

Ethnic Politics, Masculinity Wars of Sexuality and Male Targeted Violence During Times of Political Conflict and Unrest

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Introduction: Social Construction of Masculinities Linked to Aggression, Dominance and Violence

‘Coming from a community that practice male circumcision, I could not fathom why my neighbor who belonged to a different tribe always fled from his homestead during the circumcision period and only resurfaced after the period was over. Cases of forced circumcision on their tribesmen in market places, town was normal, and we had a name for uncut men ‘omusinde’ which translates to a child. No arrest nor prosecution was done. The kinsmen from the said tribe were often met with ridicule and judgement from other surrounding communities that circumcised men, which made it hard for them to seek help or talk about their experiences. Growing up, I saw nothing wrong with it later because the Kenyan Government was promoting male circumcision as a way to reduce HIV/Aids in communities that do not practice it: i.e. my neighbor’s tribe. It was only later that I learned that his tribe did not practice male circumcision and he felt excluded and alienated during that time. This sense of exclusion not only affects cultural practices, but also impacts the mental health of men and boys. The societal expectation for men to be strong and resilient leads to the dismissal of their trauma and the denial of their identity as survivors. As a result, they are often reluctant to seek support services, fearing judgment and the perpetuation of harmful stereotypes.’ Writer’s perspective.

Traditional circumcision ceremonies hold profound cultural and social significance, often symbolizing the transition from childhood to adulthood in many societies. Anthropologist Arnold van Gennep’s (1960) theory of rites of passage elucidates how rituals like circumcision serve to demarcate and

facilitate shifts in social status and identity. Victor Turner's work further emphasizes the transformative nature of such rituals, highlighting how they entail the acquisition of greater responsibilities and roles within the community (Turner 1969). Shweder's (2003) examination of cultural practices underscores the symbolic depth of circumcision, representing not only physical changes but also moral and social transformations. Within this cultural framework, circumcision embodies values of strength, courage and endurance, aligning with the community's ideals of masculinity and resilience (Ahmed 2017). Consequently, for many boys, undergoing circumcision signifies not just personal pride but also a significant milestone toward earning respect and acceptance within their cultural context (Phiri 2021).

In Kenya, the gender hierarchy is largely established in relation to hegemonic masculinity (Okech 2021), representing the cultural manifestation of the dominant form of masculinity that governs and subordinates femininity and other expressions of masculinity. For instance, effeminate men face social ostracization, non-aggressive men being viewed as inadequate (Mueni and Clifton 2017) and homosexual men experiencing violence and social isolation (Harper et al. 2015; Chadwin et al. 2022), illustrating the reinforcement of rigid gender hierarchies and constraints on individual autonomy and fulfillment. Forty-one of Kenya's forty-three tribes practice male circumcision (Maina et al. 2020). For example, in Bukusu culture, young men are expected to undergo traditional circumcision as a rite of passage to manhood. This initiation period involves a series of ceremonies and tests that are meant to prepare them for their new roles as community leaders and providers (Tabaso 2018). However, the pressure to conform to these expectations can lead to instances of violent hazing and bullying against those who do not undergo the procedure or fail to meet the community's standards of masculinity, which is traditional male circumcision – the primary tool through which men seek to elevate and celebrate their masculinity (Mayende 2021). This standard of masculinity allows a child to transition into adulthood on a personal level, encompassing physical, social and spiritual dimensions, ultimately integrating them as a valued member of the community (Barasa et al. 2020). One counterexample to the idea that male circumcision can promote positive masculinity in this culture is the prevalence of 'cutting parties' where groups of traditional circumcisers used to forcibly circumcise young boys without their consent. This practice not only violates the boys' bodily autonomy but also perpetuates a culture of violence and dominance over others, rather than promoting positive traits like responsibility and respect (Lamont 2018).

