TABOO: MARTIAL RAPE IN ISRAEL
AND THE OCCUPIED TERRITORIES

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By

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ABSTRACT

This project seeks to explore why rape as a tool of war has been inconsistently employed by Israeli forces (specifically, the Haganah/Irgun and the Israel Defense Forces) during the Israeli-Palestinian conflict. Rape as a tool of war can be used as a means of ethnic cleansing, terrorizing, and weakening the will of the targeted population. It has seen widespread use in ethnic and territorial conflicts similar to the Israeli-Palestinian conflict. Why has Israel avoided this war tactic, despite allegedly using it in the run-up to the 1948 War of Independence? What events, developments, beliefs or other factors altered its calculus? This project aims to determine some of the factors that correlate with the incidence of martial rape and shed light on how its use can be deterred or prevented. Ultimately, it finds that a highly influential factor deterring martial rape is the professionalization of military forces.
The research and writing of this thesis
is dedicated to
all the women who came before me
and paved the way for me.

Many thanks,
MEGHAN WARREN
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INTRODUCTION

For many years, scholars and politicians ignored the issue of systematic wartime rape, despite its prevalence in several conflicts since World War II (e.g. in Sudan, the Congo, the Balkans, Kashmir, and Sri Lanka). Historians suggest that the use of war rape extends back to ancient times, making it one of the world’s oldest weapons of war. Yet it was not until the 1990s, when horrific accounts of wartime rape in Rwanda and Bosnia-Herzegovina surfaced, that researchers began to consider seriously the causes and effects of rape as a tool of war.

Several theories have emerged exploring the underlying cause of mass wartime rape. Some analysts, such as Susan Brownmiller, postulate that wartime rape is an extension of misogyny and a desire of men to dominate women (the feminist theory). Others, notably Randy Thornhill and Craig Palmer, suggest it arises mainly from sexual aggression. Still others, such as Iris Chang, Madeline Morris, and Catharine MacKinnon argue that it occurs mainly in cultures whose histories and legacies embrace violence in this capacity.

Strategic rape theory has gained the most traction in recent years. Advanced by scholars including Beverly Allen, Sultana Kamal, and Roland Littlewood, this body of literature contends that martial rape is a weapon that military forces can employ to achieve a larger goal. Strategic rape theory can be understood as a “macro”

3 Ibid.
manifestation of the feminist theory that rape intends to exert dominance over an individual. Writes Claudia Card, “[Martial rape] breaks the spirit, humiliates, tames, [and] produces a docile, deferential, obedient soul.” Strategic rape seeks to exercise this same dominance over an entire community.

Dominance is a broad term and its meaning varies across conflicts. In the case of Bosnia-Herzegovina, for example, rape served primarily as a tactic of ethnic cleansing. Rape drove Bosniak women and families from their homes and often killed the victims, disfigured them so that they could no longer bear children, or impregnated them, thus “diluting” the ethnic pool. In other conflicts, rape may be employed to humiliate a society’s men, demonstrating that they are not strong enough to protect their women. More generally, rape can be an effective tool of terrorism, intended to coerce a population into dropping its resistance. This too was seen in the Bosnian conflict of the 1990s.

While the past two decades have seen increased attention on why rape is used in war—including the normative shift in international law to classify rape as a war crime—very little research has been conducted as to why it does not occur in certain conflicts. Much as the choice to pursue war rape is rooted in the cultural and societal impact it may have, the decision to avoid war rape may arise from norms and expectations about how a society and its military should conduct themselves—an appropriation of the strategic and feminist rape theories. This project seeks to

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6 Ibid, 7.
understand why a country deliberately would choose to eschew martial rape when it has proven itself a powerful and effective tool in ethnic and territorial conflicts.

Specifically, this paper will investigate why, despite having allegedly utilized martial rape in the 1948 War, Israeli forces have since avoided this war tactic. I will do so by conducting a within-case study of the Israeli-Palestinian conflict from 1948 to 2009. Historian Benny Morris found records for at least a dozen rapes of Palestinian women by Israeli forces in 1948, and he suggested that many more unreported cases might have occurred. Morris concluded that such rapes were meant to drive the Palestinians from their land and humiliate them into submission. Since then, however, historical records indicate that Israeli forces have avoided rape in their encounters with Palestinians. A handful of accounts have surfaced in recent years suggesting that Israeli forces have sexually assaulted Palestinian prisoners during interrogations, but Israel adamantly denies such claims and the evidence to date remains inconclusive.

Thus, it is clear that Israeli forces (the Irgun and Haganah, previously, and the Israel Defense Forces today) have not consistently applied martial rape throughout the conflict. What factors drove this change?

It appears that a confluence of factors—military, political, and social—may have contributed to this shift in behavior. In order to investigate this, this project examines

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five intense periods of kinetic fighting during the Israeli-Palestinian conflict: The 1948 War of Independence, 1967 Six Day War, the 1973 Yom Kippur War, the 1987-1993 First Intifada, and the 2000-2009 Second Intifada. It then explores the issue of whether war rape occurred, as well as the cultural, political, and military circumstances within Israel throughout these periods.

This project seeks to fill a gap in the existing literature on war rape; that is, why it is not used when it may actually be strategically valuable. This provides critical insight into the problem by viewing the issue from the perspective of a country that has changed its behavior and found alternate tactics to support its strategic goals.

The value of this project is twofold. First, it may provide insight into how the international community can more effectively deter and prevent war rape. Rather than simply aiming to penalize war rape—which, granted, is an important deterrent—policymakers should be asking how they may be able to shift cultural attitudes and incentives to create a more organic taboo against martial rape.

Second, the literature examining the overlap between feminist international relations and security studies is sparse, albeit growing. This project seeks to contribute to this ongoing and critically important dialogue by giving voice to feminist perspectives of war and gendered violence. The security of women is not a niche issue, and this project deliberately aims to avoid portraying women solely as passive victims of war. It is important to understand how they shape the cultural, political, and military landscape to influence how war is conducted.
The paper will proceed as follows: Section I discusses the project’s methodology and limitations. Section II examines the theoretical literature on martial rape, while also providing key examples of the strategic use of war rape in the twentieth century. Section III outlines the historical underpinnings of the Israeli-Palestinian conflict, as well as the evidence that martial rape did or did not occur during the periods outlined above. Section IV establishes hypotheses, while Section V tests them against the data. Finally, Section VI offers conclusions and policy recommendations based on the analysis.

**SECTION I: METHODOLOGY**

This project is a qualitative within-case study of the Israeli-Palestinian conflict from 1948 to 2009 that compares the incidence of war rape by Israeli forces (Irgun/Haganah and IDF) across time, as well as the cultural, political, and military factors that may have influenced its presence or absence. The periods I study include the 1948 War of Independence, the 1967 Six Day War, the 1973 Yom Kippur War, the 1987-1993 First Intifada, and the 2000-2009 Second Intifada (to include the Gaza War of 2008-2009).

I focus solely on the use (or not) of rape by Israeli forces on the Palestinians. I made this decision largely because evidence suggests that Palestinian society has been more permissive of rape than Israel (which views rape as a criminal offense).\(^{12}\) Human Rights Watch indicates that rape by Arab men against Arab women is pervasive in the

Occupied Territories, and there have been reports of Palestinian men attempting to rape Western peace activists in the West Bank and Gaza. Because of this ongoing use of rape, it is likely that Israel’s decision not to use rape systematically is not based on a tacit agreement with the Palestinians that this behavior is off-limits.

This project does not quantify the incidence of rape during the conflict periods as defined, as the goal is not to determine how much rape occurred. Instead, it understands war rape as rape conducted by military forces under an intended tactical or strategic goal with either implicit or explicit leadership approval, allowing me to distinguish this incidence from isolated incidents of misconduct. Thus, I make a qualitative judgment, based on this definition, as to whether war rape occurred. I seek to answer a simple “yes-or-no” question regarding war rape, as opposed to piecing together data to illustrate “how much.” The focus of this project is to answer the question “why.”

This project mobilizes both the feminist and strategic theories of rape, drawing primarily from Susan Brownmiller’s *Against Our Will*, which argues that war rape serves as an effective vehicle for dominance and power. This project posits that constructs of gender and the roles women and men play in relation to each other influence the incidence of rape. Thus, this work serves as an interdisciplinary survey of war rape and gender relations over the course of the Israeli-Palestinian conflict. It combines political science, historical, sociological, and psychological research to create a nuanced picture of martial rape in Israel.

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13 Ibid.
I explore five aspects of the conflict over the periods I analyze. First, was rape used during the period of fighting in question? Second, why was it used or what strategic purpose did it serve? Third, I evaluate the political and cultural roles of Israeli women and men over the 1948 to 2009 period to understand why Palestinian women did or did not become targets of sexualized violence. How have these roles influenced gender relations to render rape an acceptable or taboo behavior? Fourth, I examine the ongoing professionalization and refinement of Israeli military forces over the duration of my study. Fifth, I explore other political developments that may have deterred war rape, such as Israeli legal norms against criminal and war rape alike.

I accumulated research through a variety of primary and secondary sources. I used firsthand written accounts (such as Adam Horowitz’s interview with former IDF soldier Ammon Neumann) to gather information about both war rape itself as well as the subtle cultural cues that may offer insight into the sociocultural dynamics at play. Other primary sources included newspaper articles from Israeli and international news sources to shed light on specific incidents of violence, and political documents and agreements from pre- and post-independence Israel.

