

# **School for Rape**

**The Burmese Military and Sexual Violence**

by  
**Betsy Apple**

**An EarthRights International Report**

1998

**So it turns out that my Amale@ and Afemale@ plots are the same story, after all. . . .If you hold down one thing you hold down the adjoining. In the end, though, it all blows up in your face.**

**-Salman Rushdie**

## **About EarthRights International**

**EarthRights International (ERI) is a non-governmental, non-profit organization that combines the power of law and the power of people in defense of human rights and the environment. ERI responds to the needs of ethnic minorities and indigenous peoples in their efforts to protect their rights during development and investment activities in their traditional lands. With a current focus on South Asia, ERI encourages non-violent strategies for human rights and environmental protection through an integrated program of education, organizing, training, and legal action, all calculated to empower local people.**

**The Burma Women=s Rights Project of ERI seeks to investigate, expose, and publicize human rights abuses perpetrated by the military regime in Burma against women and girls. Wherever possible, the Project also provides training and technical assistance to indigenous groups of women seeking to protect and promote their rights.**

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# **EARTHRIGHTS INTERNATIONAL: SCHOOL FOR RAPE**

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## Preface

Take over 300,000 men, many of them under the age of 17 and largely uneducated. Force some of them to enlist at gunpoint and promise all of them a salary they never receive entirely. Give them guns and bombs. Train them to shoot, to crawl through the jungle at night, to ambush. Convince them that their enemies are ethnic minorities, students, women, anyone who disagrees with the government, and that these millions of people are traitors or infidels. Starve them. Withhold their mail and don't allow them to send any letters. Forbid them from visiting their families. Force them to beat each other for punishment. Abandon some of them if they are too sick to walk. Abuse them verbally and physically every day. Allow them plenty of alcohol and drugs.

You have just created the army of Burma's illegitimate regime, the State Law and Order Restoration Council, SLORC.<sup>1</sup> This army, called pyithu Tatmadaw, or the peoples' Tatmadaw, plays such an enormous role in the everyday governance of Burma that it is virtually indistinguishable from the ruling regime. Most of the ministers and deputy ministers who constitute Burma's cabinet are current or past members of the Tatmadaw. The Tatmadaw is the government, and the government controls politics, the economy, and the daily lives of Burma's citizens.<sup>2</sup>

SLORC tries with varying success to regulate what the outside world knows about the daily lives of Burmese people. For many millions, particularly those involved in the movement for democracy and members of ethnic minorities, brutality and subjugation are the order of the day. As a result of the army's crackdown against the democratic uprising of 1988, revolutionary and ethnic groups continue to battle the Tatmadaw. This widespread warfare has resulted in thousands of deaths, countless villages destroyed, and the incremental destruction of ethnic cultures. For women, especially ethnic women in rural villages and along Burma's borders, the war has spawned human rights violations which are of particular significance for two reasons: the abuses occur against women because they are women; and the abuses are often invisible. This report seeks to make visible the structural origins of the rape of ethnic Burmese women, with particular attention paid to the institution that nurtures the rapists, the Tatmadaw.<sup>3</sup>

It is impossible to calculate with any precision the number of women who have endured sexual violence at the hands of Burmese soldiers. As in many countries, rape casts a permanent, silencing pall on the women of Burma; those who testify to it are understandably few. It is not the purpose of this report to catalogue the myriad incidents of rape. Rather, this report concerns itself with the connection between the perpetrators and the act of rape. While the Burmese Tatmadaw is by no means the only army to engage in widespread rape during wartime, it presents an especially prolific and brutal example of such behavior. What is it about this army that permits, if not downright encourages, the rape of women by its soldiers? Are there structural characteristics of the Tatmadaw that point to the predictability of rape? What, if anything, might be changed about the Tatmadaw to diminish the likelihood that the combination of Burmese soldier plus ethnic woman equals rape?

This report is based on primary research consisting of original interviews with Tatmadaw defectors and Burmese villagers who lived in close proximity to the Tatmadaw, often because their villages were occupied by the army. To protect the identity of soldiers and refugees, all interviews are anonymous; the transcripts remain on file with EarthRights International (ERI). Additionally, where helpful, transcripts of interviews conducted by other well-regarded human rights organizations were utilized. Secondary research draws on scholarship in the areas of women's rights, feminist theory, the psychology of rape and trauma, and the history of war.

It is interesting and perhaps not surprising that a regime that treats its own citizens abusively would behave in the same fashion to its army. SLORC is politically consistent; its policies of torture, maltreatment, starvation, forced labor, and isolationism apply equally to the citizens of Burma and the soldiers of the Tatmadaw. A brutalized army perpetuating the abuses against the most vulnerable sectors of the population is the result of this treatment. Whether this result is unwitting or intentional on SLORC's part is, to some extent, beside the point. Either way, SLORC should have known and likely did assume that violence against soldiers would breed violence against women.

It is no accident that many women are raped as an integral part of the Burmese war against so-called insurgents, ethnic or otherwise. By examining the military structures giving rise to prevalent rape, this report proposes not to absolve the soldier perpetrators of responsibilities for their crimes. Rather, we look for the root causes so we can advocate for institutional change as well as establish individual culpability and argue for individual punishment.

### **Executive Summary**

Rape by the Burmese military, particularly against ethnic minority women, is an intrinsic component of the conflict in Burma. This report hypothesizes that the prevalence of rape in Burma is enabled by a number of larger cultural factors, including:

- The exalted status of the military in Burma, which enables soldiers to commit criminal acts with impunity;
- The militarization of Burmese society, in which notions of masculinity and femininity are played out on the battlefields and in villages, with soldiers' bodies as weapons and women's bodies as targets; and
- the subordinate status of women in Burma.

As this report seeks to analyze the underlying causes of rape by Burmese soldiers, it examines characteristics of the Tatmadaw that are problematic and give rise to rape. In particular, the report concludes that the following aspects of the Burmese army make military rape predictable:



- The age of Tatmadaw soldiers. Many soldiers are under 17 years old. They lack the maturity, the moral development, or the emotional strength to resist the indoctrination of the Tatmadaw. Their youth makes them particularly susceptible to a military ideology in which masculinity is defined by the ability to dominate and commit brutality against the “enemy”.
- The soldiers’ education level. Most soldiers lack even basic education, and many are illiterate. They are without skills or grounding in the rules of war. Many have no alternative employment opportunities. This creates a corps of armed men and boys ruled by ignorance.
- The recruitment methods. Many soldiers are kidnapped or otherwise forcibly conscripted. In addition, other soldiers join the Tatmadaw to escape arrests for crimes, sometimes violent, that they commit. Indiscriminate recruitment means inappropriate candidates are inducted.
- Disciplinary techniques. Punishment is inconsistent, inappropriate, unpredictable, and generally brutal. In addition, soldiers are called upon to punish their peers. This creates a culture of perpetual fear and victim-hood where it is expected that force will be used to punish misbehavior.
- Daily treatment. Soldiers are virtually starved, given inadequate clothing and equipment, and forced to act as slaves to their officers. Their valuelessness is confirmed by the withholding of salaries and medical attention. A rigid hierarchy is created in which rank-and file (“ordinary”) soldiers have very low morale, and officers commit atrocious acts unpunished.
- Isolation from support networks. Soldiers generally are prohibited from visiting their families and, in many cases, from sending and receiving mail. To the extent they develop camaraderie with one another, it is based on harmful rituals of brutality they are forced to execute. In addition, they are discouraged from developing trust within their units through self-punishment practices and enmity between officers and soldiers. Isolation and loneliness induce extreme behavior.
- Excessive use of alcohol and, in some cases, drugs. Many soldiers are frequently drunk, sometimes on the front lines. In addition, some reports indicate that soldiers use drugs including

marijuana and heroin. Drunkenness is accepted without question and drug use is often overlooked if not actually encouraged. Substance abuse and uncontrolled aggression are invariably linked.

- Bigotry and sexism in the Tatmadaw. Soldiers are often indoctrinated to view ethnic minority groups in Burma as inferior to ethnic Burmans. In addition, an attitude of strong disrespect for women, especially toward minority women, is re-enforced through behavior by officers.

The Tatmadaw, like all militaries, is a hierarchical institution. Ordinary soldiers are at the bottom of the pyramid and suffer the most because, as the least powerful member, they are subject to more potential abusers. However, because there is a pecking order of brutality in the Tatmadaw, even officers are subject to abuse by *their* superiors. Through its hierarchical structure, policies, and practices, the Tatmadaw transmits an ethos of violent masculinity to everyone who serves. Soldiers are taught that victory over the enemy depends on their masculinity; that, in turn gets defined as their ability to fight, to dominate, to commit violence.

At the same time, the Tatmadaw creates a paradoxical situation in which all but the highest officers are situated as both vulnerable victims of abuse and masculine warriors. Such a paradox breeds confusion, which is often resolved through violence. When Tatmadaw soldiers and officers—anyone subject to this paradox—have the opportunity to demonstrate their masculinity, they take it. This means they seek to dominate and violate those in more vulnerable circumstances; women. Brutality breeds brutality, and the prevalence of rape by brutalized Tatmadaw soldiers and officers is the predictable result of the cycle of violence played out between the military and the ethnic insurgents.

## ***PART I: The Context For Rape***

### **Introduction: Rape and War**

The story of every war is told largely through numbers and lists.<sup>4</sup> Military casualty lists which count up the number of soldiers wounded and killed become the major element in this narrative. However, a reliance on these lists to compose the entire narrative of war results in a gravely incomplete picture. Because every war is a complicated story, its telling requires an enumeration of all its costs: the number of villages destroyed, buildings burned, livestock killed, roads and bridges decimated. War historians recognize that these numbers, whether estimated or actual, help comprise the record of war because these costs are an integral part of the conflict.<sup>5</sup> Generally, these efforts to tell the whole story of war include an assessment of property damage and, perhaps, estimates of civilian deaths. It is revealing that virtually every time the tale of war is related, an essential component of the narrative is omitted: the numbers and names of women who were raped by soldiers during wartime.<sup>6</sup>

Until the twentieth century, and more specifically, the strife in Bosnia-Herzegovina, women's

bodily experience of war has been all but ignored by the recorders of conflict.<sup>7</sup> This is true despite a long tradition of raping civilian women during wartime. What meager sources exist hint at the frequency of rape throughout military history.<sup>8</sup> From the rape of the Sabine women to World War II to Vietnam to Rwanda, Bosnia, and Burma, armies have actively sought out women to engage them in warfare. The rape of women in war is as much a part of war as the killing of soldiers.

One might expect that the prevalence of wartime rape would render it both visible and recognizable as an especially deplorable military strategy. The opposite seems to be true, however; the widespread dimension of rape in war has somehow made it seem natural. Even now, the chief institution charged with condemning rape in the former Yugoslavia struggles with whether mass rape should be considered a most serious kind of war crime.<sup>9</sup> Rape's status as an unavoidable and perhaps even necessary aspect of war has arisen from several factors: the mistaken belief in rape as a sexual rather than violent act; widespread assumptions about male sexuality and the inexorable male sexual drive, particularly in times of high tension; a belief that highly visible sexual activity is essential to maintaining men's sense of masculinity; and a tacit understanding that wartime fighting and male possession of women are somehow linked.<sup>10</sup> Naturalizing rape in wartime also has had the benefit of providing armies with justification for enslaving women in "mobile brothels", thereby ensuring ready access to enemy females.<sup>11</sup>

It makes a perverse kind of sense that the rape of women in wartime would be considered both inevitable and secondary to the "real" activity of war. This reading is consistent with women's larger experience in the world: that they occupy a secondary place in relation to men.<sup>12</sup> Women's traditional subordination is a lens through which soldiers, historians, journalists—almost everyone but the women themselves—view the female experience of war.<sup>13</sup> By characterizing rape in wartime as normal, inevitable, and inconsequential to the final outcome, the observers of war are able to deflect attention from the perpetrators. If an event is natural, it cannot be stopped; the best one can hope for is to understand the event and try to deal with the consequences.

The reverse is also true: if an event is not natural, it must be investigated, analyzed, and if it is the kind of event that produces unsatisfactory results, it must be changed. For this reason, denaturalizing rape becomes an important and dangerous project. It means that causes will be examined and individuals and institutions will be held accountable. Armies will no longer have license to rape, and women will no longer be conscripted as involuntary and brutalized participants of war.

There is no question that rape in war is prohibited by international human rights and humanitarian law.<sup>14</sup> In addition, many countries whose armies possess a documented history of rape during internal conflict—Haiti, India, Peru, Burma—have constitutional or legal provisions prohibiting rape.<sup>15</sup> For rape to be declared illegal, then, is not enough to denaturalize it. To change the common perception of rape in wartime as a natural albeit regrettable phenomenon requires a close examination of its origins and causes. Who perpetrates rape? Why? What purpose does it serve? In short, what underlies this widespread

and heinous act in wartime?

Unfortunately, there are numerous countries in which rape serves as an integral part of international or internal conflict. One of the most invisible of these is Burma. Essentially at war with itself since achieving independence in 1948, Burma has been the scene of thousands of incidents of rape.<sup>16</sup> A country with continuing civil unrest and an expanding army, Burma and its rape-prone military present an important opportunity to examine the causes and origins of wartime rape for several reasons. First, Burma has assembled one of the world's worst human rights records, causing the United Nations to appoint a special rapporteur in 1992 to investigate human rights abuses. Second, Burma's military, now well over 300,000 strong, continues to grow, with a publicly stated goal of 500,000 soldiers in the future.<sup>17</sup> Given that the numerous incidents of wartime rape in Burma are committed by soldiers in the Burmese army, it is not unreasonable to expect an increase in rapes as the army grows.<sup>18</sup> Finally, due to the brutality of the Burmese army and the porousness of the Thai/Burmese border, it is possible to obtain interviews with Burmese soldier defectors about their lives in the military.<sup>19</sup>

It is not the purpose of this report to examine why women's experiences of war have been historically marginalized. Nor is it this report's intent to understand why rape has been considered an inevitable by-product of war. Rather, the goal is to examine who commits wartime rape particularly against ethnic women in Burma and why, with a specific focus on the soldiers of the Burmese army. By examining the institutional causes of rape by the Burmese military, this report seeks to "denaturalize" rape in the Burmese war. Rape is not an unavoidable part of this conflict. However, as long as SLORC forms and maintains its military through brutality, the rape will continue.

### **Burma: A Historical Overview**

Burma is a country rich in ethnic diversity, natural resources, and human tragedy. Its population of approximately 46 million people is comprised of over twenty major ethnic groups and 100 distinct languages and dialects. This diversity is at once a source of Burma's cultural vibrancy and its political fragmentation.

British colonial rule in Burma lasted for sixty years, ending in independence for the country in 1948. During Great Britain's occupation, the many ethnic groups of Burma were pitted against one another in a divide and conquer strategy, the harsh legacy of which arguably affects the current coalitionist democratic movement. At its independence approached, Burma's potential for future growth seemed endless, due to its rich natural resources (including teak and gems) and its strong political leadership in the person of General Aung San. As he was about to assume democratic control of the new nation, General Aung San was assassinated in 1947 by political rivals, and Burma imploded with ethnic conflict and Communist insurgency. The Burmese government, headed shortly after independence by Prime Minister U Nu, sought to keep the country and the army together by appointing a former colleague of Aung San, General Ne Win, as commander-in-chief of the army. U Nu agreed to increase the army's

ranks to 40,000 soldiers by 1955.

In 1962, General Ne Win, by now heading armed forces of 100,000, staged a coup. He abolished the old constitution, installed a new government dominated by military personnel, and eradicated all traces of democracy in Burma. Under his "Burmese Way to Socialism", all political parties were outlawed save his own, the Burma Socialist Programme Party. Twenty-three "national" corporations, run in fact by the military, controlled every aspect of Burmese life including the economy and the press. A critical feature of the socialist program, total isolation from the world economy, helped hasten the collapse of the Burmese economy, giving rise to an enormous black market.

Throughout the next twenty-six years, periodic protests and bursts of ethnic insurgency were easily quashed by the military. In August 1988, however, a series of widespread, non-violent demonstrations erupted across the country in which millions of citizens marched for an end to the oppressive socialist government. Ne Win's army, now nearly 200,000 strong, decisively crushed the protests through crowd massacres, extra judicial killings, and a crackdown on civil and political rights. An estimated 3,000-10,000 demonstrators were murdered and thousands more were incarcerated without trial.

In September 1988, the government reconfigured itself into the current regime, the State Law and Order Restoration Council (SLORC). In an unequivocal act of ownership, SLORC renamed the country in 1989 and decreed the erstwhile Burma to be Myanmar.<sup>20</sup> All evidence to the contrary, SLORC was confident enough of its popular support to call for multi-party elections on May 27, 1990. In response, over ninety political parties were formed, including the current main opposition party, the National League for Democracy (NLD). Founded by U Tin Oo, a former general in the Burma Socialist Programme Party, and Daw Aung San Suu Kyi, the daughter of independence leader General Aung San and 1991 Nobel Peace Prize winner, the NLD quickly garnered widespread support. Stunned by her popularity, SLORC placed Aung San Suu Kyi under house arrest in July 1989 and declared her candidacy invalid. Nonetheless, the elections subsequently occurred under what the Burmese people and outside observers have deemed free and fair conditions, and the NLD was elected by an overwhelming majority.

Rather than cede power to the pro-democracy victors, SLORC failed to honor the election results and launched a strengthened campaign of intimidation, detention, and house arrest, starting with NLD vice-chairs U Tin Oo and U Kyi Maung. The continuing repression caused many pro-democracy activists and supporters to flee Burma and seek asylum in various countries including Thailand, Japan, Australia, and the United States. In early 1993, SLORC established a so-called National Convention charged with drafting a new constitution. This body, primarily composed of delegates chosen by the military regime, allowed no room for opposition. Despite the absence of a popular mandate, the National Convention commenced its self-conferred task of drafting a constitution solidifying military power through disproportionately high military representation in the lower House of Representatives and the upper House of Nationalities.

In 1995, the government released U Tin Oo and U Kyi Maung and terminated Daw Aung San Suu Kyi's house arrest. For a brief period, pro-democracy forces were hopeful these releases signaled a willingness on SLORC's part to, at best, share power and, at least, commence talks with the opposition forces. This optimism was short-lived, however, as SLORC continued to tighten security measures, increase their already tight stranglehold on the press, step up human rights abuses especially against ethnic groups, and make arbitrary arrests and detentions of pro-democracy activists. In 1996, SLORC prevented the NLD from convening its first All-Burma Congress and detained nearly 600 would-be participants. Using a wave of demonstrations in December 1996 as a pretext, SLORC detained over 200 NLD activists. Although Aung San Suu Kyi's house arrest was purportedly ended, SLORC prevented her from making her weekly public address and briefly confined her to her compound in December. The reality is that she remains under de facto house arrest and is severely restricted in her activities.

