

*Sexual Violence during War:  
Explaining Variation*

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While sexual violence occurs in all wars, it occurs to varying extent and takes distinct forms. During the conflict in Bosnia-Herzegovina, while women of all ethnicities were raped the abuse of Bosnian Muslim women by Bosnian Serb forces was so systematic as to comprise a crime against humanity under international law. In Rwanda, the widespread rape of Tutsi and moderate Hutu women (often but not always as a prelude to murder) comprised a form of genocide, according to the International Criminal Tribunal for Rwanda. In the final months of World War II as the Soviet Army advanced westward, soldiers raped women of many ethnicities but in particular German women, especially in Berlin after the city's fall.

Sexual violence sometimes takes the form of sexual slavery, whereby women are abducted to serve as servants and sexual partners of combatants for extended periods. In some wars, women belonging to particular groups are targeted, in others targeting is much less discriminate. In El Salvador's civil war and Argentina's "dirty war," sexual violence was confined to particular "corners" of the war, where supposed insurgent supporters were frequently violated in detention by state security agents as a form of torture; sexual violence occurred infrequently elsewhere. In some cases of conflict, including ethnic conflict, sexual violence is limited despite the widespread use of other forms of violence against civilians, including the forced movement of ethnic populations from certain territories, as in Israel/Palestine and Sri Lanka.

As we will see, this puzzling variation in the extent and form of sexual violence during war has not been adequately explained in the literature to date.<sup>2</sup> The purpose of this paper, a first effort in a new research project, is four-fold: to establish the variation in the prevalence and form of sexual violence during war, to assess the arguments advanced in the literature to explain this variation, to analyze the methodological challenges in advancing this field of study, and to explore whether, despite those challenges, the variation is sufficient for an adequate explanation to be feasible.

#### *Variations in wartime sexual violence: selected cases*

*Soviet troops in Germany 1945.* Three well-known cases of extensive sexual violence during war occurred during World War II. As the Soviet army moved westward onto German territory in early 1945, large numbers of women were raped (Naimark 1995: 69-140). While the earlier offensives in Romania and Hungary had seen widespread rape of civilian women (particularly after the siege of Budapest), the practice intensified as the army moved on into East Prussia and Silesia. Although women of various ethnicities were raped

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<sup>2</sup> Following the definition used by recent international war crimes tribunals, by *rape* I mean the coerced (under physical force or threat of physical force against the victim or a third person) penetration of the anus or vagina by the penis or another object, or of the mouth by the penis. *Sexual violence* is a broader category that includes rape, coerced undressing, and non-penetrating sexual assault such as sexual mutilation. (See UNESCO 1998; HRW 2003: 2).

in the course of looting of villages and cities, German women were particularly targeted. In German villages in East Prussia, “it was not untypical for Soviet troops to rape every female over the age of twelve or thirteen” (Naimark 1995: 72; see also 74). As the Soviet army occupied Berlin in late April and early May 1945, thousands of women and girls were raped, often by several men in sequence, often in front of family or neighborhood, sometimes on more than one occasion. Soldiers often detained a girl or woman for some days in her home or elsewhere and subjected her to repeated rape. Even after occupation became more institutionalized, Soviet soldiers continued to rape girls and women across the occupation zone; the practice gradually subsided as occupation authorities realized the harm being done to the Soviet postwar political project. According to a leading historian of the period, Norman Naimark, it is unlikely that historians will ever know how many German women were raped: “It may have been tens of thousands or more likely in the hundreds of thousands” (1995: 132-3).

This is a relatively well-documented case: historians draw on a wide range of sources including Soviet secret police reports, military reports, wartime memoirs and diaries, and German police records (many German women did report the incidents). Even in this case, however, the frequency of rape -- even in Berlin itself -- is difficult to establish.<sup>3</sup> The best estimate appears to come from the two main Berlin hospitals: staffmembers estimated the number of victims as between 95,000 and 130,000 (Bevor 2002: 410). Taking 100,000 (out of an estimated population of one and a half million women in Berlin at the time; Grossman 1997: 35) as a rough estimate implies a prevalence (victims/female population) of roughly 6 percent.<sup>4</sup>

As the Soviet army moved westward, propaganda posted and distributed along the way as well as official military orders encouraged soldiers to take revenge and punish Germans broadly speaking, not just soldiers. On the eve of the offensive into Poland, the orders to the First Belorussian Front included “Woe to the land of the murders. We will get our terrible revenge for everything.” On the eve of crossing into East Prussia, the orders included “on German soil there is only one master – the Soviet soldier, that he is both the judge and the punisher for the torments of his fathers and mothers, for the destroyed cities and villages... ‘remember your friends are not there, there is the next of kin of the killers and

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<sup>3</sup> One potential source to establish the prevalence of sexual violence in Berlin are the records of women requesting abortions. While abortion was technically illegal, authorities suspended the law in the case of rape by foreigners; permission was granted to nearly all cases in the district whose records were analyzed by Atina Grossman (1997). Given that 90 percent of pregnancies resulting from rape were aborted (Grossman 1997: 50), the prevalence could be estimated if the records for all districts were preserved. However, that does not appear to be the case (Grossman 1997: 33, ft. 2).

<sup>4</sup> The *incidence* of rape (incidents/population) would be much higher than the prevalence (victims/population) given the pattern of gang rapes and multiple incidents suffered by the same person.

oppressors” (quoted in Naimark 1995: 72). Soldiers were instructed not to forget the violence wrought by the German military against both family and country. Naimark also documents the tolerance of sexual violence against civilians on the part of the Soviet command structure, from field officers to Stalin himself, who responded to complaints from East Prussia with “We lecture our soldiers too much. Let them have some initiative” and to those from German socialists with “In every family there is a black sheep... I will not allow anyone to drag the reputation of the Red Army in the mud” (Naimark 1995: 71). Naimark suggests that soldiers’ resentment of the remarkable wealth of many Germans also intensified their rage (115).