Secondary sources included reports from reputable NGO’s and IGO’s, such as B’Tselem, an Israeli human rights organization. B’Tselem provided statistics on civilian deaths and other human rights violations committed over the duration of the Israeli-Palestinian conflict. The United Nations Office on Drugs and Crime also provided critical comparative data on rape prevalence worldwide.
I heavily consulted academic work by historians and political scientists in the writing of this paper. Military histories were important sources of information about the professionalization of the Israeli military. Such works included Amir Bar-Or’s “The Evolution of the Army’s Role in Israeli Strategic Planning: A Documentary Record.” Benny Morris’ historical surveys of the Israeli-Palestinian conflict provided a starting point for answering the question of whether or not war rape occurred.

Political science, psychology, and women’s studies works on gender identity and women’s political participation in Israel over the years helped illuminate gender relations and cultural attitudes toward rape. Such works included Donald Dutton’s *The Psychology of Genocide, Massacres, and Extreme Violence*, as well as work by Frances Hosso. Finally, feminist and academic discussions of the legal prosecution of rape in Israel highlighted Israel’s treatment of rape as a crime. Mimi Ajzenstadt and Odeda Steinberg’s work on rape discourse in Israel proved particularly informative. The *Journal of Palestinian Studies* provided extensive information in all of the fields outlined above, and granted access to a number of the primary and secondary sources that I consulted.

This project is not without its caveats. It is primarily bounded by the simple fact that victims do not always report rape. I can only draw conclusions insofar as a significant number of rape reports are ascertained and substantiated. Thus, it is possible that rape continues to be widespread in the Occupied Territories, yet remains swept under the rug by both Israeli and Palestinian authorities. However, given the presence of NGO’s and the international scrutiny afforded to the conflict, it seems unlikely that
external authorities or humanitarian workers would neither notice nor report mass war rape.

Another limiting factor throughout this project is that, for the sake of analytical clarity, I treat Israeli forces as a homogenous, unitary actor. However, Israel as a state is highly heterogeneous, with varying degrees of political and/or religious liberalism and conservatism. These variations are surely reflected in Israel’s military forces due to Israel’s conscription laws. This necessarily limits my ability to declare with certainty that all Israeli forces or all of Israeli society views martial rape, gender roles, and rape law the same way. Rather, this project reflects the current dominant views held by Israel as a whole based on evidence. Unfortunately, I had to sacrifice some nuance to develop my larger conclusions.

A final caveat is that, as with many culture-based security studies, the factors analyzed are unique to Israel, and the conclusions may not apply to all armed conflicts where martial rape is absent. Thus, the project does not attempt to assert that these factors universally deter martial rape. Instead, it aims to develop a toolkit and analytical framework policymakers may use in attempting to cope with conflicts characterized by rape.

SECTION II: LITERATURE REVIEW

The literature on war rape, as well as rape as a general phenomenon, is varied, and scholars espouse several different theories as to its origins and intentions. In his article “Explaining Wartime Rape,” Jonathan Gottschall outlines the four prevailing
theories and evaluates their validity across multiple cases of war rape. Though he is somewhat critical of the strategic and feminist theories of war rape, these two theories serve as the foundation of this paper.

Gottschall first examines the feminist theory of war rape. The feminist theory of wartime rape posits that men use rape as a tool to exert dominance over women, and it arises out of a socially fundamental and deeply-ingrained misogyny. The pressures of war and violence encourage men to “vent” this misogyny by systematically violating women. Gottschall, however, does not believe that the feminist perspective fits the data; he argues that such a theory would hold only in patriarchal cultures, yet wartime rape has been seen across time in a variety of societies (patriarchal, matriarchal, and egalitarian alike). This assessment is problematic in that it does not accurately capture what feminist theory deems a patriarchy. Gottschall seems to believe that patriarchy solely describes a “head of household” model, wherein family lineage follows through the male bloodline. However, patriarchy, as feminist scholars understand it, implies a societal structure that affords men privileges beyond those afforded to women. Such privileges may manifest themselves as political or decision-making power, or they may occur in subtler ways (e.g. preferential treatment of men in other areas of communal life). More importantly, in a patriarchal society men exploit women’s labor as caregivers, homemakers, and so forth. Even if a society is not patriarchal, some feminists suggest that simple physiology and biology ensure that women can never truly dominate a culture. This is the view Susan Brownmiller espouses in her seminal work,

15 Ibid.
Against Our Will: Men, Women and Rape (to be discussed further below). However, such a theory is also problematic in that, though it is a rarer phenomenon, women are also capable of raping men.

Another theory Gottschall discusses, the strategic rape theory, has received much attention in recent years. This theory, advanced by Beverly Allen, Sultana Kamal, Roland Littlewood, Dorothy Thomas, and Ralph Regan (amongst others), maintains that rape is yet another tool of war, similar to guns, bombs, and the myriad other weapons deployed in conflict.\footnote{16} Gottschall writes that rape achieves strategic significance by “spreading debilitating terror, diminishing the resistance of civilians, and demoralizing, humiliating, and emasculating enemy soldiers who are thereby shown to have failed in their most elemental protective duties.”\footnote{17} Furthermore, wartime rape can severely influence the targeted society by directly interfering with its longevity; that is, wartime rape interrupts a society’s reproductive process by fundamentally altering women’s relationships with men. Rape can result in a victim’s pregnancy, death, or sterility. In some cultures, women who are raped may be ostracized from their community. Thus, there is a genocidal aspect to strategic rape, in addition to what Donald Dutton terms the fulfillment of “an ultimate expression of sexualized power.”\footnote{18}

Gottschall also takes issue with strategic rape, insisting that there is little reason to believe that militaries undertake martial rape intending to inflict such injuries on their victims. He expresses concern that cause may be confused with consequence.

\footnote{16} Ibid.  
\footnote{17} Ibid.  
Furthermore, he notes that rape may have the effect of enraging a targeted population, galvanizing resistance rather than crushing it, and rendering rape strategically unsound.\textsuperscript{19} However, Gottschall’s assertion that militaries may not consider the consequences of rape when undertaking it is not substantiated by fact and is mere speculation. If anything, his accounts of those countries that found martial rape strategically counterproductive (in that it did not work the way they intended it to) suggests that some strategic thought actually went into the decision to use martial rape at the outset.\textsuperscript{20} The decision to employ any number of weapons in war can have undesired and counterproductive consequences; does this make such a choice any less based on strategic considerations?

The third theory Gottschall explores is the cultural pathology theory, which “peer[s] back into a nation’s history and see[s] what developmental factors conspired to cause its men to descend into the vilest barbarism.”\textsuperscript{21} Gottschall points to Iris Chang’s discussion of the rape of Nanking as a case study illustrating this theory. Chang suggests that Japanese culture during World War II was intensely militarized, and bred contempt for women more generally.\textsuperscript{22} Other studies by Madeline Morris and Catharine MacKinnon suggest militarized cultures lead men to feel “entitled to rape” as a spoil of war.\textsuperscript{23} Gottschall rightly points out that this theory holds little explanatory power for wartime rape. Implicit in cultural pathology theory is the idea that something

\textsuperscript{19} Gottschall, “Explaining Wartime Rape,” 132.
\textsuperscript{20} Ibid.
\textsuperscript{21} Ibid, 131.
\textsuperscript{22} Ibid.
\textsuperscript{23} Ibid.
is “wrong” with the society that perpetrates wartime rape. Yet wartime rape has been committed across cultures lacking any sort of “pathology,” including American society. This theory is unnecessarily reductive and ethnocentric.

The final theory Gottschall advances, and the one to which he ascribes most explanatory power, is the biosocial theory. Biosocial theory, as espoused by Michael Ghiglieri, Randy Thornhill, and Craig Palmer, suggests that men possess an inherent genetic drive to rape under wartime conditions, but that the urge is moderated by cultural norms and expectations.\textsuperscript{24} Gottschall argues that this is the only theory that explains why wartime rape has occurred across vastly different cultures and throughout history. However, like the cultural pathology theory, biosocial theory is reductive and deprives individuals of agency and choice. It implies that most men would be rapists if they did not fear reproach post-war. Moreover, it selectively ignores counterexamples of men committing wartime rape in spite of strong cultural taboos against it (the case of American soldiers in Vietnam being one example).

The feminist and strategic theories seem to hold the most explanatory power for the purposes of this project. Feminist theory suggests that rape’s power lies in its ability to subjugate women and effectively alienate them from their communities. Strategic rape theory, in turn, mobilizes this idea deliberately as a tool of war.

Susan Brownmiller examines this intersection at length in Against Our Will, the anchor text for this project’s analysis. She writes, “Rape is more than a symptom of war or evidence of its violent excess…War provides men with the perfect psychologic

\textsuperscript{24} Ibid, 134.
backdrop to give vent to their contempt for women.” While she seems also to posit that strategic consideration need not drive war rape, she does not rule it out as a potential motivator. Instead, she suggests that the primary instigator of rape is misogyny, backed by the tactical and strategic significance of rape as a weapon of war.

To illustrate her point, Brownmiller summarizes incidences of war rape throughout the twentieth century, ranging from the Nazis’ systematic rape of Jewish women in World War II to the rape of Bengali women during the Indo-Pakistani clash over Bangladesh. For each case, she outlines the cultural misogynistic influences that drove the rape, as well as the strategic uses and consequences. While her model deals primarily with more conventional conflict, it is useful in understanding the interlocking roles of culture and strategy in a variety of militarized settings. She proves this by applying the same analysis to irregular conflicts, such as violence against Belgians in the Congo in the 1960s.

