *fitna* [enticement] can be avoided. However, if *fitna* is present, or if there is fear that it will occur, then it [i.e. exposing these body parts becomes] forbidden.

**Question 16: Can two sisters be taken together while taking slaves?**

It is permissible to have two sisters, a female slave and her aunt [her father's sister], or a female slave and her aunt [from her mother's side]. But they cannot be together during intercourse, [and] whoever has intercourse with one of them cannot have intercourse with the other, due to the general [consensus] over the prohibition of this.

**Question 17: What is *al-'azl*?**

*Al-'azl* is refraining from ejaculating on a woman's pudendum [i.e. coitus interruptus].

**Question 18: May a man use the *al-'azl* [technique] with his female slave?**

A man is allowed [to use] *al-'azl* during intercourse with his female slave with or without her consent.

**Question 19: Is it permissible to beat a female slave?**

It is permissible to beat the female slave as a [form of] *darb ta'deeb* [disciplinary beating], [but] it is forbidden to [use] *darb al-takseer* [literally, breaking beating], [darb] *al-tashaffi* [beating for the purpose of achieving gratification], or [darb] *al-ta'dheeb* [torture beating]. Further, it is forbidden to hit the face.

**Question 20: What is the ruling regarding a female slave who runs away from her master?**

A male or female slave's running away [from their master] is among the gravest of sins...

**Question 21: What is the earthly punishment of a female slave who runs away from her master?**

She [i.e. the female slave who runs away from her master] has no punishment according to the shari'a of Allah; however, she is [to be] reprimanded [in such a way that] deters others like her from escaping.

**Question 22: Is it permissible to marry a Muslim [slave] or a *kitabiyya* [i.e. Jewish or Christian] female slave?**

It is impermissible for a free [man] to marry Muslim or *kitabiyat* female slaves, except for those [men] who feared to [commit] a sin, that is, the sin of fornication...

**Question 24: If a man marries a female slave who is owned by someone else, who is allowed to have intercourse with her?**

A master is prohibited from having intercourse with his female slave who is married to someone else; instead, the master receives her service, [while] the husband [gets to]

enjoy her [sexually].

**Question 25: Are the *huddoud* [Koranic punishments] applied to female slaves?**

If a female slave committed what necessitated the enforcement of a *hadd* [on her], a *hadd* [is then] enforced on her – however, the *hadd* is reduced by half within the *hudud* that accepts reduction by half...

**Question 27: What is the reward for freeing a slave girl?**

Allah the exalted said [in the Koran]: “And what can make you know what is [breaking through] the difficult pass [hell]? It is the freeing of a slave.” And [the prophet Muhammad] said: “Whoever frees a believer Allah frees every organ of his body from hellfire”.”