

Scandal of Silence: Military Sexual Assault as Political Violence

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SEXUAL VIOLENCE¹ has historically been acknowledged as one of the “horrors of war” and listed among the litany of ways women and children are terrorized by conflict. While rape has always been a central element of controlling and conquering a people, revelations of sexual violence in Bosnia, Rwanda, and the DRC led the United Nations finally to declare using rape as a weapon both a war crime and to classify it as a crime against humanity. In 2007, the United Nations created a coordinating UN Action against Sexual Violence in Conflict recognizing “Sexual violence in conflict needs to be treated as the war crime that it is. It can no longer be treated as an unfortunate collateral damage of war.”² Violence against civilian women perpetrated by government forces, rebel militias, gangs, or simply within conflict is finally receiving more attention. The recognition of rape as a war crime exposes and frames sexual violence as political violence that is violence perpetuated and permitted in support of political ideology or institutions. “Social conflict, war, and societal change have been and continue to be waged on many fronts, particularly through violent acts against women’s bodies,”³ notes theologian Nancy Pineda-Madrid. There

¹ I would like to thank Julia Brumbaugh and John Slattery for their feedback as this chapter was being revised. [Editor’s note: An expanded version of this article was published as “Military Sexual Assault as Political Violence and Challenge to Christian Ethics,” *Journal of Moral Theology*, Vol. 7, No. 2 (2018): 1–17.]

² Zainab Hawa Bangura, in “Background Information on Sexual Violence used as a Tool of War.”

³ Pineda-Madrid, *Suffering and Salvation*, 11.

is, however, another aspect of military sexual violence currently overlooked within most international debates about sexual violence and almost entirely by moral theology and Christian ethics—intra-military sexual violence or sexual violence against one's fellow soldiers. Using the ongoing reality of rampant military sexual trauma within the United States military, this chapter argues for examining intra-military sexual trauma as political violence and an issue that should be of serious concern for Christian social ethics. Finally, I will argue that significant structural change is required for the United States military to have sufficient internal institutional justice such that a Christian can legitimately participate using the Catholic Social Teaching and peace-building traditions.

This chapter proceeds in three parts. First, it will present a brief summary of the current situation regarding military sexual trauma in the United States. It will focus on sexual violence against women; however, this is not to negate or take away from the reality of male sexual assault. Incidences of sexual assault and domestic violence by United States military personnel against civilian populations are relevant but outside the scope of this present work. It argues that using the hermeneutic of violence against women as structural and political violence can help us understand the marginalization and dehumanization of male sexual assault victims as well. Intra-military sexual violence (hereafter referred to as military sexual violence) will emerge as an ongoing epidemic in the United States. Second, military sexual violence as political violence offers a hermeneutic for evaluating particular military institutions as instances of structural sin or violence. Political violence here is defined as violence that is intentionally perpetuated, supported, or permitted because of political ideology, and in order to maintain the political order or political institutions. Once it is acknowledged as political violence, military sexual violence exposes significant questions about the institution itself and reveals a blind spot in Christian ethics. In the United States, sexual violence within the military is largely absent from all Catholic discussions of the military, use of force, just war, pacifism, or peacebuilding. Examining military sexual assault as

structural and political violence, this chapter raises a question previously unasked—given the ongoing persistence of military sexual assault, are the structures of the United States armed forces sufficiently just for a Christian who is not a pacifist to participate?