Joshua Goldstein, in War and Gender: How Gender Shapes the War System and Vice Versa, delves deeper than Brownmiller into the cultural roots of misogyny and gendered violence in war. Informed by Brownmiller’s work, as well as the widespread reports in the 1990s discussing rape in Bosnia and Rwanda, Goldstein seeks to contextualize male aggression and female subservience within war. Goldstein’s work

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26 Ibid, 37.
27 Ibid, 40-113.
28 Ibid, 132.
also stands in stark contrast to Gottschall’s skepticism toward the feminist theory of rape. He argues that patriarchal culture is, in fact, nearly universal, with men “exploit[ing] women’s work, with and without pay—including sex work.”

Goldstein enumerates three hypotheses linking gender roles and power dynamics—namely, the dominance of men and submission of women—in wartime settings. First, he argues that male aggression, a key feature of warfare, manifests itself in sexual aggression against women during times of conflict. He suggests that war heightens this aggression by removing men from their society’s norms and taboos. On its face, this hypothesis seems similar to the cultural pathology theory. However, Goldstein argues that this removal from society should not be understood as a cause of war rape, but a necessary condition that permits war rape.

Goldstein’s second hypothesis is that war depends on each side “feminizing” the enemy. He quotes Chris Hables Gray, “In war’s coding, the inferior and hated enemy is feminine.” Thus, pursuing martial rape intends to emasculate the enemy and assert dominance over their property (their women). Rape serves as a physical and immediate manifestation of the larger goal to force a targeted population into submission. “Rape is a crime of domination,” writes Goldstein, “and war has everything to do with domination.” If we believe this hypothesis to be true, it would make sense for a

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30 Ibid, 333.
31 Ibid, 334.
32 Ibid, 356.
33 Ibid, 363.
military to deliberately include rape amongst its arsenal of weapons intended to destroy
the enemy.

Following this, Goldstein’s third hypothesis suggests that rape is a valuable way
to “keep women in their place” and exploit their labor. This means that rape serves to
keep women off the frontlines of conflict, and forces them to maintain their domestic
roles in their society. This allows production of goods and services to continue, and
ensures that resources remain for pillaging. This hypothesis is questionable. While it
makes sense that an aggressor would want to ensure the continued production of the
spoils of war, it seems less likely that rape is what keeps women off the frontlines in
these conflicts. Their own indigenous cultural roles, imposed on them by their own
men, are more likely to influence this status quo. In short, a military does not need to
rape enemy women to force them into domestic labor.

Overall, the works of Goldstein, Brownmiller, and Gottschall point to an
intricate landscape influencing the presence and utility of martial rape. The literature
effectively summarizes why it may be strategically useful, while discussing the
underlying sociocultural cues that make it an available tool in the first place. Yet none
of these scholars discuss at length why a community would choose to eschew such a
powerful weapon of war, let alone why any community, having found rape useful at one
point in the conflict, would turn its back on the tactic later.

To understand further the strategic use of war rape and illuminate its utility in
ethnic and territorial conflict, it is helpful to explore some key cases where it has been

34 Ibid, 380.
used. The Bosnian conflict in the 1990s, one of the first cases of mass wartime rape to gain widespread international attention and condemnation, offers an excellent starting point.

Following the dissolution of Yugoslavia in 1991, intense fighting broke out between the Serbs and Muslim Bosniaks over the future of Bosnia-Herzegovina. Almost immediately, reports of widespread rape began to trickle into the international media. However, it was not until 1993 that the United Nations organized an International Tribunal to investigate the situation. At that point, three major facts had come to light. First, an estimated 20,000 rapes had occurred, primarily by Serbian men against Bosniak women. Second, rape had been used as a deliberate strategy to terrorize the Bosniak population into fleeing their homes (which the Serbs subsequently occupied). Third, Serbs targeted Bosniak women of reproductive age in an effort to impregnate them and slowly break down their community’s ethnic lineage.

Italian journalist Giuseppe Zaccaria uncovered some of the Serbs’ internal strategy documents and letters, and found that the documents explicitly condoned “the practice of genocidal rape” as an effective tool of ethnic cleansing. The results of the UN International Tribunal provided further damning evidence of the Serbs’ strategy: Approximately 80% of reported rapes occurred while women were held in custody, and

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36 Ibid.
37 Ibid.
39 Ibid, 34.
90% of the victims had been Bosniak women.\textsuperscript{40} Soldiers, paramilitary groups, camp guards, and even Serbian civilians had committed these rapes.\textsuperscript{41} Confirming the deliberate and organized nature of the rape, a rapist told a victim: “We have to do it, because our commanders ordered it.”\textsuperscript{42}

The ongoing conflict between India and Pakistan over Kashmir illustrates another strategic use of rape: To discourage a disputed population from supporting the other side.\textsuperscript{43} In brief, the Kashmir conflict began in 1947, when newly-independent states India and Pakistan both claimed the region of Kashmir for themselves (despite Kashmir having been autonomous prior to 1947).\textsuperscript{44} Kinetic fighting between India and Pakistan broke out in 1947 and 1965. Today, the conflict largely consists of a Pakistani-backed insurgency by the Kashmiris against occupying Indian troops.\textsuperscript{45} A variety of human rights abuses occur in Kashmir, including executions of detainees, civilian targeting, and martial rape.\textsuperscript{46}

The systematic gang rape of at least 23 women in Kunan Poshpora in 1991 stands amongst the most egregious and well-known instances of martial rape in Kashmir. Indian troops allegedly raped the women at gunpoint, some of whom were gravely injured or suffered severe emotional consequences as a result.\textsuperscript{47} Moreover, due

\textsuperscript{40} Ibid, 35.  
\textsuperscript{41} Ibid.  
\textsuperscript{42} \textit{Die Welt}, October 1, 1992, as quoted in Frederick, \textit{Rape: Weapon of Terror}, 37.  
\textsuperscript{43} Frederick, \textit{Rape: Weapon of Terror}, 61.  
\textsuperscript{44} Ibid, 58.  
\textsuperscript{45} Ibid, 59.  
\textsuperscript{46} Ibid, 60.  
\textsuperscript{47} Ibid, 60-61: “Two of the raped women, one with children, had committed suicide. One, nine months pregnant when raped, delivered a baby whose left arm was fractured; another pregnant women [sic] delivered a stillborn.”
to Kashmiri cultural views on rape, many of these women were abandoned by their families and husbands; single women at the time of the rape remained single.\textsuperscript{48} Not only did this assault aim to deter these women from aiding the insurgency, but it also disrupted the very fabric of the village and its reproductive longevity.

The Indian military’s use of rape also serves to humiliate families and communities by emasculating Kashmiri men. They remove men from their homes before raping their wives and daughters,\textsuperscript{49} and punish those men who attempt to help. Indian troops arrested, detained, and tortured a Kashmiri surgeon who had arranged for a gynecologist to treat women who had been raped during a wedding that Indian forces had disrupted.\textsuperscript{50} Again, we see that martial rape intended to create chaos and upheaval in a community, interrupting a sacred event and humiliating Kashmiri men by demonstrating that they cannot intervene to save these women.

There exist many other cases of martial rape in conflict worldwide and throughout history, and it is beyond the scope of this review to summarize all of them. Rather, the Bosnian and Kashmiri cases serve as exemplars of the strategic use of rape. In addition, these conflicts bear some similarities to the Israeli-Palestinian conflicts (e.g., the disputes are territorial and ethnic in nature, with the disadvantaged or contested population being Muslim).

While the catalysts and uses of martial rape are well-explored and debated within the policy community, very little attention is offered to explain why wartime

\textsuperscript{48} Ibid, 61.
\textsuperscript{49} Ibid, 63.
\textsuperscript{50} Ibid.
rape is sometimes absent. Indeed, the armed groups in Bosnia and Kashmir found rape to be exceedingly useful in manipulating and coercing civilians, and these lessons learned (despite their atrocious nature) indicate that war rape is a valid weapon. But why would an armed group, given similar circumstances, avoid martial rape?

A controversial 2007 dissertation by a Hebrew University doctoral student has suggested that rape avoidance by Israeli forces serves to de-humanize and “other” Palestinian women by implying that Palestinians are undeserving even of sexual violence.\(^{51}\) Though this may be an important consideration in this project, it seems too simplistic and does not take into account the political and military factors that may also influence the Israeli forces’ actions. Elisabeth Jean Woods, however, offers a more nuanced analysis of why wartime rape is not inevitable. In “Armed Groups and Sexual Violence: When is Wartime Rape Rare?”, Woods argues that the norms within an armed group or military determine how sexual violence is or is not used in conflict. She suggests that the strict enforcement of regulations against wartime rape by an organization’s leadership may provide a powerful incentive to refrain from its use, or that the ideological underpinnings of a less-organized group may prohibit rape.\(^ {52}\) While this hypothesis will be explored in this paper, it leaves out some critical data points: Where do these internal norms against rape originate, and what external forces from society (both domestic and international) exert pressure on armed groups in conflict?


\(^{52}\) Elisabeth Jean Woods, “Armed Groups and Sexual Violence: When is Wartime Rape Rare?” \textit{Politics & Society} 37, no. 1, 152-153.
SECTION III: RAPE DURING THE ISRAELI-PALESTINIAN CONFLICT

The Israeli-Palestinian conflict is but a portion of the larger Arab-Israeli conflict that has raged throughout the twentieth and twenty-first centuries. It is a deeply complex conflict with a disorienting history of colonialism, partition, and competing claims of ownership. This project cannot fully outline the timeline of the conflict, but what follows is a brief overview of the broad contours of Israeli and Palestinian history over the past six decades. In short, the Israeli-Palestinian conflict serves as the quintessential ethnic and territorial conflict: Two competing ethnic and religious populations fight to inhabit a land they historically have viewed as uniquely theirs, despite years of colonial rule and Great Power meddling.