Using the concept of hegemonic masculinities, we can see how the expression of multiple masculinities establishes hierarchies of power not only between men and women but also among men. This hierarchical system promotes the idea that some men are more dominant and powerful than others, thereby reinforcing the idea that exerting dominance and control over others is a desirable trait for men (Musila 2012). This perpetuates a cycle of violence and toxic masculinity within society, fueling a cycle of violence and aggression towards those who do not conform to traditional norms of masculinity (Mkhize and Njawala 2016). In the context of my Bukusu tribe, it is observed that traditional circumcision has significant cultural value, symbolizing the epitome of honor, power and respect within the construct of manhood. A person of this kind is often seen as a genuine embodiment of masculinity, irrespective of their social status, hence granting them certain entitlements and privileges. The prevalence of this conventional notion of masculinity is not exclusive to the Bukusu tribe, since several tribes throughout the Kenya share such views (Mbachii 2006).

Nevertheless, it is crucial to acknowledge that this limited conceptualization of masculinity may have detrimental effects and perpetuate discriminatory practices. Men who deviate from conventional norms may experience social exclusion or feelings of inadequacy. This is seen in the case of males who undergo hospital circumcision and are classified as embodying 'inferior' kinds of masculinity (Omukunyi and Roman 2022; Mbachii and Likoko 2013). Consequently, they become susceptible to discrimination and social stigma from men who adhere to traditional circumcision practices. Consequently, those who have not undergone circumcision are often seen as resembling children and are consequently associated with the same level of inferiority as women, who are traditionally considered weaker than males. It is noteworthy to acknowledge that there exists a perception that a medically circumcised male has some advantages over an uncircumcised male, as the removal of the foreskin signifies transition from childhood to adulthood, thereby gaining social acceptance and belonging (Mbachii and Likoko 2013). On the other hand, several tribes, like the Teso in eastern Uganda, do not view circumcision as an obligatory criterion for attaining the status of manhood. In the Teso culture, there is no social stigma or ostracization towards males who choose not to undergo circumcision, nor is their manhood subject to questioning (Mwakikagile 2014). This observation highlights the considerable variation in conventional conceptions of masculinity across many cultures and geographical areas.

Therefore, what is the relationship between masculinity formation and production of violence through forced male circumcision during the political unrest and post-election violence? Kihato (2015) has explored the significant role of forced circumcision during periods of political unrest and post-election violence, shedding light on its implications for masculinity formation and its impact on men's overall well-being. Forced circumcisions are a particularly prominent component of the ethno-political strife in Kibera, where social dynamics and interactions played a pivotal role in elevating the act to a position of great importance within the context of ethnic and political struggle. In contrast to the Kikuyu community, it is customary for Luo males to abstain from circumcision as a traditional practice, instead engaging in other rites of passage by removing of the lower six teeth serves as a ceremonial transition into adulthood (Hermen-Roloff et al. 2011). In the cultural practices of the Kikuyu people, the act of male circumcision has significant value as it symbolizes the pivotal passage from adolescence to maturity, signifying the progression from a state of boyhood to that of manhood. In the political landscape of Kenya, the practice of circumcision has been used as a representation of political influence and affluence, serving as a means to establish Kikuyu superiority or dominance over the Luo community.

Social Learning and Historical Delinquency on Ethnic Violence in Kenya

The longstanding antagonism between the Luo and Kikuyu communities in the realm of politics may be traced back to the colonial era. Jomo Kenyatta, the inaugural president of Kenya, emphasized the inherent value of circumcision. Kikuyu leaders and political elites frequently assert their refusal to be governed by individuals referred to as 'Kihii', which denotes uncircumcised boys. This specifically targets Luo leaders, particularly those aspiring to the presidency (Kihato 2015).