The particular pattern of sexual violence varied across time and space. Naimark notes the contrast between the “exemplary” behavior of Soviet troops in Bulgaria and the generally better behavior toward Polish and other Slavs, with the looting and rape that occurred in Germany and Hungary, both non-Slavic groups (Naimark 1995: 106-7). Throughout the offensive, frontline troops were less prone to rape than troops that came through later (Bevor 2002: 300, 326, 413). Bevor argues that soldiers who raped during the siege of Berlin and occupation were more selective than those who did so earlier, which he interprets as a transition from rape as an expression of rage to sexual gratification (Bevor 202: 326). Even during the occupation, there were contrasts across space: women and girls were more vulnerable in border towns, naval centers, and transportation centers than elsewhere, and, as Soviet authorities in the years following the surrender gradually instituted stronger rules against fraternization in general (in part due to security concerns) and rape in particular, local variations emerged as some commanders enforced the regulations and others did not (Naimark 1995: 88-90).

Naimark suggests that widespread rape by Soviet troops of German girls and women stemmed in part from the particular meaning of rape in the context of the interaction of Germany and the Soviet Union in World War II. Germans arrogantly conveyed their belief in their racial superiority, while Soviet troops were not only humiliated but deeply dishonored by their defeats early in the war (Naimark 1994: 113-4). Rape of German women, he reasons, would meet both the need for revenge and the restoration of lost honor and manhood through the total humiliation of the enemy. Humiliation took the form of rape because, Naimark speculates, rape was practiced as a form of vengeance against personal enemies in medieval Russia and the legal status of rape in nineteenth century Russia was a crime against female honor and chastity.<sup>5</sup>

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<sup>5</sup> One source cited by Naimark suggests that Asiatic Soviet troops were more prone to rape than non-Asiatic troops; indeed, many of the reports from victims indicate perceptions that their attackers were “Mongol.” However, Bevor (2002: 418-9) points out that photographs of Soviet troops in Berlin show only a small percentage to be Asiatic and that many soldiers bear weathered faces and narrowed eyes after long exposure to hardship. Grossman (1997: 39-41) suggests that women invariably coded attackers with unfamiliar faces as Mongol as a result of massive Nazi propaganda replete with images of invading Mongol barbarians.

*Japanese troops in Nanjing.* A second World War II case is the “rape of Nanking,” the widespread violence by Japanese soldiers in the Chinese city of Nanjing for eight weeks beginning December 13, 1937. According to Iris Chang (1997), 20,000 to 80,000 women and girls were raped before being killed, that is, 8 to 32 percent of the approximately 250,000 female civilians present in the city at the time of the take-over.<sup>6</sup> Among them were pre-pubescent girls, pregnant and elderly women, and Buddhist nuns. Approximately 300,000 people were killed, most summarily executed. Sexual violence in Nanjing also included various forms of sexual abuse of men, including rape, the forcing of men to have intercourse with family members or the dead, and the forcing of celibate men to have intercourse. The combination of rape and murder is a sharp contrast to the previous case, where although multiple rape occasionally resulted in death, murder rarely followed rape.

*Japan’s “comfort women” system.* One result of the negative international publicity in the wake of the violence in Nanjing was the widespread implementation of the so-called “comfort women” system of military-organized and controlled brothels that accompanied Japanese soldiers (Chang 1997; Goldstein 2001: 367).<sup>7</sup> According to a 1993 study by the Japanese government that included a review of wartime archives and interviews with both military personnel and former “comfort women,” more than 200,000 women from across East and Southeast Asia were recruited by force and deception to serve as on-call prostitutes subject to immediate violence if they resisted. In establishing the “comfort stations,” Japanese officials sought “to prevent anti-Japanese sentiments from fermenting [sic] as a result of rapes and other unlawful acts by Japanese military personnel against local residents in the areas occupied by the then Japanese military, the need to prevent loss of troop strength by venereal and other diseases, and the need to prevent espionage.”<sup>8</sup> Most of the comfort women were between 14 and 18 years old, and most were Korean. The ratio of men to comfort women was approximately 50 to 1 where documented (Goldstein 2001: 346). According to the Korean Council for the Women Drafted for Sexual Slavery by Japan (cited in Hyun-Kyung 2000: 17-19), perhaps a third of them died in the course of the war. The precise number of women forced to serve as military sexual slaves is not well-documented as the Japanese destroyed much of the documents in 1945 (although enough evidence remained that the Japanese government was forced to formally apologize in 1996).

*Bosnia-Herzegovina.* Sexual slavery was also a prominent form of sexual violence

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<sup>6</sup> It is not clear how Chang arrives at this estimate.

<sup>7</sup> The system was begun in 1932 but expanded extensively in the aftermath of Nanking (Hyun-Kyung 2000: 17-19).