Previously controlled by the Ottoman Empire in the late nineteenth and early twentieth centuries, Palestine fell under the British Mandate established after World War I and the fall of the Ottoman Empire. This transition from Ottoman to British rule, however, was not without its difficulties and opposition. By this point, a number of Jewish immigrants had already begun to inhabit Palestine as a result of persecution in Europe and Russia, and tensions already existed over land ownership and Palestine’s sovereignty. Arabs vigorously protested further Jewish immigration, and violence frequently broke out between Arab Palestinians and Jewish settlers. Notable outbursts

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54 Morris, 1948, 14.
55 Ibid.
56 Ibid, 15.
of violence during this period include the 1920 Palestine riots and 1921 Jaffa riots, which gave rise to the Haganah, the precursor to the Israel Defense Forces (IDF).\(^{57}\)

Britain poorly attempted to manage this conflict by essentially promising that Palestine could serve as a “Jewish national home”\(^{58}\) while also advocating Arab self-determination under the 1922 British Mandate.\(^{59}\) Thereafter, several attempts were made at partition and limiting Jewish immigration, but both Arabs and Jews resisted such plans.\(^{60}\) During this time, the Irgun—an extremist militia force—broke off from the Haganah and began to conduct “reprisals” against Arab villages in retaliation for Arab attacks on Jews. The Irgun would continue this role until the end of the 1948 conflict, when it was absorbed into the IDF.\(^{61}\)

Britain again attempted to mitigate the simmering territorial conflict by issuing the 1939 White Paper.\(^{62}\) In effect, this document stated that Palestine served as a sufficient “national home” for Jewish settlers, but should not be deemed solely a Jewish state. Rather, the White Paper called for joint Arab-Jewish rule of the territory.\(^{63}\)

In addition, the White Paper capped Jewish immigration at 75,000 people over five years, and restricted transfer of land from Arabs to Jews.\(^{64}\) While a diplomatic attempt at defusing the conflict, the White Paper could not have come at a more difficult time for European Jews. The outbreak of World War II and Adolf Hitler’s vicious

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57 Ibid, 11-12.
58 *The Palestine Mandate.*
59 Ibid.
60 Morris, 1948, 19.
61 Ibid.
63 Ibid.
64 Ibid.
persecution of Jews drove countless immigrants to flee to Palestine to escape brutality and death. Many of them illegally entered the country and began to settle on Arab lands, and tensions continued to mount.  

By 1946, both Jews and Arabs were fighting to expel the British in addition to waging their own internal conflict. The British, having grown weary of the Palestine problem, declared in 1947 that they would hand the Mandate over to the United Nations effective May 15, 1948. In turn, the United Nations established a partition plan, which the Jews accepted but the Arabs rejected. The partition plan led to intense fighting between the Palestinian Arabs and Jews from November 1947 to May 1948; this marked the beginning of the Israeli War of Independence. Despite the violence of 1947 and early 1948, Israel declared its independence in tandem with the expiration of the British Mandate on May 14, 1948. The IDF was formally established, bringing the Haganah, Irgun, and other Jewish military groups under one organization. Shortly thereafter, surrounding Arab states—Egypt, Syria, Lebanon, Transjordan, and others—entered the fray to destroy the inchoate state of Israel. After failing to defeat Israel, the Palestinians were left without a national home of their own and flooded Egypt, Syria, and Jordan to seek refuge. Since then, the Israeli-Palestinian war has been

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65 Ibid, 23.
66 Ibid, 29.
67 Ibid, 74.
68 Ibid.
69 Ibid, 77.
70 Ibid.
71 Ibid, 181.
sporadically fought through the Arab nations surrounding Israel and through insurgency by the Palestinians.

Instances of martial rape during the 1948 War mostly occurred during the period prior to Israel declaring its independence. This period, writes Benny Morrison, was characterized by “the complete destruction of Palestinian Arab military power and the shattering of Palestinian society.” The Irgun was responsible for the most brutal of assaults on Palestinian villages in an attempt to drive Arabs away from lands earmarked by the United Nations mandate for a Jewish state. The most well-known case highlighting the Irgun’s actions is that of Deir Yassin, an Arab village that lay just outside of Jerusalem (then under siege by Arab forces). Writes Morris:

The IZL [Irgun] and LHI [Lehi] troopers moved from house to house, lobbing in grenades and spraying the interiors with small arms fire. They blew up houses and sometimes cut down those fleeing into the alleyways including one or two families.

Later, reports of atrocities surfaced. Such actions, the Irgun and Lehi argued, had been the result of the casualties and resistance they had faced from the Palestinian Arab villagers. Jewish forces stood accused of killing unarmed civilians, summary executions, and the detention and killing of women and children. Lehi members came forward to report that the Irgun had “raped a number of girls and murdered them afterwards.” Assistant Inspector-General Richard Catling of the British Palestinian Police Force also reported these assaults in the aftermath, noting in his report that

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72 Ibid, 93.
73 Ibid, 118.
74 Ibid, 126.
75 Ibid, 127.
76 Ibid.
numerous women ranging from school-age to elderly had been raped and murdered during the Deir Yassin assault.\(^{77}\)

Morris argues that the case of Deir Yassin was representative of many Irgun assaults in the 1948 War, and that war rape was common in other attacks on Arab villages.\(^{78}\) For example, eyewitnesses reported instances of rape in Buyayr, as well.\(^{79}\) The actual number of rapes is difficult to ascertain, as the IDF has sealed its records on the matter—evidence that suggests rape may have been widespread.\(^{80}\) Frances Hosso writes that Deir Yassin became the turning point of the 1948 War, giving rise to the mass exodus of Palestinians from their homes and fundamentally altering the way Palestinian Arabs viewed themselves, their community, and their women.\(^{81}\) In short, fleeing an attack became a means to preserve honor and prevent the repetition of the Deir Yassin atrocities.

However, after Israel declared its independence and consolidated the IDF, reports of martial rape dropped off precipitously. Indeed, since then, few (if any) accusations of sexual assault have surfaced. Though plenty of ongoing debate exists about other human rights violations committed by Israel, rape has not been consistently found. Below, I outline the other periods of conflict I analyze in this paper while noting the absence of reports of martial rape.

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\(^{78}\) Shavit, “Survival of the Fittest?”.


\(^{80}\) Ibid.

**1967 Six Day War.** Several events precipitated the 1967 Six Day War, during which Israel decimated Egypt’s military and took control of the Sinai Peninsula, the Gaza Strip, the Golan Heights, and the West Bank.\(^8\) Border clashes pitting Israel against Syria and Jordan drove these Arab countries to call on Egypt for assistance in resisting Israel, and in 1966, Syria and Egypt signed a mutual defense pact.\(^3\)

Shortly thereafter, in May 1967, Egyptian President Gamal Abdel Nasser received intelligence from the Soviet Union that Israel had begun moving troops to the Syrian border (this intelligence later proved to be false).\(^4\) In response, Egypt flooded the Sinai Peninsula with its troops, expelled a UN Emergency Force, and closed the Straits of Tiran to Israeli shipping.\(^5\) On June 5, 1967, Israel made the decision to go to war with Egypt to open the Straits of Tiran and claim the Sinai Peninsula.\(^6\)

As implied by its name, the war did not last long. Within six days, Israel had pushed the Egyptians out of the Sinai Peninsula, and had successfully beaten back assaults from Jordan in the West Bank and Syria in the Golan Heights.\(^7\)

The 1967 War differs from the 1948 War in that Israel fought efficiently, quickly, and professionally. It was largely a pre-emptive war, as opposed to the offensive assaults of 1948 that forced Palestinian Arabs from their homes.\(^8\) To be sure,
Palestinian Arabs fled the violence (as many civilians would given the circumstances), but the 1967 Six Day War lacked the haphazard character of the 1948 War. Israeli forces generally avoided inflicting civilian casualties, and few reports of human rights violations surfaced. More importantly, no accounts of mass wartime rape have emerged.

**1973 Yom Kippur War.** The tenuous ceasefire that had emerged following the 1967 War did not last long. Following Nasser’s death in 1970, Anwar Sadat assumed the Egyptian Presidency, promising to reclaim the Sinai Peninsula from Israel. Egypt began to coordinate with Syria on military strikes (with Syria hoping to regain the Golan Heights), but failed to gain the cooperation of Jordan, who feared that further war would cause the permanent loss of the West Bank. 

