



Wartime Sexual Violence in Guatemala and Peru*

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This article is a comparative analysis of sexual violence perpetrated by state armed forces during the Guatemalan and Peruvian civil wars. Focusing on the type of violation and the context in which it occurs provides new insights into the motives behind its use in war. It introduces a new data set on sexual violence compiled from truth commission documents and nongovernmental human rights organizations' reports. The data reveal that members of the state armed forces perpetrated the majority of sexual violations, that rape and gang rape are the most frequent but not the only abuses committed, and that women are the overwhelming majority of victims of sexual violence. Aggregate patterns suggest that state authorities must have known of mass sexual abuse and failed to act in accordance with international law. Moreover, some evidence suggests sexual violence is used as a weapon of war. However, mono-causal models cannot sufficiently account for the variation and complexity in its use. Even within the same conflict, sexual violence can serve multiple functions in different contexts and at different points in time.

The role of women and gender in analyses of the causes, costs, and consequences of civil war is not broadly recognized or systematically examined in the studies of armed conflict and political violence. This study addresses this gap by providing a comparative analysis of sexual violence during the Guatemalan and Peruvian civil wars. The article is guided by two research questions: (1) what are the primary patterns of sexual violence in each of the case study areas; and (2) why do state armed forces commit sexual violence? In exploring these questions, I hope to reorient the study of civil conflict away from its emphasis on generalized violence by analytically and empirically differentiating various forms of human rights abuse. This article represents one of the first attempts to empirically test many of the literature's competing hypotheses regarding wartime sexual violence by focusing particularly on the context in which the crimes are committed. Patterns of abuse in Guatemala and Peru demonstrate the complicity of the state in the perpetration of sexual violence, but also show that their motives or rationale for committing it are varied and subject to change over time and across regions depending on the particular social and political context they face. As policymakers and academics strive to understand the causes of wartime sexual

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violence, formulate strategies for its prevention, and identify and provide humanitarian assistance to affected communities, they must recognize its intrinsic complex nature.

The remainder of the article is organized as follows. The introductory section explains the link between this study and the broader international relations literature, making substantive contributions to conflict and human rights studies as well as to the feminist literature on violence against women. The next section briefly discusses the case selection for the study. The section entitled “Collateral Damage or Instrumental Violence” outlines several theoretical arguments regarding the use of sexual violence during war. The first explores different roles of the state in the commission of these atrocities, while the remaining arguments pick up from the assumption that sexual violence is strategically employed by the state, and then asks why? The following section introduces the data set and discusses the methods employed in this study. The last sections present the results of the analysis, discuss the implications of the study and suggest avenues for future research on wartime sexual violence.

Women’s Experiences in Civil War: The Need for Separate Analysis

The field of international relations contains a vast literature on the causes and consequences of civil war. While important for our understanding of civil conflict, these studies mostly tell us about general human security issues. They focus on death tolls, disappearance or physical displacement. As this general literature does not treat gender as a useful analytical category to examine the consequences of conflict, it implicitly assumes that the experiences of men and women during civil war are similar. Even within the human rights field, victims’ experiences become homogenized as they are typically seen as either genderless or generically as male (Treacy 1996).

During armed conflict, men generally comprise the majority of victims of human rights abuse.¹ They are more likely to be targeted and fall victim to arbitrary execution, torture or death (Plümper and Neumayer 2006). The *Comisión para el Esclarecimiento Histórico* (CEH) in Guatemala and the *Comisión de la Verdad y Reconciliación* (CVR) in Peru both found that men comprised the majority of human rights victims, 75 percent and 80 percent respectively. Regarding sexual violence, however, women were the overwhelming majority of victims (Comisión de la Verdad y Reconciliación (CVR) 2003; United Nations 1999). These patterns of victimization have led many scholars to conclude that women are targeted more often in ways that are directly linked to their gender and sexual identity and to their identity as the bearers and protectors of a community’s culture and future generations (Lykes et al. 1993; Sharlach 2000).

Studies examining wartime sexual violence emerged in large part in response to the atrocities committed in Bosnia-Herzegovina and Rwanda in the early 1990s. The total number of victims of sexual violence in these conflicts is unknown—and likely will never be known. Stories of gang rape, sexual slavery, and forced impregnation reached international media outlets, resulting in increased awareness of sexual violence in conflict situations, within both policy and academic communities. These early studies offered initial theorizing on sexual violence as a weapon of war (Allen 1996; Brownmiller 1975; Seifert 1994; Stiglmayer 1994). The intersection of mass sexual violence and ethnic conflict in

¹ I refer to the more restrictive conceptualization of human rights as physical integrity rights, which protect individuals from physical harm or coercion at the hands of their government. This excludes many human rights, such as political and civil liberties, economic guarantees, and cultural or religious freedoms.

these arguably unique cases has resulted in mono-causal theories that focus narrowly on the ethnic identity of the victim(s), conceptualizing sexual violence (with particular emphasis upon forced impregnation) as ethnic violence perpetrated during campaigns of ethnic cleansing or genocide. I argue, however, that sexual violence serves no *single* purpose during war and by focusing exclusively on the ethnic, political, or gender identity of the victim, previous studies have oversimplified the nature of the phenomenon.

Exploring the use of sexual violence in other types of conflicts in a region of the world in which its occurrence has been largely unexamined may offer new suggestions on how and why this violence is used during war. In addition, this study moves beyond rape to include multiple forms of abuse within the concept of sexual violence. Rape and gang rape are often the most frequently reported sexual violations. However, documenting and analyzing all forms of sexual abuse not only creates a more complete historical account but also offers scholars new opportunities for theorizing about the causes of political violence and comparing the ways in which violent acts are committed differently. Finally, as is apparent in the following sections, the literature on wartime sexual violence is one that is theoretically rich, but lacking in rigorous empirical analysis (particularly within comparative frameworks). This study offers a unique method of testing many of the hypotheses forwarded in the literature. Although widely applicable, the scope of this article is limited to Guatemala and Peru.

Case Selection: Why Guatemala and Peru?

There is a pressing need to add to the comparative literature on wartime sexual violence, particularly in Latin America.² Guatemala and Peru are well suited for such an analysis. While in general Peru is more populous and economically developed than Guatemala, the two states share several characteristics significant to understanding political and sexual violence. They share common histories as regional centers of power under Spanish colonialism, comparable religious influences, and extensive cultural similarities. Both have significant indigenous populations, representing 42 percent of the population in Guatemala and 20 percent in Peru (Instituto Nacional de Estadística [National Statistics Institute] 1981; Instituto Nacional de Estadística e Informática [National Institute of Statistics and Information Technology] 1993). These communities are politically and economically disadvantaged in comparison with the national population. In 1980, for example, 66 percent of the total population in Guatemala lived in poverty (<\$2/day), as opposed to 87 percent of the indigenous population. Similarly, in Peru 53 percent of the total population and 79 percent of the indigenous population lived in poverty (Psacharopoulos and Patrinos 1994). Together their armed conflicts account for an estimated 269,000 war-related deaths and span almost four decades of Latin American history. In each, the state—faced with an armed leftist insurgency fighting to overthrow the government—responded with disproportionate violence and repression. In the following sections I illustrate how, despite these similarities, sexual violence differs considerably between the cases—not in the prevalence as much as in how and why victims were targeted for violence.

² Bunster-Burotto (1986), Green (2004), and Sharlach (2004) are among the few comparative studies of sexual violence in Latin America.

Collateral Damage or Instrumental Violence: Theories of Wartime Sexual Violence³

Principal-Agent Relationships and the Loss of Control

Existing literature has centered largely on the debate between opportunistic and strategic explanations of wartime sexual violence. When faced with pressure from the international community regarding reports of mass sexual violence, state officials themselves assert that it is not employed strategically and occurs without their knowledge or consent. They argue that sexual violence is the unfortunate result of the transgression of a few “bad apples.” President George W. Bush echoed these sentiments in his official response to photographs of prisoner abuse at the Abu Ghraib detention facility: “[this was] the disgraceful conduct by a few American troops who dishonored our country and disregarded our values” (Bush 2004). Investigating these claims requires an analysis of principal-agent relationships.

In their research on human rights practices, Mitchell (2004) and Butler, Gluch, and Mitchell (2007) argue that there are two dilemmas in principal-agent relationships: goal variance and information asymmetry. Goal variance occurs when the motives or interests of leaders and agents diverge. It may be the case, for example, that commanders seek to restore national security while rank-and-file soldiers are motivated by personal revenge or gratification. The second problem in principal-agent relationships is the leadership’s lack of information on subordinates’ behavior. There are degrees of separation, both geographically and within the institutional hierarchy, that separate military commanders from their troops and military commanders from heads of state. Leaders must rely on lower-level officers and their troops for information about what occurs in the field. As a result, agents can exploit their information advantage for their own benefit. Ongoing conflict provides an ideal environment for mass sexual violence—conditions of anonymity and permissiveness that allow individuals to pursue their private interests without fear of detection or retribution.