<sup>8</sup> “On the issue of wartime ‘comfort women’” by the Japanese Cabinet Councillors’ Office on External Affairs, 4 August 1993 (E/CN.4/1996/137, p. 14), cited in UNESCO 1998 (Appendix: 9(a)).

in the conflict in the former Yugoslavia in the early 1990s.<sup>9</sup> According to a European Union investigation, approximately 20,000 girls and women suffered rape in 1992 in Bosnia alone, many of them while held in various forms of detention facilities.<sup>10</sup> According to the UN Commission of Experts to investigate violence in the former Yugoslavia, the “vast majority of the victims are Bosnian Muslims and the great majority of the alleged perpetrators are Bosnian Serbs” (UNSC 1994: Annex IX.I.C). The history of violence in Foca, a county in southeastern Bosnia comprised of a town of the same name and villages, illustrates a common pattern in this conflict. Before the conflict began, Muslims comprised 58 percent of the residents.<sup>11</sup> From March to September 1992, Muslim girls and women were subjected to rape in the forests, in their homes, in detention centers, and in private flats. Of the 63 cases of rape and sexual assault in Foca compiled by the commission, about 55 percent took place while the victims were held in detention centers, including the local high school, a gym, and the workers’ barracks of a hydroelectric plan under construction, where men walked in, chose from among the girls and women there, and raped them either on the premises or in nearby flats. Many of the women and girls endured gang-rapes, repeated over days or weeks.<sup>12</sup>

The most authoritative investigation of sexual violence in the former Yugoslavia is that carried out by the UN commission (UNSC 1994, see especially Annex IX). The

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<sup>9</sup> Before the conflict began, from 1986 to 1990, Serbian media alleged that Serbian women in Kosovo had suffered large-scale rape at the hands of Kosovar Albanian men (Skjelsbaek 2001: 219; see also Slapsak 2001: 174-5. I could not establish whether the allegations were true or not.

<sup>10</sup> Cited in Goldstein (2001: 363) and Enloe (2000: 140). Twenty thousand girls and women comprise 2.1 percent of female Muslims in pre-war Bosnia of all ages (calculated from Federal Office of Statistics data for 1991). The UN Special Rapporteur of the Commission on Human Rights (cited in Salzman 2000: 76) initial made a lower estimate of 11,900 rapes, based on 119 pregnancies resulting from rape that were aborted in six major medical centers (the rate of pregnancy after rape is about 1 percent). However, as Salzman points out, on the one hand many women were raped more than once. On the other hand, many pregnant women who sought abortions did not indicate that pregnancy originated in rape; others had no access to medical facilities and induced abortion themselves, abandoned the child, or kept the child. On balance, Salzman argues that the number of pregnancies was likely significantly higher than 11,900, and he concurs with the 20,000 estimate (76-77; 63).

<sup>11</sup> UNSC 1994: Annex IX.2.A.20. This paragraph draws as well on Barkan 2002, which is based in large part on the testimony of sixteen victims before the International Criminal Tribunal for the Former Yugoslavia.

<sup>12</sup> Eight men from Foca were indicted by the ICTY on 62 counts of sexual assault and rape as crimes against humanity and grave breaches and violations of the laws and customs of war. (Barkan 2002: 65). The three who were tried received sentences of 28, 20, and 12 years.

commission drew on two sources of evidence. The first was their analysis of tens of thousands of allegations contained in documents from a wide variety of sources from which the commission distilled 1,100 reported cases of rape and sexual assault (eliminating duplicate and unspecific allegations), including 800 identifiable victims, 700 named alleged perpetrators with another 750 identifiable, and 162 detention sites (ibid: Annex IX.I.A).

Analyzing these cases, the commission identified several distinct patterns: sexual violence 1) by individuals and small groups in conjunction with looting and intimidation of target group, 2) in conjunction with fighting, often the public rape of selected women in front of the assembled population after the take-over of a village, 3) against men, women, and girls held (along with other people) in detention or collection centers for refugees, 4) in sites for the purpose of rape and assault (all women assaulted, frequently, along with beating and torture) and apparently for the purpose of forced impregnation (women were told that was the case and pregnant women were sometimes held past the point where an abortion was possible<sup>13</sup>), and 5) in detention sites for the purpose of providing sex. Sexual violence against men (castration, forced to perform fellatio or to rape women, etc), while much less frequent than that against women, occurred in camps and detention centers (examples given included camps run by Serbs, Muslims, and Croats).

Among the characteristics stressed by the commission were an emphasis on shame and humiliation (assaults in front of family or in public), the targeting of young girls and virgins along with educated and prominent female community members, and assault with objects. Moreover,

“In both custodial and noncustodial settings, many victims report that the alleged perpetrators state that they were ordered to rape and sexually assault the victims, or that they were doing it so that the victims and their families would never want to return to the area. Also, every reported case occurred in conjunction with an effort to displace the civilian population of a targeted ethnic group from a given region...”  
(ibid: Annex IX.I.C)

Representatives of the commission also carried out interviews with 223 people who were victims of or witnesses to sexual violence in the area (ibid: Annex IX.A). The ethnicity of this group, 45 percent Muslim, 54 percent Croat, and less than 1 percent Serb (1 out of 223), however, reflected the fact that the commission was not allowed to carry out investigations in either Bosnia or Serbia. Within this limitation, the commission documented particular patterns of sexual assault. For example, the commission interviewed nineteen women from Kotor Varos, of whom six had been raped, most gang-raped by guards in a sawmill, which had served as a temporary collection center. One woman was told by a rapist that he wanted

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<sup>13</sup> Rape of civilian women was later also a practice as Kosovar Serbs and Serbians attempted to displace Albanians in Kosovo. In contrast to the earlier conflict, Human Rights Watch investigators did not confirm US and NATO allegations that women were being held in “rape camps” (HRW 2000), nor did allegations of forced impregnation surface.

to try a Muslim woman and that she should be honored; a second woman was told that he would make “Cetnik babies” in Muslim and Croat women; a third woman was told by a rapist that he had been ordered to do so (ibid Annex IX.A III.A.2).