Despite numerous intelligence reports, including one directly from Jordan, Israel declined to launch a pre-emptive strike against the mobilization of Syrian and Egyptian troops. On October 6, 1973 (Yom Kippur), Egypt and Syria launched attacks on Israel. Because Israel had failed to adequately prepare for such strikes and had not believed the Egyptian-Syrian threat to be credible, it suffered initial losses and struggled to reclaim the upper hand. Thus, the war was not as concise as the 1967 War; it ended on October 25, 1973 with all sides agreeing to a ceasefire. Israel would eventually cede

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89 Hosso, “Modernity and Gender,” 494.
the Sinai Peninsula to Egypt in exchange for recognition with the Camp David Accords, but to this day, Israel continues to occupy the Golan Heights.\footnote{Ibid.}

Like the 1967 War, Israel’s behavior during the Yom Kippur War was organized, professional, and generally avoided civilian casualties as policy. Israel accused Syria of committing atrocities against Israeli forces, but little evidence pointed to similar behavior by Israel.\footnote{Statement in the Knesset on the treatment of Israeli prisoners of war in Syria by Defence Minister Peres and Knesset Resolution, June 12, 1974, available at \url{http://www.mfa.gov.il/MFA/Foreign+Relations/Israel+Foreign+Relations+since+1947/1974-1977/5+Statement+in+the+Knesset+on+the+treatment+of+Israeli+Prisoner+of+War+in+Syria.htm}.}

**The First Intifada.** The First Intifada was a Palestinian uprising lasting from 1987 to 1993, and marked one of the first major efforts by Palestinians to resist Israel independent of their Arab neighbors.\footnote{Neve Gordon, “Chronology of the Occupation: 1987,” Israel’s Occupation, available at \url{http://www.israelsoccupation.info}.} By the 1980s, the Palestinians had grown to resent what they viewed as a brutal occupation by Israel, and Egypt and Jordan had grown weary of fighting for the Palestinian cause.\footnote{Eitan Y. Alimi, et. al., “Knowing Your Adversary: Israeli Structure of Political Opportunity and the Inception of the Palestinian Intifada,” \textit{Sociological Forum} 21, no. 4 (December 2006), 549.}

Scholars argue that the immediate catalyst of the First Intifada was the traffic collision of an Israeli tank with a vehicle of Palestinian refugees traveling from the Jabalya camp in the Gaza Strip.\footnote{Gordon, “Chronology of the Occupation: 1987.”} Exacerbating factors include the demolition of Palestinian homes to make room for Israeli settlers, the deportation of Palestinians,
economic policies that kept the Occupied Territories impoverished, mass detentions, and other inflammatory incidents.\(^\text{98}\)

While some aspects of the Intifada could be classified as non-violent protest, other aspects focused on inflicting harm on Israeli forces and civilians alike. It has also been reported that intra-Palestinian violence was rampant, with protestors killing suspected collaborators.\(^\text{99}\) Israel responded to the uprising with brutal force, killing many Palestinian civilians (including women and children), limiting movement, committing extrajudicial executions, and continuing the policies that had given rise to the Palestinians’ unrest. The international community condemned the abuses of the Israeli forces and their overwhelming use of violence.\(^\text{100}\) Human rights groups condemned Israel’s systematic denial of justice, economic integration, and self-determination to the Palestinian people. In spite of the egregious abuses and violence documented, no reports of mass rape surfaced.\(^\text{101}\)

**The Second Intifada.** The causes of the Second Intifada, beginning in September 2000, remain unclear. Some attribute the uprising to the failure of the peace summit at Camp David in July 2000,\(^\text{102}\) some believe that Israeli settlement in the Occupied Territories was a major contributor,\(^\text{103}\) and others suggest Israeli Prime Minister Ariel Sharon’s visit to the Temple Mount/Al-Aqsa Mosque catalyzed the

\(^{98}\) Alimi, “Knowing Your Adversary,” 538.


\(^{101}\) B’Tselem does not report any rapes during this time period.


\(^{103}\) Ibid.
event. The end date of the Second Intifada is disputed, as well. Sever Plocker suggests that the Intifada ended in 2004 with the death of Yasser Arafat (which cost the Palestinians a unifying figure), while continuing violence suggests that perhaps the Intifada still rages. For the purposes of this paper, I analyze the Second Intifada until the end of the 2008-2009 Gaza War.

Israeli forces and civilians clashed with Palestinians—and now Hamas—to varying degrees throughout the Second Intifada. Riots, executions, and lynchings occurred on both sides of the conflict. Hamas launched military ordnance from the Gaza Strip into Israel. Israel imposed highly draconian measures around the Occupied Territories in an attempt to restore order: Curfews and checkpoints became de rigueur for Palestinians attempting to move from the Occupied Territories to Israel and vice versa. Such checkpoints and restrictions hampered international efforts to deliver humanitarian aid to the Palestinian population, and human rights organizations condemned Israel’s brutal crackdown against the Palestinian uprising.

Human rights violations were routine during the Second Intifada. Two particular incidents have stood as exemplars of Israeli abuse of power and the targeting of civilians: The Battle of Jenin and the Gaza War of 2008-2009. In 2002, the IDF attacked the Jenin refugee camp in an attempt to root out Palestinian militants accused

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104 Ibid.
107 Ibid.
of launching terrorist attacks on Israeli civilians. During this assault, Palestinian civilians reported the destruction of their homes by Israeli missiles and bombs, and the IDF imposed a strict curfew—enforced by lethal force—to limit movement. Those Palestinians attempting to flee the camp were detained, forced to return to their homes, or shot. Israeli forces also commandeered Palestinian homes to serve as military outposts during the battle. Human Rights Watch argues that, though the Battle of Jenin could not be classified as a massacre, it still displayed the egregious flouting of human rights norms and protection of civilians in conflict.

The Gaza War began on December 27, 2008 and lasted for three weeks, during which Israeli forces launched air strikes and a ground invasion in the Gaza Strip to counter rocket fire and mortaring led by Hamas. Hostilities continued until January 18, when, concerned by the growing number of casualties, Israel declared a unilateral ceasefire. Hamas followed suit shortly thereafter. During the war, Israel targeted infrastructure (including schools, hospitals, public buildings, police stations, water sanitation plants, etc.), and Hamas continuously fired rockets into Southern Israel.

An official United Nations report, the controversial Goldstone Report, argues that both Israel and Hamas committed major human rights violations during the Gaza

110 Ibid.
111 Ibid.
112 Ibid.
113 Ibid.
114 Ibid.
116 Ibid.
117 Ibid.
War. The report accuses Israel of using disproportionate force against the people of Gaza, and further argues that the blockade of Gaza—hampering Gaza’s economy and limiting its access to aid—precipitated the war and amounted to punishment of an entire community. At the same time, the report condemns Hamas’ indiscriminate use of rocket fire and targeting of Israeli civilians. The report found that around 1,400 civilians were killed during the war. Though Israel denounced the Goldstone Report as biased, other human rights organizations (including B’Tselem) have confirmed its findings. Recently, Goldstone penned an op-ed for the Washington Post partly rescinding some of the report’s findings; specifically, that Israel adopted a policy of targeting civilians. However, Human Rights Watch’s Kenneth Roth points out that Goldstone did not retract all statements of potential human rights violations by Israel. Questionable Israeli actions included “indiscriminate use of heavy artillery and white phosphorus in densely populated areas, [and] massive and deliberate destruction of civilian buildings and infrastructure without a lawful military reason.”

Over the past 11 years, since September 29, 2000, B’Tselem has documented well over 6,000 Palestinian deaths at the hands of Israeli forces. Human rights

120 Ibid.
121 Ibid.
122 Goldstone, Human Rights in Palestine, 10.
123 See B’Tselem’s report, Guidelines for Israel’s Investigation into Operation Cast Lead, for the organization’s documentation of human rights violations.
organizations have roundly condemned both Israel and the Palestinians for targeting and harming unarmed civilians and using illegal detention tactics. Yet not a single report accuses Israel of perpetrating rape against Palestinian women. Either no women are reporting these events, or they have been noticeably rare or absent during the Second Intifada.

In light of the conflicts discussed above—the Six Day War, the Yom Kippur War, and the First and Second Intifadas—it is reasonable to ask why Israel would cease to use rape to achieve its war objectives. In 1948, rape terrorized the population and helped to force the Palestinians from the land Israel hoped to claim for itself. It weakened the will and broke opposition, and instilled fear in Palestinian civilians. Why would Israel eschew this tactic later on for ostensibly the same strategic goal of entrenching its claim to the territory and to quash a Palestinian uprising? Why would Israel discontinue this human rights violation while continuing other questionable practices?

**SECTION IV: HYPOTHESES**

The literature review and background information outlined above suggest that those same cultural factors that make rape a useful strategic tool can similarly deter rape. The following hypotheses seek to apply these ideas to the case of non-rape:

**H₁**: Israeli forces have professionalized since 1948 to match their strategic goals, leading to an organizational taboo against rape as a weapon of war.
**H₂**: The relationship between the masculine and feminine in the public and private spheres, especially the military, influences whether rape is an acceptable tactic.

**H₃**: Legal considerations, such as the prevalence and treatment of criminal rape, deter its use in the Occupied Territories.

I test these hypotheses by examining literature pertinent to each, and identifying trends over time (e.g., levels of political participation for H₂, the history of military professionalization for H₁, etc.) and align them with the time periods of each conflict explored.

**SECTION V: ANALYSIS OF THE CASE**

The analysis that follows suggests that H₂ and H₃ are difficult hypotheses to substantiate. However, the professionalization of Israeli military forces stands as an empirically clear, fundamental factor altering the way Israel has conducted war. The other sociological factors are more difficult to describe and generalize across Israeli culture, and have vacillated unpredictably over time. Moreover, it is difficult to measure the impact culture and gender constructs have on any given society; these are abstract ideas and are generally not falsifiable. Military professionalization represents a real, concrete change in the way Israel viewed itself and conducted its business. It served as tangible representation of Israel’s shift from a community-in-exile to a nation-state.

**H₁: Military Professionalization.** In the run-up to the 1948 War, the *yishuv* relied upon the Haganah and paramilitary splinter groups (Irgun and Lehi) for
security. Because Israel was not yet an independent state and still technically fell under British control and security forces, they served as a “semi-illegal underground militia.” This designation necessarily restricted the size and scope of the Haganah and its related groups; officers could not receive extensive military education and the troops were not yet equipped to function in a conventional conflict. The Haganah primarily existed to protect Jewish settlements in Palestine and to provide a buffer against Arab aggression until British forces could intervene.130

David Ben-Gurion, then the Chairman of the Jewish Executive Agency (the Jewish body of authority pre-independence), correctly predicted that Arab countries—not just Palestinian Arabs—would retaliate against Israel’s declaration of independence. He wrote on June 18, 1947:

We have been confronted, not only with plots and disturbances by the local Arab leadership, but also by hostile aggression by leaders of the Arab countries, and we need to prepare ourselves to counter this front with all seriousness and urgency.132

Ben-Gurion knew that once the British Mandate expired, British forces would not stand up against foreign Arab intervention; the Haganah would carry the burden of defending the new state of Israel. He also noted that the Haganah/Irgun, in its pre-1948 incarnation, was not up to the task: “We need to greatly improve its training, its

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129 Ibid.
131 Ibid, 98.
133 Ibid.
discipline, its planning, its Zionist and military education, its functioning ability, and its striking power.”