An Epidemic: Military Sexual Assault in the United States Military

In 2011, twenty-eight U.S. veterans filed a class action lawsuit against the Pentagon for the mishandling of sexual assault cases. The case was dismissed, in part by stating the crimes in question—sexual assault—were “incidental to military service” with reference to the Feres Doctrine by Government attorneys. The Feres Doctrine established that soldiers cannot sue the United States military for accidents and damages that are incidental to one’s military service. If a soldier is wounded in combat or a military doctor makes a mistake, under the Feres doctrine, he or she is not allowed to sue for malpractice or damages. As a result, servicewomen and men who are sexually assaulted are stuck, as will be shown, in an inadequate and unresponsive military justice system without any access to civilian legal courts or any ability to hold the military accountable for its failure to provide justice or complicity in a culture of sexual violence.⁴ In 2013, the Fourth Circuit appeals court upheld the dismissal and specifically maintained that “applying the ‘incident to service’” test in the case at bar, it is clear that the allegations raised by Plaintiffs’ Complaint are either incident to, or arise out of, their service in the military.”⁵ Because of the concern for the autonomy of military command, even the mishandling of sexual assault is considered among military command decisions that shall not be subject to civilian courts. A horrific truth is unintentionally revealed by the court’s decision—sexual assault is incidental to military service for a shocking number of women and men in the United States military.

⁴ Woods, “A ‘More Searching Judicial Inquiry,’” 1329.

⁵ *Cioca v. Rumsfeld*, 19.

According to Department of Defense estimates, 20 percent of women serving in the United States military have been victims of sexual assault. Based on the Department of Defense's own data, it is estimated that at least twenty-six thousand service men and women experienced unwanted sexual conduct or were sexually assaulted in 2012 and only three thousand three hundred and seventy-four were reported.⁶ This represented an increase in reporting, but also a significant increase in assaults that were estimated at nineteen thousand in 2010.⁷ By the government's own admission, 90 percent of military sexual assaults go unreported. Why do so few survivors report? The answer is simple: fear. Key data from the 2012 SAPRO indicates that 47 percent did not report because of fear of retribution; 43 percent heard of negative experiences and retribution against others who did report; and 62 percent of service men and women who did report indicated there was professional, social, or administrated retribution.⁸ Studies and exposés both highlight that the perpetrators are often in a position of command or friendly with the commanding officer, thus placing an extra barrier for reporting.

The Oscar-nominated documentary *Invisible War* investigated and profiled men and women survivors of military sexual assault, going back to World War II, and professional retribution was a consistent reality for victims who did come forward. For example, the film profiles women from Marine Barracks Washington, who in 2006 reported a pattern of sexual harassment and sexual assault in which women were ordered to attend weekly drinking events and, in fact, ordered to drink (and subsequently sexually assaulted). Five female officers came forward to report sexual assault; four of them were themselves investigated or punished, and no officers were held accountable for the assaults. Within this context and with only two hundred and thirty-eight convictions for sexual assault in 2012 it is not surprising that men and women do not come forward.⁹ Even

⁶ Based upon raw numbers, more men are sexually assaulted but as a percentage of those serving, women are much more likely to be sexually assaulted than men.

⁷ Steinhauer, "Sexual Assaults in Military."

⁸ Service Women's Action Network (SWAN), "Rape, Sexual Assault, and Sexual Harassment in the Military."

⁹ Ibid.

when someone is convicted of sexual assault it does not mean they are removed from military service. “One in three convicted military sex offenders remain in the military. . . . Currently, the Navy is the only branch of the military that discharges all convicted sex offenders.”¹⁰

The epidemic of sexual violence within the United States military is not a new phenomenon. For the last twenty-five years alone, there have been steady streams of horrific scandals of patterned and group sexual violence involving military conferences, training centers, academies, and particular units. With each scandal, the same drama unfolds. Public outcry is followed by the demand for accountability and change by public officials. At each point, military commanders and the Secretary of Defense come before Congress and emphatically proclaim there is *zero* tolerance for sexual assault within their ranks. Similarly, they also insist that it is absolutely necessary to good order and discipline that the military chain of command be left alone to deal with sexual assault internally. Since 2012, public pressure has been maintained through the public voice of New York Senator Kirsten Gillibrand and others. Minor reforms have been passed, including that victims must be given their own special victim counsel, and yet, all attempts at removing decisions about military sexual assault cases from the regular chain of command have failed. Both the United States military and the United States Congress have rejected any significant change in the institutional context. This very brief summary simply outlines the prevalence and intransigence of unabated sexual violence within the United States military.