The commission concluded that while some cases were the result of the actions of individuals of small groups acting without orders or within an overall policy, “many more cases seem to be part of an overall pattern. These patterns strongly suggest that a systematic rape and sexual assault policy exists, but this remains to be proved” (UNSC 1994: Annex IX “Conclusions”). In drawing this conclusion, the commission relied on the fact that a majority of the cases (600 of the 1100) occurred against people in detention, on the fact that similar patterns of sexual violence occurred in non-contiguous areas, and that sexual violence was often simultaneous with military action or activity to displace certain civilian populations. While not explicitly stated in the report, the inference is clear that the commission believed it probable that a policy of systematic ethnic cleansing including rape existed on the part of Bosnian Serbs (see also HRW 1995).<sup>14</sup>

However, direct evidence that Bosnian Serb and Serb forces planned a campaign of sexual violence as part of the ethnic cleansing of Serbian areas of the former Yugoslavia to form a “greater Serbia” is lacking, but may emerge as the various trials at the ICTY continue.<sup>15</sup> In any case, for policy-makers to be found guilty of crimes against humanity does not require such evidence according to the doctrine of “command responsibility” whereby if leaders knew or should have known of the occurrence of crimes against humanity and fail to take action, they are themselves also legally responsible.<sup>16</sup>

*Sierra Leone.* Sexual violence during the war in Sierra Leone, in contrast, did not

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<sup>14</sup> Of course one reason the ethnic violence in the former Yugoslavia seemed troubling to many observers was the fact of significant intermarriage before the war: from 1981 to 1991, 18.6 percent of new marriages in Bosnia were inter-ethnic (1991 census figures, Enloe 2000: 142).

<sup>15</sup> According to Beverly Allen (cited in Salzman 2000: 70-1), Serb army officers in 1991 developed the “RAM” plan that advocated rape as a particular means to carry out the policy of ethnic cleansing. Moreover, she claims that the Psychological Operations Department of the Yugoslav National Army developed a plan based on the crushing of enemy morale by raping women, including girls, and killing Muslims inside mosques. This evidence is apparently substantiated by a Ljubljana newspaper, but I have not seen it confirmed in official documents.

<sup>16</sup> See for example, the report of Gay J. McDougall, the Special Rapporteur on systematic rape and sexual slavery during armed conflict: “The failure to take action to address widespread or systematic attacks against a civilian population can be sufficient to establish the requisite element of policy, plan or design” (UNESCO 1998: 39).

involve ethnic targeting.<sup>17</sup> By 2001, approximately a quarter of the population was internally displaced by the war. Among this group, sexual violence was widespread. According to a survey of 991 internally displaced women carried out by Physicians for Human Rights (with the help of the UN mission in Sierra Leone), 9 percent of the respondents had suffered sexual assault during the ten years of the war (the prevalence among their female household members was 8 percent<sup>18</sup>; Amowitz et. al. 2002: Table 2).<sup>19</sup> The survey design combined systematic random sampling and cluster sampling in four locales representing 91 percent of the internally displaced population (for details, see PHR 2002).<sup>20</sup> Of the respondents who were sexually assaulted, 89 percent reported being raped and 33 percent reported being gang-raped (Amowitz et. al. 2002: Table 3). Of the human rights abuses suffered by household members, 40 percent were alleged to have been carried out by the rebel group Revolutionary United Front, 34 percent by unknown groups, 16 percent by unspecified rebels, and 4 percent by mixed groups (all other percentages were 2 or less; Amowitz et al. 2002: Table 2). Human Rights Watch states that they identified only a few sexual assaults by government forces or the government-sponsored militias (and also a few committed by members of the UN mission; HRW 2003: 27-8).

Sexual violence in Sierra Leone was also extremely brutal (HRW 2003). Gang rapes often took the form of very young victims enduring gang-rapes, with rebels lining up to take turns. Many of those who suffered sexual assault did so on multiple occasions, as indicated by the reported pregnancy rate among household members suffering sexual assault (9 percent, significantly higher than the expected value of 1 percent resulting from a single rape; Amowitz 2002: 517). Presumed to be virgins, young women and girls were particularly targeted; indeed female rebels occasionally checked the virginity of detained females (itself

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<sup>17</sup> In the testimonies compiled by Human Rights Watch and Physicians for Human Rights, victims reported perpetrators wanting sex with a virgin, wanting a new wife, to send a message to the government, and so on, but do not report perpetrators stating a wish to have sex with or to punish a person of particular ethnicity or religion. The published survey findings include the tribe (71 percent Temne) and religion (82 percent Muslim) of the respondents but do not break down reported assaults by the tribe or religion of the victim (Amowitz et al 2002: Table 1).

<sup>18</sup> The survey asked respondents about violence suffered during displacement by people who were members of the household *before* the war. It is unclear how accurately respondents could report on abuses against other members given that many households were scattered by the violence.

<sup>19</sup> The survey also estimated the lifetime prevalence of non-war related sexual violence among girls and women in Sierra Leone as 9.0 percent (Amowitz et al 2002: 518).

<sup>20</sup> 65 percent of the women and girls who had suffered sexual violence had already told someone, and 53 percent had sought medical help (on average *161 days* after the incident, Amowitz et al. 2002: 519).

sexual violence and possibly rape if without consent; HRW 2003). Older women also suffered sexual assault, including post-menopausal women for whom it broke a particular cultural taboo against sexual activity among this group. The extreme violence with which girls and women were raped often resulted in severe bleeding, tears in the vagina, anus, and surrounding tissue, long-term bleeding and incontinence, and sometimes death.<sup>21</sup> On occasion, rebels broke other taboos as well, forcing male family members (particularly fathers) to rape their daughters or to watch them dance naked or be raped by others (HRW 2003: 35-42). Other forms of sexual violence were also carried out against men.