In other words, the Haganah needed to transform from a haphazard band of Jewish settlers to a fully operational military force with both defensive and offensive capabilities to ward off conventional and insurgent threats alike.

Ben-Gurion, along with his key military advisors, succeeded in transitioning the various Jewish militias into a professional military force by the time the Israeli-Palestinian civil war of 1947-48 had ended. On May 29, 1948, two weeks after Israel declared its independence, Ben-Gurion announced the creation of the Israel Defense Forces (IDF) and dissolved the Haganah. Israel designated the Irgun a terrorist organization and many of its members joined the IDF. The announcement came just in time for the invasion of Arab forces.

The beginning of Israel’s so-called War of Independence marked the end of the irregular and low-intensity conflict that had characterized much of its pre-state existence. Until the First Intifada, Israel primarily fought conventional conflicts with neighboring states: Egypt, Syria, and Jordan. Thus, its newly-professional military focused less on pushing Palestinian Arabs out of desired lands and retaliating against Palestinian Arab aggression (a campaign known as Plan D, and of which Deir Yassin was a critical part), and more on defending its territory from airstrikes and ground forces.

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134 Ibid, 108.
136 Ibid.
By necessity, this focus limited the IDF’s direct engagement with civilians—they and their property were no longer the targets. Additionally, the training and indoctrination necessary to form a cohesive, effective military force minimized the likelihood of paramilitary organizations (like the Irgun) breaking off to conduct independent and ethically-dubious raids. A consistent chain of command, a necessary component of a professional military, also ensured accountability. By the time the IDF transitioned back to internal conflict during the First and Second Intifadas, the norms of behavior and moral authority afforded to the military by the Israeli public had essentially removed rape from their repertoire of violence. The IDF now specifically states in its military doctrine that “The IDF and its soldiers are obligated to protect human dignity. Every human being is of value regardless of his or her origin, religion, nationality, gender, status or position.”

The fact that war rape decreased after May 1948 indicates that this professionalization was a major factor in curbing this particular war crime. It is highly unlikely that cultural and gender norms in the yishuv suddenly shifted to condemn rape and demand a higher moral standard of its military forces. Realistically, the war rape stopped because the IDF, as an institution, had a strategic goal that excluded martial rape and rendered it rather useless. It would have made no sense for the IDF to rape Palestinian Arab women during the War of Independence. Not only would it have failed to achieve the successful repelling of invading Arab forces, it would have likely further enraged these forces and undermined Israel’s strategic goal of self-preservation.

This is not to say that rape was *never* used whatsoever—as I mention in my data caveats—but in the absence of any evidence that Israeli soldiers were raping their POWs, rape would have served no strategic purpose. Thus, the first hypothesis fits the data.

**H$_2$: Gender Relations.** This hypothesis suggests that martial rape has become less common due to relatively egalitarian relationships between Israeli men and women, encouraging men to denounce sexual violence as an acceptable means of perpetrating war. If Israeli men espouse the value that rape is immoral, criminal, and unacceptable, they are less likely to carry it out on *any* woman, including Palestinian women. In order for this hypothesis to hold, however, a critical shift in gender relations amongst Israeli men and women must have occurred between the pre-independence and post-independence periods.

I observe three major factors in determining if this shift occurred: First, has women’s political participation increased considerably since 1948? Political participation is a good indicator of women’s status, as it recognizes a woman’s vitality to the public sphere of life and her ability to carry out the same work as men. Additionally, it affects women’s ability to influence policy. Second, what roles have women filled in the IDF during the conflicts of 1948, 1963, and 1973, as well as the Intifadas? There exists a strong linkage between Israeli politics and its military, and observing how Israeli women interface between the two highlights their growing societal prestige and ability to influence policy. Finally, I examine the cultural roles men and women in Israel occupy. This dictates how each member of the society
interacts with another. If the hypothesis holds true, all of the above factors should indicate a trend toward greater political participation, increased equality within the military, and toward greater equality in the division of labor between men and women.

Women’s political participation, contrary to the hypothesis, has actually seen a downward trend since 1948 (though with a few notable exceptions).\textsuperscript{140} Prior to Israeli independence, women’s electoral parties, such as the Women’s Society, successfully elected women to the \textit{yishuv}'s Representative Assembly. With the goal of securing women’s suffrage, female activists gained representation in 1918.\textsuperscript{141} Thereafter, the Union of Hebrew Women for Equal Rights (UER) succeeded in electing additional female leaders to the Representative Assemblies.\textsuperscript{142} In 1931, the UER sent a representative to the Va’ad Leumi to help spearhead the Department of Social Welfare.\textsuperscript{143}

Israel hoped to continue this trend of egalitarianism, and explicitly expressed in its Declaration of Independence a commitment to the “complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex [emphasis added].”\textsuperscript{144} After the 1948 War of Independence and the formal establishment of the Knesset, the UER (with the Women’s International Zionist Organization [WIZO] and the Zionist Women’s Organization [HNZ]) sent representative Rachel Kagan to

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\textsuperscript{140} Leah Simmons Levin, “Setting the Agenda: The Success of the 1977 Israel Women’s Party,” \textit{Israel Studies} 4, no. 2 (Fall 1999), 40.
\textsuperscript{141} Ibid.
\textsuperscript{142} Ibid.
\textsuperscript{143} Ibid.
\end{footnotesize}
represent women’s interests in the new state of Israel. However, she would be the last woman candidate explicitly fronted by a women’s party for over two decades. Not only did the WIZO decide to withdraw from electoral politics, but Kagan failed to pass legislation calling for improvements in women’s status.

Thus began a decrease in women’s political participation, not only in the Knesset but also in major leadership positions. From 1949 to 1992, only five women served as ministers. Golda Meir was perhaps the most notable exception to the rule; she served as Prime Minister from 1969 to 1974. On the Knesset side, Israel elected 11 women as representatives (MK’s) each election year from 1949 to 1955, constituting 9.1% of the Knesset’s total body. During the 1967 War, women accounted for 7.5% of the Knesset; during the 1973 War, it accounted for only 6.6%. Participation has improved since then; as of 2011, female MK's make up 19.2% of the Knesset.

However, according to Israel’s 2008 census, the Israeli population is slightly more than 50% female, indicating a major gap between women’s proportion in the population and its representation in Israeli government.

This underrepresentation is important because it suggests that women have not always been a critical part of the Israeli political process. In fact, their relative

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145 Simmons Levin, “Setting the Agenda,” 40.
146 Ibid.
147 Ibid, 43.
148 Ibid, 44.
149 Ibid.
representation in government has fluctuated unpredictably over the years. It indicates that women, at least politically, have not achieved gender equality over the years, and this limits their ability to influence policies in critical areas, including sexual assault and women’s rights. In addition, the pattern of women’s representation does not correlate in any meaningful way with the use or non-use of martial rape. Women’s political participation was relatively robust prior to Israeli independence, when martial rape was used, and immediately after Israeli statehood. Yet it was much lower during the 1967 and 1973 Wars, and only marginally higher during the First and Second Intifadas. If women’s political participation did in fact have an effect on the use of war rape, one would expect an inverse relationship: The greater the involvement of women, the less likely war rape is to occur. However, since this pattern has not been observed, this relationship does not appear to exist.

Women’s roles in the military provide a similarly ambiguous picture of the relationship between women’s status and the absence of war rape. This factor is important to analyze because not only does martial rape require the participation of military forces, but also because the military occupies a central role in Israeli cultural and political life. Hanna Herzog argues that Israel roots much of its public policy in the “unspoken consensus that Israel faces a constant existential threat,” and that “national security is a built in problem of Israel’s very existence.” By extension, this

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153 Ibid.
militarized, nation-in-arms mindset influences the shaping of social reality and cultural norms. The military affects policy as much as political processes.