Throughout this oppressive regime, the government successfully has increased the role of the military. Burma's exploding Tatmadaw requires sustenance; according to the United Nations Development Programme (UNDP), Burma's level of military spending (relative to health and education) exceeds that of all Asian countries but North Korea.<sup>21</sup> The military's power manifests itself not only in the political arena but also in the economic sphere. All major businesses in Burma are run by the military, including the Union of Myanmar Economic Holdings (UMEH), the army's holding company. UMEH controls fourteen joint ventures, owns Myawady Bank, and controls capital of nearly \$1.5 billion. Without connections to military officials, it is impossible to do business in Burma.

The repression and hardship continue to the present day in Burma. According to the UNDP, in 1997 Burma ranks 131 out of 175 nations in a listing based on key human development factors, representing a twenty percent decline since the previous report in 1992. Adult life expectancy dropped three years; fifteen percent of all children under five die, and for those who survive, forty-three percent suffer from stunted growth. Life in Burma is only improving for the leaders of the regime.

Against this backdrop of an increasingly militarized society, the most egregious human rights abuses continue to occur at the hands of the Tatmadaw. Although as of 1995, SLORC had signed cease-fire agreements with fifteen ethnic groups, the violence still rages. In particular, 1997 saw an increased wave of violence against ethnic minorities. As a part of its crackdown on insurgency forces and out of frustration that the regime could not bring them into the fold, the Tatmadaw targeted the Karen people and their political and military organizations as well as the Karenni, Shan, Muslim, and Chin ethnic groups. Refugee camps in Thailand showed a consequent increase in the number of people seeking safety, and total camp figures swelled to over 115,000 inhabitants. Additionally, women and children continue to suffer from frequent sexual violence by the Tatmadaw as troops attack and occupy hundreds of villages, enslave thousands of villagers as porters and forced laborers, and destroy communities.

### **The Status of Women in Burma**

Sexual violence against the women of Burma must be examined within the larger context of a nation in which women are subordinate to men. For rape to be committed again and again with impunity, the society in which it occurs must give permission, either overt or tacit, to the perpetrators. This is particularly true in a society as tightly controlled as Burma, where this permission for soldiers to rape arises out of the general attitude toward women embedded in contemporary society.

SLORC's official position about the status of women in Burma is notable for its egalitarian rhetoric. According to SLORC, women occupy exactly the same position in Burmese society as do men:

[In] Myanmar society. . .there is no gender disparity in personal relationships. Women are accorded equal rights with men. While it may be opined that there is less [sic] of women's rights in some areas in some countries, Myanmar women enjoy rights without loss in those areas and even have greater freedom in other areas. . . .Women have equal rights with men in Myanmar traditional culture and custom as well as by provision in successive State Constitutions. There are also specific laws which protect women and children.<sup>22</sup>

Furthermore,

In the world today, women are constantly battling against inequality and discrimination. In this context, I feel proud to say that Myanmar women have been bestowed equality with men as an inherent right. Since the inception of Myanmar civilization 2000 years ago, there has been historical evidence that Myanmar women and men did enjoy equal rights. . . .I would like to emphasize here that there exist no barriers in the form of social norms or practices that restrain the Myanmar women from playing prominent career roles in the Myanmar society. . . .women in Myanmar enjoy a special status. . . .Most important, in the Myanmar society, men and women have a symbiotic relationship, mutually depending upon one another. They believe that they have equal and shared responsibilities towards the family and the society.<sup>23</sup>

SLORC creates a fiction of women's equality which encompasses both governmental action and private relations. According to this fiction, in every sphere of Burmese life, women gain equal respect, equal access, and equal opportunity. The story they tell, however, is belied by the reality of life for women in Burma.

An examination of Burmese law indicates that women are treated differently from men. In

their National Report to the UN Fourth World Conference on Women, SLORC highlights four specific laws ensuring women's well-being: the 1954 Buddhist Women's Special Marriage and Inheritance Act; the 1949 Suppression of Prostitution Act, which claims to "protect women from being ordered or coerced into prostitution;" the Maternal and Child Welfare Association Law, which "provides protection and support in social and health care for mothers, children, and the family;" and the Nursing and Midwifery Law, providing for licensing and training. These laws concerning women deserve comment for two reasons.

First, these and other laws mentioned in the National Report assume that women are in need of protection: from exploitation by non-Buddhists, from coercion into prostitution, from poor social and health care, from untrained nurses, from sharing rest-rooms with men, from dangerous machinery, from heavy loads. However, none of these laws actually works to achieve or maintain basic equality, as would laws that prohibit discrimination, guarantee equal access to education and employment opportunities, and guarantee basic human rights. As well, SLORC's actual accomplishments in advancing women's status are unproven: Burma only recently acceded to CEDAW, the United Nations Convention on the Elimination of All Forms of Discrimination Against Women; and its new Myanmar National Working Committee for Women's Affairs has existed for less than two years. The range and content of the special laws for women reveal the reality of women's status in Burmese society and the male perception of women's role as weak and incapable of caring for themselves.

Second, these laws are largely ineffective. The sex industry, rather than shrinking, has increased;<sup>24</sup> the general health of children has declined drastically,<sup>25</sup> and infant mortality rates have skyrocketed and adult life expectancy rates have decreased.<sup>26</sup> If the laws had impact, women's equality would not be achieved, but some of the basic conditions of women's lives might be improved. As it is, the real position of women in Burma is cloaked by the rhetoric about women's equality contained in this legislation.

According to UNICEF, a major inter-governmental organization working in Burma, although "the comparatively high status of women is codified in Burmese Buddhist customary law". . . male predominance is widely accepted in most walks of life.<sup>27</sup> There are many indicators of male predominance and female subordination throughout Burmese society. For example, women and girls are educated less frequently, leading to a higher literacy rate for men than for women.<sup>28</sup> Women have less access to power and a decreased ability to make or implement policy, as evidenced by the fact that few women serve in important government positions.<sup>29</sup> Women are frequently exploited sexually and economically, as the growing sex industry in Burma demonstrates.<sup>30</sup> Highly restrictive access to contraception and abortion means that women lack control over their reproductive health.<sup>31</sup> Additionally, women are either excluded from the official workforce or relegated to low-paying, unskilled jobs in the national economy, as indicated by these official statistics:

Women's participation rate was 22.34 percent in the primary sector, 32.85 percent in the secondary sector and 44.53 in the tertiary sector. Women's total participation in all sectors was 30.25 percent. . . Some 30% employed are skilled in



agricultural work. Another 30% are employed in basic economic work. Women find temporary employment in harvesting and winnowing pad-dy. . . . Women work force in industrial plants and work places is 34.7 percent in 1995. . . .32

Rather than challenging the subordination of women in Burma, the Tatmadaw re-inscribes it. The Tatmadaw is the most powerful institution in Burma. As the long arm of SLORC, it is in control of the political, economic, and military life of the country. Almost every high government official is a former or current Tatmadaw officer, and all of these are men. The Tatmadaw relies on an ideology of masculinity which prevents women's participation at the highest levels of power in Burma. It is revealing that the most visible and powerful woman in Burma is Aung San Suu Kyi. It is not possible for any woman to obtain her level of authority within the ruling regime; such power can only be obtained by women outside SLORC and Tatmadaw circles.

Although SLORC's rhetoric about women's equality is untrue, it is still very effective. The propaganda is so powerful that even ethnic minority men and women believe it. SLORC has been so successful with its propaganda campaign about women's equality that people reject evidence of the most extreme example of women's subordination in Burma, rape. Despite credible, well-known anecdotal evidence about the number of Burmese soldiers who have raped ethnic women, in particular, since 1988, some men in Burma still claim that the soldiers treat the men worse than the women.<sup>33</sup> Many women of Burma have accepted the rhetoric as well and reiterate the belief that women are not treated badly in the war.<sup>34</sup> And as the most chilling proof that SLORC's propaganda works, some women are no longer able to recognize rape when it happens:

The soldiers wanted some women in the village for themselves. Including the soldiers, the officers, and the NCO's [non-commissioned officers], they all wanted women. . . . There was a girl staying in our house. The sergeant made conversation with the girl. After, he was trying to force himself on her. . . . The girl was very afraid. Afterwards, she went away. . . . We have heard about the cases where soldiers forced themselves on women, but we do not know anyone this happened to.<sup>35</sup>

This speaker witnessed an attempted rape and yet claims she knows no one who experienced sexual violence by Burmese soldiers. What does it mean when a group no longer recognizes the outrages against it? Either the group has no consciousness of its subordinate position to begin with, the trauma of repeated outrage is so severe that it can no longer be assimilated, or the behavior is considered natural and never characterized as outrageous. The last two and possibly all three of these explanations apply to an analysis of military rape and the women of Burma. What might otherwise be considered outrageous—the frequent rape of women—is normalized by the fact that it happens in wartime. And the perception that rape in war is natural is fueled by a generalized atmosphere in which women are claimed to be equal, but in fact are subordinate in virtually every area of public life and many sectors of the private

sphere as well.

### **The Role of the Tatmadaw in Burma**

Every legitimate political institution derives its power from the support of the people. In the case where a government does not command widespread popular support, it must rely on something else to remain in control.<sup>36</sup> In Burma, where SLORC governs without the consent of the Burmese people, they rely on a complex combination of weapons: propaganda, isolationism, and restrictions of speech and association, among others. But above all, absent the support of the citizenry, SLORC—the inner circle of highest officials who run the various ministries that comprise the regime—has had to depend on violence and its threat. SLORC's tool of violence is the Burmese military. The Tatmadaw, composed of rank-and-file soldiers and officers, is the long arm of the regime.

To understand the current context in which the Tatmadaw exercises unbridled control over the Burmese people, it is necessary to refer to recent Burmese history, particularly in the years around independence in 1948. The combination of upheavals before and after General Aung San's assassination, a series of ethnic insurgencies, and attacks on the Burmese Shan state by Kuomintang (KMT) forces from the Yunnan province, led to a long period of political instability.<sup>37</sup> The fact that Burma did not completely fall apart is often attributed to the strength of the Burmese army in unifying the country. The early role of the army is constantly invoked:

From the time it launched the Anti-Fascist Resistance, the Tatmadaw attained the status of a national army that represented the nation and all national peoples. As it was one with the people and enjoys the full backing and support of the people, it had also gained the status of the Peoples' Army. On 27 March 1945, our Tatmadaw made its own decision and legitimately declared war and launched the Resistance. . . . We can say that the Tatmadaw has been a pivotal organization in the anti-colonialist and anti-fascist struggle. It is also an organization that has emerged due to the needs of the nation.<sup>38</sup>

The belief that the Burmese army emerged victorious after years of hardship and bravery has, to some extent, created a shield of sacrosanctity around the Tatmadaw. That, coupled with the hero worship surrounding the memory of Burma's father of independence, General Aung San, has given rise to a culture with a strongly ingrained respect for the military.

The exalted history of the Tatmadaw is constantly invoked through the SLORC-controlled media.<sup>39</sup> Through daily reference to the past, SLORC seeks to forge a link between the admired Burmese army of the past and today's Tatmadaw. Sometimes this strategy works, as when young men join the army because they believe it is an honorable institution:

. . .and I simply believed that the Tatmadaw served for the

peoples' security. In my own view, a Tatmadaw in a country must protect the people. As I liked that idea, I joined the Tatmadaw.<sup>40</sup>

That the life of a Burmese soldier is still seen as a noble calling by some, like the well-educated defector who explained his motivation in joining by saying, "If you join the army. . . you are going to make your parents' dignity higher", is a testament to the effectiveness of SLORC's public relations campaign.<sup>41</sup>

SLORC leaders seek to impose an overarching philosophy of life and how it should be lived in Burma through the Tatmadaw. These principles, quantified in, among others, the "Twelve Noble Traditions",<sup>42</sup> the "Three Main Duties of the Tatmadaw",<sup>43</sup> the "Three Main National Causes",<sup>44</sup> and the "Four Structuring Programmes,"<sup>45</sup> resemble the slogans promulgated by the Ministry of Truth in George Orwell's 1984.<sup>46</sup> SLORC sets forth these principles as if they were the product of national consensus, under attack by a small minority of insurrectionists:

He [General Maung Aye<sup>47</sup>] emphasized that the twelve political, economic and social objectives of the State are the correct path for the entire public and that all must be vigilant against the destructionists who are attempting through various means to drive a wedge between the Tatmadaw and the people, deviate from the correct path, split national unity and create suspicion among the Tatmadawmen. These destructionists. . . are trying with the support of external elements rather than internal strength to cheat and mislead the public and so, all must ostracize, oppose and crush them regarding them as common enemy in accordance with the people's desire.<sup>48</sup> (*italics added*)

According to the SLORC perspective, however, in spite of the efforts of the "destructionists", the people stand together with the Tatmadaw to protect these shared principles:

Increasingly, the people in all parts of States and Divisions are joining hands with the Tatmadaw to safeguard national solidarity and peace. . . . The public and the Tatmadaw are today working harmoniously together to accomplish tasks through their united strength. . . . Every time our country was faced with danger, the national races joined hands with the Tatmadaw and valiantly repulsed the enemies. Today, hands joined, the Tatmadaw and the people stand steadfastly together. The Tatmadaw has not only discharged national defence duties, but also constantly served the interest of both the citizen and the State.<sup>49</sup>

The idea that the regime, the army, and the people are one is not wholly inaccurate—or, at least, that the SLORC regime and the army are one. The Burmese cabinet is almost entirely

composed of former or current military men.<sup>50</sup> Each time there is a power shuffle within the cabinet, new members are generally army commanders.<sup>51</sup> This seamlessness of ruling regime and army dates back to Burma's struggle for independence. Nearly fifty years have entrenched the notion that SLORC and the Tatmadaw are one and the same, and together, have preserved the unity of Burma. The official version of recent Burmese history makes the connection between the regime and military clear:

The first national crisis was. . .during the country's struggle for independence. . . .At that time, the Chief of Staff of the Defence Services had to simultaneously discharge the duties of the Deputy Prime Minister and had to take part in the national political leadership role. . . .The second crisis occurred in 1958 [when] the Tatmadaw, at the request of the legal government, had to take charge as a Caretaker Government and discharge the national duties until the situation in the country improved. . . .The third crisis was in 1962. . .the political government in power at that time was not able to prevent foreign forces entering the country and prevent the nation from total disintegration. Therefore, the Tatmadaw had to step in to take over State power. . . .It can be said that the Tatmadaw had to take the full national political leadership role of the State. The fourth and last crisis. . .was the disturbances in 1988. . . .The disturbances swelled to enormous proportions and the administrative machinery faltered. . . .The Tatmadaw, seeing that the country was faced with the danger of disintegration, the danger of the undermining of national solidarity and the danger of losing national sovereignty, took over the responsibilities of the State on 18 September 1988 and saved the country from all dangers.<sup>52</sup>

Charting the growth of the Tatmadaw over the past thirty-five years is also an exercise in mapping SLORC's expanding power base. From a post-independence army of fewer than 15,000, the military grew to 100,000 by 1962.<sup>53</sup> Since Ne Win's coup, the army has more than tripled in size to well over 300,000, with an ultimate goal (as of now) of 500,000 troops.<sup>54</sup> The Tatmadaw is able to continually expand its ranks not only because the profession of soldier is still seen as noble and heroic, but also because there are few alternative jobs in Burma. As one defector soldier explained, "At the time that I joined, the opportunity to get a job was very hard"; <sup>55</sup> given that the Tatmadaw rules the national above-ground economy, it makes sense that the military would be the most likely employer.<sup>56</sup>

A nation with a strong and pervasive military will invariably be affected by that institution's presence.<sup>57</sup> According to one international NGO, a militarized society is one in which "military values, ideology, and patterns of behavior achieve a dominating influence on the political, social, economic and external affairs of the state". <sup>58</sup> Where militarization has a strong foothold, the army is seen as acceptable or inevitable, and the military is perceived as a

reasonable career choice.<sup>59</sup> Such is plainly the case in Burma, where the Tatmadaw dictates Burma's political and economic actions.

Another hallmark of a militarized society is that notions about masculinity and femininity adapt to suit the needs of the dominant military culture. In such a context, soldiers (and by extension, men, since in a militarized society most men are perceived as potential soldiers) are, of necessity, defined as strong and bold, and women are seen as weak and in need of protection.<sup>60</sup> In the Tatmadaw, these ideas about masculinity and femininity are taken a step further. The Tatmadaw is pervaded by a brutal ethos that requires soldiers to accept violence and domination as quintessential characteristics of masculinity. Popular myths about the Burmese army portray this institution as noble, protective, and fierce. The reality of recent Burmese history is that without popular support, the army has had to rely on abusiveness to maintain power.

The Tatmadaw is built upon a hierarchy in which brutality is handed down from commander to officer, and officer to soldier. At the same time, the institution requires all its members to both submit to and inflict excessive violence on others as proof of masculinity. In so doing, the Tatmadaw creates a paradoxical situation for its soldiers. On the one hand, they are subject to brutality and violence by those more powerful in the hierarchy—essentially, they are vulnerable and passive. On the other, they are inculcated with the idea that in order to be a man and a good warrior, they must dominate others and commit violence. Given that rape is the classic instrument of male dominance and female subordination, it is no surprise that Tatmadaw soldiers and officers choose to make sense of the paradox in this way.<sup>61</sup>

Burma, like other militarized societies, is ruled by an oppositional mentality which requires everyone, men and women, to be categorized as either Aus or “them”. Since, generally, women will constitute at least half of any given enemy population, the enemy women are transformed from weak and in need of protection to weak and available for exploitation. Consequently, soldiers derive permission to rape enemy women from the broader culture of militarization.

Burma has been increasingly militarized since 1962, with an outright monopoly on power by the SLORC/Tatmadaw ruling elite in recent years. Of the many consequences of this pervasive military culture, rape is among the most brutal and complex.<sup>62</sup>

### **The Prevalence of Rape Against Ethnic Women**

International human rights organizations and local NGO 's have documented myriad incidents of rape by Burmese soldiers, particularly against ethnic women. As of 1993, Human Rights Watch revealed considerable military rapes occurring during the mass exodus of Rohingyas from the Burmese state of Arakan.<sup>63</sup> Reports by the Karen Human Rights Group from 1994 to 1997 detail numerous incidents of rape against ethnic Karen women during forced labor<sup>64</sup> and during military occupation of Burmese villages.<sup>65</sup> In spite of the cease-fire agreement between the New Mon State Party and SLORC on June 29, 1995, many Mon women have been raped by Burmese soldiers.<sup>66</sup> As part of a larger investigation into broad human rights

abuses, Amnesty International documented incidents of rape against minority women.<sup>67</sup> The All Burma Students Democratic Front and the Burmese Women Union also have published interviews with rape survivors in their reports.<sup>68</sup> In addition, many Burmese ethnic minority groups distribute publications dedicated to memorializing human rights abuses, including rape, by the Tatmadaw.<sup>69</sup>

Inside Burma, and particularly along its borders, the military rapes ethnic women under a variety of different circumstances. Women are raped in their villages and during flight. They are subjected to rape and other sexual abuse as they engage in forced labor or serve as porters for the Burmese army. They are lured into army camps under assorted pretexts, raped, and sometimes released. They are coerced into marrying Tatmadaw soldiers and forced to provide sexual services under the cloak of a so-called legitimate marriage. Under various legal theories, the rape of ethnic women in Burma can be characterized as torture, violation of international labor law, enslavement, forced prostitution, forced impregnation, and forced marriage. Notwithstanding these important circumstantial and legal distinctions, the salient features of rape in Burma are these: the rapes are frequent, brutal, and in many cases, unavoidable.