Hence, the primary inquiry is to the underlying objective behind the implementation of these coerced male circumcisions. Was the objective of this practice to elevate the social standing of Luo men by the act of circumcision, or to reinforce a certain conception of the ideal male political entity? This argument posits that the preceding conduct had a wide-ranging objective of portraying Luo men as lacking the qualities of 'real men' within a dominant group, particularly from the viewpoint of their political adversaries, the Kikuyu. Furthermore, subjecting someone to acts of sexual aggression portrays them as lacking strength. I hold the viewpoint that the practice of framing male circumcision as a component of tribal warfare is fraught with issues, as it

neglects to include the element of toxic masculinity and the use of violence to suppress political adversaries. There exists a correlation between toxic masculinity and political engagement in the context of Kenya. It may be deduced from the aforementioned circumstances that the political turmoil ensuing from the disputed results of the presidential election between President Kibaki and Raila created an opportunity for Kikuyu males to exert dominance and degrade Luo men by means of coerced circumcision (Morettini 2016).

It might be argued that the Western concept of masculinity, which positions heterosexual males at the pinnacle of the masculine hierarchy, is inherently defective and subject to change. The assumption that masculinity is produced and reinforced differently across cultures is challenged by the practice of compulsory male circumcision among the Luo males in Kenya. The practice of forced circumcision was intended to diminish the authority and virility of males, a departure from the Western conception of masculinity as an inherent and unchangeable trait. This illustration demonstrates the need of adopting a nuanced perspective while understanding masculinity, which necessitates considering cultural context and power relations. The analysis of masculinity should be conducted with consideration of the surrounding environment and spatial factors. This aligns with one of the scholarly articles authored by Connel (2020), in which the author contends that cultural narratives around gender are present in all countries, yet the idea of masculinity is not universally recognized. Various perspectives, such as essentialism, positivism, normativity, and semiotics, provide diverse explanations for this phenomenon.

Silencing is a Gendered Process: Social and Cultural Norms Support Violence

In the context of men being target of sexual violence during political unrest, there exists a phenomenon characterized by acts of emasculation. Perpetrators of such acts seek to feminize their political adversaries by publicly presenting them as weak, violated, and devoid of agency, so contrasting them with the societal construct of ideal masculinity associated with circumcised men (Maina et al. 2020). According to scholarly discourse, emasculation is defined as a surgical procedure involving the removal of both the penis and testicles, resulting in the complete or partial loss of male reproductive organs and associated functions (Darby 2005). Within my indigenous community, a proverb exists which posits that the experience of a male being devoid of authority and subservient to a woman is akin to the sensation of having one's

genitalia removed or subjected to mutilation. It can be inferred that due to the heightened focus on male genitalia, numerous instances of coerced male circumcision subsequent to the post-election crisis went unreported and remained concealed (Johnson et al. 2014). This can be attributed to the possibility that men, feeling emasculated by the violence perpetrated against them, may have been reluctant to acknowledge their vulnerability and thus refrained from reporting such incidents (Bwire et al. 2021).

One such explanation is rooted in the research conducted by Jessica Auchter (2017) work that explains that the very stereotypes which deter lodging rape complains by men as they dread to be labelled and seen as lesser men, as their genitalia is supposed to conquer and not subdue. The author also acknowledges that this phenomenon discouraged survivors from disclosing their experiences and sharing their perspectives, since their narratives were less likely to be accepted due to the prevailing assumption that their masculinity inherently rendered them invulnerable and in complete control of their own bodies. Hence, the assertion that adult males experience violation as a result of circumcision is an erroneous notion within the context of a patriarchal country such as Kenya. Thus, it is important also to consider that survivors of such acts may have refrained from reporting due to various factors, including apprehension of reprisal or a lack of confidence in the efficacy of the legal system (Myrntinen 2018). Moreover, there are recorded instances in Kenya when male individuals who have experienced sexual assault have courageously disclosed their encounters, so challenging the notion that all male survivors remain mute and undergo emasculation because of their experiences (Boudreau 2018; Gatuguta et al. 2018). It is essential to acknowledge that the experiences of individual survivors are distinct and should not be subjected to generalizations rooted on cultural prejudices.