Superficially, female soldiers in Israel are equal to their male counterparts. Women fought alongside men in the 1948 War of Independence (including combat roles), and have since continued to participate actively in Israel’s military culture.154 Israel drafts its women into the military, requiring two years of service (it requires three years of conscription for men), and women have served during all of Israel’s major conflicts.155

However, gender equality does not exist within the military’s ranks. Writes Herzog, “The male Israeli fighter symbolize[s] the New Jew, in radical contradistinction to the galut [ghetto mentality] Jew of the Diaspora; and female soldier [embodies] the rejuvenation and egalitarianism of the Zionist ethos.”156 In other words, male soldiers project power, machismo, and resolve, while female soldiers serve as maternal, guiding figures in conflict. The specific functions male and female soldiers occupy directly reflect this vision. While male soldiers can fight in all capacities and have faced no glass ceiling while rising through the officer corps, women have faced numerous obstacles that prevent them from being truly equal to their male colleagues.157

Traditional military roles assigned to Israeli women include clerks, secretaries, nurses, instructors, and telephone operators.158 More importantly, as with many

155 Ibid.
157 Ibid.
158 Gelfond Feldinger, “Skirting history.”
Western countries, Israel bars women from serving as infantry soldiers.\(^{159}\) Certainly, improvements have been made over the years, largely in response to manpower shortage; Israel now permits women to attend pilots’ training courses and join combat support or light combat units (such as armored units, the Artillery Corps, etc.).\(^{160}\) Additionally, though women once served in their own independent brigade, the IDF decided in 2000 to integrate female soldiers into individual units on the basis of their occupational specialty.\(^{161}\) Nevertheless, obstacles remain: Women still cannot fight directly in combat as infantry soldiers, and those who do serve in combat support roles only do so at their commanders’ discretion.\(^{162}\) Such restrictions severely hamper women’s abilities to rise in the officer corps, as combat experience is directly related to promotion.\(^{163}\) As of 2008, no female soldier had achieved the rank of major-general or higher,\(^{164}\) and the Israeli public has vehemently opposed full gender integration of the military.\(^{165}\)

Further distinguishing male from female military service is the IDF’s regulations regarding women’s exemption from service. In addition to requiring women to serve only two years, the IDF also exempts women who are married, pregnant, or already mothers.\(^{166}\) This suggests that traditional “women’s work”—such as childrearing and housekeeping—are not compatible with the military culture. At the same time, the IDF

\(^{159}\) Ibid.
\(^{160}\) Ibid.
\(^{161}\) Ibid.
\(^{162}\) Ibid.
\(^{163}\) Herzog, “Homefront and Battlefront,” 68.
\(^{164}\) Gelfond Feldinger, “Skirting history.”
\(^{165}\) Ibid.
\(^{166}\) Herzog, “Homefront and Battlefront,” 67.
actively cultivates a masculine ethos that allows men to operate in both the private (family) and public (military and political) spheres. This masculine identity is a major component of Israeli concepts of manhood, and young boys spend much of their childhood preparing for occupying this critical role in protecting their nation (a cultural practice not replicated with girls). It becomes ingrained in their very identity, and reinforces sexual stereotypes.\textsuperscript{167}

Since military culture is intimately linked with political culture in Israel—indeed, many high-ranking officers transition into politics after retirement—Israeli women are still largely excluded from the formulation of national security policy and war strategizing. They are kept at an inferior station to their male counterparts.\textsuperscript{168} This “gendered reality,” as with women’s political participation, provides a poor explanation for the absence of war rape. If this had a major impact on Israel’s decision to not use rape, the expected relationship would dictate that martial rape would decrease as women’s military participation increased to the level of their male counterparts; women in military leadership roles would be able to dictate the norms and expectations of all soldiers. Yet no discernible relationship exists. Women in the IDF remain subordinate to men, and thus their ability to shape the military culture is extremely limited. However, in spite of the inferior status of female soldiers, the IDF does not commit martial rape. This, too, fails to substantiate the hypothesis.

\textsuperscript{167} Ibid, 68.
\textsuperscript{168} Ibid, 70.
The gender binary evident in the IDF—that men are the fighters and women the supporters—exists in Israeli culture more generally, as well.\(^{169}\) Because of Israel’s deep communal identity, the familial structure occupies a central part of Israeli culture and attitudes. The family is seen as a critical component of perpetuating the Israeli state and its traditions. The importance of this role can be seen in Israeli family demographics: Israel’s families tend to be larger than those in other Western cultures, the legal system favors intact family units, the divorce rate is relatively low, and family networks across generations remain incredibly strong.\(^{170}\) The value of the family has led Israel to relegate women to this private sphere; they are the stewards of the family and ensure the longevity of the Israeli community.\(^{171}\) At the same time, as noted above, men can more freely occupy the public spheres of the military and political. Additionally, they bear the responsibility of economic activity.\(^{172}\) In short, Israeli society is a classic patriarchy. Men wield power and generally dictate the direction of the state, while women serve as supportive citizens whose domestic labor men can exploit.

It should be noted that the extent to which women consent to this patriarchal arrangement is unclear. Israeli women could gladly accept this status quo, or Israeli men could foist these roles upon them. This question cannot be answered in the space of this paper, but it is important to understand that women’s agency (or potential lack thereof) plays a role in Israeli gender relations. However, regardless of the motivating factors, in Israel the masculine is seen is as strong, while the feminine is seen as weak.

\(^{169}\) Ibid, 72.
\(^{170}\) Ibid.
\(^{171}\) Ibid, 73.
\(^{172}\) Ibid.
As Susan Brownmiller and Joshua Goldstein have discussed, in conflict conditions, weakness is viewed negatively and shamefully. The use of martial rape imposes this “femininity” and weakness on the targeted population. Yet Israeli culture, in and of itself, does not view this weaker, feminine role as a negative trait. Indeed, Israel has gone out of its way to create a cult of motherhood that values domestic work. Israel has legislated generous maternity leave and maternity grant policies, and actively works to provide adequate daycare for children of all ages.\textsuperscript{173}

Thus, it seems that while traditional and unequal gender divisions exist in Israeli culture, they do not create a hostile environment in which men view women as bodies to conquer. Israeli women, generally speaking, are respected. If this social development had occurred after 1948, it may hold some explanatory power for the absence of war rape. However, this (relative) egalitarianism was present in the \textit{yishuv} as well.\textsuperscript{174}

Therefore, these gender constructs fail to explain why rape was used during Plan D assaults, but not later. If anything, this factor only highlights the idea that the 1948 use of martial rape is an anomaly in Israeli history. Thus, the second hypothesis cannot sufficiently explain the initial use, and later discontinuation, of martial rape in Israel.

\textbf{H\textsubscript{3}: Rape prevalence and the legal treatment of rape in Israel.} Israel, like many Western countries, considers rape a criminal offense both within and outside the context of conflict. However, this fact alone does not determine whether legal considerations would deter the use of war rape. Instead, this hypothesis suggests that the illegality of rape would impact war rape in two ways: 1) It would deter rape \textit{in}

\textsuperscript{173} Ibid, 72.
\textsuperscript{174} Ibid, 61.
general, which would be reflected in a lower prevalence of rape and the frequent conviction of reported rapists; and 2) It would lead to harsh sentencing standards for convicted rapists. In other words, if Israeli society broadly discourages rape by establishing a strong legal taboo against it and ensuring that rapists face severe retribution, the taboo and expectation will be present in the IDF, as well.\textsuperscript{175}

The Israeli judicial system, until 1978, did not afford considerable attention to the rape and sexual assault of women.\textsuperscript{176} Israeli officials did not widely debate the issue nor did they vigorously prosecute such crimes.\textsuperscript{177} In 1978, then-Prime Minister Izhak Rabin commissioned a study on the status of women in Israel to address this gap and to placate the growing feminist voices decrying Israel’s legal treatment of rape.\textsuperscript{178} The study found that rape trials often resulted in leniency for the accused due to the influence of extralegal considerations (e.g., the accuser’s sexual past, character, employment history, etc.) and suggested mandatory minimum sentences as a remedy.\textsuperscript{179} In addition, the study led to the creation of the Aloni Committee within the Knesset to implement further reforms to rape law.

From 1982 to 1991, Israel gradually folded the Aloni Committee’s recommendations into existing rape laws. In 1982, Israel abolished the requirement for corroboration in rape cases, and in 1988, it raised the minimum sentence for rape from

\textsuperscript{175} Mimi Ajzenstadt and Odeda Steinberg, “Never Mind the Law: Legal Discourse and Rape Reform in Israel,” Affilia 16, no. 3 (Fall 2001), 338.
\textsuperscript{176} Ibid, 340.
\textsuperscript{177} Ibid.
\textsuperscript{178} Ibid.
\textsuperscript{179} Ibid, 341.
14 years to 16 years in prison. Moreover, Israel expanded the definition of aggravated rape (which, prior to 1988, was limited primarily to use of a weapon) to include rape of a minor under 16, the inflicting of mental or physical harm, impregnation, and acts of physical abuse in addition to the rape itself. The Knesset also passed laws that increase the severity of punishment for rapists convicted of assaulting their own relatives, particularly minors. At the same time, the media devoted increased attention to reporting on rape cases and illuminating those convictions accompanied by light sentences.

It could be expected that under the new legal regime, rape convicts faced harsher sentencing. However, this was not the case. In a study conducted in 2001, Mimi Ajzenstadt and Odeda Steinberg found that contrary to expectations, sentencing in the post-1988 legal system was lighter than it was prior to the passage of reform laws. In 1985, approximately 7.2% of convicted rapists served non-prison sentences (such as community service, probation, etc.), while about 11.1% served such sentences in 1991. No increase occurred in the percentage of convicted rapists serving up to four years’ imprisonment, and the percentage of convicts serving more than 4 years decreased by 4.1% during the same time period. The proportion of plea bargains reached doubled. Over this time period, Ajzenstadt and Steinberg found that the

180 Ibid, 341-342.
181 Ibid, 342.
182 Ibid.
183 Ibid.
184 Ibid, 343.
185 Ibid.
186 Ibid.
187 Ibid, 344.
demographic composition of the convicted rapists remained unchanged. Thus, the crime continued, but the sentencing (counterintuitively) grew lighter.

The study found that despite the change in the letter of the law, the actual practice of the law continued because the discourse surrounding rape did not change. Accused rapists who adhered to expectations of “normal” Israeli behavior (based on their employment, family status, perceived remorse, military service, etc.) still received lighter sentencing than those who behaved “abnormally”—indicating that rape itself was not considered deviant behavior in the larger framework of Israeli society. Those who the courts perceived as mentally ill also faced lighter punishment, with courts determining that a “sick” person should not be punished severely for their pathology. In other words, such a defense allowed the accused to abdicate responsibility. Similar excuses were applied to those who the courts perceived as outsiders new to Israeli culture. Their sentences were often light to forgive the fact that they simply did not yet understand Israeli norms and expectations regarding rape.