A particular form of sexual violence in Sierra Leone was the detention of girls and women, often for long periods of time, as slaves serving a rebel camp or a particular rebel. In some cases, they underwent forced marriage with a particular person. Of the internally displaced women who suffered sexual assault, 33 percent of the respondents were abducted, 15 percent were forced to serve as sexual slaves, and 9 percent were forced to marry a captor (Amowitz et. al. 2002: Table 3). Escape was reportedly very difficult, and attempts were severely punished. At war's end some "wives" were not willing or able to leave their spouses.<sup>22</sup>

*Sri Lanka.* In contrast to the Bosnian case, in Sri Lanka sexual violence is generally wielded by government forces against women associated with a secessionist insurgency, the level of sexual violence appears to be dramatically less. Displaced Tamil women and girls who are arrested or detained at checkpoints by police, soldiers or security forces, sometimes on the ground that they or family members are LTTE members, are subjected to various forms of sexual assault, including gang rape and rape with foreign objects, occasionally culminating in death.<sup>23</sup> I could not find estimates of the prevalence of sexual violence in this case, however 21 allegations of rape by "armed forces" (unspecified) were made during the first six months of 1998 (Perera 1998). I did not find any allegations of sexual violence by LTTE members, despite their frequent targeting of civilians, deployment of suicide bombers, forced movement of non-Tamil populations from areas of insurgent control, and other violations of international law.

*El Salvador.* Sexual violence during the civil war in El Salvador was similarly one-sided (and very low in comparison to Bosnia and Sierra Leone). Government soldiers and

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<sup>21</sup> See PHR 2002: Chapter 4 and HRW 2003: Chapter V. Human Rights Watch (2003: 24) reports that 90 percent of females in Sierra Leone undergo female genital cutting. According to Physicians for Human Rights, these women are at increased risk for genital trauma and related complications after rape (PHR 2002: 49).

<sup>22</sup> Forced marriages in the sense of marriages of girls without their consent, often at a very young age, was common in Sierra Leone before the war but required permission of the girl's family (HRW 2003: 17, 23-4).

<sup>23</sup> See HRW 1999, Amnesty International 1999, Asian Human Rights Commission 2000.

security forces occasionally used sexual violence, including gang and multiple rapes, against suspected insurgent supporters (both men and women, but the large majority were women) detained in both official and secret detention sites. There are isolated reports of the same groups carrying out sexual violence while on operations. For example, two of the four US churchwomen detained and killed by National Guardsmen in 1980 were raped.<sup>24</sup> There are very few reports of sexual violence by insurgent forces against civilian women or female combatants (Wood 2003: Chapter 4). The final report of the UN sponsored Truth Commission mentions only one incident of rape, carried out by government forces in a village in eastern El Salvador in 1981).<sup>25</sup>

*Israel/Palestine.* A final case of ethnic conflict in which sexual violence appears to be extremely limited if not totally absent is the Israeli Palestinian conflict. While the forced movement of Palestinians out of some areas in 1948 was accompanied by a few documented cases of rape (Morris 2004), at present neither Israelis nor Palestinians carry out sexual assaults despite targeting of civilians by Palestinians and the killing of Palestinian civilians by Israeli security forces. In December 2003, I asked representatives of three human rights organizations (two Israeli and one Palestinian) whether they believed sexual assault was occurring but not reported or was not in fact taking place. They independently stated that there were nearly no cases of rape, and that they believe they would hear of it they were occurring as they did receive reports of lesser instances of sexual harassment (for example, during pat-down searches at check-points).

#### *Explaining variation in wartime sexual violence*

Among these cases sexual violence appears to vary substantially in prevalence, in form, in who is targeted (all women, girls and men as well as women, or particular women), in whether it is exercised by combatants from a single party to the war or more generally, in the setting (in detention, for example, or more broadly), in the extent to which it appeared to be a strategy of some party in some wars, and in whether it is accompanied by other violence against civilians such as homicide or slavery. Some simple hypotheses are not adequate to explain the variation even across these few cases. Sexual violence varies in prevalence and form across civil wars as well as inter-state wars, across ethnic wars as

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<sup>24</sup> According to Mark Danner (1994), some of the nearly one thousand people killed by the Salvadoran military at El Mozote in 1981 were raped. However, this was not confirmed by the UN-sponsored Truth Commission for El Salvador (1993). Leigh Binford, an anthropologist who wrote a book-length study of El Mozote, believes based on his interviews with survivors that there was no sexual violence in El Mozote itself but that it could have occurred in outlying hamlets where there were no survivors (personal communication, April 2004).

<sup>25</sup> In addition, a French nurse accused of working with the insurgents who was assassinated by government security forces was partially disrobed when shot, which may imply some degree of sexual violence, but this was not confirmed in the report.

well as non-ethnic, and across secessionist conflicts. In some wars, armed groups “mirror” the use of sexual violence by committing their own; in other wars, such tit-for-tat retaliation does not occur.

