

# More stringent rape laws reduce chances a country will face civil war, study finds

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Women read about their legal rights in a public awareness campaign in Benin, Nigeria, in 2011. A study led by a University of Kansas researcher found that countries with more stringent rape laws were less likely to experience civil strife and violence. The researchers identified 10 countries including Nigeria that experienced civil strife since 1954 and later made reforms to strengthen rape laws and women's rights. Credit: E. C. Ahoundou/USAID/U.S. government work

Countries that have longer punitive sentences for rape crimes are less likely to have civil war and strife, according to a new study led by a University of Kansas researcher.

"The transmission of rape laws across countries correlates with democratization and a general trend toward progressive laws. It proceeds then that countries are more likely to adopt gender-neutral laws and stricter laws against rape," said Nazli Avdan, a KU assistant professor of

Political Science and the study's lead author.

Avdan and her co-author Victor Asal, chair of public administration and associate professor of political science at University at Albany, paired a statistical analysis of data on rape legislation for 194 states across the world from 1965 to 2005 with the number of intrastate conflicts or civil wars over that time span.

The study published recently in the journal *Dynamics of Asymmetric Conflict* addresses an expanding body of research that argues that gender inequality heightens the probability of intrastate conflict by creating a structure of violence.

Avdan said their study proposes the legal system and the penal code, especially punishment for rape, are the missing links between social norms and an intrastate conflict.

States that did little to punish perpetrators of rape likely include exemptions for the crime of rape if the perpetrator and victim are married, or possibly they treat genders differently under the law. In other cases, some penal systems exonerate the assailant if he agrees to marry the [rape victim](#).

"A so-called marriage loophole is a situation with a perpetrator is married to a victim would exonerate the assailant," Avdan said. "That is at its core a misogynistic policy. Countries with these policies - for example, Middle Eastern countries like Jordan and Lebanon but also other countries such as the Philippines—have received condemnation for not reforming these laws."

The researchers argue that nations that have laws that are gender neutral in how they protect citizens, especially in granting equal protection and rights to women, the more likely the state's society will embody liberal

and progressive norms.

"These norms cohere with ideas about peaceful conflict resolution," Avdan said. "These ideas in turn mitigate civil conflict."

The researchers identified 13 states that experienced [civil conflict](#) or were prone to conflict:

- Angola
- Georgia
- Haiti
- Iraq
- Nigeria
- Pakistan
- Uzbekistan
- Guinea
- India
- Liberia
- Tajikistan
- Myanmar
- Senegal

All but three—Liberia, Myanmar and Senegal—of those nations have in past decades reformed rape laws toward stringency and gender neutrality. The researchers also found that states that establish similar sentences for female and male offenders alike also significantly decreased chances of an internal [conflict](#). This showcases that the gender neutrality of the law correlates with progressive and liberal societal norms.

Avdan said their findings support research that has identified political liberalism and progressive, individualistic and emancipatory ideas, including gay rights, for example, tend to correlate with reduced

propensities of armed conflicts.

"Rape law showcases an angle about gender norms," she said. "And we know that masculine norms tend to support militarism and militant nationalism as well. Rape law can be another proxy to look at [gender equality](#) in society."

The transmission of egalitarian rape law and criminalization of rape like other ideas about liberty, self-determination, and physical integrity have followed an evolutionary trajectory, Avdan said.

The researchers examined the rape law legislation that was adopted in states across the world, but the study does not address other potential obstacles around rape law, such as the enforcement side and prevalent stigmas victims suffer, she said.

"Even if the law significantly punishes perpetrators of [rape](#), other factors like a corrupt police force or the victim encountering stigma in society," Avdan said, "can create a mismatch or a big gap between de jure and de facto policy, or between law and enforcement."

**More information:** Nazli Avdan et al, Outlawing sexual violence: rape law and the likelihood of civil war, *Dynamics of Asymmetric Conflict* (2017). [DOI: 10.1080/17467586.2017.1346814](https://doi.org/10.1080/17467586.2017.1346814)

Provided by University of Kansas

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