

Harassment and Sexual Assault in the Army

Case studies, primarily in the United States and France

For decades, soldiers have perpetuated a system, throughout the world where sexual assault¹, cover-ups, and the harassment of victims is common conduct. While there has been an increase in women in armies, the problem of harassment and sexual assault has reached such a point that it can no longer be ignored. Victims of sexual trauma experienced within the army, have described their horrific experiences in books, articles, films, and in group therapy or at their sexual assault trials.

Harassment and Sexual Assault in the American Army

Since the Tailhook Convention Scandal in 1991, the common nature of sexual harassment in American armies has slowly become a part of the public conscience. However, only after the publication of Helen Benedict's book *The Lonely Soldier* did American society realize the extent of the problem.

The frequency of sexual trauma in the American army has become an epidemic that touches men as frequently as it touches women. Simply in 2013, 60% of military personnel reported sexual harassment, 20% of which were women. These statistics show a clear failure in the system. Some principal problems emerge, which together, generate the perfect environment for the perpetuation of acts of sexual violence: a power structure in the hands of men, a hierarchical legal process with the chain of command, and a prevention program that places responsibility on the victim.

Today 88% of officers in the army are men. This goes hand in hand with a process of initiation and hazing in training camps that is deeply misogynistic, a low percentage of women per unit, and the late arrival of permission for women to engage in combat roles. In this environment, women have to prove themselves to a greater extent than their male counterparts in order to attain the same level of respect as their partners. According to Mickiela Montoya, a victim of sexual assault who expresses her testimony in Benedict's book, "There are only three things they let you be if you're a woman in the military: a bitch, a

¹Throughout this article, the expression "sexual assault," will be used in accordance with the definition outlined by the United States Department of Defense: "Sexual assault is any type of sexual contact or behavior that occurs without the explicit consent of the recipient. Falling under the definition of sexual assault are sexual activities as forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, and attempted rape."

whore, or a dyke.” If sexual harassment is an issue in and of itself, it is even more dangerous in units where it is tolerated, as it is likely to increase the rate of assaults.

After a sexual assault is committed, the protocol is for the victim to report the assault to their commanding officer who will pass the details up the chain of command. In 80% of cases, however, assaults are not reported. This reveals a serious lack of confidence in the army’s legal system with regards to sexual assault claims. The first issue is that the commanding officer is the only person to whom the victim can relate their experience. This causes a problem when the willingness of the commanding officer to pursue an investigation is not evident. In a third of the cases where sexual trauma was not reported, the reason for the abstention was the commanding officer’s friendship with the assailant. In 25% of these same cases, the aggressor was the commander himself. In these cases, the victims are often accused of having lied, having committed adultery (even when the victim is single and the assailant married), or having acted against good morals.

Other victims fail to report harassment because they have no trust in the legal system. This appears quite reasonable when one considers that out of 3,158 reports submitted for allegation of rape in 2010, only 529 resulted in a trial and only 175 of the accused assailants went to prison. This absence of justice and the resulting consequences has led to a rate of recidivism that reaches 90%.

This reality is not only a concern for soldiers but also for civilians. After leaving the army, these assailants will live in communities where no one will be aware of their previous crimes as they are not listed on the sex offenders list. The absence of an adequate legal process in the army is thus leading to a dangerous situation for civilians that could result in terrible consequences.

However, the main problem that prevents victims from speaking out is the social pressure to remain silent. In 2005 the U.S. Department of Defense created the Sexual Assault Prevention and Response Office (SAPRO). This has been a failure as, firstly, the office only has the power to make suggestions and, secondly, it has designed a very weak prevention system that includes training on how victims and assailants should respond and treat harassment. These courses mainly focus on what can be done by victims and their entourage to avoid sexual assault, and relies on slogans such as “ask her when she’s sober” or “have a buddy.” While the simple nature of posters and videos presented once a year doesn’t change an ingrained culture of harassment, these slogans also suggest that sexual assault is the result of victims placing themselves in vulnerable situations such as drinking too much or walking alone at night. This, however, is a falsehood. Sexual assault is not caused by sexual desire. It is caused by a thirst for domination and a perverse need to deprive the victim of control over their most intimate parts. This is why the psychological impact is enormous when we tell a victim what they should have done or that they could have avoided the assault because it suggests that it was their fault.