Before continuing, however, a pre-emptive concern must be addressed. Perhaps the variation described above is merely an artifact of inadequate knowledge about the empirical patterns present in each case. The observed prevalence of sexual violence across different wars may reflect different intensities of international and domestic monitoring rather than different prevalence rates: violence in some regions appears to garner more international attention than others. Even in peace-time and even in countries with well-developed infrastructure and liberal norms, the methodological challenges to gathering data concerning sexual violence are serious. For example, what counts legally as “rape” varies significantly across US states depending on whether it is narrowly defined as forced penetration of the vagina by a penis or more broadly to include anal penetration and penetration by other objects, and whether rape requires forcible compulsion or merely lack of consent (Tobach and Reed 2003: Tables 5.1 and 5.2). Another factor is whether rape is considered possible between husband and wife (or, more generally, intimate partners). This is an instance of a fundamental issue in making comparisons across cultures: whether or not, for example, coerced vaginal penetration by a penis is counted as rape if it is socially condoned in that culture in a particular situation (Roze 1993).<sup>26</sup> Another issue is whether persons who have suffered some form of sexual violence are willing to report it, whether to health workers, to police, to ethnographers, or in surveys. Reasons that many do not do so, even in societies with liberal sexual norms, are feelings of shame and fear of stigmatization by family and society. Male victims of sexual violence appear to be particularly reluctant to report it in most societies.

These challenges are of course compounded during war when surveys are generally absent, police and health services are disrupted, and families and social groups displaced and dispersed. In conflict settings, the fear of reprisal for reporting sexual violence may be greater if the perpetrator or his group is still present. Increased political polarization may intensify partisan bias, isolate some populations from services and intensify the counting of incidents in others. The destruction of infrastructure may reinforce urban bias.

However, the disruption of war may also increase reporting. Sexual violence in the context of political conflict may be more likely to be reported as the stigma felt by its victims may be less, and displacement may loosen traditional norms and lessen the likelihood of reprisal. Health services may be more available, not less, to populations in the

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<sup>26</sup> For example, in some societies, sexual access to women is granted to guests, brothers, or other associates of the husband (and the women are beaten or killed if they refuse); in some societies, female transgression of social norms (such as Caraja women seeing male ceremonial masks) is punished by rape, sometimes group-rape in a public place (Roze 1993: 507-8).

urban periphery or in some refugee camps, compared to the original setting.<sup>27</sup> Human rights groups and women's organizations may emerge or command more resources in wartime, enabling the compiling of reports and patterns and facilitating the investigations of international commissions and human rights groups who may command more legitimacy and resources.

The empirical challenges notwithstanding, however, the variation in sexual violence appears to be sufficiently well-documented across enough wars and armed groups to suggest that it is real and not solely an artifact of bias in reporting and observation. Given the density of non-governmental human rights organizations in Israel and Palestine and the intensity of international scrutiny of the behavior of both parties it is difficult to imagine a high present rate of sexual violence by the parties to that conflict going unreported. At the high end of the variation are some of the best documented cases, for example, Serbian forces in Bosnia, for which is it also difficult to imagine a significantly lower rate given the numerous and mutually-corroborating reports from dozens of investigations. Finally, not only does the prevalence vary significantly, the particular pattern of sexual violence does as well, which gives additional analytical traction.

The core question which I wish to address is why do the rates of sexual violence vary across conflicts and across groups in a given conflict? It is helpful to consider a prior question as well, why is sexual violence often higher in wartime than in peace? The following framework will help organize potential explanations for variation in wartime sexual violence.

- i*). The expression of sexual aggression is regulated in peacetime by mechanisms that differ across countries, and often across within-country groups, with the result that the peacetime rate of sexual violence differs across groups.
- ii*). These regulatory mechanisms tend to break down during warfare, resulting in higher levels of sexual violence.
- iii*). The extent to which these regulatory mechanisms break down (and in some cases are actually reversed, in the sense that regulation may be replaced by promotion of sexual aggression) varies across conflicts and groups.

Therefore, differences in sexual violence across groups of combatants can be explained by some combination of the distinct impact of the war on these regulatory mechanisms across groups and by the differences in the peacetime level of sexual violence.

I discuss each element of this framework in turn, evaluating its contribution to accounting for the observed variation. I also consider two ancillary questions, why are some

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<sup>27</sup> Even if all females who were pregnant as a result of rape reported the incident to health authorities and were in fact pregnant as a result of rape, that would not be enough to infer the incidence or prevalence of rape (despite knowing that approximately 1 percent of rapes result in pregnancy) given the fact that multiple rapes appear to be frequent in wartime settings.

groups more likely to suffer sexual violence? And why does the form of sexual violence vary?

*Variation in peacetime levels of sexual violence.* Evidence for *i*) above comes from three studies that draw on very different methodologies. The United Nations Interregional Crime and Justice Research Institute (INICRI) compiles cross-national data on rates of sexual assault through crime victimization surveys in many countries. In developing country capital cities, annual prevalence rates in the mid 1990s for sexual assault varied between 0.17 percent, the average for the three cities at the low end (Manila, Gaborone, and La Paz) and 1.32 percent for the three cities at the high end, Rio de Janeiro, Tirana, and Buenos Aires), about eight times as high.<sup>28</sup> In industrialized countries, reported rates of sexual assault also vary, between .13 at the low end (the average for Japan, Ireland and Scotland) and 1.03 at the high end (for Sweden, Finland, and England), with the high rate again about eight times as high as the low rates.<sup>29</sup>

Madeline Morris (1996: 662, 675) has documented a difference in the peacetime rate of rape across two groups in the US, males serving in the military and civilian males of the same age. Using data on “founded investigations” (meaning reported crimes that were not dismissed as unfounded by investigators) from the FBI and US military services, the rate of rape by male military personnel is lower, she found, than that by same-age civilians (in peacetime). (This difference occurs despite the higher presence of African American men in the military, a group that has a higher rate of rape than non-African American men in the US.) The study does not show that being in the military lowers the likelihood that a particular person would commit rape, for she did not (and most likely could not) adequately take account of the many relevant ways that the two groups differ.