Military Sexual Assault as Political Violence

By focusing on sexual violence by United States soldiers against their fellow service men and women, this work examines military sexual violence as an instance of political violence. Political violence is perpetrated, supported, or permitted in the name of political ideology

¹⁰ Service Women’s Action Network (SWAN), “Rape, Sexual Assault, and Sexual Harassment in the Military: Fact Sheet”

or institutions, such as the military. Military sexual trauma (MST) as defined by the Department of Veterans Affairs refers to “sexual assault or repeated, threatening sexual harassment,” including being pressured or threatened into unwanted sexual activity, unwanted sexual contact, and unwanted, threatening, violent, or offensive sexual advances that occurred while serving in the military.¹¹ This chapter focuses on military sexual violence understood as sexual assault, repeated and threatening harassment, and patterned attacks or retribution on victims. Military sexual violence is permitted and perpetuated in the name of protecting both the military institution and the political ideologies operative within the dominant American military narratives. First, military sexual violence is supported by the ideology of military training and its insistence of breaking down and remaking a person into a soldier in which power is asserted over individuals so that the institution becomes one’s identity.¹² Second, it is perpetuated by a military political ideology that insists that good order and discipline, the very functioning of the military, demands it police itself free from civilian legal interference.

Finally, military sexual violence is permitted by the political ideology of the general public. Widespread sexual assault by soldiers against soldiers does not fit into the public narrative of citizen soldiers characterized by honor, loyalty, courage, and self-sacrifice. Yet, as political scientist Carolyn Warner notes, these revelations have not altered American society’s image of the military. She explains, “the United States military has not seen a sharp decline in recruits or a decline in status” in which “the untouchable chain of command and Uniform Code of Military Justice [are] virtually cloaked in an aura of sacredness.”¹³ The reality that the last twenty-five years have shown consistent evidence of rampant sexual assault with impunity threatens to disrupt a political narrative of military honor prioritized and acclaimed by

¹¹ Department of Veterans Affairs, “Women, Trauma, and PTSD.”

¹² While outside the scope of this article, the training itself and, in particular, reflexive fire training and practices which dehumanize the “other,” should be investigated for their role in perpetuating a culture of sexual violence against fellow soldiers and civilian populations in conflict.

¹³ Warner, “The Politics of Sex Abuse in Hierarchies,” 24.

the American general public. The above data demonstrates that sexual assault is not a matter of “isolated bad apples” nor is it a matter of active conflict or the extreme conditions of war.

Both women and men are victims of sexual violence. Men drastically outnumber women in the United States military, and as a result based upon raw numbers, more men are sexually assaulted than women. Percentage-wise, a much bigger group of women—20 percent versus 1.7 percent of men—experience military sexual trauma. For our purposes, I am focusing on examining sexual violence against women as exposing the institutional, social, and political setting that enables it; as mentioned earlier, the social reality of suffering hermeneutic will help us understand the marginalized and dehumanized condition of male sexual assault victims as well.

In *Suffering and Salvation in Ciudad Juárez*, author Nancy Pineda-Madrid uses the social reality of suffering to examine the systematic, public, and brutal murders of young women in Juárez, Mexico, that have persisted with impunity over the last twenty years.¹⁴ Using her framework of the institutional and social setting of violence against women sheds light on military sexual assault as political violence and not simply “misogynistic pathology of perpetrators.” The first step, according to Pineda-Madrid, is to acknowledge the presence of a patriarchal or kyriarchal sociopolitical system and ask, “What is the social condition that allows for the possibility of the proliferation of sexual violence? What are the roots of this condition? What keeps it vital and thriving? No doubt, the state and other major social institutions play a major role as they structure this social world.”¹⁵ This requires acknowledging the demonstrated impunity of perpetrators in the face of staggering sexual assault numbers. A less than 1 percent conviction rate and the ability of military commanders to decide to overturn or ignore punishment or convictions signal that the military institution and the government

¹⁴ Pineda-Madrid, *Suffering and Salvation*, 13: “In April of 2009, the *El Paso Times* reported that since 1993 more than six hundred girls and women have been tortured, raped, and murdered, most between the ages of ten and thirty. Many more are missing.”

¹⁵ Pineda-Madrid, *Salvation and Suffering*, 16.

more broadly knowingly allow rampant sexual assault to continue. “The United States military justice system enjoys unique autonomy from the purview of civilian oversight. This self-contained legal framework also lacks any independence from the military’s hierarchy structure.”¹⁶ The complete independence of military justice and the refusal of Congress to alter the military chain of command’s control over sexual assault investigation, prosecution, and punishment, as well as the military as an institution of the government, demonstrate that the military is not only a major social institution, but also a political one.

Second, we need to recognize that military sexual violence is “an extreme attempt to construct and inscribe power hierarchies” which, “rooted in a kyriarchal culture[,] creates a devaluation of female lives.”¹⁷ Sexual violence is not about sex or sexual desire but power. All of the rape survivors interviewed in *Invisible War* detail the assertion of power hierarchies in their attacks. Asserting power to put women in their place or laying claim to their bodies, military sexual trauma is a way of ascribing power hierarchies that devalue women’s lives and bodies. Sixty-two percent of victims who report assault report experiencing professional and social retribution. Almost half of those who report state fear of retribution or stories of other victim’s experience of retribution were why they did not report the sexual assault.

The third component here is the denial of the political existence of victims through an unjust system of investigation, which effectively negates their coming forward from the very start.¹⁸ In the case of military sexual assault, the denial of justice and political existence is subtler than Pineda-Madrid’s examination of murdered women and girls in Juarez. Survivor testimony consistently details that investigations often focus more on investigating the credibility of the victim rather than the perpetrator. As the *New York Times* reports, “the stories the military officers have told tend to feature a common element—namely,

¹⁶ Woods, “A ‘More Searching Judicial Inquiry,’” 1349.

¹⁷ Pineda-Madrid, *Salvation and Suffering*, 16.

¹⁸ Pineda-Madrid, *Suffering and Salvation*, 16.

the favoritism that commanders exhibit toward the accused and a lack of sympathy toward those who report such offenses.”¹⁹ If a perpetrator is deemed useful to the unit, those convicted of sexual violence are granted clemency and allowed to remain. In practice, the victim, and not the perpetrator, is often viewed as the problem. The persistent reality that more than twenty thousand victims of sexual assault in 2012 did not come forward, only acknowledging the experience of sexual assault in an anonymous survey, provides clear evidence that the political existence of victims is pushed towards the margins. Perhaps the most extreme example is the high prevalence of victims of military sexual trauma among homeless female veterans. A recent study of homeless veterans under the Veteran Health Association care found that 40 percent of female homeless veterans experienced military sexual trauma.²⁰ Military sexual trauma is the leading cause of posttraumatic stress disorder (PTSD) in female soldiers, whereas for men it is combat.²¹

An additional aspect of the unjust military investigation system is the betrayal by the institution of which they were a part. The rejection and shunning from superiors and fellow service men and women represent a second victimization and betrayal. As psychologists Smith and Freyd explain, betrayal trauma theory uncovers that “abuse perpetrated within close relationships is more harmful than abuse perpetrated by strangers due to the violation of trust within a necessary relationship.”²² The violent betrayal by a fellow officer, whom one identifies as a comrade, is then met with a second betrayal by the United States military itself, an institution to which its members profess loyal service. Institutional trauma is then added to the initial trauma of the sexual assault and betrayal component. This concept was developed by Smith and Freyd to address the impact of when an institution one trusts fails to respond to a situation of trauma

¹⁹ Robert Draper, “The Military’s Rough Justice on Sexual Assault.”

²⁰ Pavao et al. “Military Sexual Trauma Among Homeless Veterans.”

²¹ Service Women’s Action Network (SWAN), “Rape, Sexual Assault, and Sexual Harassment in the Military.”

²² Smith and Freyd, “Institutional Betrayal,” 577.

and injustice, such as when a domestic violence victim reaches out to the police for justice and protection but fails to receive it. Smith and Freyd explain, “Institutional betrayal is a description of individual experiences of violation of trust and dependency perpetrated against any member of an institution in a way that does not arise from an individual’s less privileged identity.”²³ The more closely a survivor identifies with, in this case, the military, the deeper the trauma from institutional betrayal. At every level one experiences violence and rejection from those previously trusted.

Former Air Force Prosecutor Don Christiansen remarked, “When the commander is so obviously supporting the accused over the victim, it sends a clear message that it’s OK not to believe her and to shun her. And so why would a woman come forward?”²⁴ One of Colonel Christiansen’s last cases before leaving the Air Force involved a female officer who, upon coming forward to report she was sexually assaulted, was told by her commanding officer she should expect negative consequences for her report. Later, despite the perpetrator’s conviction and dismissal from the Air Force (against his commander’s character reference urging clemency), the victim found herself ostracized by her unit and for the first time received downgraded evaluations. It is worth noting that Christiansen’s own success in prosecuting sexual assault and his vocal advocacy against allowing perpetrators to stay in the military led to professional retribution against him as well.²⁵

All of this fits into the category of institutional betrayal. Recognizing the systematic and institutional aspects of betrayal directs our attention to the culture, priorities, and institutional identity that allow sexual assault to persist, as well as to the impact on victims who previously were part of and trusted the institution. “Sexually assaulted women who also experienced institutional betrayal experienced higher levels of several posttraumatic symptoms,”²⁶ thus it is not surprising that homeless female veterans who were sexually assaulted demonstrate

²³ Ibid., 577.

²⁴ Draper, “The Military’s Rough Justice on Sexual Assault.”

²⁵ Draper, “The Military’s Rough Justice on Sexual Assault.”

²⁶ Smith and Freyd, “Dangerous Safe Havens,” 122.

higher levels of PTSD. Despite the fact that women are less likely to develop posttraumatic stress disorder, the combination of sexual trauma and institutional betrayal contributes to military sexual trauma as the leading cause of PTSD in female veterans.²⁷

Focusing on military sexual assault as structural political violence linked to social suffering helps direct our attention away from narratives that only see individual perpetrators and isolated cases by “linking personal accounts of extreme suffering to the social matrix that precipitates them.”²⁸ This hermeneutic allows us to see clearly that sexual assault in the U.S. military is organic to, or at least parasitic on, its accepted social functioning. This is particularly evident in the public acceptance of military priorities on cohesion and command. As Smith and Freyd note, “maintaining the cohesion of the military unity is prioritized above investigating or prosecuting reports of sexual harassment or assault.”²⁹ In doing so, we find an analogy to Pineda-Madrid’s fourth aspect of patriarchal political violence played out on women’s bodies. In her case, “the killers use girls and women’s bodies for the purpose of asserting their unmitigated control of Juarez and beyond.”³⁰ In the case of the soldiers, women’s (and male victims’) bodies are being used by the military institution itself to assert the unmitigated power and control of the military itself. Fear and stigma control victims reasserting that the military is in control. This is in direct contrast to the strong rhetoric of “no tolerance” while the unjust structures remain largely unchanged.³¹ In naming political violence and examining the complexities of the social and institutional context, one is required to look at all of the conditions that allow this dehumanization of women and men to continue, including the responsibility on the general public for permitting violence to continue

²⁷ Department of Veterans Affairs, “Women, Trauma, and PTSD.”

²⁸ Pineda-Madrid, *Suffering and Salvation*, 21.

²⁹ Smith and Freyd, “Institutional Betrayal,” 581.

³⁰ Pineda-Madrid, *Suffering and Salvation*, 17.

³¹ Warner, “The Politics of Sex Abuse in Hierarchies,” 16–17. Warner notes that, while rhetoric from the military is stronger than the Vatican’s, its actions are significantly weaker. This is compounded in Warner’s analysis by the unchanging reverence of the military in contrast to the damage to the Catholic Church’s reputation as a result of the sex abuse scandals.

under the guise of good order and discipline for those charged with protecting the security of the nation. For Christian ethics, military sexual violence as political violence raises previously unaddressed questions regarding participation in a particular institution.

Calling for Structural Change: Questions and Resources from Catholic Ethics

In the wake of such overwhelming evidence that there is a sustained and ongoing culture of sexual violence in the United States armed forces in which women and men are violated, betrayed, suffer retribution, and marginalized with impunity, it is surprising that Catholic voices in the United States have been largely silent. Catholic theology has a long tradition of reflecting on conflict, war, and peace. And yet, the voices responding to questions of conflict, war, and peace generally fall into three (sometimes overlapping) categories: just war, pacifism, and peacebuilding. The military itself has traditionally been addressed by just war or pacifism. While pacifism opposes all use of force, the just war tradition focuses on the use of force and does not devote much attention to questions of justice within the military institution itself, as separate from its deployment, weaponry, or protection for civilians. Catholic theologians and activists have been instrumental in prioritizing violence against women in conflict and in the agreement recognizing rape as weapon in war.³² The current scandal of military sexual assault within the U.S. military pushes us to extend our attention to violence against women within conflict to look at sexual violence within individual institutions, both national militaries and international peacekeeping. Focusing on sexual violence as political violence, two related questions emerge. First, what resources are there within Catholic theology to call for structural change to dismantle the status quo? And second, barring significant change, given the deep institutional social sin detailed here, can a Christian participate in this particular military?

Catholic peacebuilding focuses on creating justice and healing within a community. As Robert Schreiter explains, “we know that truth gets distorted in conflict. . . Peace-building involves principally

two activities: undoing the mistruths about the past and laying a truthful foundation for a new society.”³³ With respect to survivors of military sexual assault who have experienced the secondary betrayal of rejection and shunning by the institution, commanders, and fellow servicemen and women the role of *acknowledgment* must be emphasized in moving forward. Justice requires acknowledging the truth of what happened.³⁴ According to John Paul Lederach, “acknowledgment is decisive in the reconciliation dynamic. It is one thing to *know*, it is a very different social phenomenon to *acknowledge*. Acknowledgment through hearing one another’s stories is the first step towards restoration.”³⁵ It should be noted here that I am not speaking of restoration between the perpetrator and victim, but between survivors of military sexual trauma and the broader military community. In order to overcome the betrayal by one’s own community (the military), a betrayal often expressed with analogies to family betrayal in personal stories of victims, an acknowledgment of their violation and experience is required. This is a necessary component in pulling victims out from the margins and creating a safe space for reporting crimes of sexual violence. This personal and communal acknowledgment, however, does not supplant the need for radical structural change in the justice system.

In peacebuilding, there are three types of truth, all of which are required in this case: *factual*, what happened; *personal*, in which “survivors of crime or their relatives will want to know what motivated the wrongdoers to act as they did;” and *existential truth*, or “the dimension of the truth that illumines our identity and helps reestablish our sense of self and community.”³⁶ All three types of truth require attention in order to facilitate reconciliation between survivors of military sexual trauma with the military itself and with the broader society. As political violence, the culture of military sexual assault persists and is tolerated due to the complicity of the broader society.

³² In particular the work of Dr. Carol Rittner, RSM, and Sr. Deirdre Mullan, RSM, *Rape as a Weapon of War & Genocide* (2012).

³³ Schreiter, “Peace-Building and Truth-Telling,” 50.

³⁴ *Ibid.*, 51.

³⁵ Lederach, *Building Peace*, 26.

³⁶ Schreiter, “Peace-Building and Truth-Telling,” 53.

Despite temporary public outcry with each military sexual scandal, the American people continue to accept a divided justice system in which intra-military sexual assault victims have neither justice nor civilian recourse. Peacebuilding practices challenge the rest of society to accept their role in the creation and maintenance of military ideology over justice. As Schreiter notes, “violence feeds on a culture of lies and can only be stopped by the presence of truth. For truth must be present we must not only speak it but practice it as well.”³⁷ In a democratic society, all of the community must stand up and demand truth and justice on behalf of military sexual assault victims.

A major element in the structural and institutional component of this violence is the unjust investigation system, which denies victims’ political existence. The military justice system for sexual violence is profoundly unjust, and after more than twenty years of public statements that the military can and will deal with this on its own, it is time to say enough. When examining questions like these, Catholic social teaching’s principle of subsidiarity is particularly useful. Subsidiarity is an instrumental principle which aids in navigating decision making that both protects the multiple layers of society while also recognizing that the state has a responsibility to promote and protect the common good. Despite the priority of voices of those closest to the situation, Catholic social teaching mandates that when a group is unable or unwilling to fulfill its duties, then the higher order of society has a responsibility to intervene. Since 1991, strong, consistent rhetoric claiming zero tolerance and the need for military commanders to internally deal with sexual assault within their existing chain of command and the code of military justice have not led to significant change. From the perspective of Catholic social teaching the United States military is clearly either unwilling or unable to address military sexual trauma and the rampant injustices within its system of military justice. Given that, it is time for the federal government to take responsibility for the common good and the protection of sexual assault survivors.

The principle of subsidiarity demands structural change and intervention. The unjust investigation and prosecution system is one

³⁷ Ibid., 56.

element of this. Chain of command has shown that it is unable or unwilling to adapt sufficiently to correct the bias for unit cohesion and operational skills over sufficient prosecution of sexual assault. Applying the principle of subsidiarity, the unit commander may be the proper adjudicator in matters of operation and minor offenses; they are not the appropriate point for sexual assault. In addition, much deeper structural investigation and change beyond military justice system is demanded. It is outside the scope of this present work to determine whether it is truly an inability or unwillingness of the military to address the problem. This present study does not desire to ascribe intention on the part of military command to marginalize victims; however, the failure to change, the maintenance of the status quo, and violation of subsidiarity are irrefutable. The military justice system needs to be radically changed, and more research has to be done to evaluate military culture and military training including recruitment. Currently, military culture is one of sexual violence. As this chapter has shown, this sexual violence continues with impunity allowing many perpetrators to continue to attack new victims. Additional evidence of systemic institutional failure in recruitment and admission standards is that “the pre-military sexual assault rate of male recruits (13–4.8 percent) is approximately twice that of civilian men (7.1–8 percent).”³⁸ This culture of sexual violence begins in recruitment, is perpetuated through training, and enshrined when perpetrators harass and assault with impunity.

More broadly, this case can help us to further develop using violence against women as a hermeneutic for unmasking and dismantling structural violence, injustice, and social sin. Questions of a particular institution are often missed in Catholic ethics investigations of social realities, in particular, conflict and the use of force. For example, while there were civil rights leaders who argued against racially segregated military units, Catholic theologians and Christian ethicists writing on war and peace did not challenge participation in the military on the basis of segregation itself as an unjust structure internal to the military. Separate from an overarching critique of an unjust political

³⁸ Smith and Freyd, “Institutional Betrayal,” 581.

order (such as a dictatorship or fascist regime) or unjust laws (such as racial segregation), evaluating individual political institutions seems murkier. The United States government is a legitimate political authority, and the United States military is its legitimate military operation. However, looking at military sexual assault as political violence in which 20 percent of service women experience military sexual trauma with impunity for perpetrators exposes an injustice that cuts to very foundation of the institution itself. As a result, even if one were to believe in just war theory, even if one were to acknowledge that force might be necessary in the face of some aggression or situations of violent oppression, it should not follow that Christian participation is automatically legitimate.

Christian social ethics needs to address a separate question about Christians' participation in a specific military institution based upon that institution's internal structure. Given the irrefutable evidence of an institutional culture of sexual violence, should a Christian join the United States military? Can a Christian morally participate in a military in which sexual violence continues as an ongoing epidemic? Can this military institution, despite its valid political authority, be deemed a sufficiently just institution such that a Christian can participate in it? These are questions that Christian ethics and the wider Catholic community must face. The traditional focus on deployment, weapons, and the effect of force on civilian populations is not sufficient. According to the status quo, sexual assault is legally and practically considered "incidental to military service." What does it mean for a Christian woman or man to consent to participation in the United States military within that context? The Catholic moral tradition also needs sustained examination of the structures of particular military institutions in order for one to make a judgment of conscience to participate.