Because rape is an inherently violent act intended to damage women, all rapes are horrific. The extent of physical injury, the duration of the rapes, the number of rapists—these are significant aspects of women's experiences of rape but do not determine whether a rape is truly awful. All rapes are horrible, and a woman who survives one incident of rape by a single soldier is no less violated than a woman who lives through a gang rape. A few accounts of military rapes of ethnic women make clear this point:

I was kept as a porter in October. They said it would only be for four days, but they kept me for one month and four days. . . .At night I couldn't sleep because I often saw guards come and take the youngest girls away. . . .Two times I had to carry separately from the rest of the group, and ended up alone in the forest with the soldiers at night. Both times the soldiers came to me and beat me, showed me their guns to keep me quiet, and then raped me. The first time I was raped by six soldiers, and the second night this happened I was raped by four soldiers.<sup>70</sup>

One night last November. . .more than sixty SLORC soldiers from 99 Division came through our village. I heard many soldiers pass my house . . .then one soldier came straight into my house, and he put out the light right away so I couldn't see his face. . . .He said, "Lay down, mother". I refused, so he pushed me and I fell on my children. They started crying, and the soldier jumped on me and started to wrestle with me. Then he put his rifle barrel against my face; it felt so cold and made me so afraid I can't tell you. He put the barrel against my chest and pushed me down again. He grabbed my throat and said "If

you scream, I'll choke you!" and tried to slap me but I turned my face away. So he took his gun and held it against one side of my face and pulled out his knife and held it against the other side, and said, "If you fight or cry or shout, I'll kill you!" My sarong had already come apart while we were fighting. He raped me and I couldn't even scream.<sup>71</sup>

and

They point their guns at women and rape them. The next day, they let me go. I saw many women that the soldiers took away. When they see a beautiful girl, they call her and rape her. They raped many women, but one of the girls died. She was fifteen years old. She was raped so many times she died. . . .<sup>72</sup>

The experiences of these women who have been raped differ significantly. The common factors, however, are the horror and sheer brutality of the violations. Whether the rape is committed by one soldier or a gang, whether it results in emotional injury or death, rape is, in every case, a violent and reprehensible crime.

While hundreds, if not thousands, of individual incidents of rape have been documented, it is impossible to determine how many women have experienced sexual violence at the hands of Tatmadaw soldiers. It is, nonetheless, helpful to try to establish an estimate of the number of military rapes since 1988. In doing so, the epidemic nature of the problem is laid bare, and the possibility of prosecution for widespread abuses becomes more real.

In the earlier part of this decade, a campaign of persecution against Rohingya Muslims caused nearly 250,000 refugees to flee across the northwestern Burmese border to Bangladesh and an estimated 50,000 people to run to India or China.<sup>73</sup> More recently, a stepped-up offensive against Burmese ethnic groups, particularly the Karen, Karenni, and Shan people, gave rise to a fresh wave of people in flight to Thailand.<sup>74</sup> The total number of people fleeing across Burma's eastern border to Thailand is unknown; however, as of mid-1997, the current population, mostly ethnic minorities, seeking safety in Thai refugee camps numbered over 115,000.<sup>75</sup> Additionally, there are an estimated 700,000 A illegal Burmese immigrants living and working outside of refugee camps in Thailand.<sup>76</sup> Finally, those Burmese people who have fled their homes but have failed to cross the Burmese border, the "internally displaced",<sup>77</sup> are estimated at nearly 1,000,000.<sup>78</sup>

There are no reliable figures indicating the total number of female Burmese refugees and displaced people under the current regime. However, the international community of governmental and non-governmental organizations generally agrees that approximately eighty percent of all refugees in the world are women and children.<sup>79</sup> Of this figure, presumably sixty percent are female, assuming half of all refugee children are girls. Given the above incidents of flight, it is reasonable to estimate conservatively that 415,000 Burmese people have sought refuge in third countries since 1988; if sixty percent of these are women and girls,

there are nearly 250,000 female refugees. Additionally, if sixty percent of the 700,000 “illegal immigrants” in Thailand (not in refugee camps) are women and children, there are 420,000 “illegal females”. Finally, if sixty percent of the one million internally displaced individuals are women or girls, another 600,000 females are at risk. This makes for a total of nearly 1.3 million women and girls who have fled to camps or are in flight inside Burma 's borders. These women and girls are at high risk of military rape. How many of them have experienced sexual violence by Burmese soldiers?

The prevalence of rape cannot be determined simply by counting up the number of incidents of rape revealed in human rights reports over the past six years because Burmese women who have survived rape rarely talk about it. As in most countries (including the United States, which, unlike Burma, has a strong women 's movement, a heightened awareness of the problem of sexual violence, and a culture of confession), rape survivors bear an incredible burden of shame, guilt, stigma, and fear. Even in Burmese ethnic cultures where talk about controversial subjects such as sex is not culturally proscribed, an admission of rape, particularly a public one, is almost never done.<sup>80</sup> The relentless violence against ethnic Burmese women and, in many cases, their deep commitment to the democratic movement, may have rendered it more acceptable for some women to discuss their experiences. However, most women will not.

Each of the fourteen village women interviewed for this report indicated that she knew anywhere from one to five other women in her own or nearby villages who had been raped. Every interviewee experienced and described some kind (and in many cases, multiple instances) of formally recognized human rights abuses by Tatmadaw soldiers, including forced labor, forced relocation, and torture, in addition to rape. Yet not one of these women talked about her own personal experiences with rape. Whether or not any of the women interviewed had been raped, it is clear they had difficulty discussing the details of the rapes they knew about:

Many women members of our revolutionary organization have been harmed by SLORC. Some of them were killed. Some were arrested and some were killed after being raped. The soldiers do so many bad things to the women, I cannot say them all.<sup>81</sup>

The women of Burma have many valid reasons why they might not choose to reveal their own experiences. While this understandable reserve makes it difficult to know the precise scope of the problem, abundant anecdotal evidence indicates that rape occurs frequently. Some of these stories come from the villagers themselves:

In my village, there were two spinsters. . . .The soldiers came to the house. . .and asked the spinsters to show them the way to a military camp. The woman staying in the house heard them talking to the soldiers and saw the spinsters go with the soldiers. The next time the villagers saw them, they were dead and lying face down on the ground. The soldiers raped and killed them.



When we found them, they were lying down on the ground without any clothes on below their waists. One of the women's throats had been cut; the other had been shot.<sup>82</sup>

And,

. . . I arrived at a village where they raped and took three women. One was a single woman, another was a woman with one child, and the other was a widow. The second woman—her child has been crying a lot. These women are still missing. No one has found their bodies.<sup>83</sup>

Finally,

In my village, the soldiers did not try to marry with the women, but they went to the houses to sleep with the women. They did not ask. They went to sleep with them. The soldiers would go quietly to sleep with the women without asking the permission of the owner of the houses where the women lived. The girls would scream. It happened every time the soldiers came to the village. When the soldiers were in the village, they tried every night.<sup>84</sup>

Other stories are recounted by defectors from the Tatmadaw who witnessed the rapes:

Often we patrolled around the front line. Our officers seized the women on charges that they were illegal persons. They called on women at nighttime, claiming to investigate them, and they raped those women. They didn't really investigate them—they just wanted to get women for themselves. . . . I can't remember how many times [this happened]. It is an uncountable number of times I heard about this kind of thing happening. I am a witness in three or four cases.<sup>85</sup>

Sometimes, even the ex-soldiers find the incidents difficult to talk about, and cloak the rape in euphemisms:

For the soldiers, you have to solve things our way. Officers can get more of a chance to sleep with women if they organize them in certain ways. For women porters, they invite her to come eat with them and act nice to her; then they get her to sleep with them.<sup>86</sup>

While it would be useful to know the exact number of rapes women experience by Burmese soldiers, there are several reasons why this is unlikely to happen: the culture of silence that

surrounds rape; the nature of the conflict in Burma, where people are abused by the Burmese army in the middle of the jungle and no one ever knows about it; the impossibility of obtaining information in the face of topographical and weather barriers; and the repressive regime that crushes those who try to make contact with the outside world.

Rape rates in two other conflict-ridden areas with widespread sexual violence, the former Yugoslavia and Rwanda, have been estimated at approximately .08 percent and 3.3 percent, respectively, of those countries' total populations.<sup>87</sup> Applying those percentages to Burma would indicate somewhere between 36,800 and 1.5 million rapes. Whether these estimates are accurate, the confounding number of stories indicates that thousands of women have been raped and confirms the gravity of the problem. Therefore, it becomes necessary to focus not on how many, but on why.

### **Patterns and Goals of Rape by the Tatmadaw**

Many people believe that rape is about sex. In fact, numerous psychological studies examining rapists' motivations demonstrate that rape is first and foremost an act of violence using sexual means rather than a violent act of sex.<sup>88</sup> In particular, rape is a form of violence specifically directed against women.<sup>89</sup> Continuing to think of rape as a manifestation of sex gives a rationale to those in the military who rape. Notions about men's needs die hard. If the only way to release the tension of wartime is through sex, and the only way to get sex is by raping, then rape becomes understandable, forgivable, and minor.<sup>90</sup> As well as an act of raw violence, rape is a weapon in wartime. It is a more complex and, arguably, more effective weapon than mortar or bombs because it contains an additional psychological element. Rape is often overlooked as a tool of psychological warfare, but this neglect makes it even more powerful: civilians and defending armies neither perceive it as a dangerous weapon nor prepare for it, and its surprise impact multiplies the damage.

Rape has different meanings in different cultural contexts. In Burma, rape is a way to spread political terror. The knowledge that Burmese troops frequently commit rape creates an atmosphere of pervasive fear. As one woman said:

I left my village of . because the SLORC soldiers came. I heard they were coming, so I hid in the jungle before they came. I was hiding with many villagers. We decided to go to . Before we got there, we found out that it was controlled by the SLORC, but we had to continue because we had nowhere else to go.<sup>91</sup>

The terror exists even when SLORC troops are not committing abuses, according to another refugee woman:

The soldiers always came to our village. They would come and go. Sometimes when the soldiers came, they stayed two or three days. They did not treat the villagers badly, but they went around in the village asking for chicken and food. They never

threatened me or any other women in my village. They talked to me, just usual conversation. I was afraid of the soldiers.<sup>92</sup>

And,

At \_\_\_ village, SLORC was trying to treat us well, to make us look like a good example. . . . I was still afraid of the soldiers, so I left after four days. After I left, I went to another border village controlled by SLORC. I was there for four days also, but I did not like to stay where there were soldiers, so I left again.<sup>93</sup>

In Burma, rape serves as gratification for the Burmese soldiers desire for revenge against the ethnic insurgent fighters. By raping ethnic minority women, Tatmadaw soldiers are able to communicate with enemy men, passing messages to them over the bodies of ethnic women. And what they are saying is, we will hurt you [the enemy soldier] in any way we can; if we can't get to you, we will hurt your women.

One of the captains raped the woman who has a husband in the front line area. He knew where her husband was. He threatened the woman with a knife and raped her.<sup>94</sup>

Another refugee woman, a leader of the Karen Women's Organization (KWO), believes SLORC soldiers target KWO members for harm because of their possible relationship to insurgent men:

The Burmese soldiers thought I was with the KNU [the Karen National Union, the political organization of the Karen ethnic people]. There were seven women leaders who worked for the KWO who were shot at night; two were killed. . . . So it doesn't matter what I say; if they think KWO is like the KNU, they will treat us like the KNU. . . . It is dangerous to be with KWO because soldiers don't like us.<sup>95</sup>

And a former Tatmadaw soldier confirms this view:

I think the soldiers bully the ethnic groups. I think they behave badly to all the people from the ethnic groups. . . . The women I know who were raped were Mon nationality. The soldiers were Burman. I do not think soldiers ever raped Burman women. It might happen, but I never heard of it.<sup>96</sup>

In Burma, women constitute more than half of the population.<sup>97</sup> This means that, from the Tatmadaw perspective, more than half of the enemy is composed of women. Therefore, the act of harming women is not just a way to send a signal to ethnic men. Women are the enemy as well, and rape enables Tatmadaw soldiers to wage war on them even though they are not

fighting as soldiers on the front lines.

The Burmese army says that the KNU nation is their enemy, rebels against them, and we are the KNU people. The Karen girls are the KNU people, so they rape them.<sup>98</sup>

There is evidence to indicate that SLORC has waged a campaign of ethnic cleansing on ethnic minorities.<sup>99</sup> Rape is a way to change the ethnic balance in Burma. By forcibly impregnating ethnic minority women, Burmese soldiers can increase the majority population through more Burman births<sup>100</sup> and decrease the number of ethnic minorities through death resulting from sexually transmitted diseases, botched abortions, suicides, and actual injuries from the rapes.

The Burmese soldiers think Burman blood is the best.<sup>101</sup> People talk about the rape a lot. People say that the Burmese soldiers want to make more Burman babies. I once had a letter in my papers that said Burmese soldiers would get certain rewards if they would marry certain kinds of ethnic women. They wrote in the letter that it is not limited to soldiers who are unmarried. The letter said, your blood must be left in the village.<sup>102</sup>

As part of the campaign of ethnic cleansing, there is evidence to indicate that some soldiers believe they can use rape as a tool of persuasion. Under this theory, soldiers believe that if they give sufficient pleasure to ethnic women, the women will fall in love with them and marry them. An unknown number of soldiers place metal balls in their penises under that belief that this increases women's sexual pleasure.<sup>103</sup>

It is plain from speaking with ethnic villagers that rape is a tool of persuasion only in the sense that it convinces ethnic people to be terrified of the Tatmadaw. When ethnic women are raped in Burma, their lives and the lives of their families and communities are transformed and often destroyed. If they are ill or injured as a result of the rape, their families must care for them. Sometimes they are unable to flee new dangers because they cannot be moved. If they become pregnant, some of them choose to terminate the pregnancies. For those who have access to medical services, they must find the money to pay for the abortions, resulting in increased poverty and, in some cases, desperate money-seeking measures such as prostitution. For those with no access to medical care, they often try to self-abort, resulting in more illness and often death. For those who choose to bear the children resulting from the rape, they are stigmatized. In some cases, the personal sense of shame is so overwhelming that the mother abandons or gives away her child or commits suicide.

Many of the women who survive rape are traumatized. The affects of trauma are complex but often include a persistent expectation of danger, a constant re-experiencing of the traumatic event or events, and an emotional numbness that prevents normal responses to even ordinary events.<sup>104</sup> Witnesses to the horror may also experience trauma. Given the widespread incidence of rape in Burma, it is reasonable to conclude that another result of rape by the

Tatmadaw, intentional or not, is to create entire communities of traumatized people. Since trauma often causes perceptual changes combine[d] with a feeling of indifference, emotional detachment, and profound passivity in which the person relinquishes all initiative and struggle, it serves the Tatmadaw and SLORC as a powerful tool to quell dissent.<sup>105</sup> Rape, then, must be seen as a weapon calculated to harm, kill, or control not only individuals or groups, but entire communities whose very survival depends upon their ability to dissent.

### **The International Legal Landscape**

There are several instruments of international human rights and humanitarian law that prohibit rape during wartime. It is important to note that all acts of rape committed in internal or international conflicts violate the four Geneva Conventions of 1949 and the laws and customs of war, regardless of whether the acts are isolated incidents or form a systematic pattern of violence. However, not all rape in all conflict situations is treated with equal gravity. Notwithstanding the complex hierarchy of rape created by international law, it is clear that the Tatmadaw's conduct flouts acceptable standards and constitutes grave violations of both human rights and humanitarian law.

As discussed,<sup>106</sup> members of the Tatmadaw rape women in a variety of contexts: in discrete instances as they raid or occupy a village or encounter displaced women in the jungle; on a prolonged or repeated basis while women are detained for forced labor or portering; under the pretext of a marriage coerced by the Tatmadaw; and as part of a program of ethnic cleansing. As a matter of law, these and other incidents of rape are treated differently. As a matter of fact, the Tatmadaw's rape of ethnic women is always meant to “degrade and destroy” a woman based on her identity as a woman. <sup>107</sup>

#### *The Geneva Conventions*

Humanitarian law seeks to regulate the conduct of countries during wartime and is largely comprised of the Geneva Conventions.<sup>108</sup> The Geneva Conventions govern war both between (international armed conflicts) and within (internal armed conflicts) countries. With respect to rape, humanitarian law draws a distinction between an international and an internal armed conflict. In particular, Common Article 3 of the Geneva Conventions and Protocol II apply to internal armed conflicts such as that occurring in Burma.<sup>109</sup> Burma has acceded to the Geneva Conventions but has not ratified Protocol II.<sup>110</sup>

While rape is not specifically enumerated in Common Article 3, it is encompassed within that article's prohibition on “violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture” and “outrages upon personal dignity, in particular humiliating and degrading treatment”. <sup>111</sup> As a party to the Geneva Conventions, Burma is strongly obligated to investigate and prosecute Common Article 3 violations in its national courts. This is particularly true since these abuses are being committed by Burmese troops on Burmese soil.

“Grave” breaches under the Geneva Conventions are international crimes occurring in the

context of international armed conflict. In the case of grave breaches, signatory countries are obligated to bring perpetrators located in their territories to justice. While rape is not specifically enumerated as a grave breach, it is implicated in the definition, which includes “willful” killing, torture or inhumane treatment and “willfully” causing great suffering or serious injury to body or health. 112 Grave breaches are also prohibited in internal armed conflict insofar as violations of the grave breaches provisions would also constitute violations of Common Article 3 or the law and customs of war. Furthermore, while the grave breaches provisions only apply as customary law in international conflict, violations of Common Article 3 apply far more broadly as laws or customs of war in all (including internal) armed conflicts. 113 Burmese authorities are obligated to prosecute military perpetrators for violations of humanitarian law and Common Article 3, and other signatory countries are also obligated to prosecute those perpetrators they find on their own soil.