Other evidence for cross-cultural differences in the social regulation of sexual aggression comes from analysis of ethnographic reports of practices in band and tribal societies before significant contact with modern societies (compiled in a standardized sample by Murdoch and White in 1969, see Rozee 1993: 504). In a cross-cultural study of 95 tribal societies Peggy Sanday (1981) found that the rate of rape of women differed very significantly across societies: in nearly half of these societies rape was rare or absent, while in about a fifth of them, rape was moderately to highly frequent against women of that or other societies or it was an accepted way to punish women or occurred as part of ceremonies. (Sanday is not precise about what counts as moderately to highly frequent.) The

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<sup>28</sup> Calculated from prevalence rates for the previous five years compiled in Table 6.1, WHO 2002: 151. For developing countries, the data is compiled from face-to-face surveys in the capital city; there is apparently no correction other than for variation in household size for possible rural urban differences. Given the problems with sexual violence data, I average across the lowest and highest three cities.

<sup>29</sup> Calculated from UNICRI data (Appendix 4, Table 6, 188-9). For industrialized countries, the surveys are national samples and done by phone (with the exception of Malta).

significant correlates of rape across these societies were war, inter-personal violence (excluding rape), and ideologies of male dominance (females exercise little power or authority, do not participate in political decision-making). Working with a different sample and using a definition of rape that included marital rape and “sleepcrawling” (intercourse with a sleeping woman), Patricia Rozee (1993) found that nonnormative rape (rape in situations not condoned by that society) occurred in 63 percent of the societies. She further found that the prevalence and form of normative rape varied across societies: marital rape occurred in 40 percent of these societies, exchange rape in 71 percent, punitive rape in 14 percent, ceremonial rape in 49 percent, and status rape in 29 percent (Table 1).

It is possible of course that wartime sexual violence simply replicates this variation in peacetime patterns. But for some of the cases discussed in the previous section it is clear that sexual violence was much more prevalent during the war than before.

*Wartime rates of sexual violence are higher than peacetime rates.* One reason that the regulation of sexual aggression referred to in *ii*) above might break down is based on opportunity: wars tend to be fought by armed young men in groups (that is, combatants) far from the normal social controls of their village or neighborhood. In these circumstances, sexual aggression is less regulated with the result that higher levels of sexual violence occur. This argument is sometimes advanced as a reason for the facilitating of prostitution by militaries. Napoleon Bonaparte, for example, is supposed to have said that “prostitutes are a necessity, without them men would attack respectable women in the streets” (quoted in Butler 2000: 209).

Another reason sometimes thought to account for the failure of regulation of sexual aggression is rooted in biology: wartime sexual violence is higher because of a link between the aggression necessary for combat and male sex drive (via testosterone).<sup>30</sup> But as Joshua

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<sup>30</sup> Evolutionary psychologists Randy Thornhill and Craig Palmer (2000) argue that men inherit a genetically transmitted propensity for rape, which over the millennia of evolutionary history was selected for because men with poor chances of reproductive success would have a better chance of reproducing their genes if they rape vulnerable females than if they did not. However, there are several reasons to doubt this claim, the most important being that at least for the 100,000 or so years of (biologically modern) human history, it seems likely that the expected fitness gains to rape were much more than offset by the cost, including lethal punishment by group members related to the victim. The females of many species control which sperm fertilize her egg, which casts doubt on the evolutionary effectiveness of rape (Drea and Wallen 2003). Human rape victims are much less likely to become pregnant than women who copulate voluntarily. Moreover, such a putative universal propensity does not account for individual variation across human males (Vickers and Kitcher 2003) or for the raping of girls under reproductive age (20 to 30 percent of rape victims in the US, Koss 2003) and elderly women, the excessive violence of many rapes, or the prevalence of gang rape (Coyne 2003). Finally, the authors rely on highly selected biological evidence; for example, “rape” in the dunghill fly is discussed but not the absence of rape in many primate

Goldstein (2001: 142-56) has well summarized, the relationship between aggression, sex hormones, and sexual drive is both complex and contested. Research in this area is difficult in part because testosterone levels vary dramatically for individual males over the course of the day. The salient findings are these. Differences in testosterone levels do not appear to explain differences in aggression across individuals or time. Contrary to popular belief, high testosterone levels does not cause aggression; rather, they increases the intensity but not the frequency or the target of aggression. Competition increases testosterone levels (rather than testosterone levels determining the outcome of competition), but only in the winner (and only in men). Moreover, what counts as competition is distinctly cultural: male experimental subjects from the US South exhibited increased testosterone after being insulted, but males from the North did not (Nisbett and Cohen 1996). It is adrenaline, not sex hormones, that most dramatically surges during combat.

A third reason why mechanisms that regulate sexual aggression break down during war draws on the nature of war. Joshua Goldstein (2001: 253-300) argues that in order to persuade men to fight and endure all the terrors and hardships of war, societies have to develop members into soldiers. A near universal way in which that is accomplished draws on sharp distinctions between genders: to become men, boys must become warriors. Societies' need for warriors therefore results in universal rituals of manhood that include tests of physical courage, endurance, strength, self-control and obedience. The gendered formation of soldiers thus rests on particular ideas about manhood: leaders persuade soldiers that to be a real man is to assert a militaristic masculinity. One result of the usefulness of such norms in making men soldiers is that soldiers then represent domination of the enemy in a gendered way, leading to the use of specifically *sexual* violence against enemy women but also men who are dominated through male rape and castration (356-60). Elsewhere Goldstein emphasizes that it is loyalty to the small unit not the army that enables men to fight under the terrifying conditions of war; the bonding between members of the unit is therefore essential.