Ajzenstadt and Steinberg’s study also pointed to the lack of victims’ voices during rape proceedings from 1985-1991 as factors influencing light sentencing standards. Instead of focusing on the victim’s experiences and normative behavior (e.g., the same behavior that sometimes excused the rapists), court proceedings often attempted to “blame the victim” and undermine her credibility. The defense would focus inordinate attention on her dress, looks, and any behavior that may be construed

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188 Ibid.
189 Ibid, 348.
190 Ibid, 351.
191 Ibid.
as “inviting” the assault.\textsuperscript{192} Though part of the reform implemented in 1988 dictated that a victim’s past sexual behavior could not be used in court, defense attorneys continued to do so.\textsuperscript{193} In fact, victims became voiceless during their own legal proceedings; mental health professionals were rarely called upon to testify for the plaintiff, and a substantial number of victims never testified at all.\textsuperscript{194}

In light of these details, Ajzenstadt and Steinberg concluded that rape law reform was hampered by a legal discourse established firmly within the confines of gender expectations and Israel’s patriarchal culture.\textsuperscript{195} Legal reforms were not enough to alter the dialogue surrounding criminal rape; Israeli norms influenced the judicial system and not the other way around. While Israel certainly prosecutes rape, it continues to do so through the lens of patriarchy and affords privilege to the experience of the male accused over the female accuser.

If Israel’s legal system does not necessarily condemn rape, there still exists the possibility that Israeli men simply do not rape women as frequently as men in other conflict zones or Western countries. Consider, for example, the table below outlining rape statistics from 2006 amongst major Western economic powers, as well as those from other countries where war rape was prevalent. These statistics do not include war rape, but rather the overall presence of criminal rape in these countries.

\begin{center}
\begin{tabular}{|c|c|}
\hline
Country & Rape Rate \\
\hline
USA & 1 in 5 women \hline
UK & 1 in 8 women \hline
France & 1 in 6 women \hline
Germany & 1 in 6 women \hline
\end{tabular}
\end{center}

\textsuperscript{190} Ibid, 350.
\textsuperscript{191} Ibid, 351.
\textsuperscript{192} Ibid, 352.
\textsuperscript{193} Ibid, 354.
\textsuperscript{194} Ibid.
\textsuperscript{195} Ibid, 355.
<table>
<thead>
<tr>
<th>Country</th>
<th>Number of Reported Rapes</th>
<th>Rapes per 100,000 people</th>
</tr>
</thead>
<tbody>
<tr>
<td>United States</td>
<td>92,757</td>
<td>30.3</td>
</tr>
<tr>
<td>Israel</td>
<td>1,291</td>
<td>19.0</td>
</tr>
<tr>
<td>Germany</td>
<td>8,118</td>
<td>9.9</td>
</tr>
<tr>
<td>India</td>
<td>19,348</td>
<td>1.7</td>
</tr>
<tr>
<td>Japan</td>
<td>1,948</td>
<td>1.5</td>
</tr>
<tr>
<td>Bosnia-Herzegovina</td>
<td>40</td>
<td>1.1</td>
</tr>
</tbody>
</table>


*Note: The above source did not include specific statistics on Kashmir, nor did it contain data for Pakistan. The decision to include India above intends to shed light on the aforementioned instances of war rape in the Kashmiri conflict.*

*Note: The UN did not collect data on rape in the Occupied Territories for 2006. However, for comparison, it documented 105 reported rapes in 2005 (or 2.8 per 100,000 residents).*

It should be noted that here (more than anywhere else in this project) the caveat that the data reported can only reflect reported rapes applies. It is impossible to capture a full picture of how much rape actually occurred and these numbers should only be understood as representative. It is very possible that these statistics may be inaccurate. For example, the very low rape number in Bosnia-Herzegovina is incredibly suspect, considering its violent recent past, and likely more of a reflection of a taboo against reporting than a taboo against rape.

Regardless, in terms of raw numbers, Israel documented the lowest number of rapes in 2006 (except for Bosnia). This, however, is not indicative of rape prevalence. In fact, Israel is only second to the United States in terms of rapes per 100,000 people. This suggests that rape rates are actually quite high in Israel compared to similarly-developed economies (e.g., Germany and Japan). Additionally, according to the UN data set, this number represents the highest rape rate in Israel from the 2003-2008
period documented. Thus, it does not appear that Israeli men simply rape less than their other Western counterparts, or those in other conflict-ridden zones. In the case of India and (perhaps) Bosnia, Israeli men generally rape more. Alternatively, Israeli women may report instances of rape more often than women in other countries; however, examining this question is beyond the scope of this project.

Considering all the evidence discussed above, it does not appear that Israel as a whole is particularly permissive of—or tough on—criminal cases of rape. In fact, its legal treatment of rape seems to compare roughly with that of the United States, with rape being treated as a criminal offense but not receiving the harsh judicial condemnation of other serious crimes (such as murder). Moreover, as discussed in Ajzenstadt and Steinberg’s study, rape is viewed through a patriarchal lens that often views the victims as partly responsible for their rapes and that is inclined to forgive rapists who express remorse or who may serve as valuable members to their communities.

This indicates ambivalence toward rape in Israel and does not lend itself to a strong taboo that could be extrapolated to include martial rape. It is possible that the taboo against war rape originated within the IDF, which ostensibly is a law-abiding organization that demands disciplined and well-behaved soldiers focused on their strategic goals. While Israel definitely treats rape as a crime, it does not approach the crime with any remarkable or significant severity to suggest that this is an important

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norm in Israeli culture. In addition, the changes in rape law occurred long after the IDF had stopped using war rape. Thus, the third hypothesis does not fit.

Considering all three hypotheses, then, it seems that military professionalization has had the greatest impact on curbing martial rape in Israel and the Occupied Territories. The male-female dichotomy present in Israel is highly traditional and patriarchal, and thus more conducive to rape than a more egalitarian society. However, in the absence of martial rape, it is difficult to establish correlation. The legal status of criminal rape is similarly not a sufficient deterrent. Israel is quite lenient toward sexual violence in the civilian sphere. If Israel were to impose and enforce harsh sentencing standards for rape, presumably criminal rape would decrease, and a correlation might become realistic. However, the virtual absence of war rape contrasts sharply with Israel’s criminal rape rate, and this hypothesis fails to explain the data,

SECTION VI: CONCLUSIONS AND IMPLICATIONS

The analysis above certainly cannot encompass the full range of possibilities that may influence the absence of war rape during the Israeli-Palestinian conflict. Other hypotheses include the idea that latent racism deters war rape, international scrutiny and the prevalence of media serve as a check on Israeli behavior, and the strategic goals of the military no longer involve ethnic cleansing of the Palestinians. However, this project has determined that one of the most important factors determining the taboo against martial rape is the professionalization of the military. It is much easier to regulate the behavior of troops when there is an established chain of command and code
of conduct imposed on a military. This suggests that even in a patriarchal culture, war rape is not necessary to achieve strategic goals. Gender equality and feminist ideals are not a prerequisite for rape prevention.

The single, most important implication of this project is that war rape is not inevitable. Israel succeeded in decreasing war rape because it transformed its various militias into a single, centrally-commanded, professional military force. This is an important lesson for the international community to consider as more states enter phases of democratic transition. Developed countries should take an active role in providing the necessary training and organization of a professional military in these states. However, as the experiences in Afghanistan and Iraq have taught the United States over the past decade, military training is not sufficient. Israel also benefitted from having established government authority structures in place, as well as a unified concept of community, ensuring control of the newly-formed IDF.

Another critical implication of this project is that traditional gender binaries—women at home, men at war—have very little impact on the conduct of war by a professional military. In such circumstances, soldiers are completely capable of behaving honorably and avoiding much of the brutality associated with war. Ultimately, the commission of any human rights violation—be it rape, torture, or illegal detentions—is a choice. Humans are not inherently predisposed to behaving atrociously, and the international community should work to increase the costs of human rights violations through stringent legal means.
However, changing the process alone is not sufficient. As the case of the Israeli judicial system demonstrates, it is not enough to create laws condemning martial rape. The societal discourse surrounding rape plays a major role in enforcing the taboo against rape. Israel has only partly succeeded on this front—while no doubt Israel views rape as a negative, unacceptable behavior, it has yet to fully embrace the idea that the blame for such an act falls squarely on the shoulders of the rapist. If the international community seeks to discourage war rape (and rape generally), it must firmly adhere to the view that the rape victim is not responsible for his or her own violation, and there is zero tolerance for the commission of such a crime. This is a matter of leading by example on a domestic level, as well as strongly enforcing international laws against rape. Thus, war rape is possible largely because attitudes permit it. If the international community changes the stakes such that the cost of being caught vastly outpaces the gains of using rape as a weapon of war—in part by altering the discourse in favor of the victims—presumably war rape would decrease.

Of course, this leaves us with the pressing question of “how.” How do we change minds to encourage militaries and societies alike to adhere to a certain norm? How can we achieve this without imposing some sort of cultural imperialism or Western ideals on another society? How do those countries not facing a contentious ethno-territorial conflict communicate these ideas to those that do? These are all difficult questions to answer, and will force the international community (and particularly the United States) to examine its privilege in dealing with such a difficult issue. Unfortunately, war rape cannot be understood as an issue isolated from other
crimes of war or human rights violations. It is a problem deeply rooted in culture and other “big ideas” that are not so easily influenced. These are the questions that policymakers must continually grapple with in order to end the scourge of martial rape and improve the lives of women worldwide.
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