Videos showing women being lectured because they weren’t accompanied home by a friend, or posters with advice such as “Don’t take unnecessary risks,” or “Never be complacent,” place the responsibility on the victim, which discourages the reporting of sexual assault. This advice about appropriate behavior with regards to personal security is also a tacit recognition on behalf of the army that sexual assault exists and constitutes a problem. If this

wasn't the case, women would not have to receive advice on precautions to take against their male counterparts.

Methods to prevent sexual assault should not be directed at victims and witnesses. Changes should consider social structures that make some soldiers less important than others and the legal systems that allow perpetrators to get away with their crimes. The prevention should begin by giving more influential power to women by integrating female soldiers. Then, rather than showing videos annually, there should be the establishment, day after day, with the cooperation of officers, of an environment of mutual respect. Victims of sexual harassment should be able to report their cases to an impartial third party, rather than a commanding officer, who by nature of his or her position has control over the perceived merit of each of his or her subordinates. Finally, it is necessary that acts of sexual assault be pursued with quick and severe consequences. This would not only reduce the rates of recidivism but clearly communicate to assailants that they will have to confront a real policy of zero tolerance.

Harassment and Sexual Assaults in the French Army

For years the question of sexual trauma in the French army was hidden behind the locked doors of the Ministry of Defense. In February 2014, Leila Manno and Julia Pascual published a book concerning this subject titled *La guerre invisible* [The Invisible War]. Through testimonies written by ex-combatants as well as current military personnel, the book reveals the veritable fight undertaken by women in the French Army.

Since this is a new subject, there are very few statistics. However, due to the important work of these two authors, we can identify the existence of sexism, harassment, and sexual violence in the French military system. According to their research, it is difficult for women to get a position outside administrative positions, secretarial positions, or medical positions. This observation is corroborated with information found on the website of the *Secrétariat Général de l'Administration* (SGA) [General Secretariat of Administration], which includes human resources, telecommunications, and air traffic control, along with other careers that are more oriented towards women. 38.2% of the women in the military work in administrative roles and 56% of medical workers are women (*La Croix*, July 17th, 2013). While these careers represent very admirable and important choices, it is necessary for women to choose these positions freely and not because they feel excluded from other positions due to a culture of harassment or other sexist barriers.

Women who serve in combat units are confronted with harassment and contempt. It is a common strategy to resort to the use of misogynistic language during training. Women who oppose this behavior are viewed as having a weak character and their reaction is presented as further proof that they have no place in the army. Out of the 22% of women who choose to have combat roles, only 6.7% of them are engaged in operations abroad (Opex). This obstacle for women to engage in combat roles prevents them from working their way up in the hierarchy and worsens the current situation with only 3 female generals in the army in 2013.

These differences in access to powers limit the positive evolution of our society. A hidden consequence of this inequality is uncontrolled sexual violence. The problems linked to this question of sexual violence discovered in the French army, are very similar to those found

in the United States: a lack of respect, isolation, absence of an independent legal body (as justice depends on the chain of command).

As long as misogyny is a training strategy, and the number of women in command roles is sparse, it is not difficult to imagine why female army personnel do not benefit from the same respect and loyalty as their male counterparts.

Of course many women have strong connections with their fellow soldiers and leave the army with worthwhile experience, education, and perspectives of a better life but too many among them suffer abuse and psychological trauma. This is also heightened due to the fact that when women in a unit are assaulted, it is generally by one of their brothers in arms. Not only does this cause psychological trauma comparable to that experienced by victims of incest but it requires other soldiers to make a choice between the protection of their “brother” or the defense of their “sister,” and too often the former prevails. This fundamental loyalty towards the men of a unit is the cause of many personal and legal problems. Often, when women have experienced sexual assault they are encouraged by their fellow soldiers to remain silent. Reporting sexual assault can result in women being called bitches or liars, and being ostracized from the rest of their unit. Because sexual assault is often perceived as a failure on the part of the commanding officer to maintain control over his troops, the victim is often moved to another unit rather than the assault being reported to higher authorities.