A fourth reason begins with an understanding of peace-time gender relations as patriarchal, in which women's inferior social status is maintained by the state and other institutions and by violence, including sexual violence.<sup>31</sup> In wartime, the enforcement of

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species (Lloyd 2003).

<sup>31</sup> Versions of the argument can be found in many feminist works; the classic work is Brownmiller (1975). According to Cynthia Enloe (1983), sexual violence increases during war because gender roles become more polarized. But in many civil wars, gender roles become less polarized because village hierarchies break down as population disperse and women and men take on tasks normally carried out by the other gender. And the argument appears to imply that sexual violence should be more prevalent in wars where traditional gender norms are more disrupted, but the insurgent armies in both El Salvador and Sri Lanka had significant numbers of female combatants, a dramatic disruption of traditional roles, yet sexual violence in those wars was quite low.

gender relations by the state and other institutions tends to break down as their presence is weaker; in their absence, men resort more frequently to violence to enforce gender roles. The argument is similar to that often given to the rise in lynching after the Civil War in the US South: with the withdrawal of federal support for slavery, violence against African Americans increased.

These arguments all predict that wartime levels of male sexual violence against females should increase compared to peacetime levels. Data to systematically test this hypothesis is limited. The INICRI crime victimization data for most developing countries goes back only to 1996 or 1997 (and in a few cases to 1992) and only a few countries with recent civil wars are included. Of the cases discussed above, El Salvador, Sri Lanka, Israel and Sierra Leone are not included; while a survey was carried out in Yugoslavia in 1996, it is difficult to see its relevance for Bosnia in 1992.

Madeline Morris did test this hypothesis for the US case: in addition to the comparison of the rates of rape by military personnel and civilians in peacetime, she also compared the rates of rape in wartime. The rates of rape by military personnel were three to four times *higher* than the rate by civilians during war. More specifically, she found that rape rates were nearly three times higher than civilian rates as US troops moved quickly through France in August and September 1944, and nearly four times as high as US troops moved across Germany in March and April 1945 (Morris 1996: 666, 669).<sup>32</sup> Such “breakout” periods are the relevant period of study, she argues, because it is then that soldiers have significant contact with civilians (and opportunity to rape), as opposed to during periods of intense fighting. The rate of rape by US military personnel remained high during at least the first year of the occupation of Germany. As noted above, while she found the peacetime rates of rape by military personnel were somewhat less than the rate of rape by civilians, the military rates for other violent crimes were much lower than the civilian rate.<sup>33</sup>

Echoing Goldstein’s reasoning, Morris suggests that US military culture reinforces factors that predict male rape of females. Especially important, in her view, are the particular practices of the primary groups to which soldiers belong. A primary group is a

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<sup>32</sup> Morris focuses on World War II as one of two wars in US soldiers had extensive contact with civilians and for which data was available (see footnote 16, p. 658). She did not study US forces in Vietnam as she thought their generally demoralized state would be reflected in rates of violence crime in a way she could not adequately control for.

<sup>33</sup> In peacetime, she argues, rates of all violent crime by military personnel should be lower than by civilians. In the highly institutionalized and controlled setting of the peacetime military, there are fewer opportunities for crime, felons are excluded, and drug use is less. To deflect concerns about the relative reporting rates of rape in military and civilian contexts, Morris compares the ratio of the rate of rape to the rate of other violence crimes by the military to the ratio by (age-corrected) civilians (see Appendix A).

small number of people who share a common ideology and among whom personal, affective bonding takes place; other bonds are undermined through initiation rituals (Morris 1996: 692). The sexual and gender norms imparted to recruits in their primary groups are “inadvertently comprised largely of the sort associated with rape propensity,” such as an understanding of masculinity as dominance, aggressiveness, and risk-taking, adversarial sexual beliefs (both sexes manipulate and exploit the other), promiscuity, and general hostility toward women (including erroneous beliefs about rape, such as that women enjoy it).<sup>34</sup> After documenting particular practices in the US military in support of her argument, she reasons, like Goldstein, that this pattern is shared among military organizations generally.

Perhaps, then, the variance in wartime sexual violence is accounted for by peacetime differences amplified by processes common to war. However, that does not appear to account for the cases discussed above. In Berlin, Nanjing, Bosnia and Sierra Leone, wartime rates of rape of women were evidently dramatically higher than in peacetime. In other cases rates of sexual violence may not be higher in war than in peace, as in Israel/Palestine and probably El Salvador; the difference if it exists appears likely to be quite small. That wartime sexual violence is generally greater than during peace is thus necessary but not sufficient to explain the observed variation.

Likewise, the particular reasons why sexual violence is higher in wartime than in peace while all contributing to the argument are not sufficient (severally or jointly) to account for the variation in the cases. Three of the them -- war as opportunity, combat increasing sexual aggression, and the greater reliance on violence to enforce gender roles-- appear to imply that women in general will be targeted. But that is rarely the case (Skjelsbaek 2001: 218). While some sexual violence seems to be opportunistic, as in Sierra Leone and the rape of French as well as German women by US troops in World War II, in other conflicts it is highly targeted, for example, on women of a particular ethnicity or ideology, as in Bosnia where Serbs directed sexual violence nearly exclusively at Bosnian Muslims and Croats. It does not seem likely that differences in opportunity account for such ethnic targeting. And in some conflicts, men are targeted as well as women, by men who also target women.

Goldstein’s and Morris’ argument that norms of militarized masculinity lead to the use of gender to represent domination of the enemy accounts both for the targeting of *enemy* women and men and for the use of specifically *sexual* violence. Together with their emphasis on the importance of the bonding between men of the same unit, this might also account for gang rapes in wartime (as a form of male bonding among primary groups). In contrast, Inger Skjelsