



Western Washington University
Western CEDAR

WWU Graduate School Collection

WWU Graduate and Undergraduate Scholarship

2011

Foča Bosnia-Herzegovina: presentations of identity in survivor narratives and testimony

Francesca Leaf
Western Washington University

Follow this and additional works at: <https://cedar.wwu.edu/wwuet>



Part of the [Anthropology Commons](#)

Recommended Citation

Leaf, Francesca, "Foča Bosnia-Herzegovina: presentations of identity in survivor narratives and testimony" (2011). *WWU Graduate School Collection*. 168.
<https://cedar.wwu.edu/wwuet/168>

This Masters Thesis is brought to you for free and open access by the WWU Graduate and Undergraduate Scholarship at Western CEDAR. It has been accepted for inclusion in WWU Graduate School Collection by an authorized administrator of Western CEDAR. For more information, please contact westerncedar@wwu.edu.

Foča, Bosnia-Herzegovina: Presentations of Identity in Survivor Narratives and
Testimony

By

Francesca Leaf

Accepted in Partial Completion
Of the Requirements for the Degree
Master of Arts

Moheb A. Ghali, Dean of the Graduate School

ADVISORY COMMITTEE

Chair, Dr. Kathleen Z. Young

Dr. Joyce D. Hammond

Shurla Thibou

MASTER'S THESIS

In presenting this thesis in partial fulfillment of the requirements for a master's degree at Western Washington University, I grant to Western Washington University the non-exclusive royalty-free right to archive, reproduce, distribute, and display the thesis in any and all forms, including electronic format, via any digital library mechanisms maintained by WWU.

I represent and warrant this is my original work, and does not infringe or violate any rights of others. I warrant that I have obtained written permissions from the owner of any third party copyrighted material included in these files.

I acknowledge that I retain ownership rights to the copyright of this work, including but not limited to the right to use all or part of this work in future works, such as articles or books.

Library users are granted permission for individual, research and non-commercial reproduction of this work for educational purposes only. Any further digital posting of this document requires specific permission from the author.

Any copying or publication of this thesis for commercial purposes, or for financial gain, is not allowed without my written permission.

Francesca Leaf
November 9, 2011

Foča, Bosnia-Herzegovina: Presentations of Identity in Survivor Narratives and
Testimony

A Thesis
Presented to
The Faculty of
Western Washington University

In Partial Fulfillment
Of the Requirements for the Degree
Master of Arts

By
Francesca Leaf
November 2011

Abstract

In April of 1992 the Foča municipality of Bosnia-Herzegovina was taken over by the ultranationalist Bosnian Serb, Serb and Montenegrin forces. As part of a larger strategy of genocide, the ultranationalist forces systematically raped and sexually abused the Bosniak girls and women of Foča. The systematic rapes perpetrated in the Foča municipality are representative of the larger pattern of rape during the 1992-1995 genocide in Bosnia-Herzegovina.

The use of rape as a tactical force of war in the Foča municipality garnered international media attention; resulting in a wealth of literature, interviews with survivors and the International Criminal Tribunal for the former Yugoslavia court case *The Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković (Kunarac et al.)*. The academic discourse surrounding rape as a tactical force of war within the Foča municipality, and Bosnia-Herzegovina, portrays rape survivors as an amorphous group of women defined by their Bosniak identity and, ultimately, their victimhood. Through applying narrative analysis to 26 survivor accounts originating from the texts *I Begged Them to Kill Me: Crime Against the Women of Bosnia-Herzegovina*, *Breaking the Wall of Silence: The Voices of Raped Bosnia* and the survivor testimony from *Kunarac et al.* this thesis revisits the narratives and courtroom testimony of rape survivors from the Foča municipality, studying the presentation of their personal and social identities. Within the context of courtroom testimony, this thesis also examines patterns of questioning by the prosecuting and defense attorneys and the identity of rape survivors within the judicial system.

Ultimately, this thesis argues that while there are commonalities between the survivors' experiences and presentation of their personal and social identities, each individual survivor has her own unique perception, interpretation and coping mechanisms in regards to the trauma she experienced. To assign the Foča rape survivors a unidimensional identity is a denial of their individual identities and personhood.

Acknowledgements

I would first like to extend my appreciation to my thesis committee: Dr. Kathleen Zuanich Young, Dr. Joyce Hammond and Shurla Thibou. Dr. Young offered invaluable guidance in navigating the literature surrounding Bosnia-Herzegovina and rape as a tactical force of war. Dr. Young also provided amazing support throughout my research process and wise counsel on the ethical considerations that need to be made when utilizing survivor narratives and testimony. Dr. Joyce Hammond's professional and excellent feedback and critique were invaluable during the writing of this thesis, and I offer Shurla Thibou much thanks for both her encouragement and for always reminding me to not shy away from the "tough questions".

I would also like to extend my thanks to Western Washington University's Libraries staff. Writing this thesis required access to a multitude of often difficult to find texts. I appreciate the staff's assistance in ordering (and re-ordering) texts from various colleges and universities throughout the United States. Their patience and willingness to help was integral to my research.

A huge thank-you also goes to my fellow graduate students. Their interest in the subject was encouraging, and I appreciate their amazing listening skills and feedback over the course of the program.

Most of all, I would like to express my most sincere appreciation and gratitude to the courageous women of the Foča municipality of Bosnia-Herzegovina. Without their narratives and courtroom testimony I would never have been able to encounter the important issues that I try my best to address within this thesis. There are no words to express the impacts their narratives and testimony have had on me not only as an anthropologist but as a human being.

Table of Contents

Abstract.....	iv
Acknowledgements.....	v
List of Figures and Tables.....	vii
Introduction.....	1
Chapter 1: Rape as a Tactical Force of War.....	11
Chapter 2: Methodology.....	34
Chapter 3: Personal and Social Identities during the Period of Victimization.....	45
Chapter 4: Personal and Social Identities during the Long-Term Recovery Process.....	60
Chapter 5: Survivor Identities within <i>The Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković</i>	74
Conclusions and Implications.....	100
Bibliography.....	106
Appendix A: Maps.....	117
Appendix B: Background Information about Survivors and Witnesses.....	120
Appendix C: Narrative Analysis Data.....	127

List of Figures and Tables**Figures**

Figure 1 Map of Bosnia-Herzegovina.....	118
Figure 2 Bosnia-Herzegovina, Dead and Missing, 1992-1995.....	119

Tables

Table 1 Themes in Narratives of the Period of Victimization.....	128
Table 2 Themes in Narratives of the Long-term Recovery Process.....	133
Table 3 Themes in Testimony of the Period of Victimization.....	137
Table 4 Themes in Testimony of the Long-term Recovery Process.....	139
Table 5 Themes in Questions from the Prosecution.....	142
Table 6 Themes in Questions from the Defense.....	144

Introduction

I was shocked and lost. I was not able to believe that such evil could be done to people by people.

– A Survivor (Ajanović 2000:158)

This is a quote from a rape¹ survivor's personal narrative. As a young woman in the Foča municipality of Bosnia-Herzegovina she was subjected to repeated rapes, sexual enslavement, beatings and degrading treatment. She witnessed the murder of her close relatives, including her mother and her cousin, and witnessed the rape and torture of close friends and members of her community. The individuals perpetrating the abuse were not always strangers. Sometimes they were former friends and acquaintances. When reading her narrative, one can only wonder how she managed to survive, how she manages to keep living.

This thesis is about the narratives and testimony of rape survivors who were victimized within the Foča municipality of Bosnia-Herzegovina. Through examining the narratives of the Foča rape survivors in the texts *Breaking the Wall of Silence: The Voices of Raped Bosnia* (1996) edited by Seada Vranić and *I Begged Them to Kill Me: Crime Against the Women of Bosnia-Herzegovina* (2000) edited by Irfan Ajanović and the survivor testimony from the Foča-related court case *The Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković*² (*Kunarac et al.*) this thesis seeks to understand how the rapes impacted the survivors' identities. The impacts examined include, but are not limited to, how the survivors perceived themselves, how they feel their communities perceived them, both during the period of victimization and the long-term recovery process, and, in the case of survivors who testified, their identities as rape

¹ While there are many varying definitions of rape, this thesis defines the term rape as any unwanted sexual contact that involves penetration of any kind (DVSAS).

² IT-96-23 and IT-96-23/1

survivor witnesses within the judicial system. Through an analysis of survivors' identities, this thesis seeks to identify and explain both the common and distinctive themes found within the survivors' narratives and testimony.

The current body of research and dominant academic discourse regarding mass rape within the Foča municipality and rape as tactical force war, in general, focuses on the period of victimization. The majority of analysis of the wartime rapes perpetrated in the Foča municipality, and Bosnia-Herzegovina as a whole, was conducted and published between 1993 and 1998. Exemplary of this genre is Beverly Allen's well-known text *Rape Warfare* (1996), Seada Vranić's collection of survivor interviews and analysis, *Breaking the Wall of Silence: The Voices of Raped Bosnia* (1996), and Alexandra Stiglmayer's publication *Mass Rape: The War against Women in Bosnia-Herzegovina* (1994). All three of these texts are significant, as when published they drew attention to the plight of women in Bosnia-Herzegovina and the widespread use of rape as a tactical force of war. They also utilize quotes and interviews with survivors, introducing the survivors' voices to the academic discourse surrounding wartime rape. Each text also analyzes the short-term impacts of rape as a tactical force of war, and speculates as to the long-term impacts. Yet, within these texts, the analysis and speculation is largely limited to the traumatic impacts of the rapes and each survivor's identity is generally defined by her ethnicity and victimhood. While rape is certainly traumatic, the dominant academic discourse surrounding the rapes that were perpetrated in Bosnia-Herzegovina defines the

rape survivors by this particular trauma. Through this form of definition, the girls and women are often portrayed as having a singular traumatic identity.

During the inductive preliminary reading of *Breaking the Wall of Silence: The Voices of Raped Bosnia* (Vranić 1996), *I Begged Them to Kill Me: Crime Against the Women of Bosnia-Herzegovina* (Ajanović 2000), and the *Kunarac et al.* trial transcripts, not only did themes of brutality, torture and suffering emerge, but also themes of the strength, resilience and the dignity of the survivors. The survivor narratives and testimony were not only stories of trauma, shame and loss; they were also accounts of survival and the great risks the girls and women took to preserve their lives, personhood and to protect their loved ones. This identification of themes of the survivors' personal resistance through trauma differs greatly from the dominant academic discourse surrounding rape survivor narratives and testimony, which largely interprets them as accounts of victimization. This thesis' interpretation of the survivor narratives and testimony as stories of resistance through trauma is similar to those of scholars Azra Hromadzic and Inger Skjelsbæk. In Azra Hromadzic's book chapter "Challenging the Discourse of Bosnian War Rapes" (2007) the author argues that themes of resistance and resilience are present within the narratives of Bosnian rape survivors. Inger Skjelsbæk's article "Victim and Survivor Narratives: Narrated Social Identities of Women Who Experienced Rape during the War in Bosnia-Herzegovina" (2006) states that through narrative analysis the diverse perspectives and coping mechanisms of rape survivors become apparent; no two survivors maintain the same identity. These two articles

provided an inspiration for this thesis, which, through an in-depth narrative analysis of the Foča rape survivors' identities, argues that portraying rape survivors as singular subjects of brutality is a denial of their personhood and individuality.

While rape occurred in all regions of Bosnia-Herzegovina during the 1992-1995 genocide, this thesis focuses on the Foča municipality in order to both narrow the scope of study and to allow for greater depth of analysis. The takeover of the Foča municipality began in April of 1992, with the municipality remaining under attack for several months, marking it as one of the first regions of Bosnia-Herzegovina to be subjected to ethnic cleansing (Iacobelli 2009:266). During this period, local Bosnian Serb forces with the aid of the Yugoslav People's Army (JNA) and paramilitaries from Serbia and Montenegro forcibly removed the Bosniak³ people from the Foča municipality (Human Rights Watch 1998:12; Iacobelli 2009:266). As part of their genocidal strategy, the Bosnian Serb, Serb and Montenegrin forces sexually abused and raped Bosniak girls and women (Iacobelli 2009:262; Sharratt 1999:79-80). Through raping Bosniak girls and women, the soldiers intended to not only harm their direct victims but also the Bosniak community as a whole (Iacobelli 2009:276). As the Foča municipality was a more rural region of Bosnia-Herzegovina, Foča Bosniaks tended to hold more traditional Islamic values (Henry 2010:1101). Because of this, when a girl or woman was raped, the sexual aspects of the rape, rather than rape as a crime, were often focused on by her family and surrounding community (Niarchos: 1995:650-651). The rape survivor may have a stigmatized identity

³ Bosniak can also be spelled "Bosniac". People also often refer to Bosniaks as "Bosnian Muslims".

foisted upon her and be perceived as worthy of being ostracized from her family and community (Cavanaugh 2002:2, 7; Fisher 1996:113; Healey 1995:340; Niarchos 1995:659; Ray 1997:795,805; Weitsman 2008:564). While it is likely that not every family or Bosniak community stigmatized survivors, this was a common response. Thus, through raping a girl or woman the ultranationalist soldiers could destroy ties within the Bosniak community and prevent future births of Bosniak-identified children. Therefore, the rapes perpetrated by the Bosnian Serb, Serb and Montenegrin soldiers were systematically planned and carried out as part of a genocidal strategy. Rapes were not only committed with the intent to harm and humiliate the victim, but her community as a whole. The rapes also had multiple meanings outside of the genocidal strategy, both for the victims and the perpetrators. These multifaceted explanations for the rapes and impacts of the rapes are addressed in the following chapters of this thesis.

The dynamics of systematic rape and sexual abuse that occurred within the Foča municipality during the 1992-1993 takeover are representative of the larger pattern of systematic rape and sexual abuse utilized during the 1992-1995 genocide in Bosnia-Herzegovina (Gutman 1993:160; Iacobelli 2009:266). It is estimated that during the 1992-1995 genocide between 20 thousand and 50 thousand girls and women were raped in Bosnia-Herzegovina (Niarchos 1995:656; Tompkins 1995:847; UN Doc A/48/92, S/25240, 1993). The majority of the rape victims were Bosniak girls and women who were victimized by Bosnian Serb, Serb and Montenegrin soldiers (Niarchos 1995:654-

655). However, it should not be overlooked that Bosniak and Croat-identified men raped and victimized Serb and Croat-identified girls and women (Nikolić-Ristanović 2000).

It should also not be ignored that boys and men were also subjected to sexual abuse, sexual violence and rape during the genocide (Sivakumaran 2007:264-266; Vranić 1996:63-74). The sexual abuse and torture of boys and men is most commonly referenced in witness and survivor accounts of the wartime concentration camps in Bosnia-Herzegovina (Personal Communication, Kathleen Young, July 14, 2011).⁴ According to one United Nations report, out of five thousand male concentration camp survivors, 80% stated that they had been subjected to sexual abuse (Stemple 2011). The most frequently reported forms of sexual violence suffered by Bosniak and Bosnian Croat boys and men include forced castrations, the beating and mutilation of genitals and prisoners being forced at gunpoint to rape or sexually assault other prisoners (Sivakumaran 2007:264-266). The sexual torture and raping of boys and men were acts of aggression committed with the intent to rob the victim of his masculinity, pride and to damage his psyche (Zawati 2007:27).

While the wartime rape and sexual abuse of non-Bosniak girls and women, and boys and men are certainly tragic and worthy of study, this thesis focuses on the rape and sexual abuse of Bosniak girls and women. This is because the available survivor

⁴ Survivors of the Bosnian genocide's concentration camps, sexual violence, and rape mention that there were female soldiers who directly participated in and/or instigated torture, including sexual abuse. Little academic study has been completed on this subject, but references to female perpetrators can be found in non-academic articles. Among these articles are "Bosnian War's Wicked Women Get Off Lightly" (2011) by Merima Husejnović, which can be found at <http://www.bim.ba/en/256/10/31692/?tpl=30>, and "Dark Past in Balkan War Intrudes on New Life" (2011) which is located at <http://www.nytimes.com/2011/04/04/us/04hide.html?pagewanted=all>.

narratives and testimonies regarding rape and sexual abuse in the Foča municipality are from Bosniak girls and women. The perpetrators are men, largely Bosnian Serb, Serb and Montenegrin soldiers. Some survivors mentioned civilians participating in the rapes (Ajanović 2000:91, 381). One survivor also shared about the commander of the UN forces for Bosnia-Herzegovina raping her (Ajanović 2000:290-291). During the *The Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković* case Witness 175 stated that a female soldier, Jadranka, tortured her and other Bosniak girls and selected which girls would be raped by particular soldiers (ICTY, Testimony, FWS-175, *Prosecutor v. Dragoljub Kunarac et al.*, May 18, 2000:3599-3603). While it is likely that boys, men and non-Bosniak girls and women were sexually abused and raped in the Foča municipality these topics are not covered in this thesis as records of these rapes were not found.

To present this study of the multiple identities of Foča rape survivors, this thesis begins with a two-part context section. Part one provides an overview of rape as a tactical force of war, its uses and purposes. When reports of mass rape in Bosnia-Herzegovina first emerged they were treated as an anomaly (Skjelsbæk 2006:373; Thomas et al. 1999:203; Tompkins 1995:847). As rape has occurred across all places and times, it is necessary to understand that the mass rapes perpetrated in Bosnia-Herzegovina are part of a larger, multi-temporal and multi-locational issue of rape as a tactical force of war. As the Bosniak girls and women of the Foča municipality were not the first, nor the last, victims of rape as a tactical force of war, their experiences must be contextualized as a

larger pattern of the wartime abuse, degradation and exploitation of the female body. Part two of the context section provides background information regarding the rapes that were perpetrated during the genocide in Bosnia-Herzegovina and, specifically, within the Foča municipality. This section aids in comprehension of the possible intents of perpetrators and the multiple impacts the rapes had, and are likely still having, on victims and their communities. This section also provides context for the narratives and trial testimony of the Foča rape survivors. Since the survivors' narratives and testimony were based on the atrocities they witnessed and survived during the genocide in the Foča municipality, and the larger genocide in Bosnia-Herzegovina, it is necessary to have a basic understanding of what the atrocities and genocide entailed.

Following Chapter 1, Chapter 2 of this thesis presents the methodology of narrative analysis and addresses past academic utilizations of this methodology, how it was applied in this thesis and what this application involved. Chapter 2 also presents a discussion of ethical issues faced by researchers when utilizing survivor narratives in their studies. Overall, Chapter 2 outlines the lens through which the survivor narratives and testimony were interpreted, and considerations that were made.

Chapters 3, 4 and 5 of this thesis present the data, analysis and findings that were provided by the application of narrative analysis to the Foča rape survivors' narratives and testimonies of the period of victimization and long-term recovery process. The narratives and testimonies originated from the texts *Breaking the Wall of Silence: The Voices of Raped Bosnia* (Vranić 1996), *I Begged Them to Kill Me: Crime Against the*

Women of Bosnia-Herzegovina (Ajanović 2000) and the transcripts of rape survivor witness testimony from *The Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković*. Within the analysis of the *Kunarac et al.* witness testimony, the identities of the rape survivor witnesses within the judicial system and the unique challenges and biases they faced while testifying is discussed. This section also explores the judicial system's process of appropriating the accounts and identities of rape survivor witnesses. Within Chapters 3, 4 and 5 this thesis addresses both the common and unique themes in the survivors' narratives and testimonies, and the survivors' expressions of their personal identities and perceived social identities. These chapters also offer analysis of and possible explanations for the similarities and differences in the survivors' expressions of self.

While, in this thesis, the common themes within the survivors' narratives and testimonies are identified, these common themes do not intend to portray the rape survivors as belonging to a singular identity or category of experience. To ignore the diversity of the survivors' experiences and understandings would not only be callous, but an act of forced definition and a removal of personhood. The Foča rape survivors have already faced many forms of forced identity⁵, and this thesis does not intend to repeat that

⁵ In her article "Forced Identities: the State, Communalism, Fundamentalism and Women in India" (1991), scholar Amrita Chhachhi explores the concept of *forced identity*. Chhachhi writes that each individual possesses multiple identities and is not "reducible to any one of them" (147). Yet, particular individuals or situations may reduce an individual to being identified and defined by one of her or his multiple identities, therefore "forced identities do not imply that they are false or coerced – it simply implies the lack of real choice in a particular situation" (147). While an individual may possess the identity that she or he is defined by, she or he did not have any choice or control over this forced definition of her or his personhood. For example, during a genocide, an individual or group of individuals may reduce another individual or group

process. It should also be understood that the analysis provided within this thesis is meant to supplement the survivors' personal narratives and testimony. It does not intend to replace or usurp the voices of the survivors. It is strongly encouraged that readers of this thesis seek out the Foča rape survivors' narratives and testimonies, read them, and, most importantly, listen to the survivors' voices.

of individuals' identities to their ethnic or religious background. The defined group may possess the particular ethnic or religious background, but they have no choice in this process of identification or how the other group perceives their personhood based on this singular, forced identity.

Chapter 1

Rape as a Tactical Force of War

The body of a raped woman becomes a ceremonial battlefield; a parade ground for the victor's trooping of the colors. The act that is played out upon her is a message passed between men – vivid proof of victory for one and loss and defeat for the other.

- Susan Brownmiller (1975:38)

It was during the 1992-1995 genocide in Bosnia-Herzegovina that, for the first time, rape as a tactical force of war garnered international attention and became a prominent topic in Western mass media (Skjelsbæk 2006:373; Thomas et al. 1999:203; Tompkins 1995:847). While the mass rapes perpetrated in Bosnia-Herzegovina may have been treated as an anomaly, this was not the first time rape had been an integral part of war (Brownmiller 1975:31-113; Skjelsbæk 2006:373; Thomas et al. 1999:204; Tompkins 1995:31-113). The first part of this chapter provides a historical overview of wartime rape prior to the genocide in Bosnia-Herzegovina. The second part of the chapter entails background information about the rapes and sexual violence perpetrated within the Foča municipality of Bosnia-Herzegovina, and during the 1992-1995 genocide as a whole.

Part One: Cases of Wartime Rape Prior to 1992

It is necessary to relate previous cases of mass rape and rape as a tactical force of war because portraying the Foča rapes as an isolated event would not only remove the atrocities from the historical discourse of wartime sexual violence against women, but would also continue the process of ignoring the traumatic experiences of past victims and survivors of wartime rape. Since this thesis was written with the intent to share the

individual voices of the Foča rape survivors, it would be inappropriate to disregard the traumatic experiences of the all too numerous victims and survivors of wartime sexual abuse and rape over the course of history.

A historical overview of wartime rape prior to the genocide in Bosnia-Herzegovina also illustrates how the act of rape maintains many functions and meanings for its perpetrators. Rape has been a multifaceted force during wartime, acting as a reward for the perpetrators, a punishment for the enemy population and as an act of revenge for past or perceived wrongs. Accounts of wartime rape can be found in ancient documents, including the Bible. In the book of Deuteronomy, it is stated that Hebrew men are allowed to keep the women that they capture in war as wives and concubines (Deuteronomy 21:11-13)⁶. The coercive rape of captive women is also advocated in the book of Numbers, where God ordered Moses to have the Israelites attack the Midianites, a nomadic people and long-time enemies of the Israelites (Lockyer et al.1986:706; Numbers 30:9). The attack was successful, and after killing every male Midianite, the Israelites carried off the female Midianites, their livestock and other articles of value (Numbers 30:9). Moses then instructed the Israelites to show him the captives, ordering the Israelites to “Now therefore kill every male among the little ones, and kill every woman that hath known a man by lying with him. But all the women children, that have not known a man by lying with him, keep alive for yourselves” (Numbers 31:17-18). Moses was instructing the Israelites to keep the virgin Midianite girls (Barker et al.

⁶ Biblical quotes and references are from the King James Version of the Bible

1994:228), 32 thousand in total, for future “brides”. God, too, received a share of the virgins as part of his own tax of the spoils (Numbers 31:28). God received, in total, 32 virgins through the priest Eleazar (Numbers 31:35, 40-41). Therefore, it was customary for the Israelite men, and God, to receive a share of conquered women as a just reward following battle. This process of God receiving his own share of virgins provided the Israelite men with a form of spiritual approval for the possession of the Midianite girls. One can only imagine what it was like for the young girls to witness the murder of their families, the annihilation of their culture and to then be forcibly married to a member of the group who had perpetrated these acts.

Ancient Greek texts advocate a view similar to the Israelites in regards to women as a spoil of war. Greek soldiers were allowed to take the goods and livestock of the enemy population, and were also encouraged to keep the enemy’s women as wives, concubines or slaves (Brownmiller 1975:33). This process of categorizing girls and women as a commodity similar to livestock offers a justification of rape as a reward for the conquering soldiers. As girls and women were portrayed as being sub-human, wartime rape was not considered an issue.

In some cases, rather than the female body functioning as a reward for conquering soldiers, it is utilized as a vessel through which the women and men of the enemy population can be punished. The rape of a girl or woman is a method with which to signify the ultimate defeat of a people. For example, during the Wars of Religion, a series of civil wars in France occurring from 1562-1629 (Holt 1995:6, 52-53, 187-189), a

Huguenot woman was raped as part of her punishment for not practicing the “right” religion. As recorded in the diary of Claude Haton, a Catholic priest:

The soldiers who held the woman did not hold her husband, but others did, and during this time they were not permitted to see or talk to each other. The woman was finally delivered from the hands of these soldiers and put at liberty but only after they had used and enjoyed her at their pleasure and led her through the streets with her feet and legs and head all bare. The only clothing she had on was an undergarment and an apron...made of red material all covered with blood...When they passed by the church of St. Ayoul...the poor Huguenot was brought inside....At the entrance to the church she was forced to take holy water and sprinkle her face with it and then she was brought to the main altar...She was told to ask mercy of God...for the terrible sin she had committed in straying from the true Catholic religion and adhering to the false Huguenot faith. (Brownmiller 1975:36)

Thus, the Huguenot woman was raped and publically humiliated, culminating in a forced “conversion” to the Catholic religion. The rape of the Huguenot woman was a multi-layered punishment. She was selected to be victimized based on both her religion and sex. Her status of being a Huguenot marked her as the enemy. Her sex made her eligible for rape. The rape and public humiliation not only punished the Huguenot woman for belonging to these two “qualifying” categories; the Catholic soldiers’ public “conquering” of a female Huguenot body extended this degradation to Huguenot men. The rape emasculated Huguenot men through publicizing the Huguenots’ inability to protect their women and maintain sexual possession of their bodies. During times of war, rape as a form of punishment is not only directed at the rape victim but also her community as a whole.

While often “glossed over” in academe, the World War II era provides some of the earliest well-documented accounts of the use of mass rape and sexual humiliation as a

tactical force of war. Although the Nuremberg Race Laws of 1935 forbade Germans from having sexual contact with the Jewish people, including rape, Nazi soldiers often raped and sexually abused Jewish women. According to memoirs of a Polish Jew, Sala Pawlowicz, a devout member of the Gestapo found ways to sexually abuse her while still following the Nuremberg race laws. In her memoirs, Pawlowicz described being detained by the Gestapo. She was first forced to strip and one of the men took her to a separate room where the abuse continued. Pawlowicz wrote:

I was in a small office and the German had a long heavy whip in his hand. “You don’t know how to obey...I’ll show you. But I can’t have you, scum, because you’re Jewish, and filthy. What a shame!” He swung the whip across my breasts. “Here’s what you can have for being a dirty Jew – instead of me – this!” He lashed the whip again and again and I fainted. (Brownmiller 1975:51)

The sexual abuse of Jewish girls and women was practiced by the Nazi forces as a direct method with which to humiliate and degrade the Jewish community. There are multiple reports of Nazis entering the Jewish ghettos and rounding up Jewish girls and women to rape en masse (Brownmiller 1975:52). The public nature of these round-ups and rapes are evidence of how the rapes were perpetrated with the intent to punish and denigrate the defeated population. The fact that the Jewish girls and women were raped within the ghettos is a significant tool through which the Nazis’ were able to demonstrate their power and dominance. The imprisoned Jews knew what was occurring, but were powerless to stop the rapes.

The Nazi forces not only targeted Jewish women, but also Eastern European women (Mühlhäuser 2009:199-203). According to *The Molotov Note*, prepared by

Russian foreign minister V.M. Molotov, upon invading Soviet territory, the Nazi soldiers were known to “rape the women and girls under the very eyes of their kinfolk and children, jeer at the women they have violated, and then brutally murder their victims” (Brownmiller 1975:55). The public nature of these rapes, similar to the rape of the Huguenot woman, served to not only cause the individual girls and women trauma, but also their communities. In many ways, the process of utilizing the female body as vessel with which to communicate messages of “victory” or “defeat” transforms the female body into being purely symbolic. This process of rape as a method of communication is dehumanizing to rape victims in multiple ways. Not only is the act of rape a violation of the victim’s self-determination and personhood, but the victim was never perceived by the rapist as ever possessing her own personhood. To the rapist, she was merely a representation of her assigned ethnic identity.

The rape and sexual abuse of women within public spaces was also utilized by the Japanese troops during the World War II era. In December of 1937, upon entering Nanking, China’s wartime capital, the Japanese troops utilized mass rape to express the defeat of the Chinese people. According to the Tokyo Tribunal 20 thousand girls and women were raped, but observers believe that at least 80 thousand girls and women were raped (Chang 1997:6; Frederick et al. 2001:18). The rapes did not occur as the result of a few out of control soldiers - for at least six weeks following the occupation of Nanking officers of all levels of command participated in and encouraged others to commit arson, murder and rape on a large scale (Chang 1997:50; Frederick et al. 2001:18-19). Higher

level officers went as far as to remind lower-ranking soldiers to either murder or pay their victims afterwards, as dead bodies could not talk and money turned the rapes into prostitution (Chang 1997:50). The rapes that occurred were public in nature and oftentimes the Japanese soldiers forced Chinese boys and men to commit incest with female members of the family – fathers were ordered to rape daughters, brothers their sisters and sons their mothers (Chang 1997:6; Frederick et al. 2001:19). This forced breaking of the incest taboo served to not only shame and humiliate individuals, but to also destroy family ties. Other Chinese girls and women were held in brothels where they were “tied naked to chairs, beds, or poles as permanent fixtures for rape” (Chang 1997:93). This process of transforming women into immobile fixtures for the sole purpose of rape objectified the girls and women – they were dehumanized to a level even lower than non-human animals. The corpses of women who were raped to death or murdered following the rapes were displayed on the streets of Nanking, legs spread apart and their vaginas impaled on wooden rods or pierced with twigs and weeds (Chang 1997:94; Frederick et al. 2001:19). Even in death, their bodies continued to be violated with objects – through this process the Japanese soldiers communicated a symbolic message of defeat to the surviving Chinese.

A strange result of the rapes that were perpetrated at Nanking is that the Japanese government, concerned with how the atrocities that occurred at Nanking would impact their image internationally, expanded the already-existing underground web of forced prostitution, known as “comfort stations” staffed by “comfort women” (Chang 1997:52-

53; Howard 1995:13). This allowed the Japanese soldiers to have access to hundreds of thousands of women. To obtain the “prostitutes”, girls and women from Korea, China, Taiwan, the Philippines, and Indonesia were lured into military brothels, falsely promised that they would be provided with good jobs (Chang 1997:52-53). Rather than punishing the soldiers and officers for the rapes that occurred at Nanking, the Japanese government expanded specific venues for the “controlled” rape of women. Instead of trying to *prevent* wartime rape, the Japanese government tried to *hide* rape. This process of attempting to make wartime rape “invisible” illustrates that the Japanese government was more concerned with their image than the trauma suffered by the rape victims and survivors.

This endorsement of rape is also illustrated by the behavior of the Soviet troops in World War II. In this case, the Soviet troops utilized mass rape as revenge against the Germans. One former officer in the Russian army stated: “All of us knew very well that if the girls were German they could be raped and then shot. This was almost a combat distinction” (de Zayas 1989:179), illustrating that due to being German, German women were seen as belonging to the enemy the Russians were fighting. Their bodies became an extension of the combat zone – just another arena in which Russian soldiers could wage war. This combat-oriented use of rape is materialized in the memoirs of Ilse Antz, a German woman who was raped during the fall of Berlin. Following the act, the perpetrator, a soldier from the Soviet troops, informed her that he had the right to rape her because “That’s what the Germans did in Russia” (Brownmiller 1975:67). This quote

reflects that the perpetrator perceived that the most effective way to avenge the raped Russian women was to rape the German women. This logic, once again, exemplifies how during wartime the female body becomes symbolic – it is representative of her people's group, a device of communication between the warring factions.

While there is little information regarding rape perpetrated by U.S. troops during World War II – likely due to the fact that when the U.S. soldiers entered into the war they were considered the victors and liberators – U.S. soldiers had coercive access to the bodies of the girls and women they liberated. Susan Brownmiller eloquently describes this relationship, stating:

In the time-honored tradition of the conquering hero, liberators are often presented with the bodies of women, from a female sense of 'just reward' or adventure, but more realistically and more typically, out of urgent economic need. (1975:75)

American soldiers were stationed in locations devastated by war, where for the remaining girls and women prostitution was one of the only means of survival. This means that the sexual activity that occurred was coercive – girls and women trading sex for food and other necessities. Yet, due to the lack of physical violence, it was not documented the way the rapes perpetrated by the Nazi, Japanese and Russian forces were.

Following the World War II era, the next well-documented case of wartime rape occurred in 1971 during the nine month Armed Conflict of Bangladesh when soldiers from West Pakistan raped Bengali girls and women as a tactical force of war (Habiba 1998:257-261). The mass rape perpetrated during the 1971 Armed Conflict of Bangladesh marked the first time that wartime rape truly received media attention in the

United States, although the coverage occurred after the fact (Brownmiller 1975:86). Following the conclusion of the nine month war, stories regarding the fate of raped Bengali women began appearing in newspapers including *The Los Angeles Times*, *The New York Post*, and later *The New York Times*. Over the course of the war between 200 thousand and 400 thousand girls and women were raped (Brownmiller 1975:80). Among those raped was Khadiga, a 13-year-old girl, who, while walking to school, was kidnapped by Pakistani soldiers and held in a military brothel for six months. While imprisoned, Khadiga was required to service between seven and ten men on a daily basis (Brownmiller 1975:83). Also raped was Kamala Begum, a widow. Begum, believing that her old age would exempt her from rape, chose to stay in the city, rather than fleeing to the countryside, where she had sent her daughters. Begum's belief proved wrong, as she was later raped by three soldiers (Brownmiller 1975:83). In Bangladesh, much like in Nanking, rape was utilized as a weapon of terror. Every woman was "eligible" – the goal of the rapes was to destroy the Bengali people as a whole.

The coercive prostitution and rapes that U.S. soldiers perpetrated during the war in Vietnam are better documented than those perpetrated by U.S. soldiers during the World War II era. Many of the United States base camps in Vietnam, among them the 1st Cavalry Division at An Khe, the 1st Infantry Division at Lai Khe and the 4th Infantry division at Pleiku, maintained official military brothels staffed with Vietnamese women (Brownmiller 1975:94, 97). The reasoning behind the official brothels was that it would keep inactive foot soldiers – "grunts" – mollified while they were fighting an unpopular

war that many of them did not understand (Brownmiller 1975:96-97). While the soldiers may not have been able to look forward to returning home as heroes, they could still have access to a woman's body. The soldiers may not have been able to express their masculinity through combat, but they could through sexually dominating a woman. Another motivation for the base camp brothels was fear of venereal disease. By establishing brothels on base camps where the sex workers had been tested for STIs, it was believed that the U.S. military could prevent soldiers from seeking sex with "unknown" prostitutes in the towns and cities (Brownmiller 1975:94). To have access to these "approved" base camp prostitutes, the soldiers paid two dollars per sexual service of which the sex workers received 75 cents. While the women did benefit financially from the work, and it may be argued that the women chose to enter into sex work, this decision was a coercive one. The majority of the women employed at the base camps, and as prostitutes in general, entered into sex work due to the destruction of their property, death of family members, and loss of previous employment due the war (Brownmiller 1975:97; Weaver 2010:41-43). The destruction caused by war created circumstances in which sex work was the only option for many girls and women.

U.S. soldiers in Vietnam also participated in the rape of Vietnamese women. While it may be perceived that access to sex workers would have prevented the rape of girls and women, it did not. As stated by scholar Gina Marie Weaver, the testimony of veterans and accounts of rape survivors offer "irrefutable evidence that the rape of Vietnamese women and girls was a problem of epidemic proportions during the war"

(2010:80). Raping Vietnamese girls and women held multiple meanings for soldiers; an explanation offered by one Vietnam veteran was, “You had the power to rape a woman and nobody could say nothing to you. That godlike feeling you had was in the field” (Baker, cited in Weaver 2010:34). For this soldier, being able to rape any girl or woman was a confirmation of his power; especially since he could rape with impunity.

Most commonly, the rapes perpetrated in Vietnam were committed by groups of soldiers – meaning that they were perpetrated in public (Brownmiller 1975:98). In the few cases in which one of the soldiers reported the rape, the whistleblower was often ostracized, perceived as lacking masculinity, or was at risk of being killed by another soldier (Brownmiller 1975:103, 107). Since being against the rapes was seen as a betrayal to the group, it can be interpreted that the rape of Vietnamese girls and women also functioned as a form of bonding for the soldiers. In cases of gang rape, such as in Vietnam, for each rapist, the female body of the victim acted as a vessel where his participation in the gang rape signified his masculine connection to the other perpetrators (Baker 1999:239) and separation from the victim’s particular group (Card 1996:7). Many of the group rapes during the Vietnam War were perpetrated by soldiers under the guise of military procedures, such as searching girls and women for weapons. At a 1971 Winter Soldier Investigation panel Sergeant Scott Camil of the Vietnam Veterans Against the War described this type of rape, stating:

When we went through the villages and searched people the women would have all their clothes taken off and the men would use their penises to probe them to make sure they didn’t have anything hidden anywhere; and this was raping but it was done as searching. (Brownmiller 1975:108; Vietnam...1972:13)

Camil then continued, stating that as long as the media was not present, commanders did not seem to care if rape was occurring, as “It wasn’t like they [the Vietnamese people] were humans. We were conditioned to believe that this was for the good of the nation...and anything we did was okay...They were a gook or a Commie and it was okay” (Brownmiller 1975:109; Vietnam...1972:14). This blending of rape with military operations aided in the process of “hiding” rape. It also served to naturalize rape as being part of the soldiers’ duty. To refuse to participate in rape, or to condemn it, would separate the soldier from his group and align him with the victims. Since the victims were perceived as “gooks” or “Commies” (Brownmiller 1975:109; Vietnam...1972:14), this would mean aligning one’s self with a dehumanized group, subject to the resentment created by racism in the United States and further exacerbated by the U.S. military (Weaver 2010:59-60). Similar to the Japanese government during World War II, the commanders’ during the Vietnam War were not concerned with preventing rape, but instead with making rape “invisible”.

While this historical overview of wartime rape only touches on a small number of examples, it illustrates that rape is an act with multifaceted motivations and meanings. Wartime rape is not limited to a particular war, era or location. It can occur across all conflicts, times and places. The rapes that occurred during the 1992-1995 genocide in Bosnia-Herzegovina maintain the hallmarks of the rapes reviewed in this overview. The rapes that occurred in Bosnia-Herzegovina were utilized as a reward for soldiers, as a method with which to punish the defeated peoples and as revenge for past or perceived

wrongs. In the next section, to provide context for further analysis, an overview of rape during the genocide in Bosnia-Herzegovina is provided.

Part Two: Rape as a Tactical Force of War in Bosnia-Herzegovina

During the 1992-1995 genocide in Bosnia-Herzegovina, the Bosnian Serb, Serb and Montenegrin forces utilized the mass rape and sexual enslavement of Bosniak girls and women as a tactical force of war (Iacobelli 2009:262; Nikolić-Ristanović 2000:65). The mass rapes first garnered international attention in early 1992 when investigators from the European Community were sent to Bosnia-Herzegovina to investigate suspected war crimes. The investigators returned, estimating that within the previous eight months of war that over 20 thousand girls and women had been raped (Niarchos 1995:656; Tompkins 1995:847; UN Doc A/48/92, S/25240, 1993). In 1993, the Bosnian Ministry of the Interior conducted its own investigations, stating that over 50 thousand girls and women had been raped over the duration of the war (Niarchos 1995:656). Regardless of which report was “correct” it was apparent that mass rape was occurring in Bosnia-Herzegovina.

In January of 1993 the United Nations Commission on Human Rights Special Rapporteur sent a team of medical experts to Bosnia-Herzegovina to investigate rape allegations. The team reported that the majority of the rape victims were Bosniak-identified women. The majority of the perpetrators were Serb-identified men: soldiers, members of paramilitary groups or the police, and sometimes even civilians (Niarchos

1995:654-655; UN Doc E/CN.4/1993/50, 1993). The rapes that were occurring were neither random nor spontaneous – they were a tactical force of war utilized by the ultranationalist Bosnian Serb, Serb and Montenegrin forces and directed at the Bosniak people.

While individuals belonging to each ethnic group were victims and perpetrators of rape (Skjelsbæk 2006:373), the use of rape as a tactical force of war was largely utilized by the ultranationalist Serb-identified forces and was directed at humiliating and forcibly removing the Bosniaks from Bosnia-Herzegovina (Cerone 2006:228). Rape is an effective mechanism in destroying a community because it communicates to the male members that they are weak and unable to fulfill their masculine duty of protecting girls and women (Seifert 1994:59; Thomas et al. 1999:210). The body of a raped girl or woman is in many ways symbolic to the men in the victim's community. It is a daily reminder of their failure to protect the victim from harm and of their inability to maintain possession of her body and honor; both of these abilities are closely tied to masculine pride and success (Brownmiller 1975:38; Olujic 1998:37-39). Therefore, when rape is used as a tactical force of war, the body of a raped girl or woman loses its autonomy and becomes a device for communication, one that sends the message of failure and defeat.

Another aspect of the effectiveness of rape as a tactical force of war is that although rape is a form of violence perpetrated through a sexual means, socially, it is often the sexual aspect of rape which is focused upon (Niarchos 1995:650-651). Due to this cultural focus on the sexual, there is often a social stigma attached to being a rape

victim. The process of rape is perceived as partaking in a sexual act with the perpetrator - even through this act is against the victim's will and causes her extended pain and trauma. For the women of the Foča municipality, which is a rural region in southeastern Bosnia-Herzegovina, most of the members of their community hold traditional Islamic values that emphasize the importance of virginity and chastity (Henry 2010:1101). To be raped is often seen as either losing one's virginity or committing adultery since a woman is only to partake in sexual acts during marriage and to remain sexually loyal to her husband.

In the case of the genocide in Bosnia-Herzegovina, the stigma of rape is aggravated because the perpetrator of the rape was most likely part of the enemy population (Bergoffen 2005:19; Copelon 1995:197-1981; Niarchos 1995:656; Ray 1997:802-803). Through being raped, the victim is not only seen as breaking social mores, but as partaking in sex with the enemy. Her body becomes an extension of the perpetrator (Scarry 1985:45). Through this association, the rape victim's physical being is transformed into a weapon directed at her population. As the victim is identified with the perpetrator she is at risk of being dislocated from her community (Cavanaugh 2002:2, 7; Fisher 1996:113; Weitsman 2008:564). In most cases, the social stigma attached to being raped is one in which the survivor experiences blame for the rape and is perceived as being guilty of transgressing cultural values and mores. Because of the stigma attached to rape and the symbolic aspects of the female body, many rape survivors "choose" to not come forward and bear witness to the rapes (Thomas et al. 1999:210). Therefore, this

perception of the victim being guilty of her own rape often allows the perpetrator to commit his crimes without consequence, ultimately with impunity.

A Former Bosnian Serb Soldier's Perspective on the Functions of Rape

Interviews with former soldiers reflect the systematic nature of the rapes that occurred during the genocide in Bosnia- Herzegovina. In an interview with George Rodrigue of the *Dallas Morning News* Cvijetin Maksimović, a Bosnian Serb who was drafted into the Serb Army in his early twenties, stated that rape was not only used to destroy the Bosniak community but to also strengthen the bond between soldiers (cited in Stiglmayer 1994:158). When Maksimović was drafted following the invasion and subsequent occupation of the multi-ethnic city of Brčko in northern Bosnia-Herzegovina the Serb army utilized the acts of rape and murder as a way to “initiate” the new recruits (Stiglmayer 1994:155). The rape of non-Serb girls and women and murder of non-Serb individuals functioned as a form of “initiation” since it simultaneously connected the new recruits to the Serb Army while separating them from their former community and previous life as a civilian.

Maksimović’s “initiation” occurred shortly after he was forcibly mobilized. After hesitating when ordered to murder over 80 non-Serb men and women at the Luka internment camp the Serb soldiers ridiculed Maksimović for what they considered to be a lack of masculinity. The Serb soldiers then gave Maksimović an “opportunity” to reclaim

his manhood – one based on violence - and prove his worth through ordering him to rape non-Serb girls and women (Stiglmayer 1994:156). In Maksimović's words:

They said that I wasn't a real Chetnik⁷ and now I would have to prove to them if I was at least a real man...They said "Here are twelve broads for you"...I was supposed to rape the women. (Stiglmayer 1994:157)

Through this process, the girls and women's bodies became a proving ground for Maksimović's masculinity. These rapes were also a symbolic act, a way for the soldier to prove that through conquering Bosniak and Croat-identified bodies that he would be capable of conquering these ethnic groups; proving his potential to be a "real Chetnik".

Maksimović failed to show enthusiasm for rape, stating:

...they stripped a girl naked...The soldiers told me I should rape her, and the others too...But I was afraid, and I didn't get an erection...I had absolutely no feeling for what I was doing...The soldiers said, "You guys [Brčko Bosnian Serbs] aren't real Serbs at all..." (Stiglmayer 1994:157)

Maksimović stated that eventually he managed to, in his words, rape one girl "properly" and 11 other girls "partway" (Stiglmayer 1994:155), meaning he sexually assaulted 12 girls and women. Following the rapes, Maksimović fled Brčko, terrified of having to participate in more murders and rapes. The fact that Maksimović was ordered to rape and was afraid of being ordered to rape in the future is representative of how the rapes were systematic and a tactical force of war. They were not random and spontaneous acts.

⁷ "Chetnik" is a term with multiple meanings. In the case of the soldiers who recruited Maksimović it was a term of pride, referencing the elite troops who fought for the Kingdom of Serbia during World War I and the troops who fought for the king during World War II. "Chetnik" is also used by non-Serbs as a slur for Serbs (Mertus et al. 1997:34). When used as a derogatory term during the genocide in Bosnia-Herzegovina the word "Chetnik" referred to the atrocities and brutality of the Chetnik soldiers during World War II. Nowadays, when used in a derogatory manner, the term also encompasses the atrocities committed by ultranationalist Bosnian Serb and Serb soldiers during the 1992-1995 genocide in Bosnia-Herzegovina.

Maksimović articulated that the reasoning behind the strategic rapes was multifaceted, stating:

It's because of territory – they have to drive out the non-Serb people in Brcko and annihilate them so that Brcko can become Serbian. Otherwise this Brcko could never belong to Serbia; too many Croats and Muslims would be living there. The rape is part of it; it spreads fear and terror so that the people flee and don't come back. This expulsion and all, it's made the Serbian people in Bosnia into haters, its sown hatred. The killing and raping were supposed to teach us to hate. (Stiglmayer 1994:158)

Maksimović's statement describes how the act of mass rape led to forced migration. In order to protect the girls and women, Bosniak-identified communities would leave their territories upon hearing that Serb troops were drawing near. Those who were raped would leave their homes and, following the end of the war, refuse to return. This forced migration is an expression of how rape is an effective strategy of genocide. Maksimović also reflects that ordering Bosnian Serbs to rape their former neighbors and friends tore apart a formerly multiethnic community. The rapes created a rift between the different ethnic groups and established a shift in power. Through the act of rape, the perpetrator not only illustrates himself to be more powerful than his victim but, symbolically, that his identified group is more powerful than the victim's identified group. It is clear that the ultranationalist Serb soldiers utilized rape to bind the newly initiated rapist to his new Serb community.

Rape in Foča, Bosnia-Herzegovina

“What they went through can simply not be described”

– A Survivor of the Partizan Sports Hall (Human Rights Watch 1998:23)

While the use of rape as a tactical force of war and the occurrence of rape during the genocide in Bosnia-Herzegovina has been well-documented and studied, little has been written about both the short-term and long-term impacts of the rapes on the personal and social identities of the survivors. This thesis, utilizing the Foča rapes as a case study, explores these issues. To provide context for this study, background on the Foča rapes is provided.

The Foča municipality is located in southeastern Bosnia-Herzegovina⁸. In 1991, prior to the takeover and subsequent occupation, 40,513 people resided in the municipality. 51.6% of the people identified themselves as Bosniak, 45.3% as Bosnian Serb and 3.1% as “other”. The Bosniak community was strong and within Foča and there were 14 mosques. Two of the mosques, the Aladza Mosque and the Ustikolina Mosque, were known for being especially ancient and beautiful. The former was constructed in 1550, the latter in 1448.

Prior to the physical takeover of Foča, a Krizni Štab (Crisis Committee) had been formed in the region. Similar committees, consisting of ultranationalist Bosnian Serbs, were responsible for planning and implementing the removal of non-Serb identified people from Bosnia-Herzegovina. The Foča Krizni Štab had been active since March of 1992, collecting weapons through the assistance of Slobodan Milošević in Serbia (Human Rights Watch 1998:12). As the Bosnian Serb forces in Foča were unable to forcibly remove the Bosniaks from the municipality by their own means, the Krizni Štab ensured

⁸ Please see Figure 1 in Appendix A for a map of Bosnia-Herzegovina

that they received support from the JNA and paramilitaries from Serbia and Montenegro (Human Rights Watch 1998:13). By the end of April 1992, the number of Serb-identified forces in Foča totaled four thousand (Human Rights Watch 1998:13). The military takeover of Foča began on April 7, 1992, and lasted nine days; during this period many non-Serbs were forcibly expelled from the municipality⁹ and their property was confiscated (Human Rights Watch 1998:12; Iacobelli 2009:266). The occupation of Foča lasted many months after the takeover. During these months the Bosnian Serb, Serb and Montenegrin forces mistreated the remaining Bosniaks.

During the occupation, non-Serb men were held in detention centers such as Livade, which had formerly been a military facility, and the Kazнено-Popravni Dom (KP Dom), which had formerly been used as a prison. The men were routinely beaten and tortured at these facilities and many were executed or forcibly “disappeared” (Human Rights Watch 1998:14-18; Iacobelli 2009:266). The girls and women of Foča were held at various sites that functioned as rape camps. The earliest reports of rapes occurring in Foča begin in April of 1992; the latest reports are from March of 1993 (Cerone 2006:228; Iacobelli 2009:266; ICTY, Testimony, FWS-132, *Prosecutor v. Dragoljub Kunarac et al.*, April 26, 2000: 2421), although it is likely that rapes occurred before and after these dates.

Among the numerous detention centers that functioned as rape camps were Buk Bijela, which formerly was a barracks for construction workers, the Partizan Sports Hall,

⁹ Please see Appendix A, Figure 2 for a map of Bosnia-Herzegovina illustrating the number of missing and dead individuals.

Foča High School, and the personal and pillaged homes and apartments of soldiers. The Partizan Sports Hall, located in the city of Foča, is among those most frequently mentioned by the Foča rape survivors. Conditions at the Partizan were brutal, as described by one survivor:

...they [ultranationalist soldiers] beat us, raped us, no electricity, no water, we slept on the floor. Groups of Serbs came at night. There were many Foca Serbs and also many Serbs from Serbia. [They] mistreated women, beat women, tortured us. One woman recognized a Serb from Foca and asked him for help, he said to get some women together and he will take care of them the next day. They took these women the next day up to Velečevo in Brioni and mistreated them, raped them. There were five of them. Four returned, but the fifth did not.
(Human Rights Watch 1998:23)

Although the Partizan was located only 70 meters away from the police station (Human Rights Watch 1998:22; Iacobelli 2009:267) and Foča residents reported the rapes, the police – local Bosnian Serbs¹⁰ - never intervened. The police, instead of aiding the victimized Bosniaks, were, more often than not, direct participants in the abuse.

Another location of rapes often referenced by the Foča rape survivors is Karaman's House – a nickname ascribed to a rape brothel. The rape brothel was established in the former home of a Bosniak man, Nurset Karaman, who was in Germany for the duration of the war. This rape brothel was located in the town of Miljevina where Bosniak girls, some as young as 12 years old, were held with the purpose of servicing Serb-identified soldiers (Human Rights Watch 1998:30; ICTY, Testimony, FWS-75, *Prosecutor v. Dragoljub Kunarac et al.*, March 30, 2000:1438-1440; ICTY, Testimony,

¹⁰ Foča's police were closely aligned with the ultranationalist Serb-identified forces. In fact, the chief of police, Dragan Gagović, suggested the Partizan Sports Hall and Foča High School as locations for the rape camps, and participated in the rapes (Iacobelli 2009:269).

FWS-87, *Prosecutor v. Dragoljub Kunarac et al.*, April 5, 2000:1707; Stiglmeier 1994:107). Many of the victims were held in Karaman's House for multiple months, during which they were raped and tortured repeatedly. They also had to perform household chores and care for the soldiers. According to one survivor, while testifying during *The Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković*: "Various soldiers would come. They gave us orders to go with them. And we had to wash their clothing for them, to make their meals, to do the cleaning work around the house and everything else." (ICTY, Testimony, AS, *Prosecutor v. Dragoljub Kunarac et al.*, April 19, 2000:2002). When the same witness was asked how often she was raped during the months she was held there, her response was "Perhaps 50 times, 60. I don't know." (ICTY, Testimony, AS, *Prosecutor v. Dragoljub Kunarac et al.*, April 19, 2000:2002).

Through accounts such as these, it is apparent that the girls and women of Foča suffered extended personal trauma during the duration of their victimization. As rape is an act that results in both a rupture of the body and psyche (Campbell 2002:173), the victim is left with deeply personal impacts. When this personal trauma is aggravated by the social implications of a stigmatized identity (Cavanaugh 2002:2, 7; Fisher 1996:113; Weitsman 2008:564), it is likely that the trauma of rape has long-term impacts on the personal and social identities of the Foča rape survivors.

Chapter 2 Methodology

Data and Forms of Analysis

As covered in Chapter 1, during the 1992-1995 genocide in Bosnia-Herzegovina, rape as a tactical force of war, for the first time in history, garnered international attention and became a prominent topic in Western mass media (Skjelsbæk 2006:373; Thomas et al. 1999:203; Tompkins 1995:847). Because of this international attention many journalists, feminist researchers and anthropologists traveled to Bosnia-Herzegovina and refugee centers where they recorded girls and women's accounts about surviving rape as a tactical force of war (Gutman 1993; Maass 1996:54; Stiglmayer 1994; Vranić 1996; Vulliamy 1994:200-201; Zajovic 1994). Due to this practice, there is a wealth of Bosnian rape survivor accounts available to the public.

The testimony of rape survivors is also available to the public via the International Criminal Tribunal for the former Yugoslavia (ICTY). The ICTY, established May 25, 1993 (Henry 2010:1103), is the first international tribunal to explicitly list rape as a crime within its statute (Askin 2003:300-302; Niarchos 1995:651; Ray 1997:796-798). The ICTY's 2000 - 2001 case *The Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković (Kunarac et al.)* broke legal ground by prosecuting three Bosnian Serb men for crimes that dealt strictly with the sexual abuse of girls and women in the Foča municipality of Bosnia-Herzegovina. Sixteen rape survivor witnesses testified (ICTY, *Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković*) at the trial, 12 of

them making their testimony available to the public. Thus, there is a written record of the Foča rape survivors' courtroom testimony.

Because of the availability of survivor narratives and testimony, narrative analysis is an appropriate method to utilize for the analysis of the personal and social identities of the girls and women who survived the war rapes during the 1992-1995 genocide in Bosnia-Herzegovina. In this thesis, the methodology of narrative analysis is applied to 26 narratives and testimonies of rape survivors from the Foča municipality of Bosnia-Herzegovina. The accounts of Foča rape survivors, specifically, were selected for analysis because the sexual abuse and rapes that occurred in Foča were the focus of the *Kunarac et al.* case, a body of work that contains a wealth of information about the region and the atrocities which occurred there. Twelve of the 26 accounts are in the form of courtroom testimony from the 2000 – 2001 *Kunarac et al.* case. The remaining 14 accounts come from the texts *Breaking the Wall of Silence: The Voices of Raped Bosnia* (1996) edited by Seada Vranić and *I Begged Them to Kill Me: Crime Against the Women of Bosnia-Herzegovina* (2000) edited by Irfan Ajanović. For further information about the survivors who shared their accounts, please see Appendix B.

Narrative analysis is a methodology utilized to study “the relationship between ideas and ideals in our social worlds and how they are represented and manifest on different levels” (Skjelsbæk 2006:376). To explore this complex relationship, narrative analysis focuses on the stories an individual creates about her or his *self* and *identity* – the way she or he defines her or his personhood (Skjelsbæk 2006:376). The way that an

individual portrays herself or himself in a particular account expresses how she or he views herself or himself within the larger events and socio-cultural systems she or he interacts within.

Accounts are an appropriate venue in which to explore the identity and perceptions of an individual because, in the words of scholar Kenneth Gergen, instead of perceiving life “as simply ‘one...thing after another’, we formulate a story in which life events are systematically related, rendered intelligible by their place in a sequence” (1997:248). Out of this life story an individual establishes her or his present identity; identity emerges through which events and individuals the storyteller chooses to include, when in the account they are included, and also through the way the storyteller characterizes her or his relationship to the particular events or individuals. Accounts not only reflect an individual’s identity, but they are also an important factor in the construction of self (Spector-Mersel 2011:173). When we create stories about ourselves, we re-write ourselves and define our role within our life schema.

Forms of analysis similar to narrative analysis have been successfully utilized by scholars of the Bosnian war rapes. Among them is scholar Julie Mertus who analyzes survivor testimony from *Kunarac et al.* in her article “Shouting from the Bottom of the Well: The Impact of International Trials for Wartime Rape on Women’s Agency” (2004) in which she explored the efficacy of tribunals in meeting the goals of victims and survivors. Discourse analysis is also utilized by reputable scholars John M. Conley and William M. O’Barr in their book *Just Words: Law, Language and Power* in which the

authors utilized linguistics to explore biases within the structure of justice systems in the United States (2005). Scholar Inger Skjelsbæk's article "Victim and Survivor: Narrated Social Identities of Women Who Experienced Rape During the War in Bosnia-Herzegovina" (2006) utilizes narrative analysis. Within her research Skjelsbæk applied narrative analysis to interviews she conducted with five women who survived wartime rape during the 1992-1995 genocide in Bosnia-Herzegovina. Through the analysis she illustrated the multitude of ways the rapes impacted women and how the women experienced the rapes (2006:395-397). Narrative analysis is also applied by scholar Margareta Hydén in her article "'I Must Have Been an Idiot to let it Go On': Agency and Positioning in Battered Women's Narratives of Leaving" in which the author analyzes interviews she conducted with survivors of domestic violence (2005). Within this study, narrative analysis was used to identify common themes in each survivor's narration of her process of leaving the abuser (175-176). Therefore, many scholars have successfully used narrative analysis to identify how a narrator characterizes her or his self within her or his story and what this reveals about the identity of the storyteller and the socio-cultural systems she or he interacts within.

This thesis utilizes narrative analysis to explore the *personal* and *social* identities of Foča rape survivors within three contexts 1) the period of victimization, 2) within the long-term recovery process and 3) while testifying in *Kunarac et al.*. Personal identity refers to how the survivor perceives herself; social identity refers to how the survivor feels other individuals perceive her. For the purpose of this thesis, the period of

victimization is defined as the time in which the girls and women of Foča were held in captivity by the ultranationalist Serb forces. As the narratives analyzed within this thesis were shared years after the moment of victimization, the identity being narrated is not necessarily the same identity the narrator had while being victimized; the identity she is representing is the one she presently is establishing for her past experiences. While it may not be possible to know exactly how the survivor perceived herself and felt others perceived her during the period of victimization, one can still analyze how the survivor portrays her personal and social identity regarding her experiences of victimization and captivity.

Chapter 4 of this thesis focuses on exploring each survivor's personal and social identity during the long-term recovery process. Determining exactly when each survivor's period of victimization ended and long-term recovery process began is open to interpretation. The beginning of the long-term recovery process could be characterized as the exact moment the survivor escaped her captors. It is also possible that some survivors may still feel that they are being victimized to this very day and that the process of recovery has yet to begin. Establishing categories for analysis that are reflective of every individual's experience can be challenging. Therefore, for the purpose of this thesis, the long-term recovery process is defined as the span of time following the victim's escape from captivity.

In order to explore survivor accounts within a judicial context, Chapter 5 of this thesis is dedicated to analyzing the survivors' personal and social identities while

testifying during the *Kunarac et al.* trial. The ICTY is the first international war crimes tribunal to explicitly list rape within its statute (Askin 2003:300-302; Niarchos 1995:651; Ray 1997:796-798) therefore it is appropriate to analyze the application of rape survivor accounts within this system. Both the prosecution and defense attorneys, in order to achieve their own agendas, work to apply specific social identities to the survivors; and rape survivors face unique challenges while testifying within the judicial system. For that reason, analyzing the *Kunarac et al.* trial transcripts offers the opportunity to explore the ways in which the judicial system may or may not shape survivors' accounts and identities.

While utilizing narrative analysis to identify each survivor's personal and social identity the qualitative technique of *grounded-theory* based *memoing* was utilized. *Grounded-theory* is the inductive process of identifying common themes within a text and linking each theme to a formal theory (Bernard 2006:492). The multiple themes¹¹ regarding each survivor's personal and social identity, as a result of grounded-theory, emerged from the narratives and testimonies and are reflective of the stories the survivors crafted. *Memoing* is the process of making notes about the emergent themes and connections in narratives and testimonies (Bernard 2006:492). During this process of memoing a research codebook was kept where the emergent themes in the survivor narratives and testimony were recorded. During the analysis of the *Kunarac et al.* trial

¹¹ Please see Appendix C, Table 1 – Table 6 for the emergent themes and explanations for the themes

transcripts the types of questions asked by the prosecuting and defense attorneys were also recorded to aid in determining how the judicial system shaped the survivor accounts.

After the common themes were identified they were placed in a spreadsheet where larger themes and smaller sub-themes were established and quantified based on the number of times each theme or sub-theme occurred in each survivor's account or attorney's questions. Quantifying the themes found in the survivor narratives and testimonies and measuring how much of the content was dedicated to each theme or sub-theme is an appropriate way to explore the perceived personal and social identities of the survivor within her account because, in the words of scholar Gabriela Spector-Mersel, "the process of claiming identities through stories is based on conscious and (mostly) unconscious acts of sorting, filtering, and selecting from the immense stockpile of biographical "raw material" contained in our life history" (2011:174). The elements that are included and focused upon and, in some cases, omitted or hidden in a survivor's account are reflective of her identity. Through quantifying the themes and sub-themes it was possible to discern what percentage of content of each survivor's narrative or testimony and attorney's questions were focused on each theme or sub-theme and thus explore the survivor's perception of her personal and social identity, or, in the case of the *Kunarac et al.* trial transcripts, what type of social identity the attorneys were attempting to assign to the witness. It was also possible to analyze the survivor narratives and testimonies as a group, averaging the number of times a particular theme or sub-theme was present, which themes were consistently present and which themes were unique to

particular survivors. The spreadsheets can found in the Appendix C of the thesis, as can explanations for the themes and sub-themes which emerged from the narratives. Readers are encouraged to refer to the spreadsheets while reading this thesis.

Ethical Considerations

Before entering into the results obtained by narrative analysis, a brief discussion regarding ethical issues and the use of survivor accounts is necessary. One prominent ethical issue facing researchers who choose to utilize survivor accounts is whether or not it is even ethical to incorporate survivor narratives and testimonies into one's research. Scholar Rose Lindsey's article "From Atrocity to Data: Historiographies of Rape in the Former Yugoslavia and the Gendering of Genocide" (2002) unflinchingly addresses the use and abuse of survivor accounts by academics, journalists and activists. Lindsey argues that, regardless of the position of the individual utilizing survivor accounts, "the physical act of collating testimony for publication is essentially a selfish one because the ego and career of the person who will be controlling the testimony is bound to the process of gathering it" (2002:75). During the process of reading the Foča rape survivors' narratives and testimony and the writing of this thesis, Lindsey's critique was kept in mind. While no individual is ever able to remove her or his self from her or his biases or personal interpretations, an effort was made to remain mindful of personal perceptions, and, in the words of Lindsey, "ego". This thesis was written with the intent to reflect the

individual identities of the Foča rape survivors, not to exploit or purposefully misrepresent their accounts.

It is also important for researchers to be aware of the source of the survivor accounts they incorporate into their works. As previously discussed, from 1992 to 1993 the stories of Bosnian rape victims became what feminist activist Staša Zajovic described as a “media hit” (1994), drawing reporters to refugee camps and hospitals in search of rape survivors to interview (Neier 1998:176-177). Often the reporters did not treat the rape victims and their accounts with the respect and sensitivity they clearly deserved. According to Zajovic a common “joke” among women who worked with war refugees was “What does a newsman ask when he come[s] to a camp? The answer is ‘Anyone here been raped and speak English?’” (Zajovic 1994). While not all journalists were exploitative of survivors, the stories of rape survivors were often treated as commodity for Western consumption. The trauma survived and witnessed by the Bosnian rape victims was exploited for the “entertainment” of Western audiences, who, through location and often experience, were far removed from the trauma. This reality of the exploitation of rape survivors’ accounts makes it important for researchers to consider what context a rape survivors’ account was shared, or, in many cases, taken.

The narratives related in *Breaking the Wall of Silence: The Voices of Raped Bosnia* (1996) are from interviews conducted by journalist Seada Vranić. While the survivor accounts are in the form of interviews with Vranić, this thesis includes the narrative of a Foča rape survivor in its analysis. This decision was made since Vranić’s

questioning in the interview was reproduced in the text, and was, the majority of the time, open-ended. When the questions were not open-ended, Vranić did not badger the survivor to answer them (1996:97-109). Within the text, Vranić also clearly communicated her personal biases and how they may have impacted her research, and the situations and contexts in which her interviews were conducted. The narratives in *I Begged Them to Kill Me: Crime Against the Women of Bosnia-Herzegovina* were written by survivors on their own accord, without questioning by journalists or interviewers (Ajanović 2001:81). The researcher also acknowledges that *Breaking the Wall of Silence: The Voices of Raped Bosnia* (Vranić 1996) and *I Begged Them to Kill Me: Crime Against the Women of Bosnia-Herzegovina* (Ajanović 2001:81) were translated from Bosnian to English, as was the survivor testimony from *Kunarac et al.*. The researcher is aware that this may have altered the survivors' accounts, and, therefore, when analyzing the narratives and testimonies the researcher elected to identify common themes in the narratives and testimony instead of the survivors' word choice or syntax. Through this decision, this thesis hopes to present a more accurate analysis of the survivors' identities, one which is not based on a translator's interpretation of a survivor's narrative or testimony, but rather the identity presented by the survivor herself.

This thesis also chooses to present the analysis of survivor identity in *The Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković* separately from the analysis of survivor narratives from *Breaking the Wall of Silence: The Voices of Raped Bosnia* (Vranić 1996) and *I Begged Them to Kill Me: Crime Against the Women of*

Bosnia-Herzegovina (Ajanović 2001). This choice was made in acknowledgement of the strong impacts the agendas of prosecuting and defense attorneys – and the judicial system itself - have on the survivors' accounts (Conley et al. 2005:21-32). These impacts, along with the judicial system's appropriation of survivor accounts, are addressed in Chapter 5 of this thesis.

While the terms *narrative* and *testimony* are often used interchangeably, in order to acknowledge the impacts of the judicial system, and to further differentiate between the survivor accounts in *Breaking the Wall of Silence: The Voices of Raped Bosnia* (Vranić 1996), *I Begged Them to Kill Me: Crime Against the Women of Bosnia-Herzegovina* (Ajanović 2001) and *The Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković*, the term *narrative* is defined as the stories, both written and spoken, shared by survivors as “a tool of representation” (Trinch 2010:181), while *testimony* is defined as “a declaration by a witness under oath before a legal authority” (Trinch 2010:181). Therefore, the term *narrative* is used to refer to the survivor accounts in the texts *Breaking the Wall of Silence: The Voices of Raped Bosnia* (Vranić 1996) and *I Begged Them to Kill Me: Crime Against the Women of Bosnia-Herzegovina* (Ajanović 2001) while *testimony* is used to refer to the survivor accounts from *Kunarac et al.*.

Chapter 3

Personal and Social Identities during the Period of Victimization

Among the most dominant discourses surrounding the rapes that occurred during the genocide in Bosnia-Herzegovina is one which characterizes the rapes along the lines of ethnicity (Hromadzic 2007:173). The rapists are defined as Serbs, their victims as Bosniaks or Bosnian Muslims. While ethnicity certainly played a role in determining who was “eligible” for rape, this discourse applies a collective identity to the rape survivors (Hromadzic 2007:174), one which overlooks the diversity in the rape survivors’ accounts, and suggests that the victims lack their own personal perspectives and identities. This section of the thesis, in response to this application of collective survivor identity, addresses the diverse personal and social identities of the Foča rape survivors during the period of victimization. To provide context for the survivors’ narratives and testimonies, background information is also provided.

Rape on the Lines of Ethnicity

Through applying narrative analysis to texts containing the personal accounts of Foča rape survivors, several themes regarding the survivors’ feelings of personal and social identity during the period of victimization emerged. Thirteen out of 14 survivors explained that the conflict occurred along the lines of ethnic identity. In fact, on average, 76.66% of the total explanations for the conflict stated that it originated from Serbian or “Chetnik” aggression. All 14 survivors also stated that they were targeted for

dehumanizing and degrading treatment because they were Bosniak, with religious and/or ethnic identity constituting, on average, 81.75% of the total explanations for why dehumanizing and degrading treatment occurred. All 14 of the survivors also mentioned that the rapes were perpetrated as part of the ethnic-based conflict; this type of explanation, on average, constituted 47.33% of the survivors' explanations as to why they believed the rapes occurred. While this theme may be consistent with the dominant discourse surrounding rape during the genocide, it is not surprising that it emerged in the survivor narratives. During the takeover and occupation of Foča, as was true throughout most of Bosnia-Herzegovina during the genocide, ethnic and religious identity became one of the defining factors in how an individual was treated. As stated by scholar Inger Skjelsbæk, "Ethnic differences came to define friend and foe, compatriots and enemies, perpetrators and victims" (2006:381). Through this situation, one's ethnic and religious identity placed an individual as being either the conqueror or the conquered. To be the conqueror meant that the individual had the power to control and define the conquered as he saw fit. The Foča rape survivors' narratives illustrate nuanced perspectives of what being defined as a Bosniak meant to them, and how they experienced a loss of control over their identities.

Commonly found in the survivor narratives are stories of the ultranationalist ethnic Serb perpetrators declaring their cultural and religious superiority over the Bosniaks. As the Serb Orthodox church had been a strong supporter and advocate of the creation of a Greater Serbia (Anzulovic 1999:118-128), it is not surprising that many of

the ultranationalist Serb soldiers perceived their religious identification of Orthodox Christianity as “right” and Islam, which was practiced by the Bosniaks, as “wrong”. This is exemplified in the accounts of many Foča rape survivors who described how religious and cultural symbols played an active role in the process of rape and torture.

In her narrative, CID¹² 1 described demoralizing scenarios that took place while she and others were detained in the residence of an ultranationalist Serb soldier. Serb soldiers often sang songs to intimidate and declare superiority over the detained Bosniak girls and women. She stated:

It was a scary feeling to be among twenty drunken Chetniks and to listen to the songs such as ‘Who is crying, who is lying: Serbia is small’ or the blasphemous one, ‘Both Ustashas and Balijas know well their God; heaven is just Serbian and so is Lord.’” (Ajanović 2000:88)

The second song contains slurs for Croats and Bosniaks. The term *Ustasha*, refers to the Nazi-aligned Croatian troops that committed atrocities during World War II (Judah 1997:285; Malcolm 1994:214). *Balija* is a derogatory term for Bosniaks (Van Boeschoten 2003:45). Both of these offensive terms occur in a song where it is declared that the Serbs, who identify as Orthodox Christians, are the only individuals truly connected to God, because Bosniaks and Croats are aware of this but choose to spitefully practice their own, “incorrect” religions. Thus, CID 1 expressed that cultural and religious symbols were actively utilized during the period of captivity and moments of torture.

¹² CID is an acronym referring to the Center for Investigation and Documentation of the Association of Former Prison Camp Inmates of Bosnia-Herzegovina. Survivor narratives originated from this organization.

CID 2 also expressed a similar experience in her narrative:

They [ultranationalist Serb soldiers] cursed us all the time. They cursed our 'Baliya' and 'Turkish' mothers; they kept telling us that from now on we would be giving birth not to the Bosniacs but to Chetnik heroes. They also said that neither in Foča nor elsewhere in Bosnia would there be any Bosniacs left and that everything would belong to the Serbs. They sang Chetnik songs in which they insulted us and celebrated their Serbdom and their leaders, especially Slobodan Milošević, Ratko Mladić and Radovan Karadžić. (Ajanović 2000:114)

In this quote, the soldiers once again used the slur *Baliya* and also referred to Bosniak women as *Turks*. By using the term *Turks*, a slur for Bosniaks, the soldiers were labelling the Bosniaks as being directly related to the Ottomans who defeated the Serbs at the Battle of Kosovo in 1389, which was followed by 500 years of Turkish oppression (Boose 2002:79-81; Friedman 1996:126). Through the acceleration of memory (Nora 1989:7-8), the Bosniaks became an extension of the Ottomans who oppressed the Serbs. Another aspect of referring to the Bosniaks by slurs illustrates well the sentiment that ultranationalist Serb soldiers held: namely that their victims' ethnic and religious identity were a prominent factor in selecting them for rape and torture. This same process of ethnic identification establishing perpetrators and victims is also exemplified when the soldiers informed their victims that there would no longer be Bosniaks in Foča or Bosnia-Herzegovina, a direct reference to the identity-based genocide that was occurring. The fact that they celebrated prominent ultranationalist Serb leaders can be interpreted as the soldiers justifying the rapes of Bosniak girls and women as a strategy that their leaders approved. According to this perspective, it was the soldiers' right and duty to punish and abuse the Bosniak girls and women. This quote also includes a reference to enforced

pregnancy, which was commonly utilized by ultranationalist Serb forces during the genocide in Bosnia-Herzegovina (Cavanaugh 2002:5; Fisher 1996:109-112; Niarchos 1995:657; Salzman 1998:359; Weitsman 2008:570-571). As both Serbian and Bosniak culture generally determine the ethnicity of a child paternally, a child born of a Bosniak mother and Serbian father would be perceived as Serb (Niarchos 1995:657; Salzman 1998:358-359; Olujic 1998:39; Ray 1997:801,808-810). The process of enforced pregnancy acts as an occupation of the womb. Through enforced pregnancies the ultranationalist Serb forces were not only able to increase the perceived Serb-identified population, but could also prevent future births within the Bosniak people group. This is because, as presented within Chapter 1 of this thesis, within Bosniak culture, a rape survivor may be perceived as tainted or a traitor to her religious or ethnic group (Cavanaugh 2002:2, 7; Fisher 1996:113; Weitsman 2008:564). Thus, she may be perceived as not eligible for marriage or giving birth in the future. During and following the genocide in Bosnia-Herzegovina, newspapers and other media outlets often referenced Bosniak rape survivors suffering from spousal abuse, abandonment by families, ostracism from their communities, and, in some cases, being murdered by their own husbands (Healey 1995:340; Niarchos 1995:659; Ray 1997:795,805). Giving birth to a Serb-identified baby would provide physical evidence that a girl or woman had been raped, which could increase her risk of being ostracized and further abused. Therefore, the ultranationalist Serb forces, through utilizing enforced pregnancy, worked to conquer and occupy the reproductive capabilities of Bosniak girls and women.

What is interesting is that for some of the rape survivors, interpreting the conflict, dehumanization, and rapes along the lines of ethnicity offered them a source of strength. Through interpreting the rapes as an act of genocide, a political and identity-based strategy and act, rape victims could objectify and make sense of an extremely inexplicable act. Through creating an explanation, some Bosniak women found a reason and motivation for survival. This process of explaining the inexplicable is reflected in one narrative where the survivor described how the ultranationalist Serb soldiers raped the elderly women in the Foča municipality:

The poor, wrinkled, shaking Bosniak grandmothers at the age of 60 or 70 had to get up when the Chetniks would point at them. Our hearts were breaking with pain we felt looking at them. How can anyone believe that a young man would rape an old woman who could be his grandmother? What was their guilt, what was our guilt to justify the cruelty of their assaults? Why so much hatred against the innocent victims of the Serbian aggression?

My feeling was that they wanted to destroy our genetic codes, to humiliate us, to kill us physically and psychologically, as human beings, by rape, slaughter and expulsion from our land. And to eradicate all traces of our existence by burning down our houses and destroying our mosques and graveyards. (Ajanović 2000:300)

In this description of victimization, this survivor first explained the inexplicability of the soldiers' cruelty. She then proceeded to identify the rapes as part of a larger campaign of genocide, illustrating them as a political act and a tactical force of war – not something that was based upon sexual desire. The process of describing how elderly women were also targeted for rape also aids in explaining that the rapes were not based on sexual desire, but rather tactical in nature – they were perpetrated as a way to exercise power and control over the Bosniak people. What is especially interesting is that in the last

paragraph the survivor listed rape in the same sentence as *slaughter* and *expulsion*. Through this syntactical positioning she was stating that rape is no different than these forms of abuse. Thus, the survivor asserted that her social identity should be no different than that of any other Bosniak who was mistreated by the ultranationalist Serb forces. She identified herself as a Bosniak victim instead of a gendered victim. This social identity could aid her in absolving herself from possible perceived guilt for the rapes. While providing explanations for the rapes that occurred may not lessen the trauma the survivor experienced and may continue to experience, explaining the inexplicable can function as a powerful coping mechanism.

Rape as a Personal and/or Gendered Affront

Survivor narratives also reflected some women's understandings that the rapes were not only an act of genocide, but also as a personal affront directed at a specific individual and a gendered offense. Twelve out of 14 survivors described the rapes as a personal attack, one for which they were targeted as individual girls or women. This theme, on average, constituted 17.98% of the survivors' explanations for why the rapes occurred. Eleven out of 14 survivors mentioned that they were raped because they were girls and women. This theme, on average, constituted 13.12% of the explanations for rape. This common interpretation of the rapes as a gendered act likely resulted from the fact that during the takeover of Foča most of the remaining Bosniak boys and men were murdered on sight or detained and tortured in the KP Dom, whereas the Bosniak girls and

women were held in rape camps, rape brothels and/or sold as sex slaves to soldiers and civilians (Human Rights Watch 1998:14-18; Iacobelli 2009:266). While it is highly likely that some boys and men in Foča were raped or subjected to sexual torture, the rapes were largely committed along the lines of sex and gender.

It is also not surprising to find that many of the survivors experienced the rapes as a personal assault. The act of rape is a very personal form of torture (Campbell 2002:173). The rapes in Foča were also a personal act as many of the perpetrators were the survivors' neighbours, former colleagues, and, in some cases, former friends. Generally, women who were raped by individuals that they knew or who were held in rape brothels or the personal homes of soldiers for extended periods of time tended to experience the rapes as a personal attack. In the latter case, this is likely because the survivors came to know the perpetrators as individuals. It is also interesting to note that ten out of 14 survivors and, on average, 16.35% of the explanations for the conflict described it as a betrayal on the part of former friends and neighbours. If a survivor experienced the genocide itself as a personal act, the rapes, too, would be a personal act.

In her narrative, CID 5 described the process of betrayal and the shock of being assaulted and ridiculed by her former friends and neighbors:

All these crimes were committed by the Chetniks who used to be our next-door neighbors as well as by the Chetniks from Serbia and Montenegro. They knew our names, they knew where we lived, they knew our husbands' names.

Before the conflict, our neighborly relations with Serbs were good. With some of them we were quite close. We exchanged visits and helped each other. We could never imagine that they would turn on us like this. We thought that they would help us, but we were wrong. They sent other Chetniks to do horrible

things to us, and they laughed at our misery. They took pleasure in our suffering. That was something I was not able to understand. (Ajanović 2000:193)

This sample of CID 5's narrative touched on several themes. She first assigned responsibility for the genocide and atrocities to the *Chetniks*, a term used for an ultranationalist Serb-identified war criminal. She next mentioned that many of these "Chetniks" were formerly her neighbors and friends. By using the term "Chetniks" for the perpetrators, CID 5 not only illustrated the change that occurred in these individuals when the conflict began, but also expressed her personal agency to re-identify these individuals based on how they treated her and her community. She established a separation between a time of peace and a time of conflict. She then continued her narrative, describing the peaceful era prior to the conflict, followed by an explanation of how the Bosniaks had expected their Serbian friends to aid them when the war began. CID 5's narrative established that a betrayal had occurred, and assigned responsibility for the betrayal. The atrocities that were committed were personal in nature, unexpected and inexplicable.

CID 4's narrative, similar to CID 5's, characterized the personal nature of the rapes and torture. In one sample of her narrative, she described the time her Bosnian Serb neighbor raped her, stating:

While raping me he was cursing my 'Turkish' and 'Balija' mother; he said that my husband would never come back to me; that Bosnia was a Serb land now; and many other things. He was alone and he stayed all night. His name was Trivun Predrag and he was known as 'Pedo'. He used to be my neighbor. At the beginning of the aggression he turned into a horrible monster. During the arrests of the Bosniacs, he personally killed about ten people. (Ajanović 2000:180)

Similar to previously analyzed samples of narratives, the perpetrator insulted CID 4's ethnic and religious identity. While this could characterize the rape as having occurred purely along the lines of ethnicity, since Predrag raped CID 4 alone, without the pressure of a present group of soldiers, was CID 4's neighbor and explicitly referenced her husband, these factors characterized this rape as a personal offense more than an ethnicity-based offense. It appears that the rapist purposefully selected her for the rape. It is also interesting that, in a declaration similar to that of CID 5, this survivor mentioned that during the aggression that Predrag became a "horrible monster". Through this expression of associating Predrag with a creature, she separated the pre-war Predrag from the man who raped her.

As presented earlier in this section, other survivors described the rapes as being a gender-based offense. In CID 9's narrative, she described how her daughter, a little girl named "Emina", experienced the rapes purely along the lines of gender. Emina was raped while held captive at a rape camp in the Foča municipality. Her mother described the repeated rapes' impacts on Emina, stating:

After the first of many such nights, my Emina did not say a word. She took her toy dog and held it close to her, standing like that for hours, with an empty stare in her eyes, not seeing anything. Whenever she saw a man entering the room, she reached for her dog. It was the only thing to whom she revealed her secrets, her fears, her pain. There had been no words for the rest of us. "Only you, little dog, may touch me. A man - never again," I heard her say to it. (Ajanović 2000:301-302)

While there are many explanations for Emina's silence – trauma, not wanting to relive the rapes, fear, or confusion at what had occurred - the words she spoke to her toy dog

show that she experienced the rapes as a crime that men perpetrate on girls and women. Emina's understanding makes sense. While she may have been too young to understand the genocide that was occurring, through simple observation she could see that in the camp where she and her mother and siblings were held that it was girls and women who were victimized and the ones perpetrating the rapes and torture were all men. Thus, the rapes were not expressed as being the result of genocide or war; they were the result of men hurting girls and women. Therefore Emina's identity, as presented by her mother's narrative, was that of a girl who was raped by men.

Resistance as an Identity

Although, on average, trauma constituted 35.63% of the Foča rape survivors' narratives, the survivor narratives also reflected personal and social identities based on forms of resistance. All 14 of the survivors described the forms of resistance they utilized, the desire to resist, or the endurance of trauma as an expression of personal strength. These discussions of resistance constituted, on average, 18.00% of the total content of each survivor's narrative. The acts of resistance that survivors described came in many nuanced forms. Some girls and women physically attacked perpetrators in self-defense (Ajanović 2000:381), attempted to escape the rape camps and brothels (Ajanović 2000:167,194) or hid objects that perpetrators could use to harm them (Ajanović 2000:89). Other girls and women would hide themselves or other girls and women under blankets or even their own or other women's bodies (Ajanović 2000:85, 160). Some

women tried to hide their femininity by smearing dirt on their faces (Ajanović 2000:378). Some girls and women shared that to prevent being gang-raped that they would (non-sexually) ask one of the soldiers to sleep in their rooms (Ajanović 2000:163). Clearly, the girls and women of the Foča municipality worked to find and utilize various forms of resistance throughout the period of victimization.

In some cases, survivors framed their personal narratives as accounts of resistance through a period of profound trauma. The account of CID 1 exemplified this narrative style. Early in her account CID 1, who was first detained at Kalinovik, stated:

Since Kalinovik is a horrible story told by more than two hundred Bosniac women, I don't want to repeat it here. I will start with the part of the story describing my survival. In this part I am, in most cases, the main witness. This means that I will not describe my suffering in the period from July 7 to August 8, 1992. (Ajanović 2000:85)

Thus, CID 1 began her narrative by stating that it is a story of her personal survival. She irrefutably acknowledged that she suffered great trauma, and that hundreds of Bosniac girls and women suffered at Kalinovik, but that the narrative she tells is one of her overcoming trauma. It is a personal narrative of resistance through trauma.

The dominant academic discourse surrounding the Bosnian war rapes rarely acknowledges physical acts of resistance on the part of rape victims (Hromadzic 2007). Rape survivor narratives, as addressed earlier in this section, do contain acts of resistance. Among these is CID 13's narrative in which she described physically attacking a potential rapist. CID 13 described her act of personal resistance, stating:

The following night they came and took me to a Bosniac house in Foča and locked me up in a room in which there was a bottle of brandy and smoked meat

wrapped in newspaper. Half an hour later, they brought an elderly Serb, a civilian. He was about sixty. He was drunk, and he started insulting me and my Muslim faith. A young Chetnik was in front of the door, and the old man told him: “Guard the door while the Baliya woman licks me all over and gives me a blow job.” He tried to force me to drink plum brandy, but I refused. Then he wanted me to take off my clothes and dance for him naked. I jumped on him and started desperately to strangle him, not thinking about the consequences. We wrestled for several minutes, until he broke away. When he recovered, he left the room. I heard him saying to the Chetnik outside the room that I willingly offered myself to him. (Ajanović 2000:381)

Within this narrative, CID 13 acknowledged the risks associated with physical resistance, stating that she was “not thinking about the consequences” (Ajanović 2000:381) when she began attacking the potential rapist. Resisting rape and sexual violence is a risky act; 12 out of the 14 survivors described personal acts of resistance being met with greater violence, and, on average, forms of resistance were met with greater violence 25.50% of the time. Four survivors also expressed that they were unable to resist because they were afraid that their children would be harmed, and two survivors also mentioned that they were unable to resist because they were afraid that other individuals would be harmed. Resisting perpetrators came at a very high risk and could potentially lead to greater harm – including death.

The personal narrative of CID 1 illustrates the potential harm to self and others that resistance can incite. In her narrative, CID 1 described attempting to escape a potential rapist:

When he [Željko] was full of alcohol, he told me to go with him to the other room. I said, “Wait a minute” and ran away from the house, which was not locked. I went to an old woman in the neighborhood and hid myself in her house. When I heard him firing at the old woman’s house, I ran to another house, which belonged to Mileva. Željko was searching for me around the house and firing

bullets from his gun all over the place, like a crazy man. Then he came to the old woman's house; he put his gun to her throat demanding her to tell him where I was hiding. I was in another house, on the upper floor, and I had made up my mind to jump out the window if he found me. He didn't manage to get me. (Ajanović 2000:91)

In her successful bid to escape Željko, CID 1 survived a terrifying experience. Not only did Željko shoot at her, but he also attempted to harm an old woman as he pursued his intended rape victim. CID 1 never explained, or maybe does not know, what happened to the old woman. Overall, her narrative illustrated the constant danger that surrounded the girls and women of Foča. Resisting perpetrators was not a safe, easy, or often successful choice for the Foča rape victims. In many cases, the choice was not even available.

Overall, within the narratives of the Foča rape survivors, stories of personal resistance constituted a prominent personal and social identity for the rape survivors. Sharing these stories offered the survivors the opportunity to relate the great lengths they went to and the risks they took in order to not only survive but to maintain personhood and dignity within the face of extremely traumatic and dehumanizing environments and experiences. Through expressing these acts and the associated risks, the survivors were also able to explain just how little control they could exert in preventing rapes. Therefore, they were also able to explain that they were not complicit in the rapes – they were victims who resisted throughout the period of victimization.

Defining One's Identity during the Period of Victimization

Within the narratives of the period of victimization, the Foča rape survivors established many nuanced forms of personal and social identity. While the dominant discourse surrounding the Bosnian war rapes often portrays Bosniak girls and women as the mass victims of rape as a tactical force of war, the interpretation and expression of the impacts of the rapes differed from survivor to survivor. Diverse perspectives were even offered within each individual narrative. Eight of the 14 survivors offered more than one explanation for the humiliating and degrading treatment they suffered, and all 14 of the survivors offered multiple explanations for the rapes that were perpetrated. Even within their narratives the survivors were multidimensional and expressed diverse understandings. The scholar Azra Hromadzic writes: “There is no ‘typical Bosnian woman’; there are only Bosnian women who differ tremendously from one another and who represent different religious, ethnic, educational, historical-geographic, social, political, and age groups” (2007:177). Since the group of Bosniak girls and women who were raped during the takeover and occupation of the Foča municipality consisted of individual girls and women, each girl and woman has her own interpretation of why the rapes were perpetrated and how they impacted her. Therefore, it is important that these varying identities and perceptions are acknowledged, examined and respected.

Chapter 4

Personal and Social Identities during the Long-Term Recovery Process

In comparison to the period of victimization, data regarding the long-term impacts of the Foča war rapes is scarce. In *I Begged Them to Kill Me: Crime Against the Women of Bosnia-Herzegovina* (2000) and *Breaking the Wall of Silence: The Voices of Raped Bosnia* (1996), eight out of 14 of the Foča rape survivors explicitly related long-term impacts of the rapes. Since this is a small sample size, the survivor testimony from *The Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković* that includes discussions of the long-term impacts of the rapes is also analyzed, although separately, in this section.

Continued Mental and Physical Distress

War and genocide not only present physical risks but also psychological risks. The rapes experienced by the girls and women of Foča were only one part of the many-layered trauma of genocide. Wartime rape survivors may have also experienced the trauma of concentration and rape camps, the death of loved ones, the post-war separation of family and friends, both physical and mental abuse and the loss of property and material possessions (Folnegovic-Smalc 1994:177). The psychological violence perpetrated during a genocide continues to impact the survivors in the long term. These impacts may be reflected in changes in a survivor's personality, perception of self and perception of the larger world around her (Kostantinović-Vilić 2000:99). The narratives

and testimonies of the Foča rape survivors reflected that the trauma of the conflict, rapes and sexual abuse left lasting impacts, both physically and mentally.

The trauma induced by rape is complex. The immediate trauma rape causes includes emotional symptoms such as shock, fear, anger, shame, helplessness, nervousness and numbness. It can also cause confusion, disorientation, unwanted memories, and decreased abilities in concentration. Physically, rape can cause bodily injuries, sexually transmitted infections, muscular tension, fatigue, edginess, gastrointestinal problems, racing heart, aches, pains and changes in sleep, appetite and sex drive (Sajjad 2009:221). These diverse impacts of rape are a type of trauma that write themselves on the body and psyche of victims. Rape survivors experience trauma long after the period of victimization; thus the wartime sexual trauma continues to impact the identities of the survivors.

Post-Traumatic Stress Disorder (PTSD) is among the most commonly diagnosed and thoroughly studied long-term psychological responses to trauma. Because the trauma may leave a scar on a survivor's subconscious, she may re-experience traumatic situations through flashbacks and nightmares. Another common symptom of PTSD is hyper-arousal which is manifested through insomnia and being easily startled by noises or sudden movements. Other symptoms include feelings of helplessness, depression, indifference and difficulties in connecting with family, friends and acquaintances or fear of these relationships (Sajjad 2009:220-221). These multifaceted symptoms can have profound impacts on survivors, affecting their day-to-day life and functioning.

There is danger in defining rape survivors' symptoms as PTSD. Through labelling their long-term distress as PTSD, the survivors may become pathologized (Henry 2010:1103; Hydén 2003:170). The focus may be removed from the survivor as a person and instead placed on describing the symptoms and fitting her experiences into a medicalized box. Diagnosis may lead to a loss of personal identity, which further contributes to defining rape survivors as an amorphous group.

In *I Begged Them to Kill Me: Crime Against the Women of Bosnia-Herzegovina* (Ajanović 2000) and *Breaking the Wall of Silence: The Voices of Raped Bosnia* (Vranić 1996) five out of eight survivors described, among multiple forms of distress, on-going physical and mental trauma. Two survivors also described living a life without joy and one mentioned a mistrust of the world. Much of the mental distress described by the survivors could be categorized as PTSD.

CID 5's narrative of recovery illustrated the impacts that both the physical and possible PTSD symptoms had on her day-to-day life, she stated:

Even now, my health is poor. I still don't feel well. I am very absentminded. Sometimes I am very aggressive towards my children, and afterwards I feel sorry. I have a pension which does not come regularly and which is not sufficient because I support two children and myself.

The pictures from Foča often come back to me, especially when I see uniformed men. Then fear grows in me, the fear that I might meet one of the evildoers. (Ajanović 2000:199)

Due to the rapes and captivity, CID 5 suffered physically, not feeling well and having challenges in focusing. Emotionally, she experienced feelings of aggression and fear was triggered at the site of men in uniform – a flashback to the period of victimization,

drawing her trauma into the present. It is likely that her post-war economic situation exacerbated these issues and led to a form of re-victimization; the stress of trying to support herself and her family on a small pension made dealing with her on-going trauma even more difficult.

As reflected by CID 5's narrative, outside factors may impact a survivor's experiences of on-going trauma. Thus, despite the fact that PTSD-like symptoms are a common experience for survivors of wartime rape, this does not mean that all rape survivors have PTSD or experience the same psychological ramifications of the conflict and sexual abuse. Research on wartime rape in Bosnia-Herzegovina shows that the type of sexual trauma the survivor suffered, such as the number of rapes, perpetrators and duration of rapes, and the survivor's "relationship" with the perpetrator(s) and physical consequences of the rapes, including pregnancy, STIs and other physiological damage, all have impacts on the extent of psychological distress a survivor may suffer. Furthermore, the extent of this psychological trauma is also influenced by the survivor's biological foundation, personality, experiences, personal resistance to stress, ability to adapt during difficult situations and her pre and post-war socio-economic status (Kostantinović-Vilić 2000:106). The survivor's relationship with her family, friends and acquaintances also impacts her healing process. Researchers found that survivors who could openly speak of sexual trauma seemed to experience less long-term psychological trauma than their counterparts who remained silent or only spoke with a therapist (Folnegovic-Smalc

1994:175). The variation in long-term trauma that a rape survivor may or may not experience further reflects the importance of treating each survivor as an individual.

A discussion of on-going physical and mental distress also occurred within the trial transcripts of *The Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković*. Eleven of the 12 rape survivor witnesses who testified publicly reflected on-going mental distress and eight reflected on-going physical distress. Many of the witnesses spoke of the complexity of their recovery process. Among these witnesses is FWS¹³-87, who was victimized at the age of 15. When asked by a prosecuting attorney if she continued to suffer from the rapes that she experienced, FWS-87 responded, stating:

In a way, yes. I think that I'm once again at a point where I find it difficult to explain. I think that I have decided to try and leave many of those things behind me somewhere, although within me, I still have and there will always be traces of everything that happened to me. I think that for the whole of my life, all my life I will have thoughts of that and feel the pain that I felt then and still feel. That will never go away. (ICTY, Testimony, FWS-87, *Prosecutor v. Dragoljub Kunarac et al.*, April 4, 2000:1727-1728)

In this sample of testimony FWS-87 described that within her healing process she has attempted to separate the trauma she suffered in the past from her present self. Yet, in spite of this process, she was unable to forget what happened to her and continues to feel pain. What is interesting is that she identified this pain as “traces” – the feelings remain with her but they are, in a sense, bracketed. The trauma is a part of her identity, and perhaps always will be, but it is not definitive of her personhood.

¹³ FWS stands for “Foča Witness Statement”. Along with a number, it is used as a pseudonym for protected witnesses. In other cases, initials are used as a pseudonym. Most likely the initials do not coincide with the witnesses’ actual names.

Concern for Children who were Raped

Within the survivor narratives, mothers whose daughters were raped experienced a unique and very deep trauma. For mothers, concern for their children was intense and even overshadowed concern for their own personal trauma, and, in some cases, personal interest in survival and recovery. Two of the survivors, CID 9 and BWS¹⁴ 1, discussed the rape of their young daughters, Emina and Small¹⁵. Both of the narratives, although they include their own trauma, were focused on concern for their children. In CID 9's case, 24.14% of her narrative of recovery was focused on reflecting her concern regarding the impacts of the rapes on her child, and 13.79% was focused on reflecting her concerns of the impact of the genocide on her children. Another 17.24% of her narrative expressed long-term mental distress, mostly related to concern for her children.

Much of the on-going trauma expressed by CID 9 was intertwined with the powerlessness she felt in her ability to help Emina heal from the trauma of rape. CID 9 illustrated this in her narrative, stating:

Is there anything harder than the reality of not being able to help one's own child?
 In all that sorrow I feel whenever I look at Emina, I do not have time to think of my own pain. Only at night, that cursed, black night, the painful memories are not erased. Night after night, I live again all the horrors, all the pain and sorrow. Will those nightmares ever end? (Ajanović 2000:305)

¹⁴ BWS is an acronym for *Breaking the Wall of Silence: The Voices of Raped Bosnia*, the text from which BWS 1's narrative originated.

¹⁵ Small is BWS 1's nickname for her daughter

At the end of this narrative sample, CID 9 stated that she does need to begin her own healing process, but that her concern for her child overshadowed her own trauma of being raped. For many survivors with children, their role as a mother was their primary identity (Kostantinović-Vilić 2000:103); thus, when it came to the long-term recovery process, the healing of their children was seen as their primary duty.

BWS 1's narrative of recovery was also child-centred. 22.86% of her narrative of recovery was focused on expressing concern for Small's mental and physical health. Another 37.14% of the narrative expressed the importance of remaining silent about the fact that both she and Small were raped, as she wished to prevent her daughter from having a stigmatized social identity. Stigma is not intrinsic to being a rape victim; a stigmatized identity is produced through the process of social relationships (Goffman 1963:3), because of this silence was seen as a mechanism with which to prevent this future social trauma. Within her narrative of recovery, when first asked by the interviewer, Seada Vranić, if her daughter was raped, BWS 1 responded, stating: "I wouldn't tell you even if you broke apart my body with pincers. Have you an infant? Have you a daughter? Would you want to talk about her shame?" (Vranić 1996:104). Within this statement BWS 1 expressed the lengths she is willing to go to in order to protect her daughter from stigma and social judgment. She would suffer bodily harm and physical pain to protect her daughter. Similar to CID 9, BWS 1's narrative reflected an identity based upon motherhood and care and concern for her daughter

Interestingly, BWS 1's narrative of the period of victimization rarely, if ever, mentioned rape and the shame associated with it. It appears that the characterization of identity during the period of victimization and within the long-term recovery process is reflexive. Since BWS 1 expressed that maintaining silence about the rapes is necessary for Small's future, explicitly discussing the rapes within the narrative of the period of victimization would be perceived as counter-productive. Therefore, the BWS 1's identity at the time of the interview impacted her portrayal of her and her daughter's identities during the period of victimization. BWS 1's desire to protect her daughter shaped her narratives of both the period of victimization and long-term recovery process.

Personal Feelings towards Perpetrators and Feelings towards Serbs

Among the long-term issues addressed in the personal narratives of the Foča rape survivors were their feelings towards the conflict and the perpetrators who victimized and traumatized them. Fear was a strong theme within this category. CID 5 expressed fear that Serbs would again harm Bosniaks. CID 5, along with CID 7 and CID 14 also voiced the fear of being harmed again by the particular soldiers who had previously hurt them. The emergence of these themes is not unexpected, as oftentimes the survivors of the victimized group may become mistrustful of individuals outside of their ethnic group, especially the group which perpetrated the atrocities during the genocide (Sajjad 2009:223). As it was the ultranationalist Serb-identified soldiers who harmed the Bosniaks in Foča, the survivors voiced concern that Serbs would enact future atrocities.

In regards to attitudes towards the perpetrators of the atrocities, two survivors wished for justice to be rendered for the crimes committed by the ultranationalist Serb forces, and, interestingly, three survivors voiced a desire for exacting personal revenge on the perpetrators who harmed them, their families and ethnic group. As shared by scholar Azra Hromadzic, the literature surrounding the Bosnian war rapes often places rape victims within a passive position (2007:177-178), ignoring the active desire among some survivors for personal revenge. Yet, within three of the survivor narratives the desire to enact violence was voiced. CID 5 is among these survivors, and, at the end of her narrative, she asserted:

...I would be capable of killing him [a particular rapist], to make him pay just for a tiny bit of what they did to me. This is what I would like most, even if I died the next instant.

At night I cannot sleep. I get up and walk around the house and remember the days of suffering in Foča. I often have to take sedatives.

They wanted to expel us from our Bosnian land. They wanted to attach Bosnia to Serbia and to eradicate the Bosniacs. They believed that they would manage to eradicate all of us and that there would be no one left to talk about their crimes. But they were mistaken. We have our children who are growing up and who will sooner or later return to their homes and to the graves of their fathers and grandfathers. We will constantly talk to them about the Chetnik evil. (Ajanović 2000:200)

CID 5 desired for the men who harmed her to experience some of the trauma that they enacted on her person, for them to experience the suffering that they caused. She also stated that even if they were to die that this would not be equal to the suffering that she experienced – her trauma is too profound. She also related that the Foča survivors will ensure that future generations of Bosniaks will know of the atrocities committed by the ultranationalist Serb-identified soldiers – the crimes will neither be forgotten nor go

unpunished. Within her narrative of the long-term recovery process, CID 5 established an identity where her victimhood was neither based in passivity or powerlessness but rather in actively exacting vengeance.

Other survivors established identities for the perpetrators that could act as a method with which to cope with their own long-term trauma. Among these survivors was CID 6, a Bosniak woman who was victimized at the age of 13. Within her narrative of long-term recovery, CID 6 reflected on her trauma, stating:

The Chetniks who tormented us behaved like savages. There was an animal instinct in them...to torture us, Bosniacs, to do their evil things to us...Some people, who are able to do so much evil to others, I do not consider human.

But it turned out that they are bigger victims than we, who suffered so much. This must be God's punishment for them. This thought gives me comfort and satisfaction. (Ajanović 2000:251)

Within this sample of narrative CID 6 expressed that the perpetrators are the real victims of their own actions – they must live with the knowledge of the evil they committed. CID 6 also expressed that the soldiers who tortured the Bosniaks are forced to live with a sub-human drive to commit evil; meanwhile, CID 6, through establishing an identity of innocence, is free of this guilt and free of this instinct. Thus, while her perpetrators must continue to suffer, she can move forward with her life and have the option to pursue her own healing.

While CID 5's desire for revenge and CID 6's expression of the soldiers as victims of themselves may at first seem fundamentally different responses to the perpetrators, they maintain commonalities. Both survivors established identities for

themselves based on innocence and righteousness. CID 5 established the possibility of righteous vengeance for herself and CID 6 categorized the soldiers as sub-humans. Through narrating these identities the survivors identified themselves as free from possible shame and guilt for being raped.

The Will to Go On

While the perpetrators of trauma and trauma itself may have been the primary focus of the survivors' accounts of the long-term recovery process, the survivors also expressed reasons to keep living and a will to survive. Within the accounts of the long-term recovery process five of the eight survivor narratives included motivations to keep living. The motivations mentioned in the accounts are diverse – one survivor stated how she was surviving out of spite towards her perpetrators and the need to support her children. Other survivors identified that although there is on-going trauma, they feel that there is a separation between the period of victimization and their current existence – one survivor even stated that she felt born again once the period of victimization ended.

Among these diverse responses, one commonality that emerged was survivors stating that people need to know what happened in Foča, that atrocities were committed there. This theme was iterated by three out of the five survivors that shared reasons to keep living. A fourth survivor, in a similar vein, expressed that speaking the truth is imperative to her healing process. Within the narratives, it is reflected that these four survivors have established post-victimization identities based on bearing witness.

Scholar Giorgio Agamben outlines the challenges of bearing witness and survivor identity in his poetic book *Remnants of Auschwitz: The Witness and the Archive* in which he states “The survivor’s vocation is to remember; he cannot *not* remember” (1999:26, emphasis original). The profound trauma suffered by the girls and women of Foča left an indelible mark on their person – it cannot be forgotten, they have no choice but to remember. For most survivors, as addressed earlier, this results in a continuation of trauma. They are then faced with the process of choosing whether or not to speak of the unforgettable trauma. For the girls and women of Foča, this decision is, in many ways, complex. As discussed in Chapter 1 of this thesis, speaking about being raped can result in judgement, being ostracized from one’s community, and even death (Cavanaugh 2002:2, 7; Fisher 1996:113; Weitsman 2008:564). Thus, the benefits of remaining silent may outweigh the healing that speaking of trauma can bring.

Survivors of trauma are also faced with the competing desires of denying and repressing their experiences or speaking about the atrocities they witnessed and survived (Sajjad 2009:222-223). Speaking of atrocities can be beneficial for survivors because it can offer them the opportunity for the validation of their experiences and a pursuit of justice. Yet, this can also be a risky choice, as survivors may encounter individuals who are disinterested in their accounts, or even deny their experiences (Henry 2010:1101). For those reasons, many survivors may choose to instead deny and repress the trauma. This process of “forgetting” what happened can, in a way, allow some survivors to move forward.

The risks of bearing witness and paradoxical dialectic desires of forgetting and remembering trauma are reflected in *The Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković* trial transcripts. While testifying, nine witnesses expressed *silencing*, the loss of language, when speaking about the rapes. The rape survivor witnesses would state that they were unable to express themselves or utilized euphemistic language in place of more explicit terminology. Eight of the witnesses reflected that discussing the trauma they survived is difficult and may potentially re-traumatize them. Three witnesses also reflected that they wished to forget everything that happened during the period of victimization. Yet, in spite of these challenges and potential re-traumatization, the witnesses were bearing witness at an international criminal tribunal. This choice to testify reflects that the witnesses viewed bearing witness as an important responsibility.

FWS-50's testimony illustrates the paradoxical dialectical desires survivors face. 26.93% of her testimony of the long-term recovery process focused on expressions of feeling silenced and the trauma of speaking about the atrocities she survived and witnessed. Yet, within her testimony, when asked why she chose to break her silence about being raped, she responded:

First of all, because of the oath I took today, that I would speak the truth and nothing but the truth. I knew I'd come to this courtroom. That's why. And secondly, let it be known that it really happened. It's not easier for me to speak about it today, but nevertheless, I wanted everyone to hear about it. (ICTY, Testimony, FWS-50, *Prosecutor v. Dragoljub Kunarac et al.*, March 29, 2000:1247)

Thus, for FWS-50, and the survivors who chose to bear witness, relating their stories may be a difficult process, but a necessary one. As survivors, bearing witness was an integral part of their identities. Surviving the atrocities meant that they have lived to bear the memories. Therefore, in many ways, being a survivor and the process of bearing witness are synonymous.

Chapter 5

Survivor Identities within *The Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković*

The International Criminal Tribunal for the former Yugoslavia (ICTY) was established on May 25, 1993, by the United Nations Security Council (UN Doc S/Res/827, 2009). The ICTY was the first international criminal tribunal to explicitly list rape in its statute (Askin 2003:300-302; Niarchos 1995:651; Ray 1997:796-798), stating under Article 5 that systematic rape can be prosecuted as a crime against humanity (Henry 2010:1103). The establishment of the ICTY marked not only the first time that rape was listed in a tribunal statute, but also the first time that rape victims were active witnesses at an international criminal tribunal (Henry 2010:1103). Rape had been previously prosecuted in a few cases at the Tokyo War Crimes Trials, but always in conjunction with other offenses (Campbell 2002:156). Rape, on its own, was not perceived as being a significant crime. Both the Tokyo War Crimes Trials and the Nuremberg War Crimes Trials failed to mention rape in their charters (Campbell 2002:156; Cerone 2006:227) even though, as Chapter 1 of this thesis illustrated, mass rape was perpetrated by both the Nazi and the Japanese forces.

Since rape as a tactical force of war had been employed so frequently and for such a long period of time, one may wonder why it took until 1993 for systematic wartime rape to enter into a war crimes tribunal as a specific, explicitly listed legal wrong. Why was there a failure to indict perpetrators for this offense? One possibility is that due to the sexual aspects of rape, it may have been perceived as a private offense, one which was

inappropriate for a public, judicial forum (Bassiouni, cited in Campbell 2002:156). Another possible explanation for rape being overlooked at war crimes tribunals is because judicial discourse is a masculine discourse. Law originates from men and was first written and interpreted from a male point of view (Conely et al. 2005:16). Thus, the social wrongs that are interpreted as criminal wrongs are those that fall within the masculine scope of experience. A masculine discourse is especially apparent in terms of the criminalization and prosecution of wrongs committed during wartime. Within the context of war men and women are often assigned separate roles – men as participants, women as civilians. Due to this differing assignation and the masculine discourse of law, the legal discourse regarding wartime violence often focuses on offenses that were perpetrated in battle, not the violence suffered by civilians (Nikolić-Ristanović 2000:21). The violence experienced by civilians – including rape - is interpreted as an unfortunate side effect of war instead of a direct product (Blagojević 2000: xi). The suffering of girls and women fails to enter into the masculine discourse of wartime violence and subsequently has a history of being overlooked within war crimes tribunals.

The ICTY has taken active steps to prosecute the crime of rape. Among these active steps is the landmark 2000-2001 case *The Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković*, commonly referred to as *Kunarac et al.* or the *Foča* case. *Kunarac et al.* broke legal ground as it was the first war crimes trial where the defendants were charged with crimes that dealt strictly with sexual offenses against girls and women. While the ICTY and *Kunarac et al.* are progressive in terms of recognizing

rape as a war crime and validating women's experiences of wartime violence, rape survivor witnesses faced unique challenges while testifying, both institutional and in terms of their identities. The rape survivor witnesses entered into the judicial system with their own perceptions of their personal and social identities and their own accounts of what had happened to them; but the prosecuting and defense attorneys had their own agendas of how they wished for the rape survivor witnesses to be perceived. Through applying narrative analysis to the *Kunarac et al.* trial transcripts these often conflicting agendas and institutional biases against rape survivor witnesses become apparent.

The Foča Indictment

The ICTY passed the *Foča* Indictment in June of 1996. This was the first indictment in the history of international criminal law that dealt strictly with wartime sexual offenses committed against girls and women (Sharratt 1999:80). Eight Bosnian Serb soldiers were indicted for the rape, gang rape and sexual enslavement of girls and women within the Foča municipality of Bosnia-Herzegovina (Iacobelli 2009:266). The indictment included crimes against at least 14 victims, the youngest only 12 years old at the time of the abuse (Sharratt 1999:79-80). The men were charged with the offense of rape not only under Article 5 of the ICTY's statute, but also Article 3. The articles have

been reproduced below to provide context for the prosecution of sexual assault¹⁶ and rape at the ICTY.

Article 5
Crimes against Humanity

The International Tribunal shall have the power to prosecute persons responsible for the following crimes when committed in armed conflict, whether international or internal in character, and directed against any civilian population:

- (a) murder;
- (b) extermination;
- (c) enslavement;
- (d) deportation;
- (e) imprisonment;
- (f) torture;
- (g) rape;
- (h) persecutions on political, racial and religious grounds;
- (i) other inhumane acts.

(UN Doc S/Res/827, 2009)

While Article 5 does explicitly list rape as a crime, there are challenges in prosecuting rape as a crime against humanity; because, for rape to be considered a crime against humanity the Prosecution must prove beyond reasonable doubt that the rape occurred as part of a widespread attack on a civilian population (Cerone 2006:227).

Article 3
Violations of the Laws or Customs of War

The International Tribunal shall have the power to prosecute persons violating the laws or customs of war. Such violations shall include, but not be limited to:

- (a) employment of poisonous weapons or other weapons calculated to cause unnecessary suffering;
- (b) wanton destruction of cities, towns or villages, or devastation not justified by military necessity;
- (c) attack, or bombardment, by whatever means, of undefended towns, villages, dwellings, or buildings;
- (d) seizure of, destruction or willful damage done to institutions dedicated to religion, charity and education, the arts and sciences, historic monuments and works of art and science;
- (e) plunder of public or private property.

(UN Doc S/Res/827, 2009)

¹⁶ While there are many definitions for sexual assault, within this thesis sexual assault is defined as any unwanted sexual contact of any kind (DVSAS).

While Article 3 does not explicitly list rape as a war crime, in *Kunarac et al.* the Prosecution argued that rape constitutes a form of torture (Cerone 2006:228). Rape can also be included under Article 3, as it constitutes a violation of international law and the breach “of a rule protecting important values” (Klip et al. 2005:953). The violation of customary international law, although not explicitly listed, is within the scope of Article 3. Therefore, rape can be prosecuted as a violation of the laws or customs of war. Unlike Article 5, opportunistic rape or an isolated incident of rape can be prosecuted under Article 3 as torture.

On March 20, 2000, Dragoljub Kunarac, Radomir Kovač and Zoran Vuković, three of the eight men originally listed in the *Foča* Indictment, went to trial in the *Kunarac et al. Foča Case*.¹⁷ The trial concluded on November 20, 2000, after over 63 witnesses had been called – 33 for the Prosecution, 29 for the Defense and one called by the trial chamber (Whyte 2004:116). Sixteen of the prosecution witnesses were rape survivors. Four other witnesses testified regarding members of their families being raped by at least one of the perpetrators (*Kunarac et al.*).

¹⁷ Three of the other men on the original indictment, Gojko Janković, Dragan Zelenović, and Radovan Stanković, were later tried and sentenced. Janković surrendered to authorities in 2005 and was tried by Bosnia’s State Court and sentenced to 34 years (Iacobelli 2009:272). Zelenović was arrested in Russia in 2005 and pled guilty at the ICTY, where he was subsequently sentenced to 15 years (Iacobelli 2009:272). Stanković was arrested in 2002; his case was given to the State Court of Bosnia-Herzegovina; in 2006 he was initially sentenced to 16 years. Following an appeal, his sentence was increased to 20 years. In May of 2007 Stanković escaped police custody (Iacobelli 2009:272). It is currently believed that he is hiding in Serbia (Balkan Investigative Reporting Network 2010). The remaining two men, Janko Janjić and Dragan Gagović, are dead. Janjić committed suicide with a hand grenade in 2000 when German SFOR troops attempted to arrest him in Foča (Iacobelli 2009:272); Gagović was shot by French SFOR troops who were attempting to arrest him in Foča, where he owned a café and worked as a karate instructor (Hazan 2004:103; Iacobelli 2009:270-271).

In acknowledgement of the challenges faced by rape survivor witnesses, under Rule 34 of the Tribunal's Rules of Procedure and Evidence, the ICTY provides a Victims and Witnesses Unit which offers the witnesses 24-hour counseling and support (Campbell 2002:157; UN Doc IT/32, 1999). Under Rules 75 and 79, witnesses are offered protection through testifying under a pseudonym and having any identifying information taken off of the Tribunal's public record (UN: International Criminal Tribunal for the former Yugoslavia N.d.; Whyte 2004:96). The witnesses who testify publicly in court are hidden from view by a plastic curtain (Drakulić 2001). Witnesses also have the option of testifying in a closed session or through televised proceedings in which their voice and image are altered (UN: International Criminal Tribunal for the former Yugoslavia N.d.; Whyte 2004:96). In *Kunarac et al.* all of the 16 rape survivor witnesses testified under pseudonyms. Four of these 16 witnesses testified in closed sessions, meaning that their testimony was not available to the public.

While the various methods described above aid in protecting the witnesses' identities from public exposure, not all witnesses may feel safe testifying. The defense attorneys still have knowledge of the witnesses' names and identities, as do the defendants. There is a penalty for disclosing the name or identifying characteristics of a protected witness. If an individual does so, he or she will be held in contempt of the Tribunal and subject to a fine of 100,000 euros and/or seven years in prison (UN: International Criminal Tribunal for the former Yugoslavia N.d.). Testifying in close proximity to the individuals who harmed them is intimidating to witnesses in itself, as is

the possibility that, in spite of the penalty, the perpetrators could still possibly use their knowledge of the witnesses' identities to bring harm to them.

The ICTY also works to acknowledge the impacts that long-term trauma may have on a survivor's testimony. The ICTY's case law states that "witnesses who have suffered traumatic experiences are not necessarily considered unreliable" (McHenry 2002:1302). Rule 96 elaborates on the ICTY's case law and, in acknowledgment of common patterns of the perpetration of rape and presence of conflict, states that:

Rule 96	
Evidence in Cases of Sexual Assault	
i)	no corroboration of the victim's testimony shall be required;
ii)	consent shall not be allowed as a defense if the victim
a)	has been subjected to or threatened with or has had reason to fear violence, duress, detention, or psychological oppression or
b)	reasonably believed if the victim did not submit, another might be so subjected, threatened, or put in fear;
iii)	before evidence of the victim's consent is admitted, the Accused shall satisfy the Trial Chamber in camera that the evidence is relevant and credible; prior sexual conduct of the victim shall not be admitted in evidence
(UN Doc IT/32, 1999)	

Through Rule 96 and the considerations made by the Victims and Witnesses Unit it is evident that the International Criminal Tribunal for the former Yugoslavia works to create an environment that is supportive of rape survivor witnesses. Yet, despite all of these considerations, rape survivor witnesses still face a number of obstacles while testifying.

The Inexplicability of Pain

In *Kunarac et al.* many of the witnesses for the Prosecution provided testimony regarding pain; they were sharing their own personal stories of surviving inhumane treatment, loss, beatings, rape and enslavement. To speak of pain, to provide this testimony, was challenging. This is because experiences of pain and trauma evade human speech (Scarry 1985:5,162). Language is referential, pain is not – it is experienced internally. Other bodily feelings and sensations, such as hunger, desire and fear, all have objects outside of the body, located within the external world. Pain may be caused by an artifact or a human, but these external sources are not the feeling itself; in the words of scholar Elaine Scarry, “desire is desire of x, fear is fear of y, hunger is hunger for z; but pain is not ‘of’ or ‘for’ anything – it is itself alone.” (1985:162). Thus, if pain is alone in being pain, how does one speak of it? While the presence and experience of pain is obvious to the individual who suffered it, the unsharability can make it difficult for others to validate the reality of another individual’s experience (Scarry 1985:4). This irony was faced by the rape survivor witnesses in *Kunarac et al.* - they were bearing witness to the unspeakable.

Pain not only evades being translated into words, but has the potential to destroy them, only being expressed by cries and groans (Scarry 1985:4). In numerous ways, the truest expression of trauma is to not use words, for words cannot convey pain. Language loss occurred during *Kunarac et al.* when FWS -127 was asked to identify her daughter, AB, in a photograph. AB was FWS-127’s eldest daughter, who at the time of the takeover of the Foča municipality was 12 years old. Through the testimony of other

witnesses, it was discerned that AB had been held at “Karaman’s House”, a rape brothel in Miljevina. AB was later sold to a Montenegrin soldier for 200 deutschmarks. Her whereabouts are currently unknown. When asked to identify her child in a picture, FWS-127 experienced such pain that she was unable to translate the trauma into words. Thus, as stated by Croatian journalist, Slavenka Drakulić, who was present at the trial:

[She] cried. But this was not really a cry. It sounded rather as if there were a microphone inside her body, amplifying the sobs that were tearing her flesh apart. It lasted half a minute, a long, deep, whining sound of somebody, a human being or an animal, so deadly wounded that it can make no other sound but a howl. (2001)

This crying, this sound of pain, bears witness to the depth of trauma experienced by FWS-127 and the women of Foča. Yet, the legal system requires this pain to be translated into words (Henry 2010:1100). While silence, cries and groans may be the truest representation of what occurred, in order to provide the evidence necessary to prosecute and render justice within the context of international criminal law, one must speak.

Due to pain, trauma, and other challenges of testifying, rape survivor witnesses may not maintain “consistency” while sharing their stories. According to the scholar Julie Mertus, “survivors of any kind of trauma, but especially those uprooted by conflict, are unable to provide a consistent and linear narrative” (2004:120). A lack of linear narrative, however, does not alter the truth of witnesses’ stories. Witnesses may not relate their accounts in a chronological sequence, but what they share is the truth. Although the ICTY states that witnesses who have experienced trauma are not necessarily unreliable, the resulting inconsistencies, however, do not fit well within the

legal system. Within the institution of law, it is required that testimony is given in a linear fashion, in chronological order and with attention to detail. Because of this, defense attorneys will often question inconsistencies in a witness' testimony and exploit them as being evidence of the witness' lack of credibility (Mertus 2004:120-121). This attempt to turn authenticity into pathology is consistent with one of the agendas of the *Kunarac et al.* defense attorneys. During the trial the Defense often attempted to establish a social identity for the rape survivor witnesses, one which was based upon a perceived lack of credibility. Narrative analysis of the trial transcripts reveals that, on average, 23.33% and 13.40% of the questions the defense attorneys asked each witness were, respectively, about the locations or times incidents occurred and the presence of other victims or witnesses. On average, 18.62% of the questions that the defense attorneys asked each witness were focused on illuminating possible discrepancies between the witness' past and current statements to the Tribunal. These questions were asked in order to point out the witness' poor memory or lack of credibility. In fact, on average, 5.92% of the attorneys' questions or comments to each witness were explicit statements regarding the witness' lack of credibility and inconsistent memories. The attorneys established a pattern of questioning to which the witness was unable to or failed to answer questions with graphic details or certainty and consistency. The attorneys then followed this line of questioning by commenting on the witness' lack of memory or credibility. Through this process the Defense worked to establish the identity they desired to create for the particular witness.

The witnesses often fought against the defense attorneys' application of an identity based upon a lack of credibility. This is exemplified within the trial when FWS-50, while being cross examined by the defense attorney Mr. Jovanovic, attempted to explain that her seemingly inconsistent testimony was authentic. Mr. Jovanovic began this segment of questioning by stating:

Q. You said a moment ago that you always say only what you are 100 per cent certain of?

A. Yes.

Q. If I understand you correctly, all the statements that you have given to date and the testimony here today before this Trial Chamber, they are all 100 per cent correct, are they?

A. Well, it doesn't mean that everything need be 100 per cent. There might be slight differences. But it doesn't mean that I was lying. It was because I was upset when I talked to the people from the Tribunal. (ICTY, Testimony, FWS-50, *Prosecutor v. Dragoljub Kunarac et al.*, March 29, 2000:1289)

Here Mr. Jovanovic was attempting to make it appear as if the inconsistencies in FWS-50's statements were due to lying or false memories. FWS-50 admitted that there were inconsistencies, but points out that these were due to trauma, and that they do not change the truthfulness of her testimony. Thus, FWS-50 tried to establish an identity based upon authenticity – the inconsistencies were merely a representation of her truthfulness. Meanwhile, Mr. Jovanovic tried to create a different identity for her, one which was based upon dishonesty and falsifications.

“Too Traumatized” to Testify

Unfortunately, the defense attorneys' attempt in *Kunarac et al.* to portray the rape victim witnesses as untrustworthy was not a new or original development. Commonly,

within the judicial system, rape victims, due to the nature of the trauma they suffered, are perceived as automatically being less credible than victims of other offenses (Campbell 2002:172). This reality is evidenced in Kirsten Campbell's exploration of the 1995 Furundžija trial at the ICTY. According to Campbell, the testimony of Witness A, a rape survivor, was subject to greater scrutiny than that of other witnesses. During the trial, the Defense argued that due to being raped that Witness A had suffered trauma that affected her memory, thus making her untrustworthy. The Defense also argued that the fact that Witness A had on a single occasion sought counseling at Medica Zenica, a women's therapy center, was evidence of her having PTSD, which they argued rendered her too unstable to provide credible testimony (Campbell 2002:159-161; Henry 2009:132). This illustrates that if a woman seeks professional support that she can become a target for the discrediting of her testimony and may be subjected to having an untrustworthy social identity foisted upon her (Mertus 2004:112). The Defense did not accuse any of the other witnesses of being too unstable to testify – even though one of them had undergone 20 days of psychological treatment for a mental health issue (Campbell 2002:170; Henry 2009:132). This witness, though, happened to be a man who had not been raped. He differed from Witness A in terms of both sex and trauma.

Through admitting to being raped, a witness is admitting to having suffered a traumatic rupture of both the body and the psyche (Campbell 2002:173). This “rupture” includes the symptoms associated with Rape Trauma Syndrome (RTS), such as nausea, insomnia, nightmares, emotional numbness and dissociative behaviors (Cling 2004:19-

21; Henry 2010:1102). Many of the symptoms of RTS are found to persist in victims several years after the trauma, evidence that rape causes suffering beyond the moments of a rape itself (Henderson 1992:150; Henry 2010:1102). Some of the symptoms are experienced psychologically, which makes rape victim witnesses vulnerable to arguments that their mental health is questionable, and with it, their testimony. While rape trauma syndrome is a testament to the suffering rape causes the victim, it can also be utilized to discredit rape survivor witnesses in court (Henry 2010:1111).

In the *Foča* case, the Defense cited trauma as a reason to discredit the testimony of FWS-75. In her testimony, FWS-75 stated that over the course of 40 days that she had been raped by at least 150 men. The Defense submitted that due to the amount of trauma she suffered, she could not be trusted to give reliable testimony. The Defense also argued, citing one of their expert witnesses, Dr. Rašković-Ivić, that FWS-75 was manipulative, “because if she knows the exact number [of men], then she would certainly have to remember the other things as well.” (ICTY, Testimony, Sanda Rašković-Ivić, *Prosecutor v. Dragoljub Kunarac et al.*, September 12, 2000:5476). Therefore, the Defense argued that it was odd that FWS-75 had difficulty remembering the timeline in which the trauma occurred. They also argued that she should be able to remember each individual rapist, and, as she could not, it was strange that she remembered Kunarac, Kovač and Vuković. The Defense not only made this argument in the Trial Chamber, but also during their closing argument and in the Appeals Chamber (ICTY, Judgement, *Prosecutor v. Dragoljub Kunarac et al.*, June 12, 2002:63, 81). It is interesting to note that while the

Defense did not deny that FWS-75 had been raped, they argued that, due to being raped, she could not be trusted as a witness. Ironically, they argued that the very trauma that established her victimhood should disqualify her from testifying. Through the process of discrediting rape victims, the Defense attempted to establish a social identity for rape survivor witnesses – one where the trauma of rape coincided with a lack of trustworthiness and credibility.

“Not Traumatized Enough” to be Authentic

A reverse form of this pattern of discrediting was also found in *Kunarac et al.* when the Defense argued that the 16 rape survivor witnesses showed a lack of long-term trauma (Henry 2009:132). Once again, the Defense utilized the expert testimony of Dr. Rašković-Ivić, who, after stating that no rape victim ever fully recovers, went on to say, in regards to the rape survivor witnesses, that “[a]ll these stories are very painful, but still I have not been able to detect the grave consequences one would expect to arise from incidents described by the witnesses” (ICTY, Testimony, Sanda Rašković-Ivić, *The Prosecutor v. Dragoljub Kunarac et al.*, September 12, 2000:5468-5469). Dr. Rašković-Ivić later elaborated, stating:

I have to admit to you that I find it striking the facility with which the witnesses adapted to normal life without having previously gone through any kind of treatment, basically, and that they managed to get out of all of that on their own in such a remarkable way. (ICTY, Testimony, Sanda Rašković-Ivić, *The Prosecutor v. Dragoljub Kunarac et al.*, September 12, 2000:5473)

Overall, Rašković-Ivić was arguing that in order to prove that they were raped the witnesses should have sought professional treatment and carefully documented their trauma and suffering. Apparently, a “real” rape victim is not allowed to try to move forward in her life in the way that she feels is best for her. Since the rape survivor witnesses’ behaviors and testimonies did not coincide with the Defense’s portrayal of a “real” rape victim, the witnesses must not have been raped.

This element of the Foča rape survivors not behaving like “real” rape victims was repeated in the Appeals Chamber. During the appeals process the defendant Zoran Vuković argued that when he raped FWS-50 that it did not constitute torture. This is because, according to Vuković’s logic, FWS-50 failed to mention while testifying that being raped by Vuković caused lasting harm. Vuković also argued that since FWS-50 had already been raped, his rape of FWS-50 could not have caused as much trauma as the previous rapes she had suffered (ICTY, Judgement, *The Prosecutor v. Kunarac et al.*, June 12, 2002:42-44). It appears that, according Vuković’s logic, the more a girl or woman is raped, the less traumatizing rape becomes. Interestingly, this logic is inconsistent with the Defense’s earlier argument regarding FWS-75’s credibility. Regardless, both arguments are focused on establishing an identity for the rape survivor witness based upon a lack of credibility and untrustworthiness. They also established a double-bind (Henry 2010:1111) for the witnesses; there was no “right” way for them to present themselves in court.

Culture and Silence

Sharing and testifying about pain and trauma is difficult for any human being. The men who survived the concentration camps in Bosnia-Herzegovina certainly faced challenges while testifying, as did the individuals who had their property confiscated, lost family members, survived beatings or endured any of the dehumanizing forms of violence that were perpetrated throughout the genocide. Rape victims, however, face an extra challenge in providing testimony since a stigmatized identity is tied to being a survivor of rape and other forms of sexual violence. The act of rape, as stated by Catherine Niarchos, is:

...a crime of extreme violence. It is an expression of dominance, power, and contempt, a rejection of the woman's right to self-determination, a denial of her being. Rape is not passion or lust gone wrong. It is first and foremost an act of aggression with a sexual manifestation. (Niarchos 1995:650)

Rape is a form of violence perpetrated through a sexual means. Yet, as discussed in Chapter 1, socially rape is often viewed primarily as a sexual act. This aspect of rape, not the violence, is emphasized with the result that often a social stigma is attached to being a rape victim (Henry 2010:1101). Due to this stigma, many rape survivors, understandably, may not wish to speak about being raped, for they fear rejection from their families. Other women feel confused and bewildered by the fact that they are seen as worthy of resentment and blamed for the rape (Niarchos 1995:659), which can also lead to silence. While victims may have varying emotional responses to being sexually abused and raped, due to the attitudes of their communities, it is common for them to feel ashamed or guilty of the rape.

Stigma and silence create another obstacle for rape survivor witnesses in testifying. Within the context of *Kunarac et al.*, the result of stigma was often manifested in inconsistencies in statements made to the tribunal. These inconsistencies in statements, as argued earlier, were utilized by defense attorneys to identify the witnesses as dishonest individuals.

The stigma of being raped may not only be revealed in discrepancies between a witness' past and previous statements, but can also result in her language loss while testifying. This language loss was expressed by nine of the 12 witnesses while testifying. One example of language loss is when Ms. Uertz-Retzlaff, attorney for the Prosecution, asked FWS-75 to describe being raped in greater detail, stating:

Q. You said that you had to give them pleasure. What do you mean by this?

A. Well, I mean -- I cannot express myself.

Q. Did you have to put their penis in your mouth?

A. Yes.

(ICTY, Testimony, FWS-75, *Prosecutor v. Dragoljub Kunarac et al.*, March 30, 2000:1415)

When Ms. Uertz-Retzlaff follows FWS-75's expression of inexplicability by explicitly describing what "give them pleasure" may have meant, she was helping to establish that being forced to "give them pleasure" met the legal definition of rape. In *Kunarac et al.* the Trial Chamber defined rape as:

[T]he sexual penetration, however slight: (a) of the vagina or anus of the victim by the penis of the perpetrator or any other object used by the perpetrator; or (b) the mouth of the victim by the penis of the perpetrator; where such sexual penetration occurs without the consent of the victim. Consent for this purpose must be consent given voluntarily, as a result of the victim's free will, assessed in the context of the surrounding circumstances. The *mens rea* is the intention to effect this sexual penetration, and the knowledge that this occurs without the

consent of the victim. (ICTY, Judgement, Prosecutor v. *Dragoljub Kunarac et al.*, February 22, 2001:155-156)

As *Kunarac et al.* was a trial where the perpetrators were charged with rape, it was the Prosecution's burden to illustrate that what happened to the witnesses met the legal definition of rape. On average, 1.57% of the questions the Prosecution asked each witness dealt with establishing that the crimes committed met the legal definition of rape. While this may seem like a small percentage, the fact that it even occurred is of interest. The witnesses, as a result of trauma, stigma, shame or silencing, had their own expressions for rape. Among these expressions included FWS-75's "give them pleasure", and those of other witnesses, such as "taken out", or, the commonly used euphemism, "the worst." Sometimes witnesses stated that they were raped with no further description of what occurred. The Prosecution sought to verify the judicial discourse of rape, which involved descriptions of actions, by making explicit clarifications or definitions for the euphemisms the witnesses had selected in their own accounts. The Prosecution tried to establish a connection between the witnesses' own presentations of sexual trauma and the judicial system's perceived identity of victimhood.

In *Kunarac et al.* the process of establishing victimhood was important to the Prosecution. On average, 31.03% and 18.52% of the questions the Prosecution asked each witness were focused on, respectively, establishing the perpetrators of the crimes and clarifying that the witness was a victim of these crimes. Thus, the Prosecution's agenda was to clearly establish that the witness was a victim of crimes and held no responsibility for the rapes and other acts of violence that were committed against her.

While it was important to establish that the rape survivor witnesses suffered and were in no way responsible for being raped, this process of focusing upon victimhood occurred at the expense of the witnesses' own accounts and the personal and social identities they established in their stories. In the narratives that Foča rape survivors gave freely and without the restraints of stringent questioning (as discussed in Chapter 3), on average 35.63% of each survivor's narrative focused on the trauma of captivity and victimization. In *Kunarac et al.* trauma, on average, constituted 57.00% of each survivor's testimony. In the narratives that survivors gave freely and without constraints of stringent questioning, 18.00% of each survivor's narrative focused on her personal forms of resistance and maintenance of dignity. In *Kunarac et al.* resistance only constituted, on average, 7.70% of each survivor's testimony. These are significant differences in focus. These discrepancies illustrate that within the judicial system the witnesses lost the opportunity to tell their own story, and to establish their own identities within the accounts. Thus, the witnesses' personal stories and identities became appropriated by the attorneys and the judicial system as a whole, a process which arguably extends the traumatizing effects of being victimized.

Blaming the Victim

Oftentimes, in domestic rape trials, rape survivor witnesses are discredited due to their prior sexual conduct – meaning that the defense attorney may argue that since a witness was “promiscuous” or had had previous relations with the defendant that rape

was not possible. Attorneys may seek to create an “unrapable” identity for the rape survivor witness. Defense attorneys may also argue that the victim consented to the perpetrator’s sexual advances as a consequence of being intoxicated, dressing in a “provocative” manner, not fighting back enough, not saying ‘no’, or failing to say it loud or often enough (Conley et al 2005:17; Henderson 1992:145-148; Temkin 2000:225-227, 241, 247). Basically, in domestic cases it often appears that the only “real” rape victim is a virgin who died in the process of fighting off her rapist – the beautiful martyr.

In acknowledgement of the challenges that rape survivor witnesses face in most domestic trials, the ICTY established Rule 96. Rule 96, as presented previously in this chapter, states that prior sexual conduct may not be used as evidence and that consent may not be used as a defense if rape occurred in an oppressive environment, or if the victim had reason to fear harm to herself or another individual (Campbell 2002:158-159; UN Doc IT/32, 1999). Rule 96 is progressive, as it addresses an aspect of rape trials that causes many witnesses to suffer humiliation and an invasion of privacy. Yet, in *Kunarac et al.* the defense attorneys managed to find methods with which to continue blaming the victim for her rape and attempted to establish an “unrapable” identity. Explicit victim blaming may have only, on average, constituted less than 1% of the defense attorneys’ questioning of a rape survivor witness, but the fact that it occurred at all is significant. Rule 96 was written in order to prevent this humiliating pattern of questioning, but it did not protect all of the rape survivor witnesses in *Kunarac et al.* from experiencing the

trauma and degradation which results from being blamed for one's own rape. Thus, the presence of victim-blaming in *Kunarac et al.* is addressed in this chapter.

One example of victim blaming and the assignment of an “unrapable” identity during *Kunarac et al.* is when the defendant Dragoljub Kunarac testified that he had perceived one incident of him raping Witness DB as being consensual sex. This argument, while still blaming DB for the rape, managed to circumvent the parameters of Rule 96. This is because Kunarac was not arguing that DB consented, but that he was unaware that the chief of police, Dragan Gagović, had ordered DB to “satisfy” Kunarac. Thus, while testifying, Kunarac argued that DB initiated sex with him, and as he did not know that Gagović ordered her to, he could not have raped her, stating:

[A]t that point in time when this was happening, not at a single moment did I give any reason -- I did not give her a pretext for having sexual intercourse. I didn't say I wanted it.

At that moment, I had sexual intercourse with her against my will. I mean, without having a desire for sex. I will explain this later. She did this quite consciously for other reasons that I was not aware of at that moment.
(ICTY, Testimony, Dragoljub Kunarac, *Prosecutor v. Dragoljub Kunarac et al.*, July 06, 2000:4541-4542)

In many aspects, it appears that Kunarac was accusing DB of raping *him*, as he was stating that she forced herself upon him against his will. It can also be interpreted that he was blaming Gagović, for Kunarac argued that this incident would not have happened unless Gagović ordered DB to have sexual contact with him. Yet, the overall trajectory of Kunarac's argument was that he would not have raped DB if she had not initiated sexual contact with him. Due to this perceived initiating, Kunarac was arguing that DB was “unrapable” at the moment.

Kunarac, following the Judgement, which convicted him of raping DB, filed an appeal in which he once again blamed DB and Gagović (ICTY, Judgement, *Prosecutor v. Kunarac et al.*, June 12, 2002: 65). In his testimony Kunarac refused to take responsibility for his actions. In assigning blame to DB, Kunarac failed to recognize that DB was detained in a hostile environment – one where she was by default unable to express her own free will, meaning consent was not possible.

Another example of the Defense’s use of blaming the victim tactics is when, during cross-examination, the defense attorney Mr. Kolesar tried to convince FWS-87 that she was in love with defendant Radomir Kovač and that she wrote him a thank-you note on which “there was a heart drawn...pierced with an arrow, and it said ‘Klanfa’¹⁸” (ICTY, Testimony, FWS-87, *Prosecutor v. Dragoljub Kunarac et al.*, October, 23 2000:6134). The cross-examination culminated with Mr. Kolesar stating:

Q. It is a fact that Kovač helped you and rescued you from the hell of war, and you are here giving false testimony. So will you tell us why? Why don't you tell us that he helped you?

A. To begin --

Q. And that you were -- that you liked him?

A. To begin with, I did not like him. Secondly, it's not true that he helped me. To be grateful? There's nothing to be grateful for, because -- because -- I really don't see why should I be grateful. Because he raped me? Because Kostic raped me? Because he sold me to some Montenegrins? I don't know.

(ICTY, Testimony, FWS-87, *Prosecutor v. Dragoljub Kunarac et al.*, October 23, 2000:6137)

The way Mr. Kolesar phrased his first question with “It is a fact” and stated that FWS-87 was giving false testimony is an attack on the witness’ credibility – making it appear that

¹⁸ “Klanfa” is Radomir Kovač’s nickname

he was attempting to “expose” FWS-87 as a liar. As FWS-87 attempted to answer his question Kolesar interrupted her, and cut her off by trying to make her “admit” one more fact, that she actually liked Kovač. All of these victim-blaming tactics and the overall pattern of questioning were focused on crafting an identity for FWS-87 where she was an ungrateful liar, so untrustworthy that she was willing to provide false testimony at the ICTY. Kolesar’s trajectory of victim-blaming ended with FWS-87 taking control of the questioning, where she proceeded to explain the outrageous nature of Kolesar’s accusations.

According to Madeleine Rees, chief of mission in Bosnia for the Office of the High Commissioner for Human Rights, the adversarial nature of the legal system creates “a huge incentive for the defense to try and trash the women... You end up in situation where women are cross-examined in such a way as to demean them” (Institute for War and Peace Reporting Staff 2007). Accusing rape survivors of being participants in the crimes that were committed against them can be especially humiliating since rape survivors are already faced with a stigmatized social identity. Yet, as evidenced by FWS-87’s response, the witnesses refused to let the defense attorneys humiliate them in court, and proved to remain strong in spite of the adverse questioning.

Survivor Accounts and Identities within a Legal Structure

The ICTY, like all judicial bodies, has specific rules regarding the format in which a witness provides her personal account – an attorney asks a question, and the

witness answers the question (Conley et al. 2005:21). Because of this pattern, the attorneys have control over how the witness' testimony is structured and how her identity is portrayed. Thus, it is easy for attorneys to utilize questioning to craft their desired identities for the witnesses. The attorneys are able to focus the rape survivor witnesses' accounts on which elements they deem important. During *Kunarac et al.*, for the Prosecution, who wished to prove that the defendants were guilty (Mertus 2004:112; Whyte 2004:144-146), the perpetrators were deemed the most important element, followed by establishing the rape survivor witnesses' victimhood. For the Defense, who wished to show that the defendants were innocent, focusing on inconsistencies in testimony and people and events that the rape survivor witnesses were unable to remember or discuss in detail, were deemed the most important parts of the survivors' personal accounts. Through this process, new identities were crafted for the rape survivor witnesses in *Kunarac et al.* Most likely, these were not the same as the identities that the survivors had established for themselves. Since the trial was focused on establishing whether or not the Accused were innocent or guilty, it was not necessarily the rape survivor witnesses' personal accounts of the trauma they survived that was valued, but rather the presence or absence of the Accused in their accounts. If the rape survivors' testimony failed to support the Accused's guilt or innocence, it was not perceived as important to the judicial discourse surrounding the Foča rapes. The rape survivors' testimonies were transformed into accounts of the crimes perpetrated by Dragoljub Kunarac, Radomir Kovač and Zoran Vuković.

Some of the rape survivor witnesses in the *Foča* case expressed their own reasons, not necessarily contingent with the judiciary agenda, for testifying at the ICTY. Five witnesses mentioned that they wished to create a public record of the atrocities that were committed in the Foča municipality; one witness stated that she was testifying because she was proud to be a Bosniak woman and proud to have survived, another witness mentioned that speaking the truth was an important part of her healing process. This desire to share the truth about the atrocities that were committed and personal pride as a survivor is reflected by FWS-50, when at one point in the trial she interjected that it was her desire to let “it be known that it really happened...” and that she wanted “everyone to hear about it.” (ICTY, Testimony, FWS-50, *Prosecutor v. Dragoljub Kunarac et al.*, March 29, 2000:1246-1247). This same desire to share the truth was reiterated by FWS-50’s mother, FWS-51, when she was cross-examined by Mr. Jovanovic. When Mr. Jovanovic asked FWS-51 if “terrible, and awful things happened” to her FWS-51’s response was:

Yes. Dreadful things happened to us, things that one couldn’t even live through. It would be terrible for any normal man, and nobody would survive, but it seems that we have survived somehow, just to show that what – to tell the truth about what happened to us. (ICTY, Testimony, FWS-51, *Prosecutor v. Dragoljub Kunarac et al.*, March 29, 2000:1203 – 1204)

FWS-51’s statement is poignant, for it expressed that for many survivors it is important to speak the unspeakable, to have others acknowledge and validate their pain. The ICTY does certainly provide a forum where survivors can give voice their stories. Yet, as illustrated in this chapter, during the course of the trial each witness’ account was re-

shaped, re-framed and refined to fit the structure and goals of the attorneys' questions and the ICTY itself. This can lead one to question to whom the personal accounts and identities of the rape survivor witnesses in *Kunarac et al.* belong. If their personal accounts were so altered, do they still belong to the rape survivor witnesses, or were they absorbed into the judicial discourse of the ICTY?

Conclusions and Implications

Overall, this thesis illustrates that within their narratives and testimonies the Foča rape survivors established many diverse personal and social identities. While the narratives and testimonies did contain common themes, no two narratives or testimonies were alike – just as no two girls and women are alike. The narratives and testimonies also illustrate themes that are in opposition to the dominate discourse surrounding the wartime rapes of Bosniak girls and women.

Summary

Within Chapter 3, this thesis examined the Foča rape survivors' narratives of the period of victimization. Many of the survivors defined the conflict and rapes as stemming from an ethnic/religious based conflict and a genocidal intent. The narratives also included many descriptions of profound trauma and themes of personal resistance. Together, these themes and focuses illustrate that the survivors are innocent victims who not only suffered but sought out methods with which to maintain their personal dignity and to protect themselves and their families. Thus, many survivors created personal and social identities based upon not only their innocent victimhood but personal resilience.

Chapter 4 of this thesis analyzed the Foča rape survivors' experiences during the long-term recovery process. Similar to Chapter 3, many survivors reflected experiences of trauma, and also experienced the rapes and conflict as being ethnically/religiously-based. Survivors also reflected the wish for justice, the desire to bear witness and, in

some cases, to take personal revenge. This desire for action is similar to the survivors' narratives of resistance in Chapter 3 – resistance is an expression of agency; the desire to voice their personal accounts and to see the perpetrators held responsible is also an act and expression of agency.

In Chapter 5 the personal and social identities of the Foča rape survivors within the judicial system was examined. Within the judicial system, it was found that both the prosecuting and defense attorneys had their own agendas for the social identities of the Foča rape survivors. The Prosecution mainly attempted to portray the survivors as perpetual victims. The Defense mostly attempted to portray the survivors as being liars or too traumatized to be credible. As the attorneys, both prosecuting and defense, had control of the pattern of questioning, the voices of the Foča rape survivor witnesses – and their own accounts and narratives of their personal and social identities – were overshadowed.

It was also found that the judicial system, inherently, is not victim-centred. It is perpetrator-centred. The goal of a trial is to either convict or acquit one or more defendants. It is not for the survivor witness to tell her or his story. The survivor witness' story is only important in terms of the defendant or defendants' presence in it.

Despite the fact that the rape survivor witnesses' accounts were appropriated by the judicial system, the reality that Foča rape survivors testified at an international criminal tribunal and faced one or more of the men who harmed them is, in itself, representative of the rape survivor witnesses' strength and desire to express agency. This

form of courage expressed through profound and unspeakable challenges is reflective of Chapters 3 and 4 of this thesis. Within the *Kunarac et al.* trial transcripts, the trauma of testifying and bearing witness were reflected, but so were the incredible strength and determination of the witnesses.

Implications

When survivors come forward with their personal accounts of survival, they engage in actions which can help lead to changes in the social perceptions of rape survivors. Not only have rape survivors come forward to testify at both the International Criminal Tribunal for the former Yugoslavia (ICTY) and Bosnia-Herzegovina's national court, but many rape survivors actively participate in establishing resources for their own and other women's processes of healing and recovery. Among these organizations is Sarajevo's Association of Women Victims of War. Founded by rape survivor and activist Bakira Hasečić in 2003, the Association works to establish a record of truth regarding the wartime rapes that were perpetrated in Bosnia-Herzegovina and to help restore dignity to the survivors (The Association "Women Victims of War" 2010). Currently, the Association has over one thousand members, all survivors of wartime sexual violence (The Association "Women Victims of War" 2010). Among their activities, the members work to collect survivor accounts for the purpose of breaking the silence surrounding rape and sexual violence and also for the purpose of prosecuting perpetrators at both the International Criminal Tribunal for the former Yugoslavia and

national courts of law (The Association “Women Victims of War” 2010). Members of the Association are also provided with psychological support, medical aid, and assistance in returning to their homes, or, if this is not possible, they are provided assistance in finding a new place of residence (The Association “Women Victims of War” 2010). The Association also works to provide closure through finding the burial places of loved ones, as knowing where one’s family is buried is significant within Bosniak culture (personal communication, Kathleen Young, July 14, 2011). This provides evidence that many rape survivors of Bosnia-Herzegovina work to break the silence surrounding wartime rape. They are also working to establish networks of support for themselves and their fellow survivors and are actively seeking their own paths of long-term recovery and healing.

Another active women’s organization in Bosnia-Herzegovina is Medica Zenica, located in Zenica, Bosnia-Herzegovina. The concept of Medica Zenica first emerged in the fall of 1992 when Monika Hauser, a Swiss-born, German-educated gynecologist, began reading about the mass rape of girls and women in Bosnia-Herzegovina (The Right Livelihood Award N.d.). In the winter of 1992 Hauser traveled to Bosnia-Herzegovina and with the aid of 20 Bosnian psychologists and doctors and funding from Germany the women’s center, Medica Zenica, was established in April of 1993. Within the first year, over four thousand women utilized the center’s services and support (Medica Mondiale 2009a). By 1996, Medica Zenica became an independent Bosnian organization.¹⁹

¹⁹ Monika Hauser’s organization, Medica Mondiale, continues to establish women’s centers for survivors of wartime sexual violence. More information can be found at Medica Mondiale’s website: <http://www.medicamondiale.org/uk>.

Medica Zenica currently works to offer support not only to survivors of wartime sexual violence but also post-war sexual and domestic violence (Medica Zenica 2011). The staff of Medica Zenica believes that the wartime trauma in Bosnia-Herzegovina has led to an increase in violence towards women, both public and domestic (Medica Mondiale 2009b). Within the past 18 years, Medica Zenica has provided over 400 thousand services in Bosnia-Herzegovina. Medica Zenica offers a diverse array of services including emergency shelter in a safe house, medical and psychological support for women and children victims of violence, and family therapy. Medica Zenica also institutes outreach programs to prevent future violence towards women and children including public education, research, advocacy and the publication of materials (Medica Zenica 2011). Through these activities Medica Zenica works to combat the residue of gender-based violence left by the 1992-1995 genocide in Bosnia-Herzegovina.

These organizations provide examples of the Bosnian rape survivors' self-definition through breaking the silence surrounding wartime rape and their personal resistance through on-going trauma. Within the difficult post-war environment and long-term recovery process many of the women of Bosnia-Herzegovina are working to establish sustainable changes socially and culturally. They are resisting a cycle of perpetual victimization both by the trauma enacted by perpetrators and common cultural attitudes towards rape victims.

While the stories of trauma, both during the period of victimization and the long-term recovery process, are undeniably a reality and often overwhelming, it is important to

recognize the resilience and resistance of the Foča rape survivors and the rape survivors of Bosnia-Herzegovina as a whole. To ignore their forms of resistance and continued processes of resilience would be to define them by the actions committed by the rapists. This would continue to represent them by an identity that was foisted upon them against their will. The lives and individual identities of the Foča rape survivors did not end with their victimization. It is important that this fact is acknowledged and that the discourse surrounding the Foča rape survivors reflects this reality.

Bibliography

Trial Transcripts Referenced

The Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković ICTY (IT-96-23 and IT-96-23/1) retrieved April 3, 2011 from <http://www.un.org/icty/glance/index.htm>

United Nations Documents Referenced

Statute for the International Tribunal for the Former Yugoslavia adopted 25 May 1993 by UN Security Council Resolution 827 and further amended by resolutions 1166, 1329, 1411, 1431, 1481, 1597, 1660, 1837, and 1877. United Nations Document S/Res/827. September 2009.

United Nations Economic and Social Council. Commission on Human Rights. Report on the Situation of Human Rights in the Territory of the former Yugoslavia Submitted by Mr. Tadeusz Mazowiecki, Special Rapporteur of the Commission on Human Rights, pursuant to Commission Resolution 1992/S-1/1 of 14 August 1992. United Nations Document E/CN.4/1993/50. 10 February 1993.

United Nations General Assembly and Security Council. European Community Investigative Mission into the Treatment of Muslim Women in the Former Yugoslavia, Annex I 14. United Nations Document A/48/92, S/25240. 3 February 1993.

United Nations ICTY Rules of Procedure and Evidence adopted 11 February 1994. Most recently amended 20 October 2011. IT/32 Rev. 17. 7 December 1999.

References

Agamben, Giorgio
1999 *Remnants of Auschwitz: The Witness and the Archive*. New York: Zone Books.

Ajanović, Irfan, ed.
2000 *I Begged Them to Kill Me: Crime Against the Women of Bosnia-Herzegovina*. Dubravka Dostal, trans. Sarajevo: CID – Center for Investigation and Documentation of the Association of Former Prison Camp Inmates of Bosnia-Herzegovina.

Allen, Beverly
1996 *Rape Warfare: The Hidden Genocide in Bosnia-Herzegovina and Croatia*. Minneapolis: University of Minnesota Press.

- Anzulovic, Branimir.
1999 *Heavenly Serbia: From Myth to Genocide*. New York: New York University Press.
- Askin, Kelly D.
2003 *Prosecuting Wartime Rape and Other Gender-Related Crimes under International Law: Extraordinary Advances, Enduring Obstacles*. Berkeley *Journal of International Law* 21:288-349.
- Baker, Katharine K.
1999 *What Rape Is and What It Ought Not to Be*. *Jurimetrics: The Journal of Law, Science and Technology*. 39:233-242.
- Balkan Investigative Reporting Network (BIRN)
2010 *Justice Report: Search for Radovan Stankovic Continues*.
<http://www.bim.ba/en/220/10/28360/>, accessed June 5, 2011.
- Barker, Kenneth L. and John R. Kohlenberger III, eds.
1994 *Zondervan NIV Bible Commentary: Volume 1: Old Testament*. Grand Rapids, MI: Zondervan.
- Bergoffen, Debra B.
2005 *How Rape Became a Crime against Humanity: History of an Error*. *In* *Modernity and the Problem of Evil*. Alan D. Schrift, ed. Pp. 66-89. Bloomington and Indianapolis: Indiana University Press.
- Bernard, H. Russell
2006 *Research Methods in Anthropology: Qualitative and Quantitative Approaches*. 4th edition. New York: AltaMira Press.
- Blagojević, Marina
2000[1995] *Preface*. *In* *Women, Violence and War: Wartime Victimization of Refugees in the Balkans*. Vesna Nikolić-Ristanović, ed. Pp. ix-xiv. Budapest: Central European University Press. English Edition Published in 2000.
- Boose, Lynda E.
2002 *Crossing the River Drina: Bosnian Rape Camps, Turkish Impalement, and Serb Cultural Memory*. Theme issue, "Gender and Cultural Memory," *Signs* 28(1): 71-96, JSTOR; available from <http://www.jstor.org/stable/3175701>, accessed November 22, 2010.

- Brownmiller, Susan
1975 *Against Our Will: Men, Women and Rape*. New York: Simon and Schuster.
- Campbell, Kirsten
2002 Legal Memories: Sexual Assault, Memory, and International Humanitarian Law. Theme issue, "Gender and Cultural Memory," *Signs* 28(1):149-178.
<http://www.jstor.org/stable/3175704>, accessed June 2, 2010.
- Card, Claudia
1996 Rape as a Weapon of War. *Hypatia* 11(4):5-18.
- Cavanaugh, Kathleen A.
2002 Forced Impregnation and Rape as a Means of Genocide. *Journal of International and Comparative Law* 8(2):1-21.
- Cerone, John
2006 Holding Military and Paramilitary Forces Accountable. *In Human Rights and Conflict: Exploring the Links between Rights, Law, and Peace Building*. Julie A. Mertus and Jeffrey W. Helsing, eds. Pp. 217-237. Washington D.C.: United States Institute of Peace Press.
- Chang, Iris
1997 *The Rape of Nanking: The Forgotten Holocaust of World War II*. New York: BasicBooks.
- Chhachhi, Amrita
1991 Forced Identities: the State Communalism, Fundamentalism and Women in India. *In Women, Islam, and the State*. Deniz Kandiyoti, ed. Pp. 144-175. Philadelphia: Temple University Press.
- Cling, B.J.
2004 Rape and Rape Trauma Syndrome. *In Sexualized Violence Against Women and Children*. B.J. Cling, ed. Pp. 13-40. New York: The Guilford Press.
- Conley, John M. and William M. O'Barr
2005[1998] *Just Words: Law Language and Power*. Chicago: The University of Chicago Press.
- Copelon, Rhonda
1995 Gendered War Crimes: Reconceptualizing Rape in Time of War. *In Women's Rights, Human Rights: International Feminist Perspectives*. Julie Peters and Andrea Wolper, eds. Pp. 197-214. New York: Routledge, Inc.

- de Zayas, Alfred M.
1989 *The Wehrmacht War Crimes Bureau, 1939-1945*. Lincoln and London: The University of Nebraska Press.
- Drakulić, Slavenka
2001 *Viewpoint: Foca's Everyday Rapists*.
<http://k.mihalec.tripod.com/current/slavenka.htm>, accessed January 24, 2011.
- DVSAS: Domestic Violence and Sexual Assault Services
FAQs About Sexual Assault. <http://www.dvsas.org/pages/FAQs-About-Sexual-Assault>, accessed October 26, 2011.
- Fisher, Siobhan K.
1996 *Occupation of the Womb: Forced Impregnation as Genocide*. *Duke Law Journal* 46(1):91-133. <http://www.jstor.org/stable/1372967>, accessed April 23, 2010.
- Folnegovic-Smalc, Vera
1994 *Psychiatric Aspects of the Rapes in the War against the Republics of Croatia and Bosnia-Herzegovina*. In *Mass Rape: The War against Women in Bosnia-Herzegovina*. Alexandra Stiglmayer, ed. Pp. 174-179. London: University of Nebraska Press.
- Frederick, Sharon and The Aware Committee on Rape
2001 *Rape: Weapon of Terror*. River Edge, New Jersey: Global Publishing Co. Inc.
- Friedman, Francine
1996 *The Bosnian Muslims: Denial of a Nation*. Oxford: Westview Press, Inc.
- Geology.com
2007 *Bosnia and Herzegovina Map – Bosnia and Herzegovina Satellite Image*.
<http://geology.com/world/bosnia-and-herzegovina-satellite-image.shtml>, accessed September 12, 2011.
- Gergen, Kenneth
1997[1994] *Realities and Relationships: Soundings in Social Construction*. Cambridge, Massachusetts: Harvard University Press.
- Goffman, Erving
1963 *Stigma: Notes on the Management of Spoiled Identity*. Englewood Cliffs, New Jersey: Prentice-Halls, Inc.

Gutman, Roy

1993 *Witness to Genocide*. New York: Macmillan Publishing Company, Inc.

Habiba, Shumi Umme

1998 *Mass Rape and Violence in the 1971 Armed Conflict of Bangladesh: Justice and Other Issues*. In *Common Grounds: Violence Against Women in War and Armed Conflict Situations*. Indai Lourdes Sajor, ed. Pp. 257-267. Quezon City, Philippines: Asian Center for Women's Human Rights.

Hazan, Pierre

2004 *Justice in a Time of War: The True Story Behind the International Criminal Tribunal for the Former Yugoslavia*. James Thomas Snyder, trans. College Station: Texas A&M University Press.

Healey, Sharon A.

1995 *Prosecuting Rape Under the Statute of the War Crimes Tribunal for the Former Yugoslavia*. *Brooklyn Journal of International Law* 21(2):327-384.

Henderson, Lynne

1992 *Philosophical Issues in Rape Law*. Theme issue, "Rape and Responsibility," *Law and Philosophy* 11(1/2):127-178. Springer. <http://www.jstor.org/stable/3504960>, accessed June 2, 2010.

Henry, Nicola

2010 *The Impossibility of Bearing Witness: Wartime Rape and the Promise of Justice*. *Violence Against Women* 16(10):1098-1119.

Henry, Nicola

2009 *Witness to Rape: The Limits and Potential of International War Crimes Trials for Victims of Wartime Sexual Violence*. *The International Journal of Transitional Justice* 3:114-134.

Holt, Mack P.

1995 *The French Wars of Religion, 1562-1629*. *New Approaches to European History*. Cambridge: Cambridge University Press.

Howard, Keith, ed.

1995 *True Stories of the Korean Comfort Women*. London: Cassell.

Hromadzic, Azra

2007 *Challenging the Discourse of Bosnian War Rapes*. In *Living Gender after Communism*. Janet Elise Johnson and Jean C. Robinson, eds. Pp. 169-184.

Bloomington and Indianapolis: Indiana University Press.

Human Rights Watch

1998 Bosnia and Hercegovina: "A Closed, Dark Place": Past and Present Human Rights Abuses in Foca. *Human Rights Watch* 10(6). New York, NY.

Hydén, Margareta

2003 "I Must Have Been an Idiot to Let it Go On": Agency and Positioning in Battered Women's Narratives of Leaving. *Feminism & Psychology* 15(2):169-188.

Iacobelli, Teresa

2009 The 'Sum of Such Actions': Investigating Mass Rape in Bosnia Herzegovina through a Case Study of Foca. *In Brutality and Desire: War and Sexuality in Europe's Twentieth Century*. Dagmar Herzog, ed. Pp. 261-283. New York: St. Martin's Press.

Institute for War and Peace Reporting Staff

2007 Special Report: International Justice Failing Rape Victims. Institute for War and Peace Reporting. <http://www.iwpr.net/index.php?m=p&o=328311>, accessed December 30, 2010.

Judah, Tim

1997 *The Serbs: History, Myth and the Destruction of Yugoslavia*. London: Yale University Press.

Klip, André and Göran Sluiter

2004 Annotated leading cases of International Criminal Tribunals Volume VIII: The International Criminal Tribunal for the former Yugoslavia 2001-2002. Holmes Beach, FL: Gaunt Inc.

Kostantinović-Vilić, Slobodanka

2000[1995] Psychological Violence and Fear in War, and their Consequences for the Psychological Health of Women. *In Women, Violence and War: Wartime Victimization of Refugees in the Balkans*. Vesna Nikolić-Ristanović, ed. Pp. 99-133. Budapest: Central European University Press. English Edition Published in 2000.

Lindsey, Rose

2002 From Atrocity to Data: Historiographies of Rape in Former Yugoslavia and the Gendering of Genocide. *Patterns of Prejudice*: (36)4:59-78.

Lockyer, Herbert Sr., EF Bruce and R.K. Harrison, eds.

1986 *Illustrated Dictionary of the Bible*. Nashville: Thomas Nelson Publishers.

Maass, Peter

1996 *Love Thy Neighbor: A Story of War*. New York: Alfred A. Knopf, Inc.

Malcolm, Noel

1994 *Bosnia: A Short History*. New York: New York University Press.

McHenry, James R. the III

2002 *The Prosecution of Rape Under International Law: Justice That Is Long Overdue*. *Vanderbilt Journal of Transnational Law* 353:1269-1311.

Medica Mondiale

2009a *About Us: How medica mondiale came to life*.

<http://www.medicamondiale.org/ueber-uns/geschichte/?L=1>, accessed August 10, 2011.

Medica Mondiale

2009b *Projects: Bosnia and Herzegovina: Bosnia: War is not Over – The Forgotten Suffering of Bosnian Women*. <http://www.medicamondiale.org/projekte/bosnien-herzegowina/?size=0&L=1>, accessed August 10, 2011.

Medica Zenica

2011 *About Us*. www.medicazenica.org/uk<http://www.medicazenica.org/uk/>, accessed August 10, 2011.

Mertus, Julie

2004 *Shouting from the Bottom of the Well: The Impact of International Trials for Wartime Rape on Women's Agency*. *International Feminist Journal of Politics* 6(1):110-128. <http://www.tandf.co.uk/journals>, accessed March 16, 2011.

Mertus, Julie and Jasmina Tesanovic, Habiba Metikos and Rade Borić, eds.

1997 *The Suitcase: Refugee Voices from Bosnia and Croatia*. Berkley and Los Angeles: University of California Press

Mühlhäuser, Regina

2009 *Between 'Racial Awareness' and Fantasies of Potency: Nazi Sexual Politics in the Occupied Territories of the Soviet Union, 1942-1945*. In *Brutality and Desire: War and Sexuality in Europe's Twentieth Century*. Dagmar Herzog, ed. Pp. 197-220. New York: St. Martin's Press.

Neier, Aryeh

1998 *War Crimes: Brutality, Genocide, Terror, and the Struggle for Justice*. USA: Time

Books.

Niarchos, Catherine N.

1995 Women, War and Rape: Challenges Facing the International Tribunal for the Former Yugoslavia. *Human Rights Quarterly* 17(4):649-690.

Nikolić-Ristanović, Vesna

2000[1995] Definitions of Violence in War and the Experience of Women: The Subject of Research. *In Women, Violence and War: Wartime Victimization of Refugees in the Balkans*. Vesna Nikolić-Ristanović, ed. Pp. 21-33. Budapest: Central European University Press. English Edition Published in 2000.

Nora, Pierre

1989 Memory and Counter-Memory. Theme issue, "Between Memory and History: Les Lieux de Mémoire," *Representations* 26:7-24. JSTOR.
<http://www.jstor.org/stable/2928520>, accessed November 20, 2010.

Olujic, Maria B.

1998 Embodiment of Terror: Gendered Violence in Peacetime and Wartime in Croatia and Bosnia-Herzegovina. *Medical Anthropology Quarterly* 12(1):31-50.

Ray, Amy E.

1997 The Shame of It: Gender-Based Terrorism in the Former Yugoslavia and the Failure of International Human Rights Law to Comprehend the Injuries. *The American University Law Review* 46(3):793-840.

Sajjad, Tazreena

2009 The Post-Genocidal Period and Its Impact on Women. *In Genocide: A Critical Bibliographic Review*, vol 7: Plight and Fate of Women During and Following Genocide. Samuel Totten, ed. Pp. 219-248. New Brunswick: Transaction Publishers.

Salzman, Todd A.

1998 Rape Camps as a Means of Ethnic Cleansing: Religious, Cultural, and Ethical Responses to Rape Victims in the Former Yugoslavia. *Human Rights Quarterly* 20(2):348-378.

Scarry, Elaine

1985 *The Body in Pain the Making and Unmaking of the World*. Oxford: Oxford University Press.

Seifert, Ruth

1994 War and Rape: A Preliminary Analysis. *In Mass Rape: The War against*

Women in Bosnia-Herzegovina. Alexandra Stiglmayer, ed. Pp. 54-72. London: University of Nebraska Press.

Sharratt, Sara

1999 The Foca Indictment by the International Criminal Tribunal for the Former Yugoslavia. *In Assault on the Soul: Women in the Former Yugoslavia*. Sara Sharratt and Ellyn Kaschak, eds. Pp. 79-81. Binghamton, NY: The Hayworth Press.

Sivakumaran, Sandesh

2007 Sexual Violence Against Men in Armed Conflict. *The European Journal of International Law* 18(2):253-276.

Skjelsbæk, Inger

2006 Victim and Survivor Narratives: Narrated Social Identities of Women Who Experienced Rape During the War in Bosnia-Herzegovina. *Feminism and Psychology* 16(4):373-403.

Spector-Mersel, Gabriela

2011 Mechanisms of Selection in Claiming Narrative Identities: A Model for Interpreting Narratives. *Qualitative Inquiry* 17(2):172-185.

Stemple, Lara

2011 The Hidden Victims of Wartime Rape. *New York Times*.
<http://www.nytimes.com/2011/03/02/opinion/02stemple.html>, accessed September 12, 2011.

Stiglmayer, Alexandra

1994 The Rapes in Bosnia-Herzegovina. *In Mass Rape: The War against Women in Bosnia-Herzegovina*. Alexandra Stiglmayer, ed. Pp. 82-169. London: University of Nebraska Press.

Temkin, Jennifer

2000 Prosecuting and Defending Rape: Perspectives from the Bar. *Journal of Law and Society* 27(2):219-248.

The Association "Women Victims of War"

2010 About Us. <http://www.zena-zrtva-rata.ba/>, accessed August 10, 2010.

The Right Livelihood Award

N.d. 2008 Laureates: Monika Hauser (Germany).

<http://www.rightlivelihood.org/hauser.html>, accessed August 10, 2011.

- Thomas, Dorothy Q. and Regan E. Ralph
1999 Rape in War: The Case of Bosnia. *In Gender Politics in the Western Balkans: Women and Society in Yugoslavia and the Yugoslav Successor States*. Sabrina P. Ramet and Branka Magas, eds. Pp. 203-218. University Park: Pennsylvania State University Press.
- Tompkins, Tamara L.
1995 Prosecuting Rape as a War Crime: Speaking the Unspeakable. *Notre Dame Law Review* 70(4):845-890.
- Trinch, Shonna
2010 Risky Subjects: Narrative, Literary *Testimonio* and Legal Testimony. *Dialectic Anthropology* 34:179-204.
- UN: International Criminal Tribunal for the former Yugoslavia
N.d. Witnesses. About the ICTY. <http://www.icty.org/sid/158>, accessed March 1, 2011.
- University of Colorado at Boulder
N.d. Maps & Animations. The Dynamics of Civil War Outcomes in Bosnia and the Caucasus. <http://www.colorado.edu/ibs/waroutcomes/maps.html>, accessed September 12, 2011.
- Van Boeschoten, Riki
2003 The Trauma of War Rape: A Comparative View on the Bosnian Conflict and the Greek Civil War. *History and Anthropology* 14(1):41-44.
- Vietnam Veterans Against the War, ed.
1972 *The Winter Soldier Investigation: An Inquiry into American War Crimes*. Boston: Beacon Press.
- Vranić, Seada
1996 *Breaking the Wall of Silence: The Voices of Raped Bosnia*. Zagreb: Biblioteka Aelecta.
- Vulliamy, Ed
1994 *Seasons in Hell: Understanding Bosnia's War*. New York: Simon and Schuster.
- Weaver, Gina Marie
2010 *Ideologies of Forgetting: Rape in the Vietnam War*. Albany: State University of New York.

Weitsman, Patricia A.

2008 The Politics of Identity and Sexual violence: A Review of Bosnia and Rwanda. *Human Rights Quarterly* 30:561-578.

Whyte, Angela C.

2004 Placing Blame or Finding Peace: A Qualitative Analysis of the Legal Response to Rape as a War Crime in the Former Yugoslavia. M.A. thesis, Department of Sociology, University of Manitoba.

Zajovic, Staša

1994 The Abuse of Victims. *War Resister's International* 15. <http://www.wri-irg.org/node/3718>, accessed July 16, 2011.

Zawati, Hilmi M.

2007 Impunity or Immunity: Wartime Male Rape and Sexual Torture as a Crime Against Humanity. *Torture*. 17(1):27-47.

Appendix A

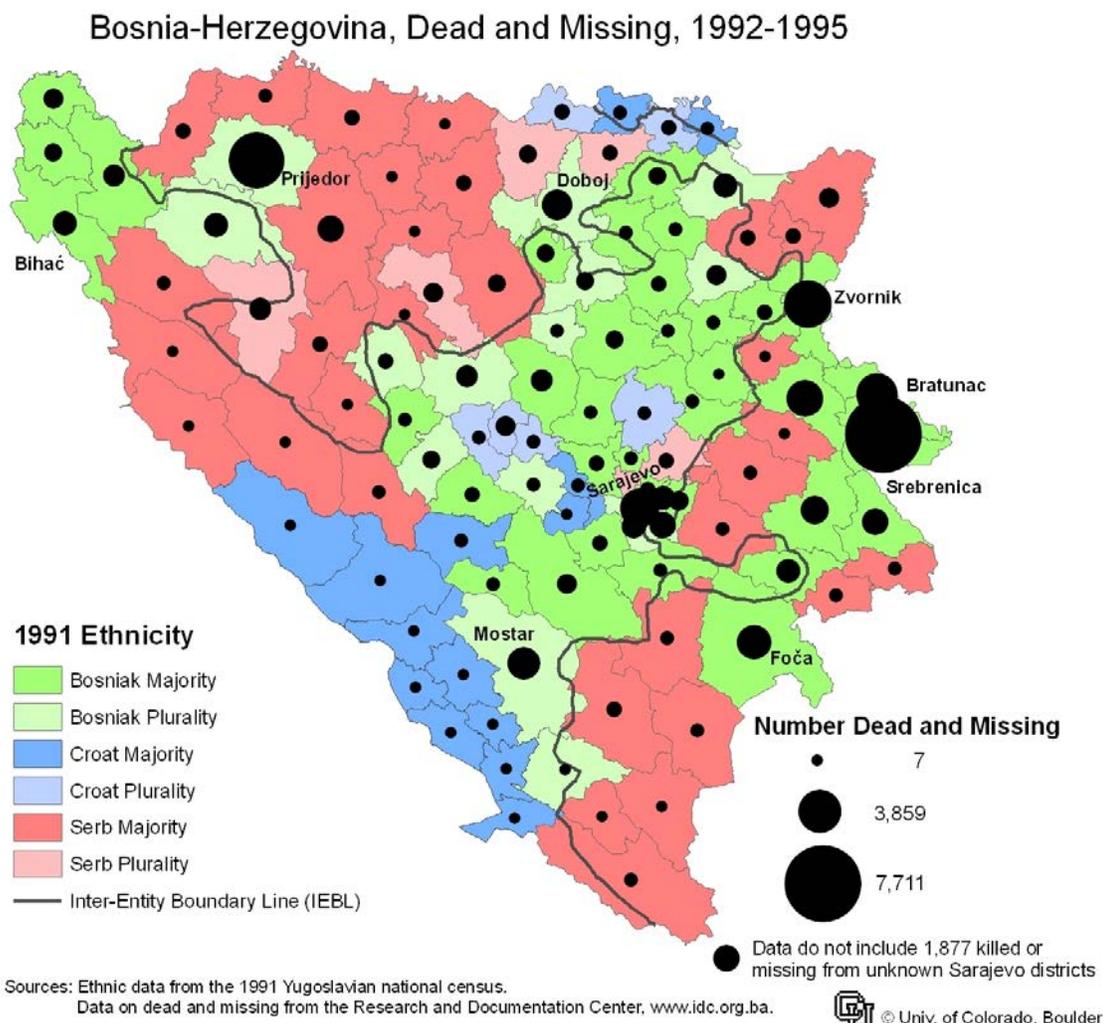
Maps

Figure 1: Map of Bosnia-Herzegovina



(Geology.com 2007)

Figure 2: Bosnia-Herzegovina, Dead and Missing, 1992-1995



(University of Colorado at Boulder N.d.)

Appendix B

Background Information about Survivors and Witnesses

Background Information about Survivors and Witnesses

***I Begged Them to Kill Me: Crime Against the Women of Bosnia-Herzegovina* (Ajanović 2000) Rape Survivors:**

CID 1

Pages: 83-92

Age at the Time of Victimization: 15

Occupation: Not Reported

Origin at the Time of the Takeover: Gacko

Length of Victimization: June 1992 – April 1998

Children: Two children, conceived in 1993 and 1996 by the Serb-identified man who had bought her as his “wife”

CID 2

Pages: 109-115

Age at the Time of Victimization: “Older” woman

Occupation: Not Reported

Origin at the Time of the Takeover: Trošanj

Length of Victimization: July 1992 – August 1992

Children: Three children, ages four, seven and 11 at the time of the takeover; adopted three more children during the period of victimization

CID 3

Pages: 155-167

Age at the Time of Victimization: Not Reported

Occupation: Worked for a Serb-run company

Origin at the Time of the Takeover: Trošanj

Length of Victimization: July 1992 - April 1993

Children: None Reported

CID 4

Pages: 179-182

Age at the Time of Victimization: “Older” woman

Occupation: Not Reported

Origin at the Time of the Takeover: Foča

Length of Victimization: April 1992 – August 1992

Children: One son

CID 5

Pages: 191-200

Age at the Time of Victimization: Not Reported

Occupation: Not Reported
Origin at the Time of the Takeover: Foča
Length of Victimization: April 1992 - September 1992
Children: Two sons; one of the sons was eight years old at the time of the takeover

CID 6

Pages: 247-251
Age at the Time of Victimization: 13
Occupation: Primary school student
Origin at the Time of the Takeover: Foča, captured in Gacko
Length of Victimization: April 1992 – Not Reported
Children: None Reported

CID 7

Pages: 269-272
Age at the Time of Victimization: “Younger” woman
Occupation: Not Reported
Origin at the Time of the Takeover: Trošanj
Length of Victimization: July 1992 – August 1992
Children: Two

CID 8

Pages: 285-291
Age at the Time of Victimization: Not Reported
Occupation: Not Reported
Origin at the Time of the Takeover: Foča
Length of Victimization: April/May 1992- July 1994
Children: None Reported

CID 9

Pages: 297-306
Age at the Time of Victimization: Mid-to-late twenties
Occupation: Worked at the school in Gacko
Origin at the Time of the Takeover: Gacko
Length of Victimization: May 1992 – August 1992
Children: Three daughters, one was 11 years old, and one son during the period of victimization; post period of victimization another daughter was born

CID 10

Pages: 319-325
Age at the Time of Victimization: “Younger” woman
Occupation: Not Reported

Origin at the Time of the Takeover: Not Reported
 Length of Victimization: August 1992 – September 1992
 Children: Two daughters, ages seven and nine at the time of the takeover

CID 11

Pages: 335-341
 Age at the Time of Victimization: Not Reported
 Occupation: Not Reported
 Origin at the Time of the Takeover: Trošanj
 Length of Victimization: July 1992-September 1992
 Children: Two sons; one was two years old at the time of the takeover

CID 12

Pages: 355-360
 Age at the Time of Victimization: Not Reported
 Occupation: Not Reported
 Origin at the Time of the Takeover: Foča
 Length of Victimization: April 1992 – August 1992
 Children: Adopted six orphans during the period of victimization

CID 13

Pages 377-381
 Age at the Time of Victimization: “Younger” woman
 Occupation: Not Reported
 Origin at the Time of the Takeover: Trošanj
 Length of Victimization: June 1992 – Not Reported
 Children: One daughter and one son

Breaking the Wall of Silence: The Voices of Raped Bosnia (Vranić 1996) Rape Survivor:

BWS 1

Pages: 97-109
 Age at the Time of Victimization: 44
 Occupation: Not Reported
 Origin at the Time of the Takeover: A village in Foča
 Length of Victimization: Not Reported
 Children: One daughter, 13-years-old during the period of victimization, and one adult son who was living in Germany

The Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković Rape
Survivor Witnesses:

FWS-51, mother of FWS-50:

Pages: 1109-1197, 1198-1230

Age at the Time of Victimization: Not Reported

Occupation: Housewife

Origin at the Time of the Takeover: Mjesaja

Length of Victimization: July 1992 – August 1992

Children: Four children: a 16-year-old daughter (FWS-50), an 11-year-old child, seven-year-old child and five-year-old child

FWS-50, daughter of FWS-51:

Pages: 1230-1366

Age at the Time of Victimization: 16

Occupation: Secondary school student

Origin at the Time of the Takeover: Mjesaja

Length of Victimization: July 1992 – August 1992

Children: None Reported

FWS-75

Pages: 1366-1661

Age at the Time of Victimization: 24

Occupation: Worked for the Sipad Maglic Company

Origin at the Time of the Takeover: Trošanj

Length of Victimization: July 1992 – March 1993

Children: None Reported

FWS-87, sister of DB (DB's testimony was not made available to the public):

Pages: 1661-1832, 6105-6137

Age at the Time of Victimization: 15 1/2

Occupation: Secondary school student

Origin at the Time of the Takeover: Trošanj

Length of Victimization: July 1992 – April 1993

Children: None Reported

AS

Pages: 1983-2062

Age at the Time of Victimization: 19

Occupation: Worked at a footwear factory

Origin at the Time of the Takeover: Miljevina

Length of Victimization: Summer 1992 – Not Reported

Children: None Reported

FWS-95

Pages: 2181-2340, 2342-2399

Age at the Time of Victimization: 27

Occupation: Worked in the Brod furniture factory

Origin at the Time of the Takeover: Mjesaja

Length of Victimization: July 1992 – August 1992

Children: A one-and-one-half-year-old daughter, and a three-year-old son

FWS-132

Pages: 2399-2482

Age at the Time of Victimization: 15

Occupation: Secondary school student

Origin at the Time of the Takeover: Rataja/Miljevina

Length of Victimization: August 1992 - March 1993

Children: None Reported

FWS-48

Pages: 2608-2823

Age at the Time of Victimization: 35

Occupation: Housewife

Origin at the Time of the Takeover: Trošanj

Length of Victimization: July 1992 – August 1992

Children: A 13-year-old daughter, ten-year-old son and a four-year-old child

FWS-205

Pages: 3461-3563

Age at the Time of Victimization: “Almost 22”

Occupation: Worked at Viteks Visoko

Origin at the Time of the Takeover: Kalinovik

Length of Victimization: August 1992 – September 1992

Children: None Reported

FWS-175

Pages: 3564 - 3647

Age at the Time of Victimization: 16

Occupation: Student

Origin at the Time of the Takeover: Miljevina

Length of Victimization: Summer of 1992 – 1997

Children: None Reported

FWS-183

Pages: 3650-3731

Age at the Time of Victimization: 38

Occupation: Store owner

Origin at the Time of the Takeover: Foča

Length of Victimization: April 1992 – August 1992

Children: One 12-year-old son

FWS-105

Pages: 4205-4289

Age at the Time of Victimization: Not Reported

Occupation: Housewife

Origin at the Time of the Takeover: Mjesaja

Length of Victimization: July 1992 – August 1992

Children: One 12-year-old son, one seven-year-old daughter

Appendix C

Narrative Analysis Data

Table 1: Themes in Narratives of the Period of Victimization

Narrative of the Period of Victimization																
Themes in Narratives	CID 1	CID 2	CID 3	CID 4	CID 5	CID 6	CID 7	CID 8	CID 9	CID 10	CID 11	CID 12	CID 13	BWS 1		
Explanation for Conflict																Average
Serbian or "Chetnik" Aggression	13.25%	16.67%	6.31%	13.16%	8.57%	18.52%	3.33%	11.76%	10.77%	0.00%	8.33%	7.69%	10.81%	29.03%		11.30%
Confusion/Shock	0.00%	0.00%	4.50%	0.00%	1.43%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1.92%	0.00%	6.45%		1.02%
Former Friends, Broken Trust	1.20%	0.00%	1.80%	7.89%	5.71%	0.00%	0.00%	1.96%	5.71%	3.33%	1.92%	2.70%	0.00%	0.00%		2.41%
Total Percentage for Theme	14.46%	16.67%	12.61%	21.05%	15.71%	18.52%	3.33%	13.73%	12.31%	5.71%	11.67%	11.54%	13.51%	35.48%		14.74%
Trauma of Captivity																
Fear of Death	0.00%	0.00%	0.00%	0.00%	2.86%	0.00%	6.67%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%		0.68%
Concern for Child/Children's Safety	0.00%	9.09%	0.00%	0.00%	10.00%	0.00%	18.33%	0.00%	9.23%	20.00%	11.67%	7.69%	13.51%	0.00%		7.11%
Fear of Harm from Perpetrators	10.84%	4.55%	7.21%	10.53%	4.29%	11.11%	1.67%	11.76%	7.69%	14.29%	10.00%	3.85%	5.41%	6.45%		7.83%
Loss of Autonomy or Personhood	6.02%	0.00%	3.60%	2.63%	0.00%	0.00%	1.67%	0.00%	0.00%	0.00%	1.67%	1.92%	2.70%	0.00%		1.44%
Exhaustion/Shock/Hopelessness	0.00%	3.03%	3.60%	2.63%	4.29%	0.00%	3.33%	5.88%	1.54%	0.00%	1.67%	0.00%	0.00%	0.00%		1.86%
Wish for Death (Due to Suffering)	0.00%	1.52%	0.00%	2.63%	2.86%	3.70%	0.00%	0.00%	0.00%	0.00%	5.00%	0.00%	0.00%	0.00%		1.12%
Physical Pain	1.20%	4.55%	3.60%	2.63%	2.86%	7.41%	5.00%	0.00%	1.54%	5.71%	6.67%	0.00%	2.70%	6.45%		3.59%
Emotional/Mental Pain	6.02%	3.03%	9.91%	2.63%	5.71%	0.00%	5.00%	1.96%	16.92%	5.71%	3.33%	3.85%	8.11%	0.00%		5.16%
Complete Loss of Control	10.84%	4.55%	18.02%	5.26%	2.86%	3.70%	8.33%	9.80%	6.15%	2.86%	8.33%	5.77%	2.70%	3.23%		6.60%
Threat to Turn Children into "Chetniks"	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	3.33%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%		0.24%
Total Percentage for Theme	34.94%	30.30%	45.95%	28.95%	35.71%	25.93%	53.33%	29.41%	43.08%	48.57%	48.33%	23.08%	35.14%	16.13%		35.63%
Explanation for Humiliation/Degradation																
Inexplicable	0.00%	1.52%	0.00%	0.00%	0.00%	0.00%	0.00%	1.96%	0.00%	0.00%	1.67%	0.00%	0.00%	0.00%		0.37%
Based on Religion/Ethnicity	12.05%	10.61%	4.50%	7.89%	7.14%	14.81%	6.67%	3.92%	10.77%	8.57%	6.67%	15.38%	10.81%	22.58%		10.17%
Based on Sex or Gender	0.00%	1.52%	0.00%	0.00%	4.29%	0.00%	0.00%	0.00%	0.00%	0.00%	3.33%	1.92%	2.70%	0.00%		0.98%
Based on Individual	3.61%	1.52%	3.60%	0.00%	1.43%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	2.70%	0.00%		0.92%
Total Percentage for Category	15.66%	15.15%	8.11%	7.89%	12.86%	14.81%	6.67%	5.88%	10.77%	8.57%	11.67%	17.31%	16.22%	22.58%		12.44%
Personal Shame from Rapes																
Feeling "Soiled"/"Dirty"/"Ruined"	0.00%	0.00%	0.90%	0.00%	0.00%	7.41%	0.00%	0.00%	3.08%	5.71%	0.00%	1.92%	0.00%	0.00%		1.36%
Feeling "Silenced"	2.41%	0.00%	0.00%	5.26%	5.71%	0.00%	0.00%	0.00%	1.54%	0.00%	1.67%	0.00%	2.70%	0.00%		1.38%
Concern for Judgment	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%		0.00%
Total Percentage for Theme	2.41%	0.00%	0.90%	5.26%	5.71%	7.41%	0.00%	0.00%	4.62%	5.71%	1.67%	1.92%	2.70%	0.00%		2.74%
Resistance																
In Context of Hopelessness/Powerlessness	2.41%	4.55%	1.80%	2.63%	0.00%	3.70%	0.00%	5.88%	3.08%	2.86%	3.33%	7.69%	2.70%	6.45%		3.36%
Success of	3.61%	0.00%	4.50%	0.00%	2.86%	0.00%	0.00%	1.96%	3.08%	5.71%	0.00%	3.85%	8.11%	0.00%		2.41%
Met with Greater Violence	3.61%	4.55%	1.80%	7.89%	4.29%	11.11%	5.00%	1.96%	0.00%	0.00%	3.33%	11.54%	2.70%	6.45%		4.59%
Wanting to, but Not Possible	0.00%	0.00%	3.60%	0.00%	2.86%	3.70%	3.33%	11.76%	3.08%	0.00%	1.67%	3.85%	0.00%	3.23%		2.65%
Expression of Personal Strength	1.20%	0.00%	1.80%	0.00%	0.00%	0.00%	1.67%	5.88%	0.00%	0.00%	0.00%	5.77%	0.00%	0.00%		1.17%
Threat of Suicide (as Resistance)	1.20%	0.00%	0.90%	2.63%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%		0.34%
Met with Threat to Children	2.41%	1.52%	0.00%	0.00%	0.00%	0.00%	10.00%	0.00%	0.00%	8.57%	0.00%	0.00%	0.00%	0.00%		1.61%
Survival for Children	0.00%	3.03%	0.00%	0.00%	5.71%	0.00%	3.33%	0.00%	1.54%	0.00%	1.67%	0.00%	0.00%	0.00%		1.09%
Unable to Because of Fear of Harm to Others	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	7.84%	0.00%	0.00%	0.00%	0.00%	0.00%	3.23%		0.79%
Total Percentage for Theme	14.46%	13.64%	14.41%	13.16%	15.71%	18.52%	23.33%	35.29%	10.77%	17.14%	10.00%	32.69%	13.51%	19.35%		18.00%
Explanation for Rapes																
Genocidal Intent/Ethnic Conflict/War	6.02%	18.18%	2.70%	5.26%	8.57%	7.41%	6.67%	5.88%	9.23%	5.71%	11.67%	7.69%	10.81%	3.23%		7.79%
Perpetrators as "Beasts" or "Evil"	2.41%	1.52%	3.60%	7.89%	1.43%	0.00%	3.33%	1.96%	6.15%	2.86%	0.00%	3.85%	0.00%	3.23%		2.73%
No explanation or "Inexplicable"	1.20%	1.52%	4.50%	2.63%	0.00%	0.00%	0.00%	0.00%	1.54%	0.00%	0.00%	0.00%	0.00%	0.00%		0.81%
Perpetrator(s) Singling out the Individual	6.02%	1.52%	6.31%	5.26%	1.43%	3.70%	1.67%	5.88%	1.54%	2.86%	3.33%	1.92%	0.00%	0.00%		2.96%
Based on Sex or Gender	2.41%	1.52%	0.90%	2.63%	2.86%	3.70%	1.67%	1.96%	0.00%	2.86%	1.67%	0.00%	8.11%	0.00%		2.16%
Total Percentage for Theme	18.07%	24.24%	18.02%	23.68%	14.29%	14.81%	13.33%	15.69%	18.46%	14.29%	16.67%	13.46%	18.92%	6.45%		16.46%

In Table 1, using grounded theory, the dominant themes that emerged within each survivor's narrative of the period of victimization were categorized and counted.

Sources of Data: *I Begged Them to Kill Me: Crime Against the Women of Bosnia-Herzegovina* (Ajanović 2000) and *Breaking the Wall of Silence: The Voices of Raped Bosnia* (Vranić 1996)

Explanations for Themes and Sub-themes:

Explanation for Conflict: The reasons the survivor gave for why she believes the genocide in the Foča municipality and/or Bosnia-Herzegovina occurred. Sub-themes include:

- Serbian or "Chetnik" Aggression: The survivor expressed that the ultranationalist Serb, Bosnian Serb and Montenegrin forces attacked the Bosniaks as part of a strategy of war or genocide
- Confusion/Shock: The survivor expressed that she does not understand why the Bosniaks were attacked and forcibly removed; or the survivor expressed that she does not understand what was occurring and/or that she was completely shocked by the war
- Former Friends, Broken Trust: The survivor expressed that the conflict occurred because her friends and neighbors betrayed her and/or her family

Trauma of Captivity: The themes of suffering that were expressed within the survivor's narrative of the period spent in captivity. Sub-themes include:

- Fear of Death: The survivor expressed that she was afraid that she would be killed and was terrified of this possibility
- Concern for Child/Children's Safety: The survivor expressed that she was terrified that her child or children would be harmed or killed
- Fear of Harm from Perpetrators: The survivor expressed that she was afraid that the ultranationalist soldiers and their supporters would harm her physically and/or psychologically
- Loss of Autonomy or Personhood: The survivor expressed feeling like she was treated like an animal or property
- Exhaustion/Shock/Hopelessness: The survivor expressed feeling numb to the situation, disinterested in trying to survive and/or unable to believe what was happening
- Wish for Death (Due to Suffering): The survivor expressed that she had suffered too much to continue living and explicitly stated that she wished to die

- Physical Pain: The survivor explicitly described feelings of physical pain
- Emotional/Mental Pain: The survivor described feelings of anguish and/or emotional/mental suffering
- Complete Loss of Control: The survivor described feeling as if she had no control over her situation or life anymore; or the survivor described one or more perpetrators being the one(s) who had control over her
- Threat to turn Children into “Chetniks”: The survivor expressed that the ultranationalist Serb-identified soldiers threatened that her Bosniak children would grow up to be ultranationalist Serb soldiers

Explanation for Humiliation/Degradation: The reasons the survivor gave for why she and/or her community were targeted for humiliation and degradation by the ultranationalist Serb, Bosnian Serb and Montenegrin soldiers. Sub-themes include:

- Inexplicable: The survivor expressed that there was no possible way to explain why she and/or her community were targeted for humiliation and degradation, or that there were no words to describe this
- Based on Religion/Ethnicity: The survivor expressed that she and/or her community were targeted because they are Bosniaks or Muslims
- Based on Sex or Gender: The survivor expressed that gender dictated the way in which she and/or members of her community were targeted for humiliating and degrading treatment
- Based on Individual: The survivor expressed that particular individuals were specifically selected as victims of humiliating and degrading situations or acts

Personal Shame from Rape: While this theme did emerge from grounded theory, it was also given attention because shame is a strong theme within the dominant academic discourse surrounding the rape of Bosniak girls and women. This theme analyzes the varying feelings and expressions of shame presented by the survivors within their narratives. Sub-themes include:

- Feeling “Soiled”/”Dirty”/”Ruined”: The survivor expressed that she felt emotionally unclean due to rape or that the rape(s) had diminished her value as a person
- Feeling “Silenced”: The survivor expressed that she was unable to speak about the rape(s) or tell anyone what happened to her
- Concern for Judgment: The survivor was concerned that if members of her family or surrounding community found out that she was raped that she would be judged or subjected to harsh treatment

Resistance: This theme quantifies common themes of resistance. It includes not only forms of resistance that the survivor was able to enact but also moments where the survivor expressed a desire to resist or explained why it was not possible. The latter two themes are

included because even mentioning the desire illustrates the survivor's efforts to maintain personhood and choice within a powerless and dehumanizing situation. Sub-themes include:

- In Context of Hopelessness/Powerlessness: The survivor attempted to resist harm but the attempt failed to impact the situation
- Success of: The survivor resisted harm and impacted the situation in a positive way
- Met with Greater Violence: The survivor's attempt to resist led to her being harmed or in an even worse situation
- Wanting to, but Not Possible: The survivor stated a desire to resist the perpetrator's or perpetrators' actions, followed by an explanation as to why this was not possible or was futile
- Expression of Personal Strength: The survivor described her endurance of harm and suffering as a sign of her inner strength and resilience
- Threat of Suicide (as Resistance): Different than stating a wish for death, threatening suicide is categorized as resistance because threatening to commit suicide can act as an expression of the survivor taking control of a terrible situation
- Met with Threat to Children: The survivor's attempt to resist led to one or more perpetrators threatening to harm the survivor's own children, or children under the survivor's care
- Survival for Children: The survivor expressed that the love she had for her child or children under her care was the reason she continued to endure suffering
- Unable to because of Fear of Harm to Others: The survivor stated that she wished to resist harm, but did not because she was concerned that resistance would cause others to be targeted with violence

Explanation for Rapes: This theme illustrates the survivors' explanations as to why they or their people group were targeted by the ultranationalist Bosnian Serb, Serb and Montenegrin soldiers and their supporters with sexual violence. Sub-themes include:

- Genocidal Intent/Ethnic Conflict/War: The survivor described the rapes as being part of a larger tactical strategy utilized by the ultranationalist Serb, Bosnian Serb and Montenegrin soldiers
- Perpetrators as "Beasts" or "Evil": The survivor described the rapes occurring because the rapist was sub-human, or was an evil person
- No Explanation or "Inexplicable": The survivor described there being no reason as to why the rapes occurred or expressed that the rapes are beyond comprehension or explanation
- Perpetrator(s) Singling out the Individual: The survivor expressed that she/specific individuals were chosen by the perpetrator or perpetrators out of his/their desire for her/the victim, for revenge, or for another reason specific to her/the particular individual

- Based on Sex or Gender: The survivor expressed that the rapes were perpetrated because of her/the victim's/victims' sex or gender

Table 2: Themes in Narratives of the Long-term Recovery Process

Narrative of the Long-term Recovery Process	CID 5	CID 6	CID 7	CID 9	CID 11	CID 13	CID 14	BWS 1	
Themes in Narratives									
Reasons to "Keep Going"									Average
Feeling of having Human Rights	4.35%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.54%
Survival out of "Spite"	4.35%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.54%
Wish for Truth of Atrocities to Be Known	4.35%	0.00%	0.00%	6.90%	0.00%	100.00%	0.00%	0.00%	13.91%
Children	4.35%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.54%
Supportive Husband	0.00%	0.00%	0.00%	3.45%	0.00%	0.00%	0.00%	0.00%	0.43%
Feeling "Born Again"	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	25.00%	0.00%	3.13%
Speaking the Truth as Healing	0.00%	0.00%	0.00%	0.00%	11.11%	0.00%	0.00%	0.00%	1.39%
Total Percentage for Theme	17.39%	0.00%	0.00%	10.34%	11.11%	100.00%	25.00%	0.00%	20.48%
Feelings Towards Serbs/"Chetniks"/Perpetrators									
Continued Fear of Serbian Aggression	4.35%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.54%
Views "Chetniks" as Victims of Themselves	0.00%	20.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	2.50%
Sees "Chetniks" as "Savages"/Sub-human	0.00%	40.00%	0.00%	0.00%	0.00%	0.00%	0.00%	2.86%	5.36%
Continued Fear of Perpetrators	4.35%	0.00%	66.67%	0.00%	0.00%	0.00%	25.00%	0.00%	12.00%
Wish for Justice	4.35%	0.00%	0.00%	6.90%	0.00%	0.00%	0.00%	0.00%	1.41%
Desire for Revenge	4.35%	0.00%	33.33%	0.00%	0.00%	0.00%	0.00%	5.71%	5.42%
Total Percentage for Theme	17.39%	60.00%	100.00%	6.90%	0.00%	0.00%	25.00%	8.57%	27.23%
Feelings Towards Sexual Violence			0.00%						
Sexual Violence as a "Chetnik" Crime	4.35%	20.00%	0.00%	6.90%	0.00%	0.00%	25.00%	8.57%	8.10%
Concern for Child who was Raped	0.00%	0.00%	0.00%	24.14%	0.00%	0.00%	0.00%	22.86%	5.87%
Silence Regarding Rape(s)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	37.14%	4.64%
Still feels Humiliated by Rapes	0.00%	20.00%	0.00%	0.00%	33.33%	0.00%	0.00%	11.43%	8.10%
Total Percentage for Theme	4.35%	40.00%	0.00%	31.03%	33.33%	0.00%	25.00%	80.00%	26.71%
On-going Trauma									
Physical Distress	13.04%	0.00%	0.00%	6.90%	33.33%	0.00%	0.00%	0.00%	6.66%
Mental Distress	26.09%	0.00%	0.00%	17.24%	11.11%	0.00%	25.00%	2.86%	10.29%
Inability to Sleep	0.00%	0.00%	0.00%	3.45%	11.11%	0.00%	0.00%	0.00%	1.82%
Need for Medical Care	8.70%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1.09%
Sadness for Loss of Family Members	4.35%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.54%
Still Separated from Family Members	4.35%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	2.86%	0.90%
Mistrust of Men/Boys	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Concern for Children	0.00%	0.00%	0.00%	13.79%	0.00%	0.00%	0.00%	2.86%	2.08%
Mistrust of the World	0.00%	0.00%	0.00%	6.90%	0.00%	0.00%	0.00%	0.00%	0.86%
Life without Joy	0.00%	0.00%	0.00%	3.45%	0.00%	0.00%	0.00%	2.86%	0.79%
Poverty Caused by War	4.35%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.54%
Total Percentage for Theme	60.87%	0.00%	0.00%	51.72%	55.56%	0.00%	25.00%	11.43%	25.57%

In Table 2, using grounded theory, the dominant themes that emerged within each survivor's narrative of the long-term recovery process were categorized and counted.

Sources of Data: *I Begged Them to Kill Me: Crime Against the Women of Bosnia-Herzegovina* (Ajanović 2000) and *Breaking the Wall of Silence: The Voices of Raped Bosnia* (Vranić 1996)

Explanations for Themes and Sub-themes:

Reasons to “Keep Going”: This theme quantifies reasons survivors identified for continuing to live through their on-going trauma.

Sub-themes include:

- Feeling of having Human Rights: The survivor expressed that upon leaving the period of victimization that she felt that she once again had rights
- Survival out of “Spite”: The survivor expressed that she continues to live in order to spite the individuals who harmed her; to show that they failed to destroy her
- Wish for Truth of Atrocities to be Known: The survivor continues to live to ensure that people understand the atrocities that were committed in the Foča municipality and/or Bosnia-Herzegovina as a whole
- Children: The survivor expressed that caring for her children, and/or her children's need for her, was a reason to keep living
- Supportive Husband: The survivor expressed that the support and love of her husband helped her to keep going in spite of the on-going trauma
- Feeling “Born Again”: The survivor expressed that upon leaving the period of victimization that she felt like a new or different person – a separation of identities
- Speaking the Truth as Healing: The survivor expressed that speaking the truth about the atrocities and/or her trauma aids in her healing process

Feelings towards Serbs/“Chetniks”/Perpetrators: This theme illustrates survivors' on-going feelings towards the individuals/the people group that they identified as having caused them harm and trauma. Sub-themes include:

- Continued Fear of Serbian Aggression: The survivor expressed that she is concerned that the ultranationalist Serbs will once again attempt to harm the Bosniaks

- Views “Chetniks” as Victims of Themselves: The survivor expressed that she feels that the ultranationalist soldiers are victims of their own evil actions and must continue live with these evil instincts
- Sees “Chetniks” as “Savages”/Sub-human: The survivor indicated that she believes that the ultranationalist soldiers must have been “savages” or less than human to have been able to commit such evil acts
- Continued Fear of Perpetrators: The survivor expressed that she lives with fear of seeing the men who harmed her again and/or that they would attempt to harm her in the future
- Wish for Justice: The survivor expressed the wish for the individuals who harmed her to be brought to justice
- Desire for Revenge: The survivor expressed that she wishes to actively seek revenge against the individuals who harmed her

Feelings towards Sexual Violence: This theme examines the survivors’ on-going feelings towards the sexual violence that they suffered during the period of victimization. Sub-themes include:

- Sexual Violence as a “Chetnik” Crime: The survivor stated that sexual violence was a crime perpetrated by the ultranationalist Bosnian Serb, Serb, and Montenegrin forces
- Concern for Child who was Raped: The survivor expressed on-going anguish and concern for her child who was raped during the period of victimization
- Silence Regarding Rape(s): The survivor stated that she feels silenced and is unable to, or finds it difficult to, speak about the rape(s) that she suffered during the period of victimization
- Still feels Humiliated by Rapes: The survivor expressed continuing to feel humiliated, of lesser value or dirty due to being raped

On-going Trauma: This theme analyzes issues regarding the survivors’ experiences of on-going trauma due to the violence they suffered during the period of victimization. Sub-themes include:

- Physical Distress: The survivor stated that she continues to suffer physically
- Mental Distress: The survivor stated that she continues to experience emotional/psychological/mental distress due to the period of victimization
- Inability to Sleep: The survivor described suffering from insomnia and/or nightmares
- Need for Medical Care: The survivor described being unable to (due to location, finances, and/or shame) access medical care for her physical and/or mental distress

- Sadness for Loss of Family Members: The survivor continued to feel upset about having loved ones murdered or killed during the genocide
- Still Separated from Family Members: The survivor was upset that she and her family members became separated by physical distance due to the genocide/war
- Mistrust of Men/Boys: Due to being sexually abused and/or tortured the survivor expressed feeling a mistrust of men and boys
- Concern for Children: The survivor expressed concern for the long-term impacts of the genocide and exposure to violence on her children
- Mistrust of the World: The survivor expressed that due to being betrayed during the period of victimization that she is no longer able to trust anyone or feel safe and secure in the world
- Life without Joy: Due to loss and on-going trauma, the survivor expressed being unable to experience joy in life
- Poverty Caused by War: The survivor described how the genocide negatively impacted her financial situation, which caused her further difficulties

Table 3: Themes in Testimony of the Period of Victimization

Themes from Testimony of the Period of Victimization													
Themes in Witness Testimony	FWS-51	FWS-50	FWS-75	FWS-87	AS	FWS-95	FWS-132	FWS-48	FWS-205	FWS-175	FWS-183	FWS-105	Average
Explanation for Conflict													
Serbian or "Chetnik" Agression	4.65%	8.05%	7.11%	3.74%	12.26%	4.88%	10.26%	5.49%	0.00%	11.36%	5.00%	5.62%	6.54%
Confusion/Shock	0.00%	0.00%	2.51%	0.00%	0.94%	2.44%	3.85%	0.55%	0.00%	4.55%	1.25%	0.00%	1.34%
Former Friends, Broken Trust	3.10%	2.33%	2.09%	0.00%	0.94%	4.88%	1.28%	1.65%	0.00%	0.00%	1.25%	0.00%	1.46%
Total Percentage for Theme	7.75%	7.75%	11.72%	3.74%	14.15%	12.20%	15.38%	7.69%	0.00%	15.91%	7.50%	5.62%	9.12%
Trauma of Captivity													
Fear of Death	1.55%	4.65%	5.44%	5.61%	0.94%	1.22%	0.00%	1.65%	5.56%	2.27%	5.00%	5.62%	3.29%
Concern for Child/Children's Safety	14.73%	0.00%	1.67%	0.00%	0.00%	10.98%	0.00%	10.44%	0.00%	0.00%	6.25%	11.24%	4.61%
Fear of Harm From Perpetrators	13.18%	5.43%	8.79%	10.28%	10.38%	10.98%	12.82%	7.14%	16.67%	6.82%	20.00%	12.36%	11.24%
Loss of Autonomy or Personhood	0.00%	0.00%	2.51%	5.61%	4.72%	1.22%	2.56%	1.10%	0.00%	2.27%	1.25%	0.00%	1.77%
Exhaustion/Shock/Hopelessness	5.43%	1.55%	8.37%	2.80%	0.94%	2.44%	2.56%	3.30%	0.00%	0.00%	3.75%	6.74%	3.16%
Wish for Death (Due to Suffering)	0.00%	0.00%	0.00%	1.87%	0.00%	1.22%	0.00%	5.49%	0.00%	0.00%	0.00%	1.12%	0.81%
Physical Pain	2.33%	7.75%	4.18%	0.93%	0.00%	4.88%	0.00%	8.79%	5.56%	2.27%	0.00%	3.37%	3.34%
Emotional/Mental Pain	11.63%	6.20%	4.18%	2.80%	4.72%	2.44%	6.41%	7.69%	11.11%	9.09%	3.75%	2.25%	6.02%
Complete Loss of Control	22.48%	10.08%	25.52%	35.51%	39.62%	17.07%	32.05%	9.89%	36.11%	15.91%	8.75%	20.22%	22.77%
Threat to turn Children into "Chetniks"	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total Percentage for Theme	71.32%	35.66%	60.67%	65.42%	61.32%	52.44%	56.41%	55.49%	75.00%	38.64%	48.75%	62.92%	57.00%
Explanation for Humiliation/Degradation													
Inexplicable	3.10%	0.00%	0.00%	0.00%	0.94%	2.44%	3.85%	0.00%	2.78%	2.27%	2.50%	0.00%	1.49%
Based on Religion/Ethnicity	4.65%	5.43%	7.11%	6.54%	4.72%	2.44%	6.41%	7.14%	13.89%	4.55%	10.00%	8.99%	6.82%
Based on Sex or Gender	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1.28%	1.10%	0.00%	0.00%	0.00%	2.25%	0.39%
Based on Individual	0.00%	0.78%	2.93%	0.93%	3.77%	0.00%	0.00%	0.00%	0.00%	9.09%	6.25%	3.37%	2.26%
Total Percentage for Theme	7.75%	6.20%	10.04%	7.48%	9.43%	4.88%	11.54%	8.24%	16.67%	15.91%	18.75%	14.61%	10.96%
Feelings Towards Rapes													
Feeling "Soiled"/"Dirty"/"Ruined"	0.00%	0.78%	0.00%	7.48%	0.00%	0.00%	0.00%	1.10%	0.00%	6.82%	0.00%	1.12%	1.44%
Feeling "Silenced"	0.78%	3.88%	1.26%	1.87%	1.89%	3.66%	0.00%	1.10%	0.00%	2.27%	1.25%	1.12%	1.59%
Concern for Judgment	0.00%	0.00%	0.00%	0.00%	0.00%	3.66%	0.00%	0.55%	0.00%	0.00%	0.00%	0.00%	0.35%
Total Percentage for Theme	0.78%	4.65%	1.26%	9.35%	1.89%	7.32%	0.00%	2.75%	0.00%	9.09%	1.25%	2.25%	3.38%
Resistance													
In Context of Hopelessness/Powerlessness	0.78%	0.78%	3.35%	0.93%	0.94%	1.22%	3.85%	7.14%	2.78%	9.09%	1.25%	0.00%	2.68%
Success of	1.55%	0.78%	0.84%	3.74%	0.94%	0.00%	0.00%	2.20%	0.00%	2.27%	6.25%	0.00%	1.55%
Met with Greater Violence	0.00%	0.00%	2.09%	0.00%	0.00%	2.44%	0.00%	3.30%	0.00%	0.00%	5.00%	0.00%	1.07%
Wanting to, but not Possible	0.78%	0.78%	1.26%	0.93%	0.00%	6.10%	0.00%	0.55%	0.00%	0.00%	1.25%	0.00%	0.97%
Expression of Personal Strength	0.78%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1.12%	0.16%
Threat of Suicide (as Resistance)	0.00%	0.00%	0.84%	0.93%	0.00%	0.00%	0.00%	0.55%	0.00%	0.00%	0.00%	0.00%	0.19%
Met with Threat to Children	0.78%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1.10%	0.00%	0.00%	2.50%	0.00%	0.36%
Survival for Children	0.00%	0.00%	0.00%	0.00%	0.00%	1.22%	0.00%	2.75%	0.00%	0.00%	0.00%	0.00%	0.33%
Unable to because of Fear of Harm to Others	0.78%	1.55%	0.00%	0.00%	0.00%	2.44%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.40%
Total Percentage for Theme	5.43%	3.88%	8.37%	6.54%	1.89%	13.41%	3.85%	17.58%	2.78%	11.36%	16.25%	1.12%	7.70%
Explanation for Rapes													
Genocidal Intent/Ethnic Conflict/War	0.00%	4.65%	2.93%	1.87%	4.72%	1.22%	5.13%	4.40%	5.56%	0.00%	6.25%	4.49%	3.43%
Perpetrators as "Beasts" or "Evil"	0.00%	0.78%	1.67%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1.12%	0.30%
No Explanation or "Inexplicable"	3.10%	0.00%	0.00%	0.93%	0.94%	1.22%	0.00%	0.00%	0.00%	6.82%	0.00%	0.00%	1.08%
Perpetrator(s) Singling out the Individual	1.55%	3.88%	3.35%	3.74%	4.72%	1.22%	2.56%	2.20%	0.00%	2.27%	1.25%	4.49%	2.60%
Based on Sex or Gender	2.33%	0.00%	0.00%	0.93%	0.94%	6.10%	5.13%	1.65%	0.00%	0.00%	0.00%	3.37%	1.70%
Total Percentage for Theme	6.98%	9.30%	7.95%	7.48%	11.32%	9.76%	12.82%	8.24%	5.56%	9.09%	7.50%	13.48%	9.12%

In Table 3, using grounded theory, the dominant themes that emerged within each survivor's testimony of the period of victimization were categorized and counted.

Sources of Data: *The Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković*

Explanations for Themes and Sub-themes:

Please see the explanations given for Table 1: Themes in Narratives of the Period of Victimization (pages 129-132), as the same themes emerged during *The Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković*

Table 4: Themes in Testimony of the Long-term Recovery Process

Themes in Witness Testimony	FWS-51	FWS-50	FWS-75	FWS-87	AS	FWS-95	FWS-132	FWS-48	FWS-205	FWS-175	FWS-183	FWS-105	Average
Reasons to "Keep Going"													
Wish for Truth of Atrocities to be Known	16.00%	7.69%	4.76%	28.57%	0.00%	13.11%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	5.85%
Speaking the Truth as Healing	0.00%	0.00%	0.00%	0.00%	16.67%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1.39%
Proud of being Bosniak	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	42.86%	0.00%	0.00%	0.00%	0.00%	0.00%	3.57%
Proud of Surviving	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	28.57%	0.00%	0.00%	0.00%	0.00%	0.00%	2.38%
Proud to be Testifying in Court	0.00%	0.00%	0.00%	0.00%	0.00%	3.28%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.27%
Survival to Tell the Truth	4.00%	0.00%	14.29%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1.52%
Total Percentage for Theme	20.00%	7.69%	19.05%	28.57%	16.67%	16.39%	71.43%	0.00%	0.00%	0.00%	0.00%	0.00%	14.98%
Feelings Towards Serbs/"Chetniks"/Perpetrators													
Continued Fear of Perpetrators	0.00%	3.85%	4.76%	14.29%	5.56%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	2.37%
Wish for Justice	0.00%	0.00%	4.76%	0.00%	0.00%	1.64%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.53%
Total Percentage for Theme	0.00%	3.85%	9.52%	14.29%	5.56%	1.64%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	2.90%
Feelings Towards Sexual Violence													
Concern for Child who was Raped	8.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.67%
Silence Regarding Rape(s)	0.00%	19.23%	0.00%	71.43%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	2.86%	7.79%
Still Feels Humiliated by Rapes	0.00%	11.54%	0.00%	42.86%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	4.53%
Expression of Being Silenced in Court/Difficulty Articulating	8.00%	3.85%	19.05%	14.29%	27.78%	3.28%	14.29%	0.00%	7.69%	0.00%	0.00%	17.14%	9.61%
Total Percentage for Theme	16.00%	34.62%	19.05%	128.57%	27.78%	3.28%	14.29%	0.00%	7.69%	0.00%	0.00%	20.00%	22.61%
On-going Trauma													
Physical Distress	8.00%	15.38%	0.00%	57.14%	22.22%	29.51%	0.00%	40.68%	23.08%	0.00%	0.00%	25.71%	18.48%
Mental Distress	12.00%	15.38%	28.57%	57.14%	27.78%	18.03%	14.29%	40.68%	23.08%	100.00%	0.00%	20.00%	29.75%
Inability to Sleep	0.00%	0.00%	9.52%	0.00%	0.00%	3.28%	0.00%	0.00%	7.69%	0.00%	0.00%	0.00%	1.71%
Sadness for Loss of Family Members	12.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1.00%
Concern for Children	0.00%	0.00%	0.00%	0.00%	0.00%	3.28%	0.00%	10.17%	0.00%	0.00%	0.00%	0.00%	1.12%
Mistrust of the World	8.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.67%
Talking about Events Causes More Trauma or is Difficult	24.00%	23.08%	4.76%	85.71%	0.00%	16.39%	0.00%	8.47%	38.46%	0.00%	0.00%	31.43%	19.36%
Wish to Forget Everything	0.00%	0.00%	9.52%	0.00%	0.00%	8.20%	0.00%	0.00%	0.00%	0.00%	0.00%	2.86%	1.71%
Poverty Caused by War	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	8.33%
Total Percentage for Theme	64.00%	53.85%	52.38%	200.00%	50.00%	78.69%	14.29%	100.00%	92.31%	100.00%	100.00%	80.00%	82.13%

In Table 4, using grounded theory, the dominant themes that emerged within each witness' testimony of the long-term recovery process were categorized and counted.

Source of Data: *The Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković*

Explanations for Themes and Sub-themes:

Reasons to “Keep Going”: This theme quantifies reasons witnesses identified for continuing to live through their on-going trauma. Sub-themes include:

- Wish for Truth of Atrocities to be Known: The witness expressed continuing to live to ensure that people know of the atrocities that were committed in the Foča municipality and/or Bosnia-Herzegovina as a whole
- Speaking the Truth as Healing: The witness expressed that speaking the truth about the atrocities and/or her trauma aids in her healing process
- Proud of being Bosniak: The witness stated that she is proud to be a Bosniak woman
- Proud of Surviving: The witness expressed pride in having survived the atrocities
- Proud to be Testifying in Court: The witness expressed pride in bearing witness at the International Criminal Tribunal for the former Yugoslavia
- Survival to Tell the Truth: The witness expressed that as a survivor it is her duty to tell the truth

Feelings towards Serbs/“Chetniks”/Perpetrators: This theme illustrates witnesses’ on-going feelings towards the individuals/the people group that they identified as having caused them harm and trauma. Sub-themes include:

- Continued Fear of Perpetrators: The survivor expressed that she lives with fear of again seeing the men who harmed her and/or that they will attempt to harm her in the future
- Wish for Justice: The survivor expressed the wish for the individuals who harmed her to be brought to justice

Feelings towards Sexual Violence: This theme examines the witnesses’ on-going feelings towards the sexual violence that they suffered during the period of victimization. Sub-themes include:

- Concern for Child who was Raped: The witness expressed on-going anguish and concern for her child who was raped during the period of victimization
- Silence Regarding Rape(s): The witness expressed feeling silenced and unable to, or that it is challenging to, speak about the rape(s) that she suffered during the period of victimization
- Still feels Humiliated by Rapes: The witness stated that she continues to feel humiliated, of lesser value or dirty due to being raped
- Expression of Being Silenced in Court/Difficulty Articulating: While testifying, the witness expressed being unable to state that she was raped and/or difficulties in describing the rapes. The witness may also have utilized euphemisms in place of the term “rape” and/or descriptions of sexual violence

On-going Trauma: This theme analyzes issues regarding the witnesses' experiences of on-going trauma due to the violence they suffered during the period of victimization. Sub-themes include:

- Physical Distress: The witness expressed continuing to suffer physically
- Mental Distress: The witness expressed continuing to experience emotional/psychological/mental distress due to the period of victimization
- Inability to Sleep: The witness described suffering from insomnia and/or nightmares
- Sadness for Loss of Family Members: The witness described continuing to feel upset about having loved ones murdered during the genocide
- Concern for Children: The witness expressed concern for the long-term impacts of the genocide and exposure to violence on her children
- Mistrust of the World: Due to being betrayed during the period of victimization, the witness described being unable to trust people and/or feel safe and secure in the world
- Talking about Events Causes More Trauma or is Difficult: The witness mentioned while testifying that sharing her experiences in court is difficult and/or causes further trauma
- Wish to Forget Everything: The witness expressed that she wishes to forget the terrible atrocities that she survived and/or witnessed
- Poverty Caused by War: The witness described how the genocide negatively impacted her financial situation, which caused her further difficulties

Table 5: Themes in Questions from the Prosecution

Questions from the Prosecution	FWS-51	FWS-50	FWS-75	FWS-87	AS	FWS-95	FWS-132	FWS-48	FWS-205	FWS-175	FWS-183	FWS-105	Average
Themes of Questions													
Establishing Perpetrators	28.33%	25.17%	27.22%	32.69%	31.66%	33.72%	24.59%	34.13%	38.05%	40.28%	25.13%	31.38%	31.03%
Locations/Times of Events	24.03%	17.13%	16.91%	14.84%	19.12%	12.90%	19.13%	12.17%	18.25%	17.31%	25.13%	14.36%	17.61%
Victims: Presence/Behavior	13.30%	15.38%	14.85%	10.71%	5.64%	11.14%	14.75%	14.02%	12.85%	12.72%	7.33%	12.77%	12.12%
Data about Witness	6.01%	4.20%	4.54%	6.32%	4.39%	3.52%	4.92%	3.97%	2.31%	3.53%	6.28%	6.38%	4.70%
Establishing Victimhood	16.31%	19.58%	14.23%	25.27%	18.50%	19.06%	19.67%	17.20%	21.08%	12.37%	20.42%	18.62%	18.52%
Establishing Credibility	7.73%	10.84%	14.23%	6.87%	12.85%	9.09%	9.84%	8.99%	3.60%	10.95%	9.95%	9.04%	9.50%
Witness' Feelings	0.86%	1.05%	1.03%	1.10%	5.64%	1.76%	1.64%	1.59%	1.80%	1.41%	1.57%	2.66%	1.84%
Checking in to See if Witness is O.K.	0.00%	0.00%	0.00%	0.00%	0.00%	1.17%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.10%
Defining "Rape"	0.00%	1.75%	3.51%	1.65%	1.88%	1.17%	1.09%	2.38%	0.77%	1.41%	0.00%	3.19%	1.57%
Previous Statements/Interactions with Investigators	3.43%	4.90%	3.51%	0.55%	0.31%	6.45%	4.37%	5.56%	1.29%	0.00%	4.19%	1.60%	3.01%

In Table 5, using grounded theory, the dominant themes that emerged within the prosecuting attorneys' patterns of questioning were categorized and counted. Questions involving courtroom procedures or asking the witness to speak louder, etc., were not included in Table 5.

Source of Data: *The Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković*

Explanations for Themes and Sub-themes:

Establishing Perpetrators: Questions which established that the ultranationalist Bosnian Serbs, Serbs and Montenegrin soldiers were perpetrators; this category also includes questions regarding individual perpetrators, their presence and behavior

Locations/Times of Events: Questions about when and where different events occurred and the whereabouts of particular individuals or groups; this theme also includes significant pre-war events

Victims: Presence/Behavior: Questions which established the presence and behavior of other victims and tribunal witnesses

Data about Witness: Questions that regarded the witness' age, location, occupation, etc. at the time of the conflict

Establishing Victimhood: Questions which established that the Bosniaks were the victims; this category also includes questions that established that the witness was a victim and did not have power or control over her situation

Establishing Credibility: Questions which established that the witness is credible and her testimony is trustworthy

Witness' Feelings: Questions about how the witness felt during the period of victimization

Checking to see if Witness is OK: The attorney inquired into how the witness was feeling physically and/or emotionally while testifying

Defining "Rape": Questions asked to ensure and illustrate that the witness' description of rape meets the legal definition of rape

Previous Statements/Interactions with Investigators: Questions about previous statements the witness may have made to the Tribunal and/or to other investigators and/or media outlets

Table 6: Themes in Questions from the Defense

Questions from the Defense	FWS-51	FWS-50	FWS-75	FWS-87	AS	FWS-95	FWS-132	FWS-48	FWS-205	FWS-175	FWS-183	FWS-105	Average
Themes of Questions													
Presence/Nature of Conflict	9.93%	1.38%	8.29%	1.48%	1.83%	2.72%	6.62%	0.00%	1.02%	9.72%	25.71%	0.00%	5.73%
Locations/Times of Events	11.92%	14.88%	25.04%	29.87%	44.04%	25.24%	5.88%	20.65%	19.73%	24.65%	35.24%	22.86%	23.33%
Freedom and Help	4.64%	0.69%	5.53%	8.53%	8.26%	0.97%	1.47%	4.71%	0.00%	0.00%	2.86%	4.00%	3.47%
Perpetrators: Presence/Behavior	9.27%	10.03%	18.48%	21.71%	20.18%	16.50%	33.09%	16.67%	35.37%	26.39%	19.05%	18.29%	20.42%
Romantic Relationship with Perpetrator	0.00%	0.00%	0.52%	2.41%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.24%
Sexual Consent	0.00%	0.35%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.03%
Pre-war Friendship with Perpetrator	0.00%	0.69%	0.35%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1.39%	3.81%	0.00%	0.52%
Victims: Presence/Behavior	17.22%	21.80%	8.29%	10.39%	12.84%	14.17%	5.88%	6.88%	21.77%	22.92%	3.81%	14.86%	13.40%
Other Witnesses: Credibility	0.00%	0.00%	0.00%	0.19%	0.00%	0.00%	1.47%	0.72%	0.00%	0.69%	0.00%	0.00%	0.26%
Sharing Experiences with Friends/Family	9.93%	2.08%	1.04%	1.11%	0.00%	0.97%	0.00%	0.72%	1.02%	4.17%	1.90%	0.00%	1.91%
Rape/Humiliating Treatment	3.97%	1.04%	3.28%	2.04%	0.00%	0.19%	0.00%	0.72%	2.04%	3.13%	0.00%	1.14%	1.46%
Witness' Feelings	0.00%	0.00%	0.52%	0.56%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.09%
"Forgotten" Events or People	1.32%	0.00%	2.76%	4.08%	10.09%	0.39%	11.03%	2.54%	0.00%	1.74%	0.00%	0.57%	2.88%
Witness' Appearance During Victimization	0.00%	0.00%	0.00%	0.93%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.95%	0.00%	0.16%
Checking in to See if Witness is O.K.	0.00%	0.00%	0.17%	0.00%	0.00%	0.39%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.05%
Previous Statements/Interactions with Invesitgators	19.87%	27.34%	19.34%	11.32%	0.00%	25.44%	31.62%	39.86%	14.29%	3.13%	3.81%	27.43%	18.62%
Medical Health/Health Examinations	3.31%	0.00%	0.00%	0.00%	0.00%	3.50%	0.00%	2.90%	1.02%	0.00%	0.00%	7.43%	1.51%
Witness' Lack of Credibility	5.96%	15.22%	5.01%	4.64%	2.75%	5.05%	1.47%	3.62%	2.72%	1.74%	2.86%	1.14%	4.35%
Witness' Memory	2.65%	4.50%	1.38%	0.74%	0.00%	4.47%	1.47%	0.00%	1.02%	0.35%	0.00%	2.29%	1.57%

In Table 6, using grounded theory, the dominant themes that emerged within the defense attorneys' patterns of questioning were categorized and counted. Questions involving courtroom procedures or asking the witness to speak louder, etc., were not included in Table 5.

Source of Data: *The Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković*

Explanations for Themes and Sub-themes:

Presence/Nature of Conflict: Questions about whether the conflict truly was anti-Bosniak, and questions about whether or not the witness knew that Serbs were being attacked by Bosniaks

Locations/Times of Events: Questions about when and where different events occurred and the whereabouts of particular individuals or groups; this theme also includes significant pre-war events

Freedom/Help: Questions about individuals who helped the witness, if the witness was free to leave the site of victimization and if assistance was available to the witness during the period of victimization

Perpetrators: Presence/Behavior: Questions about the whereabouts of particular perpetrators and how they behaved towards the witness and/or other witnesses and/or victims

Romantic Relationship with Perpetrator: Questions about if the witness was actually in love with the perpetrator and/or his “girlfriend”

Sexual Consent: Questions about whether or not the sexual assaults and rapes were actually consensual or the result of a “misunderstanding” on the part of the perpetrator

Pre-war Friendship with Perpetrator: Questions about whether the witness and/or her family had pre-war friendships with the perpetrator and/or his family members

Victims: Presence/Behavior: Questions about the presence and/or behavior of other witnesses and victims during the period of conflict

Other Witnesses: Credibility: Questions which regarded the credibility of other witnesses’ testimony – these questions could have been asked directly or indirectly by the attorney

Sharing Experiences with Friends/Family: Questions about whether or not the witness told friends and family about the sexual abuse or other experiences she had during the period of victimization

Rape/Humiliating Treatment: Questions about the rapes and humiliating treatment the witness suffered during the period of victimization

Witness' Feelings: Questions about how the witness felt during the period of victimization

"Forgotten" Events or People: Questions about individuals or events not mentioned in the witness' testimony

Witness' Appearance during Victimization: Questions about how the witness looked or what she was wearing during the period of victimization or during a specific moment of victimization

Checking to see if Witness is OK: Inquiries into how the witness was feeling physically or emotionally while testifying

Previous Statements or Interactions with Investigators: Questions about previous statements the witness may have made to the Tribunal, and/or other investigators and/or media outlets

Medical Health/Health Examinations: Questions about the witness' emotional, physical and psychological health and any avenues of medical support the witness may have received or sought out after the period of victimization

Witness' Lack of Credibility: Questions or comments that were made about the witness' lack of credibility including questions and/or comments about discrepancies in/between the witness' courtroom testimony and previous testimony and/or discrepancies between the witness' and other witnesses' testimony

Witness' Memory: Questions or comments made about the witness memory or lack of ability to remember specific people and/or events