It is possible that rape in the context of the Burmese conflict also may be characterized as “crimes against humanity”, defined most recently by the War Crimes Tribunal for the Former Yugoslavia as “inhumane” acts of a very serious nature, such as willful killing, torture or rape, committed as part of a widespread or systematic attack against any civilian population on national, political, ethnic, racial or religious grounds. 114 Crimes against humanity are viewed as violations of customary international law and therefore do not require a country's accession to a treaty for universal jurisdiction. These acts are defined as either widespread or systematic, which provides some flexibility in their interpretation. The acts may be widespread: they do not necessarily have to occur in huge numbers but must form a pattern of abuse which, no matter how small, demonstrates that the incidents are not isolated. Alternatively, they may be systematic: they are perpetrated with some state involvement. This report argues that rape is both widespread and systematic, arising out of and supported by the Tatmadaw's philosophy, policies, and practices. As such, the rapes constitute crimes against humanity. 115

Again, although it is difficult to determine precise rape statistics due to geographical, military, and cultural barriers, interviews and anecdotal evidence indicate that thousands of women spread across ethnic minority communities have been raped by Tatmadaw soldiers. 116 Moreover, the rape does not occur in random, isolated incidents but as part of the Tatmadaw's pattern of terror and violence directed at ethnic minority communities. 117 Finally, and this is particularly important when examining the links between the Tatmadaw structure and the rape of ethnic Burmese women, the principle of “command responsibility” holds that commanders need not actually commit the acts in order to be held accountable. If they ordered their subordinates to commit the acts, they, too, are held responsible. Furthermore, proof need not exist that they ordered or organized the rape. Rather, commanders are responsible for failing to take steps to prevent the violations of which they were or should have been aware. 118

### Torture

Both human rights law and customary international law prohibit torture; rape occurring under specific circumstances constitutes torture and should be prosecuted as such. In recent treaties, torture is defined as the willful infliction of severe physical or mental pain or suffering not only to elicit information but also to punish, intimidate, discriminate, obliterate the victim's

personality, or diminish her personal capacities.<sup>119</sup> According to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, torture is

. . .intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the acquiescence of a public official or other person acting in an official capacity.<sup>120</sup>

Tatmadaw soldiers use rape as a tool of brutal domination over ethnic minority women intended to degrade and harm them. As crimes of violence, these rapes inflict pain, suffering, and physical harm on ethnic Burmese women because they are members of ethnic minorities and because they are women. As such, these acts constitute torture, and Tatmadaw members should be held responsible.

#### *Rape during Forced Labor and Forced Marriage*

Rape by Tatmadaw soldiers in another context—during forced labor or portering when women are held captive—also constitutes violations of the Slavery Convention, a treaty to which Burma is a party.<sup>121</sup> When this instrument was originally adopted in 1926, slavery was defined as “the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised”. With the adoption of the Supplementary Slavery Convention, the definition of slavery has expanded to encompass a broader conception which includes debt bondage and forced marriage.<sup>122</sup>

Ethnic women are frequently raped during detention by the Tatmadaw for forced labor or portering. Females are routinely separated and required to stay overnight in a separate location from the males who are also held captive for purposes of providing forced labor.<sup>123</sup> During detention, the women are wholly under the control of the army and are subject to sexual abuse by the soldiers and officers. These two facts—that ethnic women serve as sexual slaves to their military masters and are subject to sexual exploitation and abuse during their captivity—place rape in this context within the purview of the Slavery Convention.

Furthermore, forced marriage is repudiated as a slavery-like practice under the Supplementary Slavery Convention, which prohibits “any institution or practice whereby. . . a woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or kind”.<sup>124</sup> These slavery and slavery-like practices have been universally condemned, making them part of customary international law.<sup>125</sup> Given the Tatmadaw's institutionalized support of coerced marriage, participating officers and soldiers should be held responsible for violations of human rights law.

### Other Violations

The Universal Declaration of Human Rights,<sup>126</sup> the International Covenant on Civil and Political Rights,<sup>127</sup> and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)<sup>128</sup> all impose various prohibitions on rape as cruel and inhuman treatment, torture, a violation of the right to free marriage, and a violation of fundamental freedom and equality. Additionally, in certain cases, rape may be considered a violation of the Genocide Convention, which requires that the rape be committed with the intent to physically destroy, in whole or in part, a protected group (namely, a national, ethnic, racial, or religious group).<sup>129</sup> The rape of ethnic minority women in Burma who are raped because of their ethnic minority status (as well as their gender) may be proscribed by this Convention.

### CEDAW

While CEDAW does not specifically address sexual violence, the notion that women should be free of such violence is implicit in many of its provisions. All “States parties” acceding to or ratifying CEDAW (including SLORC) are obligated “to take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise, pursuant to Article 2”. Given that SLORC acceded to this Convention on July 1997, it is clearly obligated to stop the widespread rape—a kind of action that certainly constitutes “discrimination against women—perpetuated by its military.

United Nations mechanisms including the Commission on Human Rights, the Commission on the Status of Women, and the Special Rapporteur on Burma, among others, are charged with monitoring human rights abuses. Until recently, rape has been accorded insufficient recognition as a violent human rights abuse on a par with traditionally accepted violations. It is unlikely the Tatmadaw will desist from these abusive practices unless every aspect of humanitarian, human rights, and customary international law is invoked.

## ***PART II: The Structural Causes of Rape***

### **A Hierarchy of Domination**

The Tatmadaw is organized as a rigid hierarchy in which power is exerted through brutal force from the highest reaches of the institution down to the bottom. None are exempt from violent domination, and the lowest soldiers are subject to abuse not only from their superiors but their peers as well. Armies are typically characterized by hierarchy; in this sense, the Tatmadaw is not unusual. In the best cases, military hierarchies are intended to enforce the values of the institution—respect, teamwork, obedience to authority, individual responsibility, discipline—that give rise to victory. In contrast, the Tatmadaw’s structure promotes a different ethos, one which commands that status and authority are wielded by the violent exploitation of those more vulnerable.

This credo of domination and violence is closely linked to the conception of masculinity fostered by and within the Tatmadaw. With rare exceptions, militaries and militarism are



generally associated with masculinity.<sup>130</sup> Ideas about what makes a good warrior help define masculinity in each military context. In the Tatmadaw in particular, power is exerted through violence. Therefore, violence becomes the necessary instrument of all soldiers and officers, and a “good” Tatmadaw soldier or officer is one who is able to both endure and inflict violent abuse. In this way, notions about masculinity, power, and brutal domination become entwined in the Tatmadaw.

This drive toward domination pervades every aspect of life in the Tatmadaw, from recruitment practices to training to food distribution to discipline and punishment. From the moment of induction (and sometimes even before, as soldiers await a full training group) until the time of their escape or release, officers and soldiers learn that challenging the structure of power in the Tatmadaw is dangerous and sometimes fatal:

I saw three soldiers die from an instructor beating them. One who died was a monitor of the soldiers who was arguing with the instructor. The instructor lost his temper and punched the monitor’s stomach, so he became unconscious. When he arrived at the hospital, he died. The other one was the leader of the barracks. At the time, he was sick and he could not work very well. In one of the tests, our group got a lower score so the officer blamed him and beat him in his face, and blood came out from his nose. Because of the beating, he went into shock, and after four days in the hospital, he died. The last one, he stole a chain. . . . Unfortunately, the owner saw his serial number. Later, the officer found he was guilty and tied him to a post. They let each soldier beat him twice, and the instructors beat him five times each. They let him stay unconscious in that position and he died.<sup>131</sup>

The hierarchy obviously permits officers to exert their power over soldiers through physical violence:

In my battalion, all the soldiers were treated very cruelly. If you disobeyed an officer, you were beaten.<sup>132</sup>

This exploitation remains constant throughout the chain of command. Because the institution derives its identity and control from these notions about violence and power, the brutality does not cease as a soldier’s rank increases. Rather, officers must submit to the domination of their superiors. As one former Tatmadaw officer who defected explains:

I dared not complain to the men above me. I have no right to complain to them, and they would not like it if I complained about this because they are above me. If I complain to them, they would accuse me of doing the wrong thing. I cannot ask them about what they do, if they are higher than me. It is the

nature of military rule in Burma.133

These messages of power in the Tatmadaw—that its prerogative is violence and that soldiers and officers are both perpetrator and prey—are reinforced daily:

. . . I am kept down by the senior soldiers and officers. Whatever they order, we have to do, and if they don't like the way we do it, they beat us.134

In order to survive in the Tatmadaw, soldiers and officers must adapt to the institutional culture. They are required to adopt the values of the army as their own. In so doing, they both believe in and act out an ideology in which power, cruelty, and exploitation are inseparable.

## **Recruitment**

### *a. Who is Recruited*

*A man with the waist of a boy and the muscular arms of a street fighter crammed into the lilac-blue uniform that the Bureau has created for itself. Vain, hungry for praise, I am sure. A devourer of women, unsatisfied, unsatisfying. Who has been told that one can reach the top only by climbing a pyramid of bodies. Who dreams that one of these days he will put his foot on my throat and press. And I? I find it hard to hate him in return. The road to the top must be hard for young men without money, without patronage, with the barest of schooling, men who might easily go into lives of crime as into the service of the Empire. . . .*

- J. M. Coetzee,  
*Waiting for the Barbarians*135

## Underage Soldiers

In many countries including Burma, children from the ages of zero to eighteen are considered in need of special sustenance and protection. Particular laws on both the national and international level seek to shield children from economic and sexual exploitation, grant them an opportunity to develop emotionally and educationally, and protect them from their own immaturity. Burma has recognized that children are in need of special consideration through a variety of legal actions taken since 1991. Burma agreed both to the United Nations Convention on the Rights of the Child and the Declaration and Plan of Action of the World Summit for Children in 1991. Two years later, SLORC developed a National Program for Action for the Survival, Protection and Development of Myanmar's Children in the 1990=s, as well as passed the Child Law for the country and created an Intersectoral Committee on the Rights of the Child.

Notwithstanding this stated concern, it is indisputable that thousands of children under fifteen

years of age are serving as soldiers in the Tatmadaw.136

During the first month, there were fifteen people cleaning the military post. . .the youngest one was twelve. Then, they sent us to training. There were 250 people in the training. Half of them were under fifteen. I know this because the soldiers made a list and separated us by age.137

Of the thirteen defectors interviewed for this report, seven were fifteen years of age or younger when they entered the army. The youngest was thirteen. Not one was over eighteen when he joined.

I joined the army at the end of 1995 when I was fourteen years old. I didn't plan to join the army, but a friend of mine who was eighteen years old who was already in the army organized it for me to join. . . .For training, we went into different groups. One sergeant had sixty-two of us to train; we were the ones who were less than eighteen years old.138

Burma's national child protection laws as well as its accession to international instruments demonstrate a recognition that children should be treated differently from adults due to their special vulnerability and immaturity. However, what appears as concern for children is belied by the massive participation of young boys in the Burmese army. They perform as front-line combatants, cooks and servants, messengers, bodyguards, interrogators, sentries and guards, spies, and laborers.139 From a military perspective, child soldiers might seem especially well-suited to specific tasks because they are small, they can slip through enemy lines easily, and because their youth and apparent innocence may protect them from enemy suspicion. Nonetheless, the Tatmadaw violates international law by actively recruiting and utilizing children under the age of fifteen as soldiers in the Tatmadaw.140

### Uneducated Soldiers

Many soldiers in the Tatmadaw have very little formal education. Education provides a context for informed decision-making and action. In addition, an uneducated soldier may lack analytical and critical thinking skills and the intellectual and moral confidence to resist indoctrination.

In the army, the education level is very low. For example, we can guess that twenty percent of ordinary soldiers have seventh or eighth standard education at the highest. The rest of the soldiers have no education or much less than that.141

For some soldiers, formal education is non-existent:

There were many illiterate people among the 250 trainees. But I

can't say how many they were. There were almost sixty people in our barracks and at least four illiterate people.<sup>142</sup>

In Burma, many soldiers do not enter the Tatmadaw equipped with the mental tools necessary to meet the intellectual and moral challenges presented by life in the army. Moreover, the Tatmadaw does not seek to dispel this ignorance, even as it directly affects the kinds of decisions soldiers must make routinely. For example, SLORC claims all soldiers understand the rules of war—

The principles enshrined in the [Geneva] Convention are not new to us. They have been part of the educational and training process of the Myanmar Armed Forces and of the values cherished by our people.<sup>143</sup>

—yet it apparently does not instruct anyone in these concepts.<sup>144</sup>

In addition to their refusal to instruct soldiers and officers in basic principles of international humanitarian law, the Tatmadaw fails to give soldiers proper military skills. Soldiers are then placed in situations for which they are entirely unprepared.

Sometimes on the front line the senior soldiers let the new arrivals go point. That is the person who has to go at the top of the column. Some had no experience to go point, so sometimes they were killed in the ambush by the enemy. Because the senior officer didn't care about them, they had to die this way.<sup>145</sup>

At best, the Tatmadaw demonstrates an indifference to the value of formal education by recruiting uneducated soldiers. At worst, the Tatmadaw promotes an institutional aversion to learning through its failure to teach its soldiers and officers. Ignorance is one of many ways in which the Tatmadaw maintains its violent hierarchy.

#### *b. Methods of Recruitment*

The Burmese Tatmadaw purports to be a volunteer army. In fact, SLORC utilizes a variety of recruitment methods, some violent and coercive, to increase the military's ranks. Some soldiers join voluntarily; others are recruited through township lotteries, and still others are rounded up in public places and forced to join.<sup>146</sup> For example,

The soldiers did not want to be soldiers. They were forced to join. Some of them wanted to escape. Most of them were ordinary workers who were rounded up, forced to sign up as soldiers, and taken to the training grounds.<sup>147</sup>

And

Against my will I had to join the army. That night I came home late from the worksite. It was about midnight, and the soldiers waited and arrested people there at the station. I couldn't run to escape. There were several soldiers; two of the soldiers had pistols. They brought us to their military post and put us in the cell. The soldiers had handcuffs and they locked our hands. Then they took off the handcuffs and locked us in the room. For one month, we just slept on the floor of the cell, and they locked it.<sup>148</sup>

According to some villagers who spoke with the soldiers occupying their village,

Some were forced to be in the army. Some said they were captured while being in the coffee house, some while driving hired tricycles.<sup>149</sup>

Some soldiers, especially the very young, are persuaded to join by people who received a bounty for the enlistment:

One of the soldiers who was sixteen years old told me he had no ID card, but he planned to escape the army. He was very unhappy and did not want to stay in the army. The man who had gotten him to sign up for the army had gotten 500 kyat and a bag of rice as a reward for signing up a soldier. He hated being a soldier and was tired of being there.<sup>150</sup>

While some soldiers appear to join the army voluntarily, their decisions to enlist often arise out of the negative consequences they will experience if they don't join. As they are compelled by fear, their enlistment cannot be characterized as purely voluntary. For example, some soldiers join to escape prosecution for criminal acts they committed:

My family was afraid I would be put in jail if I got caught. My father told me to join to avoid arrest. My father is a soldier for the Tatmadaw, so he thought it was a good thing to join. . . . I had no feeling for the Tatmadaw, but if I stayed home, I would be arrested. I did not want to be arrested. My father told me people who were arrested would be forced to join, so I joined myself before this could happen.<sup>151</sup>

And

I joined the army when I was seventeen. I can't remember the date, but it was seven years ago. The street fighting I was involved with was taken to a criminal case. I wanted to avoid

arrest by the police, so I joined the army.152

Others have no other employment opportunities due to their limited skills, experience, formal education, or social contacts.

I had not had any contact beforehand with the Tatmadaw. At the time that I joined, the opportunity to get a job was very hard. And I simply believed that the Tatmadaw served for the peoples' security. In my own view, a Tatmadaw in a country must protect the people. As I liked it [that idea], I joined the Tatmadaw.153

Still others join because they believe the Tatmadaw propaganda about the role of the military in Burma. Such a choice to enlist, based on false information, can hardly be considered freely made:

They said, if you join with the people who fled Burma and who tried to make democracy, these are gypsy people and they have no goal. If you join the army, you have a chance to visit all of Burma, and then you are going to make your parents' dignity higher. You are not going to face any problem; you will have a better life.154

The recruitment of Tatmadaw soldiers is almost completely indiscriminate, lacking in educational or skill criteria. Not only does the Tatmadaw accept virtually anyone (save those with debilitating physical problems) into its ranks, but it forcibly requires many people to join. This type of conscription is notably different from a draft in that the Tatmadaw uses actual force and sometimes violence to kidnap new soldiers. Those who do join voluntarily often do so out of negative motives. They do not necessarily want to serve as soldiers, but are either escaping something (criminal prosecution) or have chosen the military as a default option because they cannot find another way to survive. Unsurprisingly, many of these soldiers are inappropriate for service.

## **Training**

The training practices of the Tatmadaw prepare soldiers to both undergo and commit brutality. The training period serves as the only education the Tatmadaw offers its soldiers. In a real sense, Tatmadaw training offers nothing more than schooling in the violent exploitation of those more vulnerable in the community.

As soon as they become part of the Tatmadaw (in some cases, even before the training begins) recruits are primed for the treatment to come:

In the recruitment center, they told us once 250 men had joined, we would be sent for training. In one month, only 150 soldiers

had come, so we had to wait for over one month extra before they would send us for training. While we were waiting, we were locked in one building and could not walk outside. In the day, we would stay in one barracks where we could sit. At night, we went into two different barracks so we could lie down. We could only go to the toilet if an armed guard took us there.155

Soldiers recognize their powerlessness within the Tatmadaw structure immediately:

Once I went to the training, I had no choice, and my position was, whatever they say, I have to obey. So I hate the army since I arrived there.156

Their powerlessness makes them vulnerable to violent mistreatment which sometimes results in wounds, illness, and death. Even those soldiers who escape the worst abuses witness the consequences to others:

. . .and the other problem in the training is, they make you run through guns that are firing very low, and if you lift your head a little bit, you can get hit and die. In fact, five soldiers died this way, but they don't do anything about that, because that is part of the training. . . .Sometimes they punch and they beat. Approximately five or six died from that, and they reported to the authorities that they died from sickness.157

Although they may recognize that this treatment goes beyond even acceptably strict standards of training,

No, I do not like the way they treated us. In the training I felt ill about the system of training.158

they lack the authority to protest or challenge the brutality:

As we are soldiers, if the order comes to us, we must do it. . .we cannot refuse. But we do not like this.159

And, in fact, in a training technique that immediately makes them complicitous in the brutality, new soldiers are required to beat their colleagues. In this way, they not only become sufferers, but also perpetrators of the violence:

Sometimes some soldiers died because they can't deal with the training, and sometimes they tried to escape. When the army recaptured them and tied them up on the flagpoles, then every

soldier has to beat them twice. So some people die from that.160

And

During the training, many tried to run away. Some soldiers were able to escape. Others were caught and were beaten and put into jail, just like at the recruitment center. I felt very sorry for the people being beaten. One of my friends hit one of the soldiers softly with a bamboo stick, and he got in trouble, so we had to beat him too. I had to beat this person.161

In every army, strictness and discipline are an essential part of the training process. In the best cases, the purpose of discipline serves to build skills, create a sense of teamwork and community, establish obedience to authority, and develop personal responsibility.162 In contrast, for Tatmadaw soldiers, training destroys trust, establishes the belief that masculinity requires violence, and teaches that the exercise of power requires domination through brutality.

### **Daily Treatment**

Soldiers begin and end their military service suffering cruel treatment by both superiors and peers (163). Their living conditions are harsh and uncomfortable, with inadequate food and the absence of small luxuries. They are underpaid. Medical care is sub-standard and often withheld. Daily discipline and punishment are arbitrary, humiliating, and vicious. These deprivations and abuses are suffered within a totally contained environment. The Tatmadaw prohibits soldiers from visiting and communicating with their families outside the army. At the same time, the hierarchy of domination prevents bonds of friendship within the army.

#### *a. Hunger*

Reports from defectors about persistent hunger are too frequent to be dismissed as aberrations. It is worth quoting several of them to emphasize both the extent of the problem and the international, often vindictive quality to the food rationing:

From the beginning to the end of my time in the Tatmadaw, I never got enough food. I often suffered hunger.164

We were never given enough food. For about three months, we ate only rice soup. We were very hungry.165

It wasn't good food, because it was not our house, so we have no choice. We must eat what they give us to eat. Sometimes we complain about their food. After they clean the rice, there is paddy in the rice. We complain about that, so the next day, they



put a lot of sand and rocks in the rice. The way that we have to eat the rice is, we put water in the rice, and then we stir it up and we make sure that all the sand and rocks go to the bottom, and then we eat the top.166

During this march, we stole animals from the villages we passed. One section leader said to me, “If you do not take chickens, how can you eat?” and “you have to take, otherwise no rations.” In some villages, we took rice. If we could not carry all the rice, we would abandon the rice around the house.167

In the platoon there were eight people, but us three junior privates were used just like slaves for the others. We three had to cook rice, fetch fire wood and carry water for the others...At meal times we had to eat after the others were finished. They ate what they wanted and we ate what was left.169

Forcing soldiers to survive with minimal nutrition can serve a beneficial purpose during training and is used as a training tactic in the U.S. army, according to a U.S. officer:

Whenever you train, deprivation is a very big part. The whole idea is, sweat in training so you don't bleed in combat...[but] in real combat, there is never the idea to starve your people, no, you're trying to give them everything, and they may starve because you can't give it to them, but there's not that idea.170

In contrast, in the Tatmadaw, many soldiers are excessively deprived of food. First-hand observation indicates that many defectors suffer serious effects of malnutrition—weakness, fatigue, vitamin deficiencies, illness—and in some cases, border on starvation.

#### *b. Partial Salaries*

Many soldiers join the Tatmadaw because it offers their only employment possibility. Obviously, the salary is of primary importance to them. Nearly every soldier interviewed for this report complained that he did not receive his full salary. A sampling of their comments demonstrates the volatility of this issue:

We were paid 500 kyat for a salary when we were in training. This is what they said, but they cut for the cost of the uniform and other equipment. So we received about 25 kyat for a salary for each month.171

Normally we can't get our full salary because we had to pay for some kind of donation to the funding of the battalion, and then general expenses for the soldiers, and for some education, and

finally we end up with 250 kyat.172

They said we would get 450 kyat for our pay. I asked my sergeant to keep my salary (except for the first month, when I took it), but when I wanted to get the money, it was gone.173

On some occasions, soldiers' salaries are partly or wholly withheld to pay for expenses actually incurred, such as for uniforms or medicine. Even in these cases, Tatmadaw soldiers find this retention of money unfair, as they believe these expenses should be covered by the army. More frequently, salaries are not paid in full due to corruption. Their lack of income often leads to violence, as many soldiers are encouraged to steal what they cannot otherwise afford.

### *c. Inadequate Medical Treatment*

In the Tatmadaw, medical care is provided inconsistently and arbitrarily, the level of care varies considerably, and on frequent occasions, care is withheld altogether. When soldiers suffer from routine illnesses that are not life-threatening, sometimes they receive poor treatment and sometimes none:

In ordinary sickness, the medical treatments are not so good. Soldiers in city-based battalions get better care.174

And

If a soldier becomes sick, he must go to a clinic. If the medic recommends it, he can rest for a few days. Otherwise he must go to work with the others.175

Soldiers' medical needs are regularly ignored, resulting in prolonged illness or death:

The soldiers beat them ten times upon entering and ten times after coming out of jail. Because of their failure trying to escape, those people were beaten by soldiers very badly. During the jail term they did not get proper medical treatment for sickness or internal injuries when they were beaten, so some died. About twenty people died.176

For some soldiers, the medical neglect enables them to escape:

When we reached—many soldiers were sick...Some soldiers were left behind who were too weak to go on...I became weak, and they left me behind, and I tried to follow, but I had no strength... I slept in the jungle for two days and then returned the way I had come in. I met a Karen man and then later came

across some Karen soldiers. They fed me and gave me medicines...177

The neglect appears to be somewhat arbitrary, as some soldiers receive care while others are ignored:

After one month's offensive, many soldiers got sick and weak...With my own eyes I saw three soldiers left behind when they got sick...and others were carried so they could stay with us.178

Most Tatmadaw soldiers and officers receive no first aid instruction and little preventive medical care. Of the thirteen defectors interviewed for this report, only one of them received any prophylactic medical treatment; in his case, he received malaria pills.179 This institutionalized indifference toward the soldiers' physical well-being is easily transformed into a generalized attitude of disrespect for others' bodily integrity. In its most extreme form, the ultimate manifestation of this attitude is rape.

#### *d. Physical and Mental Abuse*

Savage violence is the currency of power in the Tatmadaw, and as such, pervades every relationship within the institution. Brutality is used both as the instrument of everyday relations and as the tool of punishment. Through the actions of their officers, soldiers are taught that vulnerability, rather than provoke compassion, creates an opportunity to exert excessive force:

We had to move up and down the mountains with heavy loads. When I could not go quickly an officer would kick me, punch me or poke me with his rifle. I became very tired and weak. Fifteen or sixteen soldiers died due to sickness, some killed themselves, and some ran away.180

#### Random, Arbitrary, Excessive Punishment

Punishment serves different purposes in varied contexts. Some common uses of punishment are to express disapproval of certain behavior, deter future misconduct, rehabilitate, and satisfy the state's or victim's desire for revenge.181 Punishment in the Tatmadaw, on the other hand, while it may achieve the first, second, or last of these goals, is primarily intended to perpetuate the system of savage violence that governs the army. Evidence that punishment is, in essence, authorized brutality may be found by examining the characteristics of penalty in the Tatmadaw: capricious, arbitrary, and excessively violent.

There is no predictability as to when soldiers will be punished. Retribution depends on how the officer feels at any particular moment:

If I follow my officer and try to do what he said I should do, he would love me. If I cannot, he would hate me and hit me. 182

One former officer admitted the arbitrary quality of punishment:

For example, I am an officer. If I hate someone who is a soldier, I can punish him more if he makes a mistake. 183

By the same token, the punishment sometimes may be minor, as one villager notes:

Sometimes, the officer would yell at his soldiers in front of the villagers. If a soldier would yell at a villager, then the officer would give that soldier punishment in front of the villagers. The punishment was just that he would yell at the soldier. The officer wanted to look like the villagers' friend, so he would yell at his soldiers in front of us sometimes. Secretly, the officer would tell the soldiers to yell at us. We know this because the soldiers told us. But the officer was not really our brother; he just wanted us to think that he was on our side.184

As well as random and arbitrary, punishment sometimes is so nonsensical that it represents nothing more than the sheer exercise of power. In these instances, the superior is re-inscribing the hierarchy of domination by saying to the less powerful soldier, I can tell you do *absolutely* anything, and you must do it:

We would have to touch human feces—the officers would take our hands and make us touch the shit with our fingers—or we would have to carry big bags of sand and stone. Sometimes, we would have to crouch down and jump like frogs. We had to jump long ways; we would have to go on for a very long time, and we would become very tired, but we would have to keep jumping until they told us we could stop. 185

On some occasions, the goal of the punishment is cruel humiliation:

One time, I fell asleep while I was on duty. As my punishment, my officer made me crawl through the entire village on my stomach, stopping at each house and telling the families that I had fallen asleep. I am very shy and don't like to talk to strangers. This punishment was very difficult for me because I am shy. The officer wanted me to remember to never fall asleep again, so he gave me a punishment that made me feel very bad. I still remember this punishment because it made me so embarrassed.186

More frequently, however, the punishment is brutal and may result in officers killing soldiers and soldiers killing soldiers:

People were beaten with bamboo sticks all over their bodies, except for their heads. Sometimes they were beaten until they would pass out. All the sergeants could beat. After the sergeants had beaten the soldiers who were in jail, they would make a roll-call, and each soldier in the roll-call (there were twenty-five soldiers in my roll-call) had to beat the person one time with a bamboo stick. If any of the soldiers beat the prisoner too softly, we would be beaten ourselves.187

### Universal Punishment

The hierarchy of brutality that governs every aspect of life in the Tatmadaw insures that soldiers at every level are subject to domination by their superiors. This is not to say, however, that soldiers and officers have identical experiences in the Tatmadaw; such is not the case. From their vantage point as the least powerful members of the pecking order, ordinary soldiers believe officers never receive punishment:

No punishment for the officers. I'd never heard about that.188

Despite this perception, officers are not exempt from abuse. One defector who fled the Tatmadaw when he was an officer talks about how the hierarchy functions to punish even those with some power:

I was punished for punishing the soldiers the order goes down step by step, but I have authority to make decisions about my men. I gave an order to a corporal for his punishment. I punished him because he didn't get any permission from any of us, and he went to the village. After he came back, he gave me a bottle of alcohol because he knew how much I love alcohol. I received it but I did punish him because, in the army, if you don't punish someone who makes a mistake, you'll never control the soldiers. And he did exactly what I told him he had to do for punishment, but he told a higher officer his punishment was wrong. So this officer did not like me and sent a message to me...He asked me what happened...and he took the torchlight next to him and beat me...189

While soldiers and officers may have different experiences of punishment in Tatmadaw, they are generally characterized by a similar message: that power and violence are two sides of the same coin, and everyone in Tatmadaw deals in that single currency.

### *e. Isolation from Family and Community*

Isolation is used by many institutions (prisons, cults, brothels) and individuals (abusive spouses or parents) to maintain power and control over a more vulnerable subject. The Tatmadaw isolates soldiers through two means: by creating a culture within the army which is absolutely inhospitable to close relationships; and by removing contact with the world outside, where the possibility of friendship and compassion still exists.

Relationships between officers and soldiers are often characterized by enmity, fear, and uncertainty. The soldier cannot count on support from his leader and, in turn, the officer cannot count on support from *his* superior. The only thing he can expect from his officer is domination,

Mostly I don't like my officers because they are very selfish. No sympathy to others. No equality. They have guns and I have a gun as well. But they use their power as much as they can. 190

Exploitation,

I was like a slave to the officers...In the SLORC army the oppression is not just of the porters. The ordinary soldiers are also oppressed by the officers.191

And violence,

After I arrived at the battalion, they sent me to the company, and I am kept down by the senior soldiers and officers. Whatever they order, we have to do, and if they don't like the way we do it, they beat us.192

Because officers often pit soldiers against each other as a punishment strategy, the soldier cannot look to his peers for bonds of trust or friendship:

The soldiers beat the other soldiers ten times upon entering and ten times after coming out of jail. Because of their failure in trying to escape, those soldiers were beaten by the soldiers in the company very badly.193

Nor can a soldier seek support from anyone from anyone outside the Tatmadaw. Soldiers are routinely denied their requests to visit their families:

I had nine years of service in my battalion. I never got back to visit my parents. I remember the day when I finished one year of service. I wanted to visit home, so I wrote a letter asking for leave, but they replied to me, you just have one year of service. We are not allowed to give leave to those who have less service.

At that I cried about my soldier's life.194

And

Because of my soldier's life, sometimes I wished to see and visit my parents and brothers and sisters. But I had no chance. That's why I said I do not enjoy the soldier's life. I did not get leave to visit my parents in all my service of eight years and three months.195

Sometimes the isolation is so severe as to contribute to a soldier's suicide:

While in training, a soldier killed himself with a grenade because he never received a letter from his father telling his mother was sick. It was just like this. Some trainees who are educated had served as the office staff. So they know all about the letters. All of the letters were blocked by the officers. That same soldier also became sick, and he had no chance to go home by the time he learned that his mother was seriously ill. Then he killed himself because of it.196

While soldiers and officers experience this isolation differently, one thing is consistent: neither can expect to obtain access to a community, either inside or outside the army, which will offer the humanity necessary to counterbalance the brutality of the Tatmadaw.

### **Ideological Indoctrination**

An integral part of every soldier's and officer's experience in the Tatmadaw is his inculcation into the ideology of the army. This system of beliefs dictates that the Tatmadaw is a noble institution, worthy of the people's highest regard and protective of the people's best interests.197 At the same time, according to this ideology, some of the people, Burmese men in general, and soldiers in particular, care superior. The others, ethnic minorities and women, are available for exploitation and abuse.

The ethos of the Tatmadaw, then, poses a contradiction between the nobility of that institution and the bigotry and sexism it promotes. Occasionally, a Tatmadaw soldier recognizes and is disturbed by this paradox:

They gave us a short lesson in training about this. Everything we do is for the people, to protect peoples' property and life. We the Tatmadaw must be for the people, and we must never do anything wrong to the people. Other things the Tatmadaw did to the people did not match their words. They said they were there to protect the peoples' property and lives, so why did they burn peoples' houses in the Karen state? In the front line, we were told every man is the enemy, so whenever we saw a man in the villages, he was the enemy, and we tried to kill him.198

More frequently, however, soldiers accept the ideology and use their power to impose this philosophy on the most vulnerable people of Burma.

*a. Sexism*

In the Tatmadaw, power, masculinity, the military, and contempt for women become connected so that each concept refers to the others. The Tatmadaw soldiers' attitude toward women is encapsulated in the following story told by an American military officer in the U.S. Army Reserves who is familiar with both the Thai and Burmese armies:

The Thais would talk on the radio and use their code name, “ghost”, to describe the SLORC soldiers. Because they seemed to live on nothing. . . the SLORC troops have nothing. . .and because they make forays on the Thai side to steal things or shoot people and then disappear without being caught, they were known as “the ghosts”. And that title was used with respect and a little bit of fear. The SLORC, their code name for the Thais was “the girls”. And what the Burmese soldiers said was, all the Thais do is sit, if it 's raining, they sit inside, if it 's too muddy, they won 't go, if they don 't get enough food, they complain. . .they 're not going to fight, they 're not fighters. They 're lovers, and we 're gonna kill 'em. And when they say that, you know, they just spit. The girls, they 're nothing. They feel utter contempt for the girls.199

The Tatmadaw world view is revealed through this metaphor of the enemy as “girls”, in which masculinity, militarism, hatred for women, and brutality are bundled together in one malignant package of beliefs.

*b. Bigotry*

The Tatmadaw communicates its version of the story of contemporary Burma through its ideology. In this tale, soldiers, largely comprised of Burman Buddhist men, are cast as the heroes, and ethnic minorities are the villains:

During that time the officers talked to us about who our enemies are. They said they were the Karen and Mon. . .The majority of the soldiers were Burman Buddhist. . .There were a few ethnic soldiers. Nobody ethnic was allowed to speak their own language, not even with each other. We all had to speak Burmese.200

There is evidence to indicate the enmity many soldiers and officers feel is not only the result of personal, individual prejudice, but also the product of a larger, institutional attitude:



Those who are Christians have to leave because SLORC hates Christians. [Some ethnic minorities fighting against SLORC, especially the Karen and Chin, are largely Christian]. Buddhist villagers stay in the village. SLORC troops and DKBA [an armed group of Buddhist Karens closely allied with the Tatmadaw] hate Christians. I do not know why, but I know they were given documents by their commanders that said they should kill Christians. They said so to the villagers.<sup>201</sup>

As further proof of the institutionalized bigotry, the Tatmadaw engages in a pattern of conduct that demonstrates unequal treatment of minorities, including requiring certain villagers to work harder,

The soldiers told Muslim villagers [engaged in forced labor] to do more than other religions. If other people work for three days, our Muslim people had to work for five days.<sup>202</sup>

and committing property crimes more frequently against minority groups:

The soldiers never talk to us because we are Christians. They hate Christians. An example is they did not have any respect for the Christian villagers' property like chicken and food. Whenever they want to eat they take it, but they don't take from the Buddhist villagers.<sup>203</sup>

The soldiers make no effort to disguise their contempt for those who are not part of the majority culture:

The soldiers swear so rudely. If your nationality is Karen, they say "fucking Karen". My nationality is Indian, so they swear at me, "fucking Indian". Sometimes they say "fucking black guy". They use a lot of bad words. Most of the time they say "you are the son of the woman who I fucked". They also say, "Indian guy, you all never listen to me, you do not respect us". Whatever your religion or ethnic group, they swear at you if you aren't Burman.<sup>204</sup>

This ideology of disrespect and disdain for women and ethnic or religious minorities creates yet another hierarchy in addition to the one existing within the army; this hierarchy is imposed upon the larger Burmese society. Through a powerful process of indoctrination, Tatmadaw soldiers and officers come to accept these attitudes as their own.

### ***Part III***

## *The Perpetrators: Tatmadaw Soldiers and Officers*

The Tatmadaw is a brutally hierarchical institution which both conscripts and recruits immature, uneducated, and inappropriate soldiers. These soldiers are then subjected to a course of training which simultaneously denies them necessary fighting skills and teaches them that the exercise of power requires savage violence. They experience significant deprivations—of food, comfort, medicine, money—and unyielding physical and mental abuse. Throughout their tenure in the Tatmadaw, they are barraged with messages, both explicit and oblique, which reinforce the ideas that men, in order to be good soldiers, must be powerful; in turn, those with power exploit those more vulnerable through dominance, violence, and cruelty. What kind of soldiers and officers result from this experience?

It is both obvious and necessary to state that the boys and men who serve in the Tatmadaw are affected by it in a variety of ways. This report does not claim to describe a monolithic Tatmadaw experience or a universal Tatmadaw soldier. For example, soldiers and officers' lives may differ significantly, and in all likelihood, officers suffer less physical abuse than many rank-and-file soldiers. However, they are all subject to the same hierarchy of brutality, the same program of indoctrination, and the same isolation from larger society. Consequently, it is reasonable to connect this shared experience with some common tendencies.

### **Hopelessness and Despair**

The sense of hopelessness pervading the Tatmadaw is summed up in the following observations of a U.S. military officer familiar with the Burmese army:

The Burmese army is very mixed. . .but. . .the majority of troops are very scared, very unmotivated, very low morale, for a lot of good reasons: they're all treated cruelly, there is no purpose in subjugating them. . .So you end up with a soldier who can't hardly shoot straight, and he knows he can't shoot straight, so he's not extremely brave. . .It's a very bad army, very undisciplined, rule of fear. . .There's a lot of people who have done brutal things and like it, and know there's no way out.<sup>205</sup>

Serving in the Tatmadaw for many soldiers seems like a life sentence: there is no possibility for successful exit, and the past, present, and future form one bleak continuum. As one defector commented who managed to escape when he was an officer:

[During the training], yes, I did try to escape, but I realized there is no way out. I saw myself that a lot of people were recaptured and returned, so there is no way to escape. . .Wherever you go, they use their walkie-talkies to exchange information, so there is no way to escape.<sup>206</sup>

Hopelessness does not necessarily lead to violence. However, where powerful forces are

urging violent action and escaping those forces seems impossible, it is understandable why it might.

### **Students of Brutality**

The Tatmadaw's recruitment policies and practices result in a military force that is, to some extent, little more than an army of children—unqualified, resentful, unmotivated youths who, in many cases, have criminal records and no education. The consequences of an underage force: soldiers who are susceptible to peer pressure, fearful, lacking in moral conviction due to worldly inexperience and insufficient independent judgment, unable to predict consequences, and self-absorbed. Compounding their immaturity and inexperience is the training and indoctrination the Tatmadaw requires.

It is clear that the Tatmadaw not only schools its soldiers in the connection between masculinity, militarism, and brutal exploitation. As an institution, it also requires soldiers and officers to act out this abusive ideology on a daily basis. The result is an immature force that is unable to distinguish between control and violence. Burmese villagers subjected to military occupation often experience the fear of being under their power:

Sometimes they would yell at us, and we could not understand what they were saying. They would become very angry. Most of the soldiers were very young, about 17 or 18 years old. We were all very afraid of the soldiers because we would not know what they might do to us. They became angry very quickly.<sup>207</sup>

The Tatmadaw demands that soldiers and officers simultaneously commit and suffer horrible abuses. While the culture and ideology of the Tatmadaw is so powerful that it is difficult for soldiers of any age to resist it, the emotional and intellectual immaturity of many Tatmadaw soldiers renders them even more manipulable.

The deprivation soldiers experience while in the Tatmadaw exacerbates their susceptibility. Food and hunger are used both to punish and deprive. This point is emphasized by the rituals that occur around food: the higher officers use soldiers as their servants or slaves to prepare food, and soldiers and officers are forced to commit crimes (for example, stealing cattle and rice) to obtain adequate food. A further deprivation, their failure to receive their salaries as promised, has several consequences. First, it renders some soldiers unable to buy necessary medicine should they become ill, a particular hardship since they are regularly denied adequate medical care.<sup>208</sup> Second, it restricts soldiers in their “luxury” purchases, which further diminishes the possibility of any small comfort. Finally, it creates resentment and reinforces distrust between the soldiers and the institution of the Tatmadaw.

People who witness, experience, or participate in horrible acts or events are subject to psychological harm commonly known as trauma.<sup>209</sup> The Tatmadaw traumatizes its soldiers through deprivation and brutality. Certain people are less able to withstand the impact of trauma than others; these who “break” more easily include children and adolescents, and those

from disempowered or disconnected groups. Younger, poorly educated soldiers have been shown to be particularly at risk.<sup>210</sup> Regardless of age, however, those who are subjected to prolonged, repeated abuse such as that institutionalized in the Tatmadaw can suffer serious consequences. In extreme but not uncommon cases, their very sense of self is affected and their system of beliefs and ways of acting—essentially, their personalities—are changed by the experience.<sup>211</sup>

This transformation of personality is perhaps the most radical and insidious result of the Tatmadaw's indoctrination process. Two things happen simultaneously to affect Tatmadaw soldiers and officers. The hierarchy of domination tears them down by physically and mentally damaging them. At the same time, the vocabulary of power builds them up by informing them that they are strong warriors, and that their strength arises from their masculinity and their ability to commit violence. In this way, a soldier or officer of the Tatmadaw loses his sense of self, and that self is replaced by a new identity which convinces him he is superior because he is a man, a soldier, and a brutalizer.

### **Alcohol and Drug Users**

Many Tatmadaw soldiers regularly use alcohol and sometimes drugs. While it is difficult to ascertain whether substance abuse is the cause or the effect of institutional brutality, it is clear that alcohol can be linked to acts of aggression against villagers:

I saw the soldiers drink a lot. They drank alcohol and pine liquid that is like beer. They drank all day, and if they got drunk, they were yelling and shooting. They were drunk often.<sup>212</sup>

In some cases, the alcohol either provokes or enables soldiers to be physically violent as well:

Yes, they were drunk, and the villagers were afraid of them. When you passed them, they punched you.<sup>213</sup>

Alcohol consumption, and in many cases, alcoholism, is rampant among Tatmadaw troops, as villagers living in occupied towns often witness:

Yes, we saw soldiers drunk every day. They came and drank here always.<sup>214</sup>

The soldiers were always drunk. We often saw many of them drunk.<sup>215</sup>

Some soldiers recognize the extent to which alcohol has become institutionalized:

When they came back from the front line, they got drunk. . .  
.The alcoholic soldiers may be about sixty percent.<sup>216</sup>

For some, alcohol is a way to numb themselves and cope with their depression:

Most of the soldiers seemed unhappy. I saw soldiers acting drunk all the time. I believe they drank at all times, even in the morning.<sup>217</sup>

The alcohol use infiltrates all levels of the Tatmadaw.

A lot of soldiers drink alcohol. Especially a Chin [I knew] who was an officer. He was a sergeant but now probably has fled. He was drunk all the time. The majority are alcoholics. Some people drink for the pleasure of it. Some people drink to recover from their depression.<sup>218</sup>

According to anecdotal accounts of both villagers and defectors, drug use among soldiers is less prevalent (or is, at any rate, less evident). However, that is not to suggest drug use is non-existent among Tatmadaw troops. While less pervasive, drugs serve the same purposes as alcohol in the army: to relax, to enable escape, to cause numbness:

The soldiers used drugs depending on where they were and what kind of drugs they could get. For example, in Karen state you can get marijuana. In Kachin state you can get heroin. We never let the officers know about using drugs, and the drugs gave us a little bit of comfort in thinking about our family. If we did not use the drugs and alcohol, we think a lot about our family. . . .The soldiers can use alcohol freely. . .and the soldiers use the drugs secretly anyway. . .at the front line, especially along the border, you can get drugs or alcohol very easily. . .  
.219

There is also some evidence to indicate that soldiers are given drugs by their superiors before going into battle to enhance their courage, although it is difficult to tell how frequently this occurs.<sup>220</sup> Without question, however, is the regular use of alcohol among troops to help relax, to forget, to unwind. Interestingly, while many soldiers use alcohol in an effort to mentally transcend their military environment, it has the opposite effect. It makes them become more of what they seek to escape: more violent, more aggressive, more savage. Even as the alcohol transports them to an altered state of consciousness (one in which their inhibitions are lowered), it serves to re-inscribe the lessons of the Tatmadaw's indoctrination process.

### **Isolated and Alienated**

The deprivations and abuses soldiers and officers experience in the Tatmadaw are magnified by their insularity. The individual consequences of a soldier's isolation range from irritation and anxiety to post traumatic stress disorder to defection to suicide. On an institutional scale, by creating a completely insular community, the Tatmadaw both amplifies and normalizes the

oppression. In every sense—emotional, physical, behavioral—there is no way out, and in order to survive in the community, soldiers must participate as if they belong.

Tatmadaw soldiers are routinely subjected to physical and mental violence that serves no purpose other than to subjugate, indoctrinate, and harm. As a survival tactic, soldiers must become numbed to the constant abusiveness and scarcely are able to recognize it for brutality. Furthermore, they are also required to perpetuate the violence against each other, reinforcing the idea that alternative, more humane behavior is inappropriate and unacceptable.

Under the best circumstances, a sense of community within an army not only gives a soldier the chance to imagine an alternative way to behave; it may also prevent psychological breakdown.<sup>221</sup> In contrast, in the Tatmadaw, many of the policies and practices are calculated to prevent the formation of a community. The most significant of these are the enmity that exists between officers and soldiers, and the physical abuse soldiers regularly inflict upon each other as punishment ordered by their officers. Moreover, the Tatmadaw denies its members access to a community outside of the army. By eliminating the possibility of fellowship within and beyond the army, the Tatmadaw prevents soldiers and officers from re-establishing a sense of perspective, particularly one which includes notions of justice and fairness.

#### ***Part IV*** ***The Consequences of a Violent Culture: The Tatmadaw and Rape***

Rape is a complicated crime. It is the brutal acting out of masculinity, power, and hatred through sexual means against a vulnerable enemy. Any one of these concepts—masculinity, power, hatred, sexuality—can be the subject of extensive analysis. Therefore, when examining rape in the context of the Burmese army, it is neither possible nor accurate to point to one particular piece of the puzzle that makes up the Tatmadaw (e.g. recruitment, training, indoctrination) and pronounce it the cause of rape. Rather, the rape of ethnic women in Burma by soldiers and officers arises out of the complex interplay of these varied structural and human components as they are defined and manifested in the context of the Tatmadaw. At the same time, the high incidence of rape by soldiers against ethnic women requires us to look beyond the individual instances to the larger institution for an explanation. Evidence gathered in the preparation of this report supports the conclusion that the rape of ethnic women is enabled by the institution of the Tatmadaw. This happens in many ways, as discussed thus far, but there are two particularly clear examples of this intersection of the institution and the abuse.

First, the Tatmadaw creates an environment that supports rape. It does this by: 1) fostering the belief among its soldiers that masculinity and power demand the exercise of violent control over vulnerable subjects; 2) ignoring the rampant substance abuse throughout the military, which in some cases is linked to uncontrolled acts of aggression, including rape; 3) institutionalizing a policy of denial in which clear incidents of rape are characterized as consensual sex; 4) refusing to punish rape in those rare instances where it is revealed and named; 5) isolating the soldier so that his only chance for self-esteem and connection lies in

adopting the Tatmadaw's violent ideology.

Second, the Tatmadaw actually brokers rape in cases of forced marriage. In such cases, Tatmadaw officers “negotiate” the union between an ethnic minority woman and a soldier. Given that most, if not all, of these arranged marriages occur over the objections of the bride, her family, and her community, the motivation for this action must be examined. The ideology of the Tatmadaw explicitly refers to ethnic minority women as objects of sexual exploitation. The soldier's willingness to marry an “enemy” combined with the army's involvement in arranging these coerced unions leads to the inescapable conclusion that these marriages are another way of committing rape.

### **Notions of Masculinity and Brutality**

In myriad ways, the Tatmadaw reinforces the message that humaneness and militarism are fundamentally incompatible. At the same time, the institution promulgates the notion that masculinity equals power, and power equals violence. By providing a standard of treatment for its own soldiers which includes near-starvation and regular abuse, the Tatmadaw encourages soldiers to view cruelty as an acceptable mode of behavior. Additionally, through its policies and practices of deprivation and brutality, the army creates a system in which power, violence, and cruelty are inseparable. When given the chance to exercise their power, Tatmadaw soldiers choose the most powerless and vulnerable group available, ethnic women, whom the Tatmadaw has already established as the “enemy”. In this way, the Tatmadaw's brutal treatment of its soldiers breeds the soldiers' brutal treatment of ethnic women.

The random, excessive, degrading punishment employed to “discipline” soldiers serves many purposes from an institutional perspective. It keeps them physically and emotionally weak, which ensures total obedience and prevents mass uprising. It continuously reinforces the hierarchical structure of the army, which is both mirror and instrument of Burma's ruling regime. It serves as a metaphor for the relationship between soldier and enemy: this is what we do when we have power, and this is what we do to people who misbehave. Related to this last function, the brutal punishment provides a specific model of behavior for all soldiers. This code of conduct dictates that arbitrary, cruel, excessive punishment is not only appropriate but also necessary to maintain control. It is a powerful lesson for everyone in the Tatmadaw, but especially for young, uneducated soldiers, and is taken literally by many of them. Predictably, the acting out of this power against women results in rape.

### **Substance Abuse and Rape**

This report has already discussed the extent to which alcohol use and, to a lesser degree, drugs permeate the ranks of the Tatmadaw. In some documented cases, alcohol consumption is directly associated with rape. For example,

After he had a lot to drink, he was crazy with alcohol. He called this woman to him four times, again and again. The woman came to him with fear. He did not let her go until it was dark.

That night, he raped her.222

Despite the fact that officers are well aware of, and in fact participate in, the prevalent substance abuse in the army, they impose no restrictions on alcohol and drug use. In fact, officers often turn a blind eye:

But for drugs, even the officers knew the soldiers were using drugs. They pretend like they never know about it because they understand how the soldiers feel. So, on the front line they give freedom to the soldiers to use drugs. . . .223

It is within the institutions power to change those conditions that might often and sometimes actually do contribute to acts of uncontrolled aggression. That the Tatmadaw chooses to ignore such conditions indicates that the unbridled aggression is, at the least, acceptable. Given the other factors which encourage this aggression, it is likely this behavior is actually preferred.

### **Denial of Rape**

One way to support criminal behavior is to pretend it does not exist. The frequent denial that Tatmadaw soldiers and commanders are committing rape has this effect. Sometimes the denial is unequivocal:

Officers didn't rape women. . .[but] some officers slept with women in the village. I know that my officer never raped women, because I would have heard screams or cries. My officer used to sleep with prostitutes.224

Sometimes the justification is more byzantine, suggesting that while the soldier knows the truth, he is going to great lengths to avoid it:

Some officers would sleep with the women who agree with them. But the officers get more chance than the soldiers, because you know the brass bar means a lot in Burma. For a soldier, if you help them [women porters] to carry their load, that is one of the ways you can be nice to them and get them to be nice to you and sleep with you. For the soldiers, we have to solve things our way. Officers can get more of a chance to sleep with women if they organize them in certain ways. For women porters, they invite her to come eat with them and act nice to her, then get her to sleep with them.225

And



We treated the women porters differently. If we talked to the women, we spoke softly, we let them carry lighter loads than the men. We beat the women less than the men sometimes. And we let them sleep separately from the men because female and male porters should not sleep together. You know if we let them sleep together what will happen? . . .the soldiers and the officers visit their place at night and talk to them. Some sleep with the women porters if they agree to sleep with them.226

One way soldiers view rape as a permissible sexual act (albeit a violent one) is by equating rape victims with prostitutes:

Nobody can do anything without the women wanting to do it. But sometimes it happened on the front line when the troops changed routines. After they were raped in the front line, most of the women became prostitutes afterwards.227

The policy of denial functions as another tool in the Tatmadaw 's arsenal of weapons it uses to enable rape. As the denial hides the rape, it transforms it into something altogether different and unobjectionable: consensual sex.

### **Failure to Punish Rape**

Contributing to this denial of rape is the Tatmadaw policy against punishing it on the rare occasions when it is revealed or admitted to by soldiers:

I have not known of any of these soldiers punished [for committing rape] myself. The punishment for them was just being told they were blamed for raping the women. Nothing else would happen to them.228

Villagers as well as soldiers are aware that military rape generally goes punished:

I do not know if the officers ordered them to rape women, but when we told their officers, they said that we were criticizing them. There was no punishment for the soldiers.229

On those singular occasions when rape is detected and punished, the penalty is disproportionately light:

One of the officers raped a woman. . .he threatened her with a knife and raped her. For punishment, he had to give the woman a little bit of money. . . .230

The impact of this failure to impose meaningful punishment, if any, is significant. First, it

means that villagers are afraid to protest these crimes even if their evidence is clear.

The woman who stayed in the house with the spinsters who were raped was very afraid because she had seen who these soldiers were. The officer asked this woman who are the soldiers who raped and killed the women. Because she was afraid, the woman said she did not know. . . .The villagers don't dare tell anyone about it. This happened two months ago, and we have been afraid to tell anyone. We are very afraid of the SLORC soldiers.<sup>231</sup>

It also means the soldiers who commit these abuses are free to commit them repeatedly:

There are some soldiers who everyone knows rape women. In the past few years, there was a man called Papra. He was handsome and a good speaker. He stayed in my village but now has gone back. The soldiers didn't stay in their camp, just in the village. The girls were very afraid of him.<sup>232</sup>

Lying about rape in the Tatmadaw is not only acceptable; it is normative behavior. The reverse is also accurate: that speaking the truth is intolerable. What does it mean for an institution to reject the truth? In the case of the Tatmadaw and rape, it means people within that institution can operate with impunity. If the truth is never told (or even when it is told, it is never believed), then rape can either be ignored or transformed through falsehood into laudable demonstrations of power and masculinity. In this way, an institutional philosophy that embraces lying leads to a culture in which rape can thrive because it is never effectively confronted.

### **Isolation from Justice**

Isolation is a powerful tool of control and is used by various agents—torturers, batterers, jailers—to subjugate and diminish those within their control. By limiting the community of people with whom the soldier associates, the Tatmadaw essentially controls his world. By restricting this world to the smallest possible circle, a company within a battalion, the Tatmadaw is able to reconstruct civilization for the soldier so that he can no longer imagine an alternative ideology.<sup>233</sup>

The impact of this constricting of the soldier's world is enormous. It tells the soldier he had better learn the rules of this civilization because he, like all inhabitants of a society, is expected to know them. It teaches him there is no alternative way to behave other than the way he sees in his small world. And it informs him that if he fails to comply, he will be subject to the punishments of this particular civilization. The Burmese army routinely cuts off ties between the soldier and the outside world, effectively severing the soldier's chances of reconnecting with ideas of justice and order. In this way, the institution of the Tatmadaw acts very much like a batterer in a relationship with an intimate partner: the Tatmadaw keeps the

soldier not only physically but emotionally captive through isolation.<sup>234</sup>

### **Forced Marriage**

The Tatmadaw ideology vilifies both ethnic minorities and women; consequently, ethnic women in Burma find themselves at the intersection of sexism and ethnic or religious prejudice.<sup>235</sup> The frequent attempts, sometimes successful, of Tatmadaw soldiers and officers to marry ethnic women must, therefore, be viewed with suspicion. While it is possible that some cases of marriage between Tatmadaw soldiers and ethnic women are consensual on the women's part, substantial evidence proves that the reverse is true more frequently. One soldier talks about the coercive strategy Tatmadaw members employ:

But most of the Karen villagers, they do not want to marry SLORC soldiers. But you know the soldiers are very clever about getting married to them. So the way they do it is to hold their hand and kiss them by surprise. So, you can marry her because traditionally the Karen never accepted the girl who has a physical relation to a boy unless she marries him.<sup>236</sup>

That Tatmadaw officers frequently “negotiate” marriages for their soldiers with ethnic women indicates that these unions are not only sanctioned but also encouraged and enabled by the larger institution. Of course, a discussion between an officer and villagers about such a marriage hardly qualifies as a real negotiation since the parties—on one side, the terrified ethnic parents, and on the other, a Tatmadaw officer occupying their village—possess grossly unequal bargaining power:

In our battalion, when the soldiers fall in love with ethnic women, the battalion commander himself goes to meet with the woman's parents and propose marriage for the soldier. This happened in my battalion fifteen times or so. The officer helps the soldiers in many ways. For example, he sent a letter for the soldier that told the woman how great his soldier is.<sup>237</sup>

The villagers rightly perceive the soldiers' attempts to marry their girls as a way to control them in the most fundamental way:

In our village, the SLORC soldiers often went to the houses of the beautiful young girls to visit. It is Karen tradition to give hospitality to guests. Because of this, and because the villagers were afraid to tell the soldiers not to come, the villagers would receive the soldiers in their houses. At least four soldiers that I know about proposed marriage to these young Karen girls. No Karen girl would ever love a SLORC soldier, so they did not say yes. . . . Because the villagers were afraid of the SLORC soldiers, they made all their beautiful girls go away to other

places. This way, the soldiers could not visit them and propose marriage to them any more. The soldiers asked where all the pretty girls went, but we tried not to answer them.238

And, interestingly, soldiers spontaneously make the connection between the rape of ethnic women and the marriage of Tatmadaw soldiers to ethnic women, suggesting that these events are related in their minds:

I sometimes heard of women marrying soldiers. I also heard that in battalion twenty-five, the soldiers raped two women. In my battalion, many officers married village women.239

As further proof of the connection between the Tatmadaw and the sexual exploitation soldiers seek to accomplish under the guise of marriage, the Tatmadaw offers monetary rewards for these unions:

Soldiers told me if they could get married to a Karen girl, they would get a reward. No one knows how much or why the reward was offered for sure. But people know the soldiers hate the Karen people and want to make more Burman babies. More than one soldier told me about this reward, and Major Tin Nyo Aung also told me he would be offered a reward if he married a Karen girl. . . .240

Excepting those rare instances (which are difficult to determine) of consensual marriage between a Tatmadaw soldier and an ethnic woman, what is the purpose of these forced marriages? Given the institutional encouragement to perpetuate the dominant ethnic group,

The soldiers tell us that KNU [Karen National Union] nation is their enemy, and we are the KNU people. The Karen girls are the KNU people so they rape them. They say to us there must not be any other nationalities in Burma, just the Burman. . . .241

it is inescapable that these forced marriages are connected to rape.

## *Part V*

### *Conclusions and Recommendations*

#### **Conclusions**

The Tatmadaw, by its very structure, philosophy, and practices, creates at least two categories of trauma survivors: those who serve in the army, and the ethnic women they rape. This is not surprising, given that “rape and combat. . . are the paradigmatic forms of trauma for women and men respectively”. 242

Recognizing that Burmese soldiers suffer trauma from their experience in the Tatmadaw is in no way intended to diminish their responsibility for the heinous abuses they commit against the ethnic women of Burma. Rather, the purpose is to identify the institutionalized brutality of the Tatmadaw as a critical factor in the perpetuation of these abuses. In the final analysis, however, some soldiers and officers decide to rape while others abstain. Those who choose to commit rape are responsible for their actions. Both the Tatmadaw as an institution and the soldiers and officers as individuals must be held accountable for their crimes.

Burma under the control of SLORC provides a hospitable environment for violence against ethnic women by the army. Despite SLORC's protestations to the contrary, women are routinely subjugated in both public and private life. Legal and constitutional commitments to women's equality that are of rhetorical value only ensure that women receive less education, little economic opportunity, and even fewer chances for meaningful participation in positions of power. A draconian attitude towards women's reproductive freedom and a patent indifference to a burgeoning sex industry decrease women's ability to control their bodies or their futures. Finally, Burma in the thrall of a past that exalts the army and a present that demands total obedience to an oppressive military regime, leaves little room for a national dialogue about the dangers of a militarized society. Thus, these dangers, including a heightened acceptability for violence and an elision of roles in which warrior and rapist become soldier, grow unchecked.

Within this context of a militarized, ethnically fragmented society that subordinates women, the army, which is essentially identical to the ruling regime, is accountable to no one. In its simultaneous hunger to expand and its blatant indifference to international public opinion, the Tatmadaw unleashes its brutality on all the people of Burma with especially disastrous consequences for those who have been designed “the peoples' enemy”.<sup>243</sup> The ethnic women and girls of Burma stand at the intersection of two exploited groups—women and ethnic minorities. As such, they are doubly oppressed and experience this oppression in the most extreme, violent form: as victims of brutal, institutionalized rape by the Tatmadaw.

## **Recommendations**

Given the situation in Burma, EarthRights International makes the following recommendations:

- The current regime should engage in tripartite dialogue with the National League for Democracy and the ethnic groups of Burma, which will eventually lead to the transfer of power to a legitimate civilian government.
  
- A clear separation of powers should be established between the democratic leadership and the military. The army should be prohibited from legitimizing its political power through the constitutional process. Specifically, the Tatmadaw should desist or should be prevented from its efforts to gain the right to appoint seats in the House of Representatives and the House of

Nationalities.

- Tatmadaw leaders and soldiers must be held responsible for abuses of humanitarian and human rights law. Reports of rape should be fully and fairly investigated.
- The Tatmadaw leadership should publicly condemn rape by soldiers and officers and notify all army personnel that rape under any circumstances will not be tolerated.
- The Tatmadaw should examine and revise its policies and practices, specifically those relating to recruitment, training, punishment, and isolation, which reinforce the notion that a good soldier is one who freely uses brutal violence against those more vulnerable.
- The Tatmadaw should provide humane daily treatment to its soldiers and officers, with special emphasis on adequate food and medical treatment, and the payment of complete salaries. Further, the Tatmadaw should permit reasonable communication between soldiers and their friends and families outside the army.
- The Tatmadaw leadership should condemn language and behavior by its troops that demonstrates disrespect, contempt, or hatred for women or ethnic minority groups.
- Human rights investigators should receive training about rape and other forms of sexual assault. Efforts should be made to guard the identity of women willing to talk about their experiences of rape and other abuse.
- Confidential, culturally appropriate counseling services for refugee women and girls who have suffered from rape or other sexual abuse should be made available.

The violent sexual abuse of ethnic Burmese women at the hands of the military occurs in epidemic proportions. Such practices will not cease until the ruling regime and the army of Burma recognize and name this abuse for what it is: the savage domination of women outside the scope of acceptable wartime conduct. To successfully condemn rape, the Tatmadaw will have to transform its most fundamental practices and policies and will have to re-make its brutal philosophy of domination and exploitation through savage violence. The ruling regime and the military, however, are essentially the same institution. Therefore, the best hope for a military transformation lies in SLORC's willingness to engage in dialogue leading to the installation of a legitimate, democratically elected civilian government.

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### **Table of Interviews**

Interview # Sex Status Interview date

1 M Tatmadaw defector 4/1/97

2 M Tatmadaw defector 4/1/97

3 F Leader, opposition group 4/2/97

4 M Villager 4/18/97

5 F Villager 4/18/97

6 F Villager 4/18/97

7 F Villager 4/18/97

8 F Villager 4/18/97

9 F Villager 4/18/97

10 M Villager 4/18/97

11 F Villager 4/19/97

12 M Villager 4/19/97

13 F Villager 4/19/97

14 F Villager 4/20/97

15 F Villager 4/20/97

16 F Villager 5/13/97

17 M Villager 5/13/97

18 F Villager 5/13/97

19 F Villager 5/13/97

20 F Villager 5/13/97



21 M Villager 5/13/97  
22 M Villager 5/14/97  
23 M Tatmadaw defector 5/14/97  
24 M Tatmadaw defector 5/17/97  
25 M Tatmadaw defector 5/17/97  
26 M Tatmadaw defector 5/17/97  
27 M Tatmadaw defector 5/18/97  
28 M Tatmadaw defector 5/18/97  
29 M Tatmadaw defector 5/20/97  
30 M Tatmadaw defector 5/21/97  
31 M Tatmadaw defector 6/30/97  
32 M Tatmadaw defector 6/30/97  
33 M Tatmadaw defector 6/30/97  
34 M U.S. Army officer 7/14/97

## Notes

1. SLORC changed its name to State Peace and Development Council as of November 1997. Because this new title does not signal a material change in its policies, practices, or legitimacy, EarthRights International will continue to refer to the illegal regime as SLORC throughout this report.
2. For purposes of this report, references to SLORC point to the inner circle of leaders who run the country. The Tatmadaw refers to the entire military institution including rank-and-file soldiers. SLORC leaders (many of whom are former or current generals) make policy; on a day-to-day basis, the Tatmadaw carries it out.
3. This report focuses on military rape as it affects ethnic women. However, this is not to suggest that women from the ethnic majority group, Burmans, do not suffer the same fate. Frequently, they, too, must endure sexual violence by Tatmadaw soldiers.
4. There are many complex formulations of the story of war. For example, Barbara Ehrenreich sees war as stemming from our early experience (and terror) or predation from carnivorous animals. A seminal shift in human history came when early man, initially far less skilled than predatory animals at hunting, learned how to be a successful warrior/killer. War, therefore, is both a celebration and re-enactment of that shift from frightened prey to confident predator. See Barbara Ehrenreich, *Blood Rites* (New York: Henry Holt and Company, 1997). In another conception, Elaine Scarry postulates war as a method of destroying and deconstructing civilization through a contest of reciprocal injuring. See Elaine Scarry, *The Body In Pain* (New York and Oxford: Oxford University Press, 1985).
5. For an example from a popular history book, see Bruce Catton, *The Civil War* (New York: American Heritage Press, 1971), pp. 187-89, 244-46.
6. For a general discussion of the marginalization of rape in wartime records, see Susan Brownmiller, *Against Our Will: Men, Women and Rape* (New York: Fawcett Columbine, 1975), pp. 31-113.
7. Brownmiller, p. 40.
8. Brownmiller, p. 33-131.
9. See Rhonda Copelon, "Gendered War Crimes: Re-conceptualizing Rape in Time of War, in *Women's Rights, Human Rights*", eds. Julie Peters and Andrea Wollper (New York and London: Routledge, 1995), pp. 197-213.

10. See Brownmiller, pp. 31-113; Ruth Seifert, *War and Rape: Analytical Approaches* (Geneva: Women's International League for Peace and Freedom, 1993); Cynthia Enloe, *Bananas, Beaches and Bases: Making Feminist Sense of International Politics* (Berkeley and Los Angeles: University of California Press, 1989).
11. See Brownmiller, pp. 92-97; also "Rape and Forced Pregnancy in War and Conflict Situations, in *Reproductive Freedom and Human Rights*" (New York: Center for Reproductive Law and Policy, 1996).
12. For a seminal discussion of women's traditional subordination to men, see Simone de Beauvoir, *The Second Sex* (New York: Alfred A. Knopf, 1952).
13. It is revealing that in writing about World War I, remarkable for its brutality and bloodiness, noted historian Barbara Tuchman makes no mention of women's experiences of violence. In the fifteen pages she dedicates to German atrocities, she describes civilian murders, firing squads, mutilation, pillaging, arson and looting. Never once does she mention rape. Barbara Tuchman, *The Guns of August* (New York: Dell, 1972), pp. 199, 255-57, 263, 350-60.
14. International humanitarian law distinguishes between international conflict (between two or more recognized nations) and internal conflict (between a recognized government and an armed insurgency). However, rape in both contexts is prohibited. In the context of international conflict, see *Convention Relative to the Protection of Civilian Persons in Time of War*, August 12, 1949 6 U.S.T. 3516, 75 U.N.T.S. 287, Articles 27 and 147 [hereinafter *Geneva Convention IV*]. For rape in internal conflicts, see *Common Article 3 of the same convention as well as Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts*, opened for signature Dec. 12, 1977, Article 4(2)(e), 1124 U.N.T.S. 609, 16 I.L.M. 1442 (1977) [hereinafter *Protocol II*]. All of these conventions are reprinted in *Center for Human Rights, Human Rights: A Compilation of International Instruments, Vol. 1 (pt. 2)* (New York: United Nations, 1993). See this report, "The International Legal Landscape", pp. 45-50.
15. See *The Human Rights Watch Global Report on Women's Rights* (New York: Human Rights Watch, 1995), pp. 25-97 [hereinafter *Human Rights Watch Report*].
16. Numerous publications contain first-hand accounts of rape and other sexual abuse of ethnic Burmese women by Burmese soldiers. For some examples, see: *The Plight of Burmese Women* (Bangkok: Burmese Women Union, 1995); *Violence Against Women* (Chiang Mai: WEAVE, 1993); *Sex Discrimination Against Refugee Women by SLORC Troops* (Bangkok: Human Rights Foundation of Monland, 1996); *Women and Children in Crisis: Inside Burma and Along the Thai Border* (New York: Women's Commission for Refugee Women and Children, 1993). Additionally, almost every issue of the *Karen Human Rights Report* from 1992 to the present (issued approximately every month) contains detailed incidents of rape or other sexual violence.

17. Bertil Lintner, "Absolute Power, Far Eastern Economic Review", January 18, 1996.
18. Over seventy military organizations exist in Burma, many affiliated with particular ethnic groups. As of 1995, at least 28 of these still bear arms. Even though the Burmese regime has established cease-fire agreements with fifteen of these, the arrangements are unstable. As various cease-fire agreements break down and splinter groups emerge, the fighting continues. Therein lies the regime's justification, at least in part, for a growing armed force. See Bertil Lintner, *Burma in Revolt: Opium and Insurgency Since 1948* (Thailand: White Lotus, 1995).
19. For a report about children serving in the Burmese army based on many interviews with defectors, see *No Childhood At All: A Report About Child Soldiers in Burma* (Chiang Mai: Images Asia, 1996) [hereinafter *No Childhood At All*].
20. While Myanmar is the historical, Burmese-language name of the country, it has negative associations for most oppositional groups because SLORC invoked it. The country shall be referred to as Burma throughout this report.
21. 1997 United Nations Development Programme Human Development Report (New York: United Nations, 1997) [hereinafter UNDP Report].
22. Equality, Development and Peace for Women: National Report, UN Fourth World Conference on Women, Beijing, 1995 (Myanmar: Union of Myanmar, 1995) [hereinafter SLORC National Report].
23. Major-General Soe Myint, Minister, Ministry of Social Welfare, Relief and Resettlement, Address to UN Fourth World Conference on Women, September 1995.
24. *Children and Women in Myanmar: A Situation Analysis* (Yangon: UNICEF, 1995) [hereinafter UNICEF Report].
25. The UNDP Report indicates that 43% of Burmese children under five suffer from stunted growth, an increase of 5% since the 1980's.
26. Per the UNDP Report, the death rate for Burmese children under five has increased from 8.8% in 1990 to 15% in 1997; Burmese adults now can expect to live 58 years, a decline of three years since the early 1990's.
27. See UNICEF Report, p. 67.
28. See UNICEF Report, p. 67.
29. There are no women serving in Cabinet positions in Burma. Naomi Neft and Ann Levine, *Where Women Stand* (New York: Random House, 1997), p. 483.

30. UNICEF Report, p. 69.
31. Many people argue that whether women have control over their own fertility is one sign of their status in a given society. See, for example, Lisa Leghorn and Kathryn Parker, *Women's Worth: Sexual Economics and the World of Women* (London: Routledge and Kegan Paul, 1981). Burma qualifies as one of the "most coercive countries with respect to women's autonomy over their own bodies". See Neft and Levine, p. 504.
32. SLORC National Report, pp. 6-7.
33. ERI Interview #17.
34. ERI Interview #16.
35. ERI Interview #9.
36. For a discussion of how violence is used to take the place of real power, and therefore only exists where the peoples' consent to and support of a government is absent, see Hannah Arendt, *On Violence* (New York: Harcourt Brace & Company, 1969).
37. See Martin Smith, *Burma: Insurgency and the Politics of Ethnicity* (London: Zed Books, 1991).
38. "Senior General enjoins Tatmadawmen, citizens to work for common wealth", *The New Light of Myanmar*, March 28, 1995 [hereinafter NLM].
39. See, for example, "Tatmadaw's endeavors for fulfillment of people's needs has brought success never before seen", NLM, October 12, 1995; "Ours is a Tatmadaw founded on patriotism and combined with professionalism...", NLM, April 8, 1995; "Beware of destructionists attempting to drive wedge between Tatmadaw and people", NLM, August 23, 1996. Virtually every issue of the NLM has a front-page article and/or editorial about the virtues of the Tatmadaw.
40. ERI Interview #1.
41. ERI Interview #23.
42. The Twelve Noble Traditions of the Tatmadaw are: 1) a patriotic Tatmadaw, 2) a disciplined Tatmadaw, 3) a loyal Tatmadaw, 4) a united Tatmadaw, 5) an efficient Tatmadaw, 6) a Tatmadaw which makes heroic sacrifices, 7) a Tatmadaw which does not seek personal gain, 8) a Tatmadaw of noble spirit and high morale, 9) a Tatmadaw which possesses the true quality of overcoming obstacles, 10) a Tatmadaw which can endure hardship, 11) a tenacious and persevering Tatmadaw, and 12) a Tatmadaw which always upholds the Three Main National Causes. See "Easy to mar, hard to make", NLM, November 23, 1995.

43. The Three Main Duties of the Tatmadaw are 1) defence duty; 2) training duty, and 3) duty of serving the interests of the people. See "Ours is a Tatmadaw founded on patriotism and combined with professionalism. . ." , NLM, April 8, 1995.
44. These are 1) Non-disintegration of the Union, 2) Non-disintegration of National Solidarity and 3) Perpetuation of Sovereignty. See "Ours is a Tatmadaw. . .", NLM, April 8, 1995.
45. These programs consist of 1) Training, 2) Administration, 3) Welfare, and 4) Morale. See "Ours is a Tatmadaw. . ." , NLM, April 8, 1995.
46. The three main slogans of the Party are: War is Peace, Freedom is Slavery, and Ignorance is Strength. See George Orwell, 1984 (New York: Harcourt Brace Jovanovich, 1949).
47. At the time of the article, Maung Aye was described as "Vice chairman of the State Law and Order Restoration" Council Deputy, Commander-in-Chief of Defence Services, Commander-in Chief (Army) General; see "Beware of destructions attempting to drive wedge between Tatmadaw and People", NLM, August 23, 1995. As of December 1997, Maung Aye was part of the innermost circle of SLORC leaders.
48. See "Beware of destructionists. . ." , NLM, August 23, 1995.
49. "Tatmadaw belongs to the People", NLM, February 20, 1996.
50. Lintner, "Absolute Power".
51. "Military reshuffle points to extended stay for SLORC", The Nation, June 23, 1995. The most recent reshuffling occurred in the fall of 1997.
52. "Senior General enjoins Tatmadawmen, citizens to work for common weal", NLM, March 25, 1995.
53. Lintner, "Absolute Power".
54. Lintner, "Absolute Power".
55. ERI Interview #1.
56. Lintner, "Absolute Power".
57. For a study of the impact of militarization on another Southeast Asian country, Cambodia, see Plates in a Basket Will Rattle (Phnom Penh: Project Against Domestic Violence, 1994).
58. This is part of a World Council of Churches definition quoted in Jeanne Vickers, Women and War (London: Zed Books, 1993), p. 39.

59. Women and Militarism (Geneva: Women's International League for Peace and Freedom, December, 1994).

60. Women and Militarism.

61. For variations on the general theory that male power is maintained through sexual violence, see Catherine MacKinnon, *Toward a Feminist Theory of the State* (Cambridge: Harvard University Press, 1989), and Kathleen Barry, *Female Sexual Slavery* (New Jersey: Prentice Hall, 1979).

62. It is beyond the scope of this report to examine the larger impact of militarization on Burmese society. However, if other countries are any indication, everything from infant nutrition and mortality to literacy to domestic violence rates will be affected. For such a discussion, see Cynthia Enloe, *Does Khaki Become You? The Militarization of Women's Lives* (London: Pluto Press, 1988).

63. See Human Rights Watch Report , pp. 108-115 .

64. See, for example, Karen Human Rights Group Report, February 17, 1994, p. 2; and Karen Human Rights Group Report, June 24, 1994, p. 4 [hereinafter KHRG Report].

65. See KHRG Report #96-19, May 22, 1996.

66. *Sex Discrimination Against Refugee Women by SLORC Troops* (Bangkok: Human Rights Foundation of Monland, 1996).

67. *Myanmar: Human Rights Violations Against Ethnic Minorities* (London: Amnesty International, 1996).

68. See, for example, ASLORC Military Rapes Karen Girl, *New Era Journal*, April 1997; *The Plight of Burmese Women* (Bangkok: Burmese Women Union, 1995).

69. Other reports include the Shan Human Rights Foundation Monthly Report, Reports from Manerplaw (the former Karen headquarters); Reports by the Representative Office of Kachin Affairs; and WEAVE interviews. This does not represent an exhaustive list.

70. KHRG Report, February 16, 1996.

71. KHRG Report, February 1, 1993.

72. KHRG Report 96-20, May 22, 1996.

73. Human Rights Watch Report, pp. 108-09.

74. According to the U. S. Department of State, SLORC's repression increased throughout 1996. These practices continue in 1997. See *Burma Report for Human Rights Practices for*

1996, released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1997.

75. A coalition of largely religious groups formed the Burma Border Consortium (BBC) to try to meet the needs of Burmese people seeking refuge in Thailand. The BBC publishes monthly census figures for the border refugee camps to which it supplies food and other basic necessities.

76. A700,000 illegal immigrants in Thailand, Burmese arrested, Agence France Presse, March 20, 1997.

77. According to the United Nations High Commissioner for Refugees, one in every 115 people is in flight or in exile. As of February, 1995, there were approximately twenty-three million refugees and an estimated twenty-six million people internally displaced in their own countries. See *The State of the World's Refugees* (Geneva: United Nations High Commissioner for Refugees, 1993) [hereinafter UNHCR Report].

78. Internally displaced persons Report of the Representative of the Secretary-General, United Nations Commission on Human Rights, E/CN.4/1995/50, February 2, 1995.

79. UNHCR Report.

80. This is not to equate rape and sex. Experts agree that rape is very different from sex but is a form of violence using sex as its weapon. However, the point here is that in some Burmese sub-cultures, talk about issues that might be taboo in other societies is not necessarily silenced. For example, it is not uncommon for adults in the Karen community to tease each other and joke about sex.

81. ERI Interview #3.

82. ERI Interview #8.

83. ERI Interview #12.

84. ERI Interview #16.

85. ERI Interview #1.

86. ERI Interview #23.

87. In the former Yugoslavia, an estimated 12,000 women were raped out of a population of 15.1 million. M. Cherif Bassiouni, *Sexual Violence: An Invisible Weapon of War in the Former Yugoslavia* (1996). In Rwanda, 250,000 cases of rape were estimated out of a total population of 7.6 million. *Shattered Lives: Sexual Violence During the Rwandan Genocide and its Aftermath* (New York: Human Rights Watch, 1996).



88. Ruth Seifert, *War and Rape: Analytical Approaches* (Geneva: Women's International League for Peace and Freedom, 1993), pp. 1-4.

89. While rape against men probably occurs in wartime contexts (although the extent to which it occurs in Burma is unknown), this report is concerned with rape against women.

90. For example, a Peruvian general, in defense of rape, said "Those boys are far from their families and suffer a great deal of tension because of the nature of combat". Human Rights Watch Report, p. 75.

91. ERI Interview #7.

92. ERI Interview #20.

93. ERI Interview #7.

94. ERI Interview #23.

95. ERI Interview #15.

96. ERI Interview #1.

97. Neft and Levine, p. 483. There are 101 females for every 100 males in Burma.

98. ERI Interview #15.

99. For example, see Susan Blaustein, *Asia's Bosnia: Ethnic Cleansing in Burma*, *The New Republic*, April 12, 1993.

100. It does not escape some commentators that the assumption behind ethnic cleansing is that the offspring of the rape bears the ethnicity of the rapist only. See, for example, Copelon, p. 205. Given the speciousness of this belief, rape must also be considered as a method for diluting the blood of ethnic minorities and preventing women from bearing children "for their own ethnic group".

101. In this report, unless otherwise indicated, "Burmese refers to anyone from Burma, including ethnic Burmans". Discussions focusing specifically on the ethnic majority refers to the subjects as Burmans. Burmans comprise an estimated 2/3's of the total Burmese population.

102. ERI Interview #15.

103. One defector soldier said, AI never used it before. But probably half the soldiers in my battalion used it. ERI Interview #24. Another soldier said, "Yes, they put it in, many soldiers put the metal balls in their penis because women can get more feeling". ERI Interview #28. A

third soldier explained, AA lot of soldiers put the metal balls in their things. Every battalion has about 100 porters who come from the Burma jails. The people who have been in jail are expert at putting the metal balls in. ERI Interview #23.

104. Judith Lewis Hermann, *Trauma and Recovery* (New York: HarperCollins, 1992), pp. 33-47.

105. Hermann, p. 43.

106. See this report, "The Prevalence of Rape Against Ethnic Burmese Women", pp. 29-36.

107. Copelon, p. 199.

108. Geneva Conventions IV; Protocol II.

109. The hostilities in Burma between the SLORC/Tatmadaw regime and ethnic insurgents fall squarely within an accepted definition of an internal armed conflict. The most recent definition of armed conflict, by the International Criminal Tribunal for the Former Yugoslavia, characterized its occurrence A. . . whenever there is a resort to armed force between States or protracted armed violence between governmental authorities and organized armed groups or between such groups within a State. In describing the range of situations covered by Common Article 3 of the Geneva Conventions IV, the International Committee of the Red Cross declared that "the concept of armed conflict is generally recognized as encompassing the idea of open, armed confrontation between relatively organized armed forces or armed groups". Such is the case in Burma: scores of military organizations exist in Burma, many affiliated with particular ethnic groups. As of 1997, while at least fifteen of these have entered into cease-fire agreements with SLORC, many of them still bear arms.

110. Burma acceded to the Geneva Conventions in August 1992.

111. The characterization of rape as a crime against a woman's honor and dignity is problematic because it ignores the violent nature and consequences of rape. Many feminist legal scholars have argued for a change.

112. Geneva Conventions IV, note 9, art. 147; Protocol I, note 9, arts. 11 and 85(3).

113. See *Prosecutor v. Tadic*, Case IT-94-1-AR72 Decision on Jurisdiction, Paragraphs 84, 89 (October 2, 1995).

114. "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia Since 1991", Report of the Secretary-General, pursuant to para. 2 of the Security Council Resolution 808 (1993), S/25704 (May 3, 1993), para. 48, p. 13 [hereinafter Report of the Secretary-General].

115. In support of the proposition that rapes committed under color of state authority in a

widespread or systematic manner are crimes against humanity, see Article 5, Statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, Security Council Resolution 827 (1993), UN Doc. S/RES/827 (1993); Article 3, Statute of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighboring States, between 1 January 1994 and 31 December 1994, Security Council Resolution 955, UN Doc. S/RES/924 (1994); and Theodore Meron, "Rape as a Crime Under International Humanitarian Law", 87 *American Journal of International Law* 424, 426-27.

116. See this report, "Prevalence of Rape of Ethnic Women", pp. 34-41.

117. See this report, "Patterns and Goals of Rape", pp. 41-45.

118. Report of the Secretary-General, art. 7(3), p. 15.

119. Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, G.A. Res. 39/46, 10 December 1984, U.N. GAOR, 39th Sess., Supp. (No. 51), UN Doc. A/39/51, art. 1, reprinted in J. Herman Burgers and Hans Danelius, *The United Nations Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment* (Boston: Martinus Nijhoff, 1988), Appendix [hereinafter Torture Convention].

120. Torture Convention.

121. Slavery Convention, signed on 25 September 1926, reprinted in *A Compilation of International Instruments*, E.93.XIV.1, vol. 1 (pt. I), p. 201.

122. Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institution and Practices Similar to Slavery, Economic and Social Council Res. 608 (XXI), 30 April 1956, article 1(a), reprinted in *A Compilation of International Instruments*, E.93.XIV.1, vol. I (pt. I), p. 209 [hereinafter Supplementary Slavery Convention]. Burma has not acceded to the Supplementary Slavery Convention.

123. For example: "Yes, women porters had to sleep separately from the men", ERI Interview #24; "There were separate places for the men and women porters", ERI Interview #25; "We made the women sleep separately from the men". The female and male porters should not sleep together, ERI Interview #28.

124. Supplementary Slavery Convention, Article 1(c)(ii).

125. See M. Cherif Bassiouni, "Enslavement as an International Crime", *New York University Journal of International Law and Politics*, vol. 23 (1991), p. 445.

126. Universal Declaration of Human Rights, G.A. Res. 217, 10 December 1948, UN Doc.

A/810 (1948). Reprinted in A Compilation of International Instruments, E.XIV.1, vol. 1 (pt. I), p. 2.

127. International Covenant on Civil and Political Rights, G.A.Res. 2200A (XXI), 16 December 1966, 999 U.N.T.S. 171. Reprinted in A Compilation of International Instruments, E.XIV.1, vol. 1 (pt. I), p. 21.

128. Convention on the Elimination of All Forms of Discrimination Against Women, G.A. Res. 34/180, 18 December 1979, UN GAOR, 34th Sess., Supp. No. 46, UN Doc. A/34/46 (1979). Reprinted in A Compilation of International Instruments, E.93.XIV.1, vol. 1 (pt. I), p. 150. SLORC acceded to CEDAW on July 22, 1997.

129. Convention on the Prevention and Punishment of the Crime of Genocide, 9 December 1948, S. Treaty Doc. No. 81-1, 97th Congress, 2d sess., 78 U.N.T.S. 277 [hereinafter Genocide Convention].

130. Enloe, p. 200.

131. ERI Interview #23.

132. ERI Interview #27,

133. ERI Interview #1.

134. ERI Interview #23.

135. J. M. Coetzee, *Waiting for the Barbarians* (England: Penguin Books, 1980).

136. *No Childhood At All*, p. 51.

137. ERI Interview #28.

138. ERI Interview #29.

139. *No Childhood At All*, p. 27-30.

140. "State Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities". Convention on the Rights of the Child, G.A. Res. 44/25, 44 UNGAOR, Supp. (No. 49), 44 UN Doc. A/44/49, art. 38/2.

141. ERI Interview #1.

142. ERI Interview #25.

143. Foreign Minister Ohn Gyaw quoted in KHRG Report, "Testimony of SLORC Army

Defectors", August 7, 1995, p. 1.

144. KHRG Report, August 7, 1995. Also, none of the soldiers interviewed for this report were taught or heard about the Geneva Conventions or rules of war.

145. ERI Interview #23.

146. No Childhood At All, pp. 21-26.

147. ERI Interview #10.

148. ERI Interview #28.

149. ERI Interview #14.

150. ERI Interview #7.

151. ERI Interview #2.

152. ERI Interview #25.

153. ERI Interview #1.

154. ERI Interview #23.

155. ERI Interview #29.

156. ERI Interview #28.

157. ERI Interview #23.

158. ERI Interview #23.

159. ERI Interview #25.

160. ERI Interview #23.

161. ERI Interview #29.

162. According to an experienced U.S. military officer: "Basic training is a re-socializing event". You get a bunch of people with all different lifestyles. . . and you are bringing them together into a common mission. But part of socialization is, you're actually taught to think as an individual. . . . At the same time, they encourage you to realize. . .you have to work and live as a community, and you have to fight with the community, as a team. . . . ERI Interview #34.

163. Some aspects of the soldiers' and officers' experience in the Tatmadaw are fairly different. For example, officers generally receive better food and more pay than soldiers. However, officers are still part of the chain of command which subjects them to brutality and abuse from their superiors. Additionally, no one—soldier or officer—can escape the culture of domination that pervades the Tatmadaw. This culture requires soldiers and officers to be both subject and executor of brutal violence. Four of the thirteen soldiers interviewed for this report were officers; each of them spoke of physical and mental abuse he experienced at the hands of his superiors.

164. ERI Interview #1.

165. ERI Interview #2.

166. ERI Interview #23.

167. ERI Interview #29.

168. ERI Interview #31.

169. ERI Interview #32.

170. ERI Interview #34.

171. ERI Interview #28. One U. S. dollar equal approximately 300 kyat.

172. ERI Interview #23.

173. ERI Interview #29.

174. ERI Interview #24.

175. ERI Interview #25.

176. ERI Interview #28.

177. ERI Interview #30.

178. ERI Interview #32.

179. ERI Interview #28.

180. ERI Interview #31.

181. For a completely different take on punishment and its impact on society, see Michel Foucault, *Discipline and Punish* (New York: Vintage Books, 1979).

182. ERI Interview #1.
183. ERI Interview #24.
184. ERI Interview #4.
185. ERI Interview #2.
186. ERI Interview #2.
187. ERI Interview #29.
188. ERI Interview #25.
189. ERI Interview #23.
190. ERI Interview #24.
191. ERI Interview #31.
192. ERI Interview #23.
193. ERI Interview #28.
194. ERI Interview #23.
195. ERI Interview #24.
196. ERI Interview #24.
197. See this report, "The Role of the Tatmadaw in Burma", pp. 29-34.
198. ERI Interview #23.
199. ERI Interview #34.
200. ERI Interview #28. According to the defectors interviewed for this report, the Tatmadaw is predominantly Burman with a smattering of soldiers from ethnic minorities: "The majority of soldiers in my battalion were Burmans", ERI Interview #24; "There were several ethnic people in my barracks, but the majority are Burmans", ERI Interview #25.
201. ERI Interview #16.
202. ERI Interview #21.

203. ERI Interview #17.
204. ERI Interview #22.
205. ERI Interview #34.
206. ERI Interview #23.
207. ERI Interview #4.
208. See, for example, KHRG Report, August 7, 1994.
209. For a comprehensive discussion of trauma and its effects, see Hermann.
210. Hermann, p. 60.
211. Hermann, p. 87.
212. ERI Interview #17.
213. ERI Interview #21.
214. ERI Interview #14.
215. ERI Interview #9.
216. ERI Interview #26.
217. ERI Interview #7.
218. ERI Interview #25.
219. ERI Interview #23.
220. No Childhood At All, pp. 41-2.
221. Judith Lewis Hermann (p.25) states: "American psychiatrists. . .discovered. . .the power of emotional attachments among fighting men. . ."[Others] argued that the strongest protection against overwhelming terror was the degree of relatedness between the soldier, his immediate fighting unit, and their leader. . . .Similar findings. . .noted that the situation of constant danger led soldiers to develop extreme emotional dependency upon their peer group and leaders. They observed that the strongest protection against psychological breakdown was the morale and leadership of the small fighting unit.
222. ERI Interview #1.



223. ERI Interview #23.

224. ERI Interview #2.

225. ERI Interview #23.

226. ERI Interview #28.

227. ERI Interview #23.

228. ERI Interview #1.

229. ERI Interview #16.

230. ERI Interview #23.

231. ERI Interview #8.

232. ERI Interview #15.

233. For a very interesting discussion of how the structure of torture is about, and mimics, the making and unmaking of the world, see Scarry.

234. For a discussion (and critique) of the cycle of violence that occurs in an intimate battering relationship, see Mary Ann Dutton, *Empowering and Healing the Battered Woman: A Model for Assessment and Intervention* (New York: Springer, 1992). Experts in battering cases sometimes use the Power and Control Wheel, which is a graphic depiction of physical, emotional, and sexual abuse and their specific behaviors acted out in a battering relationship (designed by the Domestic Abuse Intervention Project in Duluth, Minnesota). In this diagram, "Using Isolation" is one of the categories of emotional abuse and is described as, "Controlling what she does, who she sees and talks to, what she reads, where she goes. . . limiting her outside involvement. . . ." in Martha Mahoney, "Victimization or Oppression?" *Women's Lives, Violence, and Agency* in Martha Fineman and Roxanne Mykitiuk, eds., *The Public Nature of Private Violence* (New York and London: Routledge, 1994), pp. 59-92.

235. Legal scholars have examined the special circumstances of people who belong to more than one historically disadvantaged group. Kimberle Williams Crenshaw focuses on violence against women as it is experienced by women of color in the United States in her important article "Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color". In this piece, she examines how women of color who suffer sexual violence are affected differently from white women due to the intersecting forces of patriarchy and racism. The same analysis may be applied to ethnic minority Burmese women. In their own country, they are members of traditionally disadvantaged minorities as well as part of a gender group that is considered unequal (and treated as such). See Kimberle Williams Crenshaw, "Mapping the Margins: Intersectionality, Identity Politics, and Violence Against

Women of Color in Fineman and Mykitiuk", pp. 93-118.

236. ERI Interview #23.

237. ERI Interview #28.

238. ERI Interview #8.

239. ERI Interview #2.

240. ERI Interview #8.

241. ERI Interview #15.

242. Hermann, p. 61.

243. Those who have been particularly targeted as enemies of the State include, among others, ethnic minorities, students (those who were involved in the student uprisings of 1988; the most visible of the students groups is All Burma Students Democratic Front, ABSDF), and members of the coalition party which was elected to power in 1990, the National League for Democracy. However, in present-day Burma, it takes very little to be deemed an enemy of the State. For example, owning an unauthorized telephone or batteries is enough to get someone thrown into jail.