When a case is brought before a court, it is generally years after the assault took place. The testimonies of soldiers can be altered in favor of the aggressor, which damages the reliability of any witness statement. The victims also have to undertake the emotional hardship of recounting their story in a room with their aggressor, which then only receives a light punishment. In the military, the sentence is 40 days’ imprisonment for harassment, and in the navy it is only 10 days. With regards to sexual assault the sentences are more severe. In the case of an officer who drugged and sexually assaulted two women, the aggressor was sentenced to 3 years in prison. Furthermore, all too often, in addition to these light sentences, after having served their time in prison, the aggressors retake their position in the army, while the victims leave due to reasons of psychological trauma.

Statistics concerning convictions are not as easily accessible in France as they are in the United States. Nevertheless, it is possible to make comparisons based on victim testimony. A primary observation is that cases where the commander is the aggressor do not occur as often in France. It also seems that there are more convictions in France than in the US, even if they only occur several years later.

There is a different understanding of the notion of sexual harassment between France and in the US. For a number of French people, the term “sexual harassment” is applied when a sexual act is committed under threat or where there is no consent. However, an act such as pinching the buttocks of a colleague or showing pornography on a military base are simply seen as normal conduct for males. It is thought that women have to accept this: “I have never been assaulted in the proper definition of the term, that is, being tyrannized by someone. It’s true that we are often annoyed and it’s true that there are men who will take advantage of a situation to pinch our bottoms in the elevator, but that’s different... I really feel aggressed once someone puts a knife to my throat and says: ‘if you don’t say yes then you lose your job.’” (*Saguy*, 2003). This view can, nevertheless, cause a problem: harassment is a pathway to

sexual trauma. When men can treat women as sexual objects day after day, the risk of sexual assault increases greatly.

Harassment and Sexual Assault in Armies Around the World

The consideration of France and the United States in terms of sexual violence does not mean that harassment and sexual assault in the army are limited to these two countries. In examining global reports, it becomes evident that harassment and sexual assault are a pandemic. In Germany 15% of female soldiers reported an unwanted sexual act in 2015. In Israel 12% of military personnel were victims of sexual trauma. In Australia 62% of the military of personnel declared having experienced sexual harassment in 2013. In Libya, the famous “Amazonians” of Muammar Gadhafi where officially his body guards but once behind closed doors they were his sex slaves (*Cojean, 2012*).

The examination of this problem on a global scale can be discouraging but there are reasons for hope. Norway is experimenting with a unique method for responding to sexual harassment. While in the majority of military bases, Norwegian soldiers live in gender segregated housing, on one military base in the north of the country, the army is experimenting with rooms that have 4 men and 2 women. The initiative is too recent to see real results but initial reports suggest that women on this base feel a greater sense of comradery with their male counterparts. On the other hand, the simple fact that there are so many statistics on sexual harassment in so many countries suggest that the public is aware of the problem, which will force policy makers to make necessary changes.

The men and women who have chosen to join the army have dedicated their life to the protection of their country. In the United States, the pressure from civil society should be enough to get congress to pass the law of Senator Gillibrand. Under this law, soldiers would have many pathways to report sexual assault, which would prevent reports from being silenced by commanders.

In France, it is necessary to conduct further research in order to find pertinent solutions. There is still much to do but some advancements have already been achieved. Jean-Yves Le Drian, the Minister of Defense, ordered an investigation into sexual violence in the French army. Furthermore, a woman has already courageously revealed the abuse that she experienced (*La Croix/AFP, March 3rd, 2014*). We can hope that in the months and years to come, more women will come forward, and that this system, which perpetuates harassment and sexual violence, will undergo serious modifications.

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