Conclusion: Looking Beyond the United States to the United Nations

Military sexual violence as both political violence and a challenge to military ethics has broad ramifications beyond the United States,

especially given the international push for women peacekeepers. Both violence against women and the need for women's participation are ongoing priorities of the United Nations and UN Women, in particular. Since UN Security Council Resolution 1325 was adopted in 2000, the United Nations has focused on increasing the number of female peacekeepers and "the need to integrate a gender perspective in [conflict negotiations, peacekeeping, humanitarian interventions], including peacekeeping operations."³⁹ In 2014, "women constitute 3 percent of military personnel and 10 percent of police personnel in UN Peacekeeping missions" out of one hundred and twenty-five thousand peacekeepers.⁴⁰ Given the international focus on increasing the number of female peacekeepers, it is imperative that we take the current crisis within the U.S. military seriously.

According to the United Nations' "Women in Peacekeeping" information site, "female peacekeepers act as role models in the local environment, inspiring women and girls in often male-dominated societies to push for their own rights and for participation in peace processes."⁴¹ In addition to gender mainstreaming, UN Women hopes that increases in women peacekeepers will lead to greater reporting of domestic and sexual violence as well as increased female participation in post-conflict democratic processes. At the same time, however, questions have been raised about the perceived impact of female peacekeepers on their male counterparts. In the wake of sexual assault scandals perpetrated by UN Peacekeepers, such as the sexual abuse of children by Sri Lankan peacekeepers in Haiti,⁴² increased presence of women has been offered as a solution. Olivera Simic challenges this program arguing "the mere presence of women peacekeepers will not necessarily change military gender hierarchies and the macho culture within which peacekeeping operates."⁴³ Simic found women peacekeepers were unlikely to report sexual assault or challenge existing

³⁹ Ivanovic, "Why the United Nations Needs More Female Peacekeepers."

⁴⁰ United Nations, "Women in Peacekeeping."

⁴¹ Ibid.

⁴² BBC News, "S Lanka troops 'abused Haitians.'"

⁴³ Simic, "Does the presence of women really matter?" 196.

male-dominated peacekeeping culture.⁴⁴ Similar to the situation in the United States military, there is impunity for sexual violence committed by peacekeepers against civilian populations. Units or officers may be expelled from the mission; however, few, if any, are prosecuted by their home country.⁴⁵ Learning from the United States' example, we must ask what is being done to prevent and prosecute sexual violence by peacekeepers against civilian populations; but we also must ask, what about sexual violence against fellow peacekeepers? In our efforts to increase female peacekeepers and achieve gender parity, we must be certain that we are not encouraging female peacekeepers into a situation where sexual assault is considered "incidental to service."

Christian ethics and specifically the Catholic community is a strong voice on virtually all issues of conflict, war, and peace. Christian ethics and Catholic voices have been at the forefront of drawing attention to military sexual violence against civilian women in conflicts. Through examining intra-military sexual violence as political violence, this chapter has tried to expose and analyze an ongoing ethical crisis otherwise neglected. It is an ongoing injustice that has profound ramifications for the American military and American society's relationship to the armed forces, as well as for the United Nations. Building upon previous ethical analysis focusing on violence against women in conflicts, recognizing that women and children are disproportionately affected, this chapter argued that our scope and attention to sexual violence against women needs to be developed further. From recruiting of cadets to the prosecution of sexual assault, profound structural changes in the United States military's entire approach to sexual violence are morally required. Beyond the military, Christian ethics needs to develop its approaches to military ethics to include ethical evaluation of individual military institutions beyond questions of pacifism, deployment, just war, weapons, and effects on civilian populations. Ultimately, Christian ethics must ask: If sexual assault can be considered *incidental to military service*, can participation in that military be morally justified?

⁴⁴ Ibid., 188–99.

⁴⁵ Vezina, "Combating Impunity in Haiti," 431–60.

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