What, then, is the significance of suppressing male sexual violence? According to Mannergren's (2020) scholarly work on gendered silence in post-conflict nations, the author asserts that silence may serve as an intentional approach used by individuals to navigate the uncertainties of their daily lives, a means of communicating resistance, and a weapon for asserting one's rights. Silence has the potential to include both denial and tacit manifestations of respect. It may exert coercive tendencies, but it can also serve as a deliberate and strategic approach to ensure personal survival and safeguard the well-being of loved ones. Moreover, silence can manifest as an act of defiance against prevailing circumstances. In the aftermath of violence, those who have experienced its effects may resort to silence as a means of self-preservation, refraining from

openly expressing their thoughts or experiences due to the potential endangerment of their life or the perceived threat it may provide. In response to oppressive patriarchal systems, the use of silence and concealment is often employed as alternative tactics that provide the potential for heightened efficacy. In the immediate post-conflict environment, the process of reporting and seeking justice for victims of forced circumcision is mostly contingent upon the exercise of agency. In some instances, male individuals who have experienced sexual assault may choose silence as a means of safeguarding their own security and that of their close relations within a societal context where disclosing such occurrences might potentially result in more victimization or social ostracism. Nevertheless, some individuals may choose to vocalize their concerns and actively seek legal redress as a means of opposing the repressive patriarchal systems that perpetuate such acts of violence.

A counterexample to the aforementioned assertion is that not all masculine individuals who have experienced sexual assault see a loss of masculinity and refrain from disclosing their encounters. This is evidenced by male survivors of forced male circumcision who have disclosed their experiences. However, the use of silence and secrecy as alternative mechanisms for managing the consequences of violence might hinder the reporting and pursuit of justice by other individuals. Although it is indeed accurate that some masculine individuals who have experienced sexual assault may choose to publicly disclose their experiences and seek legal recourse, it is crucial to recognize that prevailing cultural frameworks may nonetheless serve as deterrents for others in similar situations. The worry of more victimization or stigmatization may serve as a potent deterrent for those who have undergone sexual violence. In this context, reporting and pursuing justice by victims of forced circumcision after the post-election violence is largely dependent on agency.

What Gaps Exist in the Interpretation of the Law?

This analysis focuses on the deficiencies and omissions within current legal frameworks that neglect to acknowledge certain manifestations of gender-based violence, such as forced male circumcision, which might be categorized as a type of sexual violence. The revelation that forced male circumcision posed challenges during the Kenya post-election case before the International Criminal Court was not unexpected, given the act of forced circumcision is not explicitly included in the Rome Statute's provisions for crimes against humanity.

Nevertheless, the omission of compulsory circumcision under the Rome Statute does not inherently imply its legality. Indeed, the aforementioned action is a transgression of several international legal frameworks pertaining to human rights, notably the UN Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. The act of coerced circumcision has garnered criticism from several human rights organizations due to its infringement upon bodily autonomy and integrity. It is essential to acknowledge that circumcision in such is not intrinsically problematic; rather, the issue lies in its coerced implementation. The autonomy of individuals should be respected, allowing them to make well-informed choices about their own bodies, free from any sort of compulsion or external influence. Therefore, it is imperative for governments to implement measures aimed at safeguarding persons against coerced circumcision and guaranteeing the preservation and enforcement of their rights. This entails the enactment of legislation and the formulation of policies that explicitly prohibit the act, as well as the provision of educational initiatives and resources to communities in order to foster comprehension and appreciation for the concept of bodily autonomy. The prosecutor was urged by the Women's Initiatives for Gender Justice, located in The Hague, to reconsider its decision to not classify forced male circumcision as a kind of sexual assault in the ongoing court case, as stated in their petition (The New Humanitarian 2011). The decision made by the International Criminal Court (ICC) to exclude acts of forcible male circumcision and penile amputation from being classified as sexual violence presents a troubling scenario. This determination was made by the prosecutor, who argued that these acts were motivated by tribal biases, with the intention of asserting one ethnic group's dominance over another.