At the same time, principals may intentionally exploit the “extra work of reward-seeking agents” for their own strategic benefit (Butler, Gluch, and Mitchell 2007; Mitchell 2004). In this case, principals have the knowledge and ability to stop their soldiers’ violent acts, but do not intervene. Permitting the continuation of violence may serve as a motivating and morale-boosting reward for soldiers; this is referred to as “Count Tilly’s reward.” It may further serve the interests of commanding officers by weakening opposition groups without directly engaging in “official” combat, thereby allowing principals to deny any knowledge or participation in the violence (Mitchell 2004). The state does not order or actively encourage soldiers to participate in violence, but rather *allows* it to occur. Determining whether leaders ordered, encouraged, or simply tolerated the use of sexual violence is often impossible without access to classified state records or perpetrators’ testimonies. By examining aggregate patterns of abuse, with particular attention to the context in which they occur, it is possible to establish the extent to which the state can claim plausible deniability.

³ Although it is difficult to test empirically with two cases, I believe there likely is a relationship between the occurrence of sexual violence and society’s preexisting gender relationships. Guatemala and Peru share similar patriarchal characteristics, such as high prevalence rates of violence against women and low rates of women in positions of social, economic, or political power. These conditions are relatively constant over time and considered *alone* cannot explain the full range of variation in the patterns of sexual violence. However, counterinsurgency warfare cannot be examined out of context—the state is unlikely to view sexual violence as a legitimate weapon of war unless the cultural norms and values regarding the position of women in society encourage or permit it. In other words, the theoretical arguments presented here are not necessarily mutually exclusive.

If the military or political leadership has simply lost control over its agents, there would be limited or no cases of sexual violence committed in the presence of commanding officers. This directly excludes the participation of such officials. In addition, if sexual violence results from a loss of command control, there would be a clear pattern of violations occurring in the field where supervision is difficult and the information gap pronounced. In state-run facilities, it is reasonable to presume that widespread human rights violations cannot occur without notice. Furthermore, if sexual violence is the result of a loss of control, there should be no observable patterns of targeting individuals according to their social, political, or ethnic identity.⁴ Finally, by examining other qualitative evidence, namely the temporal correlation between sexual violence and other forms of abuse, I can determine whether the state knew and failed to act.

Weakening the Opposition through Targeted Repression or Generalized Terror

There are several arguments that sexual violence is a weapon of war. Skjelsbaek cites Webster's definition of a weapon of war as "any instrument or device for use in attack or defense in combat, fighting or war." She goes on to argue that to be considered a weapon of war it must be "used as part of a systematic political campaign which has strategic military purposes" (Skjelsbaek 2001, 213). Perhaps, the most intuitive argument about the strategic uses of human rights violations is that states, when faced with a mobilized political or social opposition, often resort to violence in an attempt to diffuse the challenge. As both the strength of the opposition and the threat to state authority grow, the government responds with increased levels of coercion and violence in an attempt to defeat the opposition and reestablish territorial control and stability (Gartner and Regan 1996; Mason and Krane 1989; Moore 2000).

Within this broader argument, sexual violence can be seen as another means to undermine the strength of the opposition. There are two distinct counter-insurgency policies states may employ in this regard: indiscriminate and targeted violence. In both, the prevalence of sexual violence will correspond to the magnitude of threat to the state. The two responses differ primarily in the scope and targets of state-sponsored sexual violence. The first policy aims at spreading fear and terror indiscriminately throughout the civilian population. As the state increases its repressive campaign against civilians, the fear of being targeted will dissuade a potential recruit from joining the ranks or providing aid to the armed opposition (Valentino 2004). Sexual violence may be a particularly "effective" demoralizing tool, especially in those societies with deeply held social mores about women's honor and sexual purity.

This argument can be empirically tested by examining the patterns of targeting—victims should not be singled out solely according to their ethnic, political, or social identity. Sexual violence should be committed in mass and with little regard for the identity of the individual, such as during army raids or massacres. In addition, the state may engage in specific forms of abuse that amplify the general terror effects of the sexual violence. For example, the state may promote the use of violations that leave permanent and easily visible signs of abuse, or sanction public acts of sexual violence, where entire villages are forced to bear witness. These violations are qualitatively unique in the physical and psychological damage caused to the immediate victim *and* the whole community, and therefore are expected to be more frequent when the goal is to send a message to a wider audience.

⁴ Similar techniques have been used by the international community to establish the level of complicity of the state in the perpetration of sexual violence during civil wars. See Wood (2006) for a discussion on Bosnia-Herzegovina.

Sexual violence may serve to weaken the opposition even when committed on a more limited and targeted scale, to punish or eliminate specific “enemies of the state.” Potential targets would include members of armed rebel groups, opposition political parties, or “subversive” community organizations, as well as those who support them. By targeting individuals for their participation in dissident organizations, states effectively signal to potential recruits their fate if they behave similarly and may induce some subversives to either abandon or betray the opposition (Kalyvas 2006). In this pattern of political violence, sexual violence would not be limited to particular ethnic or religious communities, as this would suggest a different intent. Although limited and narrower in scope, the effect of the violence is the same—undermining the ability of the rebels to recruit and retain members or supporters.

Gathering Intelligence on the Opposition Movement

In addition to undercutting the source of strength of the rebels, the state may also use sexual violence to collect intelligence on the opposition movement. The state may employ sexualized torture techniques during the interrogation of a suspected guerrilla to gather information about the identity of rebels, location of their camps or their military strategies, as was recently reported at the U.S. detention facilities at Guantanamo Bay in Cuba, Bagram airbase in Afghanistan, and Abu Ghraib in Iraq. Accounts suggest that detainees were subjected to a multitude of sexual abuses during interrogation and detention, ranging from sexual humiliation, forced masturbation, being stripped and photographed nude, rape, sodomy, and simulations of electric shock torture (HRW 2004b,c; Leonnig and Priest 2005).

If the state’s aim is to collect information on the armed opposition, several patterns would be observed. The perpetration of sexual violence would appear more controlled and organized. Cases would occur while the victim is detained, and perhaps occur concomitantly with other forms of torture. There would be very few cases of the wholesale rape of villages as soldiers “pass through.” Sexual violence would be reserved for those individuals for whom it is reasonable to presume possess information on the insurgency. Therefore, it is reasonable to exclude cases in which there is little regard for the identity of the individual victim or where there is no attempt to question victims.

Genocide and Ethnic Cleansing

As discussed above, many scholars have studied the use of sexual violence as a method of committing genocide or ethnic cleansing. Genocide is defined in Article II of the 1948 Convention on the Prevention and Punishment of Genocide as “...the intent to destroy, in whole or in part, a national, ethnical, racial or religious group,” which includes: “(1) the killing or injuring of members of a group, (2) causing serious bodily or mental harm to members of the group, (3) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part, (4) imposing measures intended to prevent births within the group, and (5) forcibly transferring children of the group to another group” (United Nations High Commissioner for Human Rights 1948). Mass sexual violence can be prosecuted as an act of genocide when it occurs under the conditions outlined by the Genocide Convention—such as when it causes the displacement of a communal group, is used to cause physical and/or psychological injury against the group, or when it is used to forcibly impregnate women (Carpenter 2000).

The International Criminal Tribunal for Rwanda (ICTR) argued that any form of sexual violence may be considered genocidal when perpetrated with

the intent to destroy a particular group. The chamber argued that rape and other forms of sexual abuse clearly caused serious physical and psychological harm to the victims. Sexual violence may further constitute genocide when it is used deliberately to destroy the bonds and social relationships of a particular group. In communities where a woman's honor is inextricably tied to her sexual purity, rape carries with it the additional scar of social stigma. Victims of sexual violence are often abandoned by their husbands, and in some cases, ostracized from the community at large. The widespread sexual violation of women could very well undermine the social fabric of a community and threaten its survival (Askin 1999).

Data Limitations on Sexual Violence

There is little consensus on what constitutes sexual violence. The ICTR Trial Chamber states "sexual violence, including rape, is not limited to physical invasion of the human body and may include acts which do not involve penetration or even physical contact" (International Criminal Tribunal for Rwanda Trial Chamber 1998). Such violence includes but is not limited to: rape, sexual abuse, sexual torture, mutilation, forced pregnancy or abortion, forced prostitution, sexual slavery, and sexual humiliation. Data on the prevalence of sexual violence during civil conflicts, especially on the multiple forms it takes, is difficult to find. In war-torn countries the necessary social services and infrastructure may be lacking, preventing victims who otherwise would report the crime from doing so. Moreover, many victims are reluctant to report sexual crimes under any circumstance. The victim may feel too ashamed to report the abuse, particularly in cases involving extreme brutality. Fear of reprisal, especially when the perpetrator is an agent of the state security apparatus, may further impede reporting.

"I have never told anyone that the soldiers raped women, much less that they also raped me...I am going to die with this...No one can know...My children do not know, my husband does not know, ...No one knows." (United Nations 1999, CI77)⁵

Missing data also results from institutional biases in reporting and coding human rights violations. Agencies may (un)intentionally turn a blind eye to the issue of gender-based violence. Even with concerted efforts, organizations often encounter difficulty in conceptualizing and creating reliable measures of sexual violence.

Human rights abuses, in general, do not lend themselves well to objective quantification, particularly when victims suffer repeated or multiple forms of abuse. Currently, much of the field employs a "one victim equals one violation equals one perpetrator" approach to recording abuses (Ball 1996). This method, combined with the tendency to rank violations, creates a situation in which particular abuses are systematically excluded or underreported. Imagine a case where the victim is detained in prison, during which time s/he is required to remain naked and is repeatedly raped and sexually harassed. The victim is later disappeared. Using the current coding scheme, it is possible, perhaps probable, that the former abuses are overlooked in favor of the "more serious" violation—disappearance, which is the only crime later recorded. Finally, human rights organizations tend to categorize victims according to their political or social identity, ignoring the significance of their gender and sexual identities. As

⁵ Translations, and any errors therein, are mine. Numbers provided in citations refer to case numbers in the original source; they are not page numbers.

a result, violations may be lumped under generic categories such as torture, abuse, or injury, where the sexualized nature of the violation is lost.⁶

Available Data for Guatemala and Peru

Data for my cases come primarily from the published reports of the Truth and Reconciliation Commissions.⁷ Truth commissions have recently been initiated in the aftermath of civil war to investigate abuses committed during the conflict and to make recommendations for the reconciliation of society. They vary extensively in their institutional lifespan, resources and in the scope of their mandate. All of these factors may introduce biases in the data.

In Guatemala, the CEH was established as part of the UN-brokered peace agreement between the Guatemalan state and the *Unidad Revolucionaria Nacional Guatemalteca* (URNG). It took 2 years to complete the work and issue the final report. In its mandate, the commission was charged with the responsibility of investigating human rights violations committed during the civil war from 1962 to 1996. It was explicitly required to consider the crime of genocide. There were three commissioners, a general staff of around 200, and 12 regional and suboffices located throughout the country (see Map 1 below). The final report of the CEH included a specific analysis on the use of sexual violence during the war.

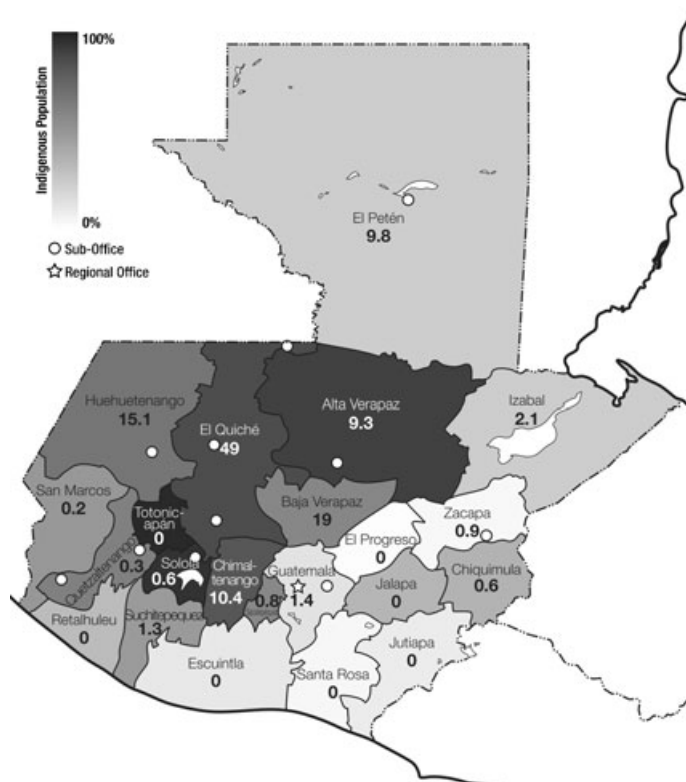
A truth commission was established in Peru by National Decree in June 2001 by the interim President, Valentín Paniagua (Paniagua 2001). A 12-person commission was charged with investigating human rights violations committed by the state armed forces and the rebel groups, *Sendero Luminoso* (PCP-SL) and *Movimiento Revolucionario Tupac Amaru* (MRTA) between 1980 and 2000. To facilitate this process, 26 regional or sub offices were established throughout the country (see Map 2 below). The commission was awarded approximately 2 years to complete its investigations and submit its final report. The CVR also included a separate analytical section on sexual violence.

Table 1 summarizes the characteristics of each commission. Variance in the prevalence and nature of sexual violence across the cases could be the product of differences in collection and reporting procedures between commissions, and thus artificial. For example, the number of regional offices may affect the number of abuses reported as this determines the ease with which individuals can make denunciations before the commission.⁸ In my analysis, I do not place emphasis on the absolute level of sexual violence given that even under ideal circumstances these figures are likely to be severely underestimated. Rather, I

⁶ For Guatemala and Peru I found a consistent trend where cases of sexual violence were categorized as disappearances, extrajudicial killings, detention, etc. In particular, male victims of rape or sodomy were often treated as victims of torture generically defined.

⁷ In Peru, 93 percent of all sexual violence events came from the CVR report (2003); 7 percent came from Americas Watch (1980–2000b) and other secondary sources. In Guatemala, 81 percent of sexual violence events came from the report; 19 percent from the Recovery of Historical Memory Project (1999) by the Guatemalan Archdiocese's Office of Human Rights, Americas Watch (1980–2000a) and other secondary sources. Because the CEH was unable to collect as many testimonies, it was necessary to supplement with additional data sources. It is particularly common for analysts to incorporate data from REMHI with that from the CEH report. All efforts have been made to ensure that the same events were not entered in the data set twice. The CVR in Peru was able to make summaries of 70 percent (about 12,000) of the recorded testimonies public. They can be found in Annex 4 "Casos y Víctimas Registradas por la CVR" at <http://www.cverdad.org.pe/final/index.php> (available in Spanish only). The CEH in Guatemala made summaries of all recorded testimonies public. They can be found in Annex II "Casos Presentados," volumes 1–5 at <http://shr.aaas.org/guatemala/ceh/mds/spanish/toc.html> (available in Spanish only).

⁸ For example, the near absence of sexual violence in the eastern lowlands of Guatemala may be the result of a lack of regional offices in the area. However, it is also possible that the commission, with limited resources, established offices in those departments particularly devastated by the civil war. Figures are rates of sexual violence per 100,000 persons in the national population.



MAP 1. SV and Indigenous People in Guatemala*.
 *Departmental numbers are per capita rates of SV over the course of the war

focus more on the *type* of sexual violence and the *context* under which it occurred. It is not apparent how variations in the respective commissions would result in the systematic (over)undercounting of a particular type of offense or pattern of abuse.⁹

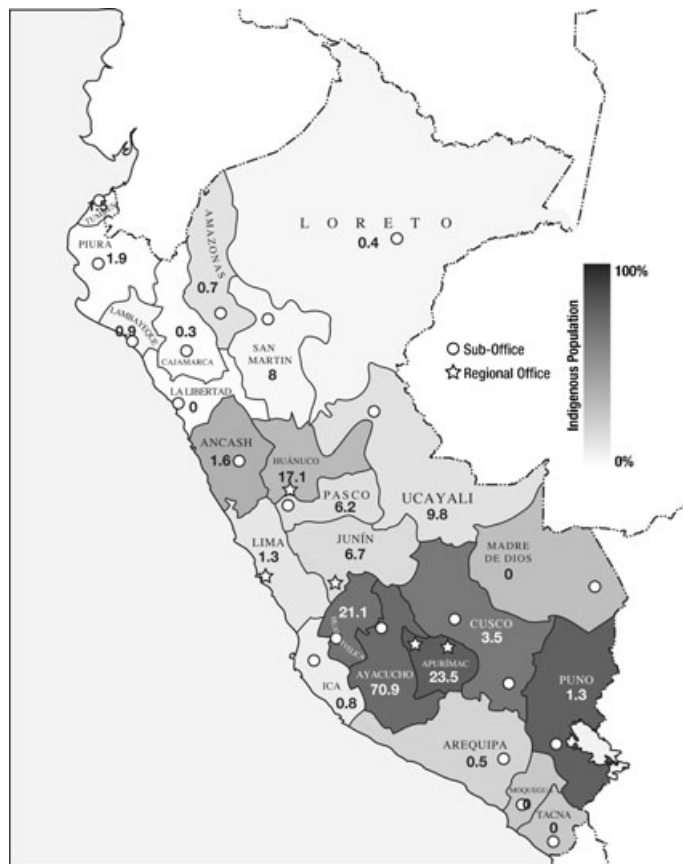
I created an events data set on the occurrence of sexual violence where an observation can include multiple victims or perpetrators, and multiple or repeated violations. I recorded information on the victims (number of victims, gender, age, ethnicity, social or political activities), perpetrators (branch of service in the armed forces), when and where the crime took place, the type of violation(s) committed, and the context in which it occurred.¹⁰

Patterns of Sexual Violence in Guatemala and Peru

Table 2 includes descriptive statistics on sexual violence in Guatemala and Peru. I recorded a total of 354 events of state perpetrated sexual violence in Guatemala and 695 in Peru. On average there were 10 events/conflict year in

⁹ It is conceivable that if the commission failed to establish a regional office in a department where the sexual violence was perpetrated in ways significantly different from national patterns, the data would be skewed. I am currently in the process of conducting field research and interviews with individuals who served as commissioners or advisers to more closely examine the data collection and procedures used by the truth commissions.

¹⁰ For respondents' protection, not all information recorded by human rights interviewers is made public. For instance, the ethnicity of the victim, while collected in both countries, was left out of the published reports.



MAP 2. SV and Indigenous People in Peru*.

*Departmental numbers are per capita rates of SV over the course of the war

Guatemala and 37 events/conflict year in Peru; sexual violence in Peru appears four times as frequent as in Guatemala. After accounting for population size, this pattern is reversed: there were 5.9 and 3.6 sexual violence events/100,000 people in Guatemala and Peru, respectively. Maps 1 and 2 illustrate the per capita rates of sexual violence by department, illustrating that some areas were significantly more affected by the civil war than others.

In both cases, rape was overwhelmingly the most frequent form of abuse, comprising 84 percent of all sexual violations in Guatemala and 48 percent in Peru. Most abuses were committed by agents of the state, with the regular military being the most frequent offender (70 percent in Guatemala and 63 percent in Peru). Finally, sexual violence in Guatemala was most often perpetrated during community sweeps and massacres (41 percent), whereas in Peru it was most often committed while victims were detained (52 percent). As the state armed forces committed the majority of sexual abuses in both Guatemala and Peru, it is necessary to examine to what degree state officials knew and took measures to prevent violence against civilians.

To test each of the theoretical arguments outlined in the literature, each testimony was read and coded as conclusively rejecting (-1), supporting (1), or providing no definitive evidence to evaluate the hypothesis (0). Table 3 summarizes the coding rules for each proposition regarding the causes of sexual violence. The narrative of the witness/victim's statement often gives contextual

TABLE 1. Overview of Guatemalan and Peruvian Truth Commissions

| | <i>CEH (Guatemala)</i> | <i>CVR (Peru)</i> |
|--|--|---|
| Name | Comisión para el Esclarecimiento Histórico | Comisión de la Verdad y Reconciliación |
| Administrator | UN-sponsored/administered | Established by national decree/ state-administered |
| Budget (USD) | \$11 million | \$8.9 million |
| No. of commissioners | 3 | 12 |
| Staff size | ≈142 | ≈238 |
| No. of regional/sub offices | 12 | 26 |
| Duration (years) | 1.5 | 2 |
| No. of testimonies received | 7,338 individual 500 collective | 16,917 |
| Mandate | Investigate human rights violations and acts of violence between January 1962 and December 1996 Consider crime of genocide Cannot name individual perpetrators No subpoena powers Although not explicitly mentioned, Commission deemed SV to fall within mandate | Investigate political violence between May 1980 and November 2000 Consider violations to collective rights of Andean communities and indigenous populations Name individual perpetrators Public hearings Although not explicitly mentioned, Commission deemed SV to fall within mandate |
| Title and release date of final report | Guatemala: Memoria del Silencio February 25, 1999 (United Nations 1999) | Informe Final de la Comisión de la Verdad y Reconciliación August 28, 2003 (Comisión de la Verdad y Reconciliación (CVR) 2003) |
| Major findings (all human rights abuses) | Estimated 200,000 victims of the war State responsible for 93% of human rights violations Guerrillas responsible for 3% of human rights violations Most violence between 1981 and 1983 83% of victims of human rights abuse were Mayan Some acts by the state between 1980 and 1983 legally constitute genocide | Estimated 69,280 victims of the war PCP-SL responsible for 54% of deaths and disappearances State (including PACs and paramilitaries) responsible for 37% of deaths and disappearances Most violence between 1989 and 1992 75% of victims of human rights abuse spoke Quechua |

details such as the sequence of events, who was present, or statements made during the commission of the act that allow researchers to make causal inferences.

Assessing the Responsibility of the State

The question of responsibility is a complex one and always difficult to assess. It is almost impossible to prove that a policy of rape and sexual violence existed, even at the command level, let alone from the presidential office. Given these difficulties, I limit myself to the following question: To what extent can the state plausibly deny responsibility for knowing and failing to act to prevent/punish sexual violence? Given the patterns of abuse, it is reasonable to argue that the

TABLE 2. Sexual Violence in Guatemala and Peru

| | Guatemala | Peru |
|-----------------------------|--|---|
| No. of events/violations | 354/434 | 695/913 |
| SV per conflict year | 10 | 37 |
| SV per 100,000 people | 5.9 | 3.6 |
| Forms of SV* | Rape (84%) Sexual humiliation (14%) Sexual mutilation (6%) | Rape (48%) Sexual humiliation (22%) Sexual torture (6%) |
| Perpetrator | Regular military (70%) Paramilitaries (7%) Police (2%) | Regular military (63%) Police (18%) Civil patrols (2%) |
| Victim gender** | Female (90%) Male (7%) Other (3%) | Female (71%) Male (24%) Other (5%) |
| Context of SV | Community sweep/massacre (41%) Execution (17%) Detention/interrogation (13%) | Detention/interrogation (52%) Community sweep/massacre (18%) |
| Cases with multiple victims | 51%, ranging from 2 to 2,000 victims | 29%, ranging from 2 to 35 victims |

*Percentages may add to more than 100 as multiple forms of violation can be perpetrated in a single event of violence.

**Other = gender of the victim is not reported or there were both male and female victims reported.

state either explicitly encouraged, condoned, or at the very least had knowledge of the crimes being committed. Therefore, I find that both the Guatemalan and Peruvian states bear some responsibility for the perpetration of sexual violence during the civil wars.

The criminal tribunals for Yugoslavia and Rwanda provide legal precedence for assessing the criminal responsibility of commanding officers and other state leaders for the abuses that occur under their watch. The ICTR argued that a commander could be held accountable for the unlawful actions of a subordinate if s/he knew or *should have known* that a crime had occurred. The Trial Chamber held:

...three essential elements of command responsibility are: (1) the existence of a superior-subordinate relationship of effective control between the accused and the perpetrator of the crime; and (2) the knowledge, or constructive knowledge, of the accused that the crime was about to be, was being, or had been committed; and (3) the failure of the accused to take the necessary and reasonable measures to prevent or stop the crime, or to punish the perpetrator. (quoted in HRW 2004a)

In the trial of Zdravko Mucic, a commander at the Celibici prison-camp in Bosnia, the International Criminal Tribunal for Yugoslavia (ICTY) argued that “the crimes committed in the Celibici prison-camp were so frequent and notorious that there is no way that Mr. Mucic could not have known or heard about them” (HRW 1999).

In Peru almost 400 (55 percent) of sexual abuses occurred in state-controlled facilities, like the prisons in Lima or regional military bases throughout the country. It is unlikely this violence could continue without the knowledge of any commanding officers. Despite repeated reports from local and international human rights organizations (many of which were addressed to offices of the central government) and letters from members of the U.S. Congress urging President Fujimori to intervene to prevent violence against women, there is little evidence that substantive measures were taken either to protect local populations or to punish

TABLE 3. Coding Procedures

| <i>Hypotheses</i> | <i>Coding Rules</i> | | |
|---------------------|---|---|--|
| | <i>Supporting (+1)</i> | <i>Rejecting (-1)</i> | <i>Indeterminate (0)</i> |
| Targeted repression | <p>Victim is member of opposition political party, armed opposition group, trade union, student group, clergy or other opposition organization</p> <p>Victim is targeted because of relative/friend's membership in above organizations</p> <p>Victim dissents against the state in any capacity, such as demanding information on the disappeared</p> <p>There were more than 15 victims <i>and</i> SV resulted from an armed clash with rebels <i>or</i> individuals were targeted for any of above reasons</p> | <p>SV occurs during village raids, community sweeps, massacres, or mass detentions</p> <p>There are more than 15 victims <i>and</i> there is no evidence of an armed clash with rebels</p> <p>SV occurs during a home invasion <i>and</i> there no evidence victim was targeted for his/her opposition to state</p> <p>The victim is not associated with any opposition organization</p> <p>The victim is targeted <i>solely</i> because of his/her ethnicity, race, or religion and not associated with opposition organizations</p> | <p>Insufficient information on dissident or political activities of victim, or victim's relatives/friends, identity of the perpetrator, where violence occurred, and/or context in which it occurred</p> |
| Generalized terror | <p>SV occurs during village raids, community sweeps, massacres, or mass detentions</p> <p>There are more than 15 victims <i>and</i> there is no evidence of an armed clash with rebels</p> <p>SV occurs during home invasion <i>but</i> there is no evidence victim was targeted for opposition to state</p> <p>SV is perpetrated in public</p> <p>Cases of sexual mutilation, forced abortion, and body carving where victim is left with permanent and visible scars</p> | <p>Victim is targeted because of his/her political identity</p> <p>Victim is targeted because of his/her ethnicity, race, or religion</p> | <p>Insufficient information on ethnic/political identity of victim, number of victims, where violence occurred, and/or context in which it occurred</p> |

TABLE 3. (Continued)

| <i>Hypotheses</i> | <i>Coding Rules</i> | | |
|--------------------------|--|--|---|
| | <i>Supporting (+1)</i> | <i>Rejecting (-1)</i> | <i>Indeterminate (0)</i> |
| Intelligence gathering | SV occurs during detention <i>and</i> specifically mentions interrogation SV occurs during detention <i>and</i> interrogation of another victim SV occurs while perpetrators search for suspect <i>and</i> demand information from victim on the whereabouts of suspect Cases of forced impregnation, abortion, rape, and castration <i>and</i> there is clear pattern of targeting along ethnic, racial or religious lines | SV occurs during village raids, community sweeps or massacres <i>and</i> there is clearly no attempt to interrogate victims Cases of electric shock torture on victim's genitals, forced nudity, stripping, dancing, forced masturbation, rape of male victims, and sodomy Victim is female and type of violation directly relates to reproductive capacity <i>but</i> victim is outside of reproductive age (15-49) SV occurs in military bases, prisons, or state-run facility SV follows clear pattern of targeting according to victim's political identity SV follows clear pattern of targeting according to victim's ethnicity, race, or religion SV is perpetrated in presence of commanding officers SV is ordered by commanding officers Commanding officers participate in SV | Insufficient information on political identity of victim, where violence occurred, and/or context in which it occurred SV occurs during detention or home invasion but does not mention interrogation Insufficient information on ethnic identity and/or age of victim or type of violation |
| Reproductive destruction | | | |
| Loss of control | SV occurs during an armed clash with rebels <i>and</i> commanding officers are not present or present but unable to control troop behavior SV occurs during military operations in countryside <i>and</i> commanding officers are not present or present but unable to control troop behavior | | Insufficient information on identity of victims or perpetrators, where it occurred, or context in which it occurred |

those responsible for war crimes.¹¹ In fact, the state expressed no value in the adjudication of war criminals in passing the 1995 Amnesty Law, which would have negated any convictions and sentences handed down by the civilian court system (Sharlach 2001). The failure of the state to hold the perpetrators or those in charge accountable is indicative of the impunity with which the armed forces were permitted to behave.

Even if the state or commanding officers knew, it is possible they were unable to exercise effective control over their subordinates. From the available evidence, this seems unlikely. If sexual violence is the result of a general loss of control, this organizational dilemma should be pervasive in all aspects of the military's operations. It appears that the state armed forces were willing participants in the use of sexual violence, but less so with other forms of human rights abuse. According to my data, the state was responsible for approximately 80 percent of all sexual violations; however, the CVR reports that they committed only 37 percent of deaths and disappearances. If sexual violence was the result of a breakdown in command control, why were the numbers of deaths and disappearances committed by the same soldiers not dramatically higher?¹² It is unlikely that those same soldiers, who demonstrated little restraint when raping, were able to exercise strict self-control with regard to murder. In addition, there were clear patterns of targeting victims according to their social and political affiliations. Sexual violence was not random, as would be expected, but reserved for individuals who opposed the state. Either high-level authorities knew, were ambivalent and chose not to act, or knew and did nothing because they endorsed or ordered the crimes.

Determining the extent of state responsibility is more difficult in Guatemala. Approximately, 70 percent of cases reported occurred during the invasion or massacre of villages. Within this context, it is difficult to assess the degree to which sexual violence was the result of a state policy or the "excesses" of individual soldiers. Even if informed of their subordinates' behavior, it is possible that leaders had no effective means to control it (although this seems highly improbable given what we know about the Guatemalan military).

On the other hand, almost one-third of cases occurred under circumstances that negate the possibility that state leaders had no knowledge of the violence. An additional 7 percent of cases were the result of direct orders from commanders.

The commander has his group of killers, and he tells them how they have to kill. Today they are going to behead or hang them, today they are going to rape all the women. Many times, orders are given to the soldiers before they go out.... They were also ordered to do the *percha* ...where 20 or 30 soldiers would rape a single woman. (United Nations 1999, TC87; testimony from an active soldier)

There is also evidence that soldiers who refused to participate in the sexual victimization of women would be punished or otherwise humiliated by commanding officers.

Twenty soldiers raped her, not everyone wanted to do it and the commanders insulted and made fun of them. (United Nations 1999, C2413)

¹¹ According to the state of emergency, these crimes were to be tried within the military court system. However, according to HRW (1992) the armed forces had not yet punished anyone for rape.

¹² Butler, Gluch, and Mitchell (2007) have argued that there are private incentives available to perpetrators of sexual violence. However, many of these incentives are also available to the general human rights abuser—lust for violence, revenge, boredom, etc.

The army arrived at the house. The husband was executed immediately...his 6-month pregnant wife of 18 years was raped for three days and three nights by the entire platoon, more than 40 men. They raped her on order of the chief of the platoon. Some of the soldiers refused and were punished. (United Nations 1999, C13004)

As was the case in Peru, to a large extent perpetrators of sexual violence in Guatemala acted with complete impunity. Although some soldiers were punished through internal mechanisms, to date, there has not been a single case of sexual violence tried through the civilian court system. If, as I argue, high-level state officials knew that sexual violence was occurring and had the ability to prevent it but did not, the only question left is why? In the next section I will discuss several strategic functions that sexual violence can serve during civil war. Without interviewing the perpetrators themselves, it is difficult to assess individual motives. However, by analyzing overall patterns of how sexual violence is used, we can begin to unravel the collective interests or motives of the state.

Instrumental Uses of Sexual Violence in the Guatemalan Civil War

Weakening the Opposition

In general, it appears that sexual violence played an integral role in the Guatemalan state's overall counterinsurgency strategy. The most violent period in the civil war occurred between 1980 and 1983, during which time the state engaged in a scorched-earth style of repression.

Knowing armed insurgencies often rely on local populations for resources and support but unable to differentiate these individuals from the general population, the state initiated a campaign of terror against the masses in areas where rebels were thought to operate. The result was a death toll in the tens of thousands, as well as massive internally displaced and refugee populations. Using such an offensive strategy, the state reasoned it would eliminate or drive away its "enemies" (Valentino, Huth, and Balch-Lindsay 2004).

Figure 1 indicates that levels of overall and sexual violence fell dramatically after 1982. By this time the URNG was effectively defeated.¹³ Only 11 percent of sexual offenses occurred between 1984 and 1996. This could suggest a relationship between the state's use of sexual violence and the strength of the armed opposition. More revealing is *how* sexual violence was used and the context in which it occurred. Almost half of recorded sexual violence events are suggestive of a campaign of generalized terror against the civilian population. Of these, 44 percent occurred during community sweeps and massacres with little regard for the identity of the individual victim. The testimonies below illustrate the modus operandi of the state in such cases.

The women and young girls were raped; I saw it with my own eyes because I was hiding behind a house...The soldiers were raping all the women that they found house by house...after that, all the women fled for fear that they were going to kill them. (United Nations 1999, CI78)

The army commonly separated the men from the women before raping the women and massacring the village.

The soldiers began to separate the population by sex; they enclosed the men in the courthouse and the women in the school. From the women, they chose 14

¹³ At the height of the conflict, the URNG was estimated to have between 800 and 5000 members (Cunningham, Gleditsch, and Salehyan 2005).

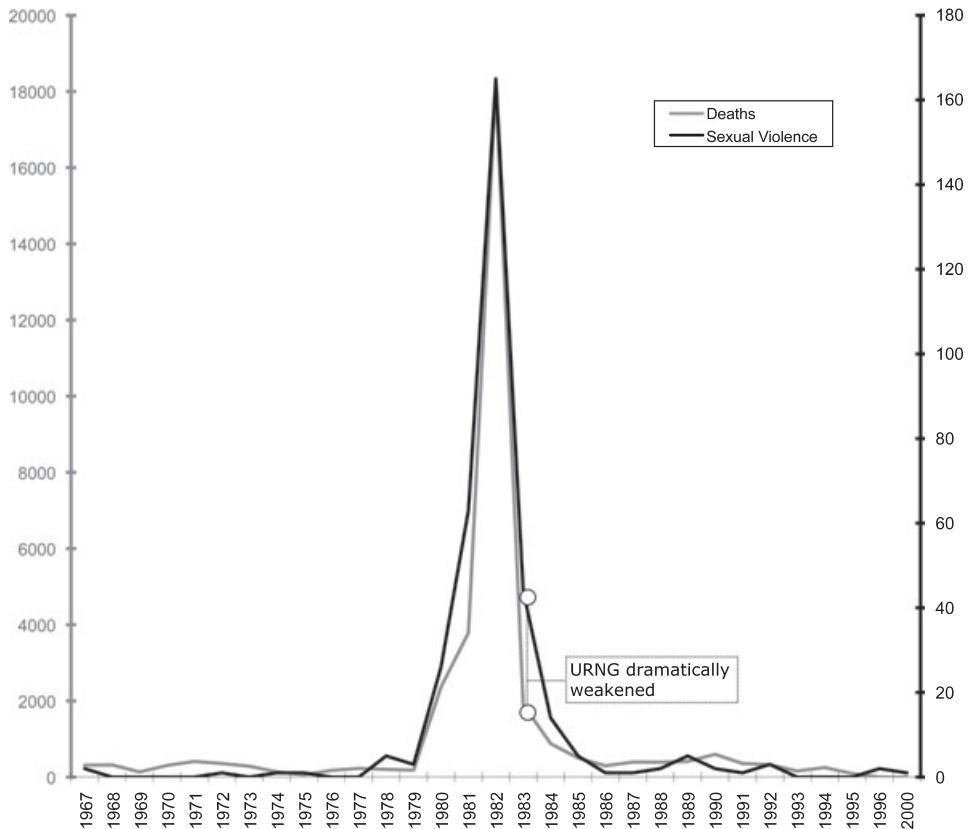


FIG. 1. Deaths and Sexual Violence in Guatemala, 1967–2000

adolescents and took them to the church where several soldiers raped them for more than an hour. (United Nations 1999, CI060)

In addition to the indiscriminate nature of the abuses, the state committed sexual offenses publicly and left permanent reminders of the violence on victims' bodies. This kind of violence has a terrorizing impact on the *entire* community.

She was raped by I don't know how many soldiers, they cut out her tongue, cut off her ears and eyes, they cut off her breasts and left her by a rock...They left her impaled and naked body, what was left of her body. (United Nations 1999, C2595)

Given these patterns, it is implausible that the state intended either to target specific political opponents as a means of punishment or to gather intelligence on insurgent operations. Even when sexual violence is perpetrated in prisons, military barracks, or private homes, where interrogation efforts are more likely to occur, testimonial accounts rarely provide evidence of it. As a result, 52 percent of cases are coded as (0)—inconclusive with regard to the information-gathering hypothesis. Sexual violence occurred most often during field operations, which were executed with little attention to individual victim's identities or behavior and with no effort to interrogate those who were rounded up. Victims were targeted as members of the general population, specifically as members of

a particular socioeconomic and ethnic cohort. It is to the latter category that I now turn.

Committing Genocide

In some civil wars, being a member of a particular racial or religious group makes an individual a target for violence.¹⁴ Because the CEH withheld the ethnicity of victims from publicly released documents, I cannot directly test whether sexual violence was part of a strategy of genocide in Guatemala. I can however, present some aggregate figures on the probability of an individual falling victim to sexual violence given his/her ethnicity.

In its final report, the commission concluded that the state had perpetrated genocide against the Mayan population, particularly with regard to its operations in the early 1980s. It was further determined that sexual violence served in the destruction of indigenous communities. The CEH found that approximately 80 percent of human rights victims and 90 percent of sexual violence victims were of Mayan origin (United Nations 1999). Some of the departments most affected by sexual violence have the highest concentrations of indigenous persons (see Map 1 in Available Data for Guatemala and Peru).¹⁵ Since these departments also experienced the most intense conflict activity in the late 1970s and early 1980s, it is impossible to know whether this violence was ethnically targeted.

It is not clear whether the state's aim was to forcibly impregnate or otherwise alter the reproductive capacity of the Mayan population.¹⁶ Approximately, 21 percent of sexual violence cases included the rape of young or elderly women, or included violations unrelated to biological reproduction. Of those that are seemingly related to reproduction, 16 percent included the use of excessive force or additional violations *not* explained by this hypothesis.

They grabbed the mother and her two daughters...and threw them to the floor. They sexually assaulted them right in front of the family...They mocked them ...all of the soldiers raped them. Then they passed over the women, stepping on them and piercing "their parts and breasts" with their bayonets. (United Nations 1999, C12006)

Such actions could be consistent with a genocidal intent, but could have also served a more generic purpose of terrorizing a community without regard to ethnicity.

Instrumental Uses of Sexual Violence in the Peruvian Civil War

Weakening the Opposition

As in Guatemala, it must be concluded that sexual violence in Peru also served the state's overall agenda of defeating the opposition, albeit in a very different manner. At the height of the conflict, the PCP-SL had between 2,000 and 8,000 members (Cunningham, Gleditsch, and Salehyan 2005). Throughout the conflict, there were two sharp peaks in the number of deaths and sexual abuses. Corresponding to the significant weakening of the PCP-SL after the capture of Abimael Guzmán and other prominent leaders in 1992,

¹⁴ This was the case in Rwanda and Bosnia-Herzegovina.

¹⁵ There are some significant outliers. Tonicapán and Sololá experienced higher levels of sexual violence than predicted by this hypothesis.

¹⁶ This cannot be ruled out in regard to other human rights abuses against the Mayan population. For instance, killing or forcibly disappearing all of the men of an indigenous community also affects its ability to reproduce itself.

the number of deaths and sexual violations declined sharply. This suggests that the state used sexual violence as one tool to fight its war against the rebels. In contrast to the Guatemalan state's tactics, in Peru sexual violence was more selective. While still widespread, it was targeted and perpetrated with deliberation. The state did not engage in the wholesale rape of villages, but rather sought specific individuals. About 71 percent of cases involved a single victim. Victims were most often identified and targeted for their opposition to the state, including their membership (or suspected membership) in the SL:

...members of the National Police detained Luis Beltrán Huamaní Aroni for his presumed association with the PCP-SL...They later transferred him to DINCOTE, in Lima, where...he was tortured psychologically and physically (forced nudity, hangings, beatings until he was left unconscious, simulated execution...forced participation in the sexual violation of an unidentified woman, etc.). (Comisión de la Verdad y Reconciliación (CVR) 2003, C1012184)

In this regard, women were particularly vulnerable to the state's violence, as they would also be targeted for sexual violence because of their relationship to others who were wanted by the state:

In 1994, in Aguaytía, Padre Abad district, members of the Peruvian army detained an identified woman, they demanded that she give them information about the location of her husband, who was a terrorist leader known by his alias "El Profe." The woman was raped by the soldiers. (Comisión de la Verdad y Reconciliación. (CVR) 2003, C1004460)

In one-third of the cases reported to the CVR, the victim was accused of or admitted membership in a "subversive" political organization. Only 5 percent of these were members or suspected members of the PCP-SL, suggesting that the state employed a broad conception of "terrorism." Other targets included students and teachers, union leaders and community organizers, such as members of the *Asociación Nacional de Familiares de Secuestrados, Detenidos y Desaparecidos del Perú* (The National Association of Family Members of Detained-Disappeared) and the *Comite del Vaso de Leche* (Glass of Milk Committee).

Offering some support that sexual violence was used as a form of torture, perhaps during interrogation, 52 percent of cases occurred in state-run detention facilities. Figure 2 illustrates that the rates of sexual violence and deaths do not coincide over time. Instead, the prevalence of sexual violence almost perfectly correlates with that of torture. This could indicate that sexual violence and other methods of torture occurred concurrently, or simply that they follow similar *reporting* patterns. As the killing subsides, victims may be more likely to denounce other forms of abuse. However, the CVR found that between 40 and 60 percent of sexual violence victims were also the victim of detention and torture (2003).

Although sexual violence was often used to torture detainees, it is uncertain whether the intent was to collect intelligence on the opposition movement. Only 10 percent of cases clearly confirmed this hypothesis.¹⁷ Even in cases of interrogation, it does not always appear that the objective was to obtain new information on suspects, but rather to coerce confessions from those already captured.

¹⁷ It is possible that more cases of sexual violence in detention included interrogation but were not reported accordingly.

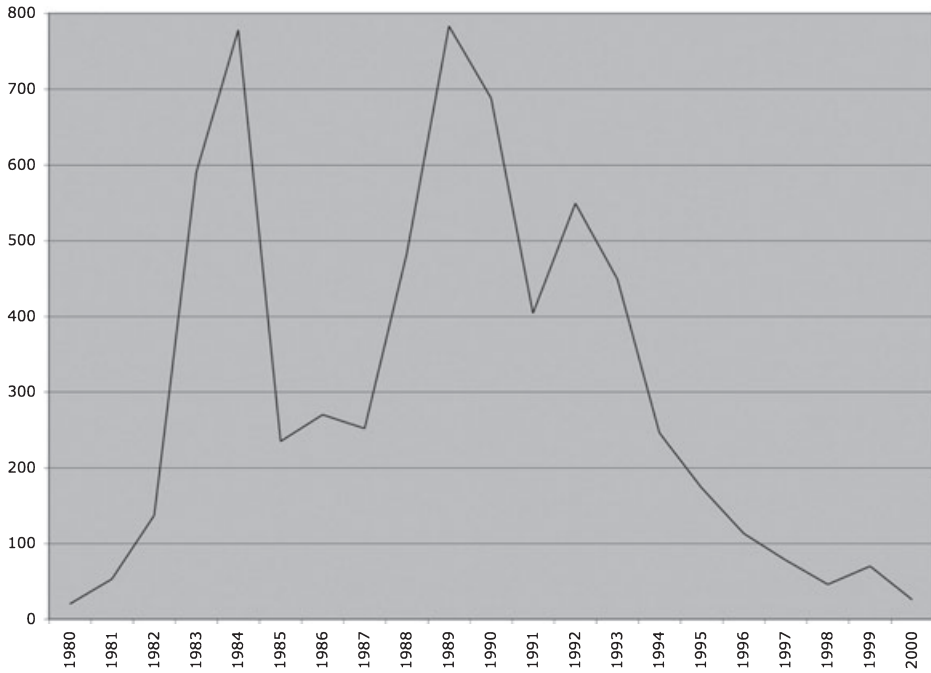
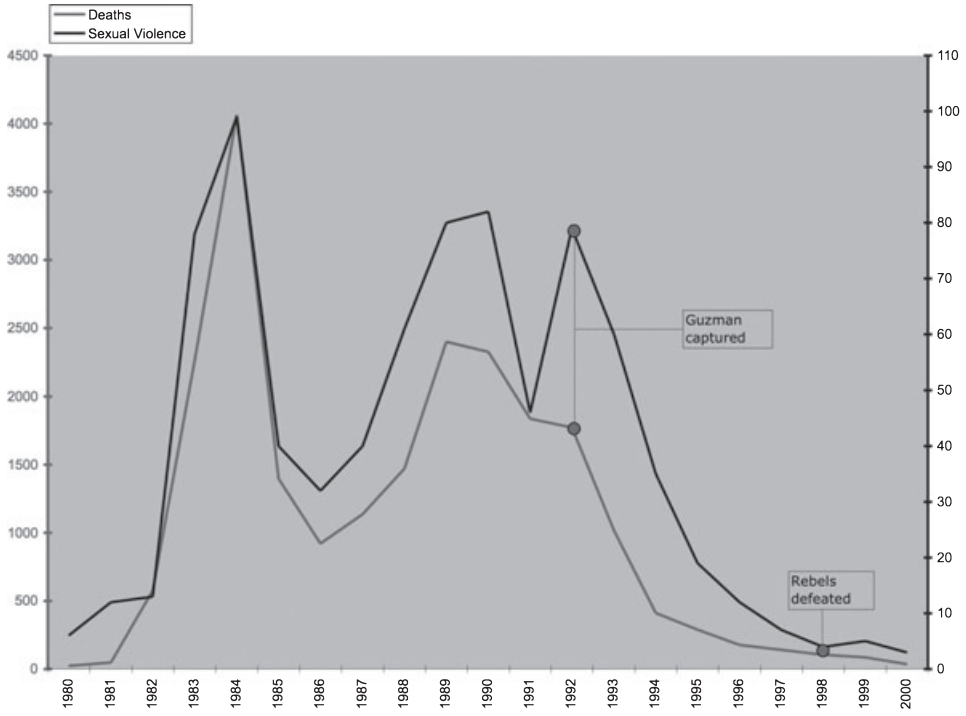


FIG. 2. Deaths, Sexual Violence, and Torture in Peru, 1980–2000

...they began to touch my body; I squirmed, screamed and cried, but there was no one, no one that could defend me. They began to undress me and I screamed for them not to do it, until I felt the disgust of someone's body....God, I couldn't take any more so I shouted between the sobs: 'fine, fine, I'm guilty.'
(Comisión de la Verdad y Reconciliación (CVR) 2003, C100168)

These factors suggest that even when sexual violence is perpetrated for the general purpose of weakening the opposition, it may take on entirely different forms. Sexual violence in Peru appears deliberate and targeted—a tool for punishing political opponents *and* signaling a similar fate to potential recruits. In contrast, sexual violence in Guatemala served to quell dissent against the state, but did so through indiscriminate, mass terror.

Committing Genocide

The CVR did not explicitly consider crimes of genocide but rather investigated collective acts of violence committed against indigenous peoples in Peru. They found that the majority of victims were Quechua speakers (75 percent). Map 2 (see section Available Data for Guatemala and Peru) illustrates the aggregate correlation between the prevalence of sexual violence and the indigenous population.¹⁸ It appears that ethnicity may have been one of the characteristics by which the state targeted victims, although areas with high concentrations of indigenous people were also centers of conflict.

It does not appear that sexual violence was of the genocidal variety that occurred in the former Yugoslavia. Sexual violence does not appear to have been committed for the purpose of altering the reproductive capacity of the Quechua or Aymara people. Forty-six percent of reported cases were disconfirming, as when the offense was unrelated to biological reproduction, such as the rape of elderly women or men, and the sexual torture of detainees. In fact, the second most frequent violation, sexual humiliation, counters this argument.

In December 1983, in Limonchayoc...members of the Civil Patrol detained Noemí Fortunata Quispe Huamán and an unidentified victim. They accused Noemí of being a subversive and forced her to strip and walk around the town naked. (Comisión de la Verdad y Reconciliación (CVR) 2003, C1011177)

Of those cases that offer some support for the reproductive destruction hypothesis, 20 percent included additional forms of violence not related to reproduction. It appears, then, that this narrow function of sexual violence may be unique to the circumstances of the war in Bosnia-Herzegovina.

Conclusion

This article is guided by two research questions: 1) what are the primary patterns of sexual violence in each of the case study areas; and 2) why do state armed forces commit sexual violence (using these patterns as evidence)?

Table 4 summarizes the results of this analysis. One key finding is that sexual violence does not serve the same function in all civil wars across time and space. Even within the same case, sexual violence can be used for multiple purposes. In Peru, it appears that sexual violence was perpetrated for the explicit purpose of targeting actual or suspected guerrillas or other opponents of the state. Regardless of the specific motives, it is certain that the state knew of the widespread sexual violence, and that through its inaction, either encouraged or condoned the

¹⁸ Again, there are significant outliers: Huanuco, Ucayali and Junin.

TABLE 4. Findings of the Use of Sexual Violence in Guatemala and Peru

| Hypotheses | Evidence from Cases | |
|--------------------------|---------------------|----------|
| | Guatemala | Peru |
| Targeted repression | 16% (1) | 35% (1) |
| | 41% (0) | 51% (0) |
| | 42% (-1) | 15% (-1) |
| Generalized terror | 47% (1) | 25% (1) |
| | 36% (0) | 45% (0) |
| | 17% (-1) | 30% (-1) |
| Intelligence gathering | 3% (1) | 10% (1) |
| | 52% (0) | 68% (0) |
| | 45% (-1) | 22% (-1) |
| Loss of control | 68% (0) | 40% (0) |
| | 33% (-1) | 62% (-1) |
| Reproductive destruction | 79% (0) | 54% (0) |
| | 21% (-1) | 46% (-1) |

*Percentages may not add to 100 due to rounding.

abuses. Sexual violence in Guatemala was an explicit tool of repression, employed indiscriminately against the indigenous peasantry. Victims were not punished for joining the insurgency. Victims were not interrogated for information. Instead, sexual violence was used to spread fear and terror throughout entire “communities of interest.” Even within these civil wars, both of which include strong ethnic dynamics, there is evidence to suggest that sexual violence serves additional functions separate from ethnic cleansing or genocide. Wartime sexual violence is a complex social and political phenomenon that requires analysis sensitive to multiple and concomitant causal pathways.

As this research agenda continues, there are several questions requiring further investigation. Because this study focused solely on state perpetrators, additional analysis of insurgents’ use of sexual violence is needed. According to my data, the URNG was responsible for less than 1 percent of all sexual violence events reported in Guatemala. The PCP-SL (and to a much lesser degree the MRTA) was responsible for approximately 18 percent of sexual violations, many of which were among the most brutal attacks. How do we understand the greater propensity of the PCP-SL to perpetrate sexual violence? Are there differences in rebel groups—such as their size, their proximity to civilian populations, their resource base or their politico-military strategy—that make some more likely to commit these kinds of human rights abuses? Do these factors in turn make the state more likely to use sexual violence?

Although systematic, cross-national analysis in this line of research poses a number of methodological obstacles, I do not believe these to be intractable. Given the importance of the topic, both to the academic community and society at large, it is imperative that we not abandon these questions, but rather find alternative methods to analyze the use of sexual violence during civil war.

References

- ALLEN, BEVERLY. 1996. *Rape Warfare: the Hidden Genocide in Bosnia-Herzegovina and Croatia*. Minneapolis, MI: University of Minnesota Press.
- AMERICAS WATCH. 1980a. *Series of Reports on Guatemala*. New York: Americas Watch.
- AMERICAS WATCH. 1980b. *Series of Reports on Peru*. New York: Americas Watch.
- ASKIN, KELLY. 1999. “Sexual Violence in Decisions and Indictments of the Yugoslav and Rwandan Tribunals: Current Status.” *The American Journal of International Law* 93 (1): 97–123.

- BALL, PATRICK. 1996. *Who Did What to Whom? Planning and Implementing a Large Scale Human Rights Data Project*. New York: American Association for the Advancement of Science.
- BROWNMILLER, SUSAN. 1975. *Against Our Will: Men, Women and Rape*. New York: Simon and Schuster, Inc.
- BUNSTER-BUROTTO, XIMENA. 1986. "Surviving Beyond Fear: Women and Torture in Latin America." In *Women and Change in Latin America*, ed. June Nash, and Helen Safa. South Hadley, MA: Bergin and Garvey.
- BUSH, GEORGE W. 2004. "President Outlines Steps to Help Iraq Achieve Democracy and Freedom." Speech at the U.S. Army War College, Carlisle, Pennsylvania: (24 May).
- BUTLER, CHRISTOPHER K., TALI GLUCH, AND NEIL MITCHELL. 2007. "Security Forces and Sexual Violence: A Cross-National Analysis of a Principal-Agent Argument." *Journal of Peace Research* 44 (6): 669–687.
- CARPENTER, R. CHARL. 2000. "Surfacing Children: Limitations of Genocidal Rape Discourse." *Human Rights Quarterly* 22: 428–477.
- COMISIÓN DE LA VERDAD Y RECONCILIACIÓN (CVR). 2003. "Informe Final de la Comisión de la Verdad y Reconciliación" [Final Report of the Truth and Reconciliation Commission] Available at <http://www.cverdad.org.pe/ingles/final/index.php> (accessed October 27, 2006).
- CUNNINGHAM, DAVID, KRISTIAN SKREDE GLEDITSCH, AND IDEAN SALEHYAN. 2005. "Dyadic Interactions and Civil War Duration." Presented at the 46th Annual Convention of the International Studies Association, Honolulu, HI.
- GARTNER, SCOTT SIGMUND, AND PATRICK M. REGAN. 1996. "Threat and Repression: the Non-Linear Relationship between Government and Opposition Violence." *Journal of Peace Research* 33 (3): 273–287.
- GREEN, JENNIFER. 2004. "Uncovering Collective Rape: A Comparative Study of Political Sexual Violence." *International Journal of Sociology* 34 (1): 97–116.
- HUMAN RIGHTS WATCH. 1992. *Untold Terror: Violence Against Women in Peru's Armed Conflict*. New York: Human Rights Watch.
- HRW (Human Rights Watch). 1999. "Kosovo Backgrounder: Sexual Violence as International Crime." Available at <http://www.hrw.org/backgrounder/eca/kos0510.htm> (Accessed October 27, 2006).
- HRW (Human Rights Watch). 2004a. "Case Law of the International Criminal Tribunal for Rwanda." Available at <http://hrw.org/reports/2004/ij/ict> (Accessed October 17, 2006).
- HRW (Human Rights Watch). 2004b. "Enduring Freedom: Abuses by US Forces in Afghanistan." Available at <http://hrw.org/reports/2004/afghanistan0304/index.htm> (Accessed June 8, 2006).
- HRW (Human Rights Watch). 2004c. "The Road to Abu Ghraib." Available at <http://hrw.org/reports/2004/usa0604.htm> (Accessed June 8, 2006).
- INSTITUTO NACIONAL DE ESTADÍSTICA [NATIONAL STATISTICS INSTITUTE]. 1981. *Censo Nacional de Población*. [National Census of Population] <http://www.ine.gov.gt> (April 15, 2006).
- INSTITUTO NACIONAL DE ESTADÍSTICA E INFORMÁTICA [NATIONAL INSTITUTE OF STATISTICS AND INFORMATION TECHNOLOGY]. 1993. *Perfil Sociodemográfico del Perú*. [Sociodemographic Profile of Peru] <http://www.inei.gov.pe/bibioneipub/bancopub/Est/Lib0007/caP0209.htm> (April 15, 2006).
- INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA TRIAL CHAMBER. 1998. *Akayesu Judgement*. ICTR-96-4-T. September 1–2, 1998: A01.
- KALYVAS, STATHIS. 2006. *The Logic of Violence in Civil War*. London: Cambridge University Press.
- LEONNIG, CAROL D., AND DANA PRIEST. 2005. "Detainees Accuse Female Interrogators: Pentagon Inquiry Is Said to Confirm Muslims' Accounts of Sexual Tactics at Guantanamo." *Washington Post*, February 10.
- LYKES, M. BRINTON, MARY M. BRABECK, THERESA FERNS, AND ANGELA RADAN. 1993. "Human Rights and Mental Health Among Latin American Women in Situations of State-Sponsored Violence." *Psychology of Women Quarterly* 17: 525–544.
- MASON, T. DAVID, AND DALE A. KRANE. 1989. "The Political Economy of Death Squads: Toward a Theory of the Impact of State-Sanctioned Terror." *International Studies Quarterly* 33: 175–198.
- MITCHELL, NEIL. 2004. *Agents of Atrocity: Leaders, Followers and the Victims of Human Rights in Civil War*. New York: Palgrave MacMillan Publishers.
- MOORE, WILL H. 2000. "The Repression of Dissent: a Substitution Model of Government Coercion." *Journal of Conflict Resolution* 44 (1): 107–127.
- PANIAGUA, VALENTÍN. 2001. *Creación de la Comisión de la Verdad en el Perú*. Decreto Supremo No. 065-2001-PCM [Creation of the Truth Commission in Peru, Supreme Decree], June 2, 2001.

- PLÜMPER, THOMAS, AND ERIC NEUMAYER. 2006. "The Unequal Burden of War: The Effect of Armed Conflict on the Gender Gap in Life Expectancy." *International Organization* 60 (3): 723–754.
- PSACHAROPOULOS, GEORGE, AND HARRY ANTHONY PATRINOS. 1994. *Indigenous People and Poverty in Latin America: an Empirical Analysis*. Washington, DC: World Bank.
- RECOVERY OF HISTORICAL MEMORY PROJECT. 1999. *Guatemala, Never Again: Official Report of the Human Rights Office, Archdiocese of Guatemala*. New York: Orbis Books.
- SEIFERT, RUTH. 1994. "War and Rape: A Preliminary Analysis." In *Mass Rape: The War against Women in Bosnia-Herzegovina*, ed. Alexandra Stiglmayer. Lincoln: University of Nebraska Press.
- SHARLACH, LISA. 2000. "Rape as Genocide: Bangladesh, the Former Yugoslavia and Rwanda." *New Political Science* 22 (1): 89–104.
- SHARLACH, LISA. 2001. *Sexual Violence as Political Terror*. PhD Dissertation, Davis: University of California.
- SHARLACH, LISA. 2004. "Rebel Women in States of Emergency: South Africa and Peru." Paper presented at the Annual Meeting of the American Political Science Association, Chicago, Illinois.
- SKJELSBÆK, INGER. 2001. "Sexual Violence and War: Mapping Out a Complex Relationship." *European Journal of International Relations* 7 (2): 211–237.
- STIGLMAYER, ALEXANDRA, ed. 1994. *Mass Rape: The War Against Women in Bosnia-Herzegovina*. Lincoln: University of Nebraska Press.
- TREACY, MARY JANE. 1996. "Double Binds: Latin American Women's Prison Memories." *Hypatia* 11 (4): 130–145.
- UNITED NATIONS. 1999. *Memoria del Silencio: Informe de la Comisión para el Esclarecimiento Histórico [Memory of Silence: Report of the Commission for Historical Clarification]*. Guatemala City: Commission for Historical Clarification.
- UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS. 1948. *Convention on the Prevention and Punishment of Genocide*. Article II.
- VALENTINO, BENJAMIN. 2004. *Final Solutions: Mass Killing and Genocide in the 20th Century*. Ithaca: Cornell University Press.
- VALENTINO, BENJAMIN, PAUL HUTH, AND DYLAN BALCH-LINDSAY. 2004. "Draining the Sea: Mass Killing and Guerrilla Warfare." *International Organization* 58: 375–407.
- WOOD, ELISABETH. 2006. "Variation in Sexual Violence during War." *Politics and Society* 34 (3): 307–342.