It is seen preposterous that the Court engaged in a discussion about the proposition that acts of assault targeting anatomical regions frequently associated with sexuality should not universally be classified as instances of sexual violence. Nevertheless, this line of thinking fails to acknowledge the enduring physical and psychological consequences that forced circumcision and penile amputation may inflict upon the individual, such as impotence and psychological anguish. The ruling further diminishes the significance of physical autonomy and integrity, therefore prolonging deleterious practices and infringing upon fundamental human rights (Turan 2016). What are the reasons for the existence of double standards in addressing sexual violence against women, while simultaneously downplaying instances of genital assault against men? This leads me to my subsequent consideration: if the ICC or its prosecutors may be inadvertently affected by patriarchal norms or stereotypes

that associate forced penile mutilation with a power dynamic among males, aligning it with conventional notions of masculinity or manhood. The issue is complicated due to the absence of formal acknowledgment of forced male circumcision in international instruments. This poses a challenge as it necessitates the arrangement and legal re-categorization of such situations within the domains of torture, inhumane acts and cruelty. Categorizing forced male circumcision into this framework, in my perspective, serves to obfuscate the malevolent intentions and predetermined consequences that perpetrators had, as well as the detrimental impact of sexual assault on targeted individuals.

Conclusion

With greater emphasis placed on women as vulnerable of sexual violence during political unrest, there is a need of necessitating a reevaluation of the prevailing essentialist perspective. It is imperative to conduct more research on the use of sexual violence against males, particularly in the context of forced circumcision, as a means to resolve political and cultural disputes. Based on the analysis presented, it is contended that acknowledging males as victims of sexual violence is a fundamental first measure in the development of a comprehensive global legal framework that effectively tackles instances of male sexual-based violence. The practice of compelled male circumcision results in significant damage, akin to the act of rape. However, it is crucial to underscore the power dynamics inherent in hegemonic masculinity, since this constitutes forced male circumcision as a kind of sexual violence. Hence, by classifying coerced male circumcision as a sexual offense it will receive the appropriate acknowledgment and consideration, thereby enhancing awareness about its illegal nature and promoting endeavors aimed at preventing its repetition. The acknowledgment and consideration of this matter may potentially result in the enforcement of more stringent legislation and penalties against those involved in the practice of coerced male circumcision, eventually safeguarding the bodily autonomy and rights of males.

The Sexual Offences Act of Kenya (2007) needs a re-evaluation, since it primarily emphasizes activities involving penetration, such as rape of women and girls, sodomy, engaging in indecent acts with minors (individuals under 18 years of age), bestiality, and the regulation of incestuous relationships. The potential challenges in implementing a legal framework for this matter arise from the government's endorsement of male circumcision as a strategy to mitigate the transmission of HIV/AIDS. Hence, given the acknowledgment of culture within the constitutional framework, the voluntary nature of male

circumcision should be emphasized, while its use as a tool of warfare during times of conflict should be subject to legal prohibition.

In summary, it is imperative to transition away from the essentialist framework that only depicts women as the exclusive victims of sexual violence, and instead acknowledge that males may also be victims, particularly in instances when forced circumcision is used as a means of exerting power in political confrontations. The classification of forced male circumcision as a sexual offense has the potential to facilitate its acknowledgment and scrutiny, hence fostering the adoption of more stringent legislation and penalties for those responsible. Furthermore, the dissemination of knowledge on the detrimental consequences associated with coerced male circumcision may serve as a catalyst for the cessation of this tradition and the advancement of individual sovereignty over one's own body.

In addition, understanding targeted male violence during conflict is important for addressing the stigma and shame associated with male sexual violence survivors in conflict zones, thereby advocating for increased awareness and education on this issue. It will also foster the need for gender-inclusive policies and programs that address sexual violence against all individuals in conflict zones, regardless of gender with greater advocacy for increased funding and resources to support research, prevention, and response efforts related to sexual violence against men in conflict zones. This will encourage collaboration between governments, organizations and communities to address this issue holistically and effectively. Lastly, the existence of legal frameworks will ensure a call for accountability for perpetrators of sexual violence against men in conflict zones through legal action and international justice mechanisms. I urge individuals to speak out against sexual violence in all its forms and work towards creating a world where everyone can live free from fear of harm or exploitation.

Disclaimer: The views expressed here are based on the writer's own experience based on her cultural identity, practices and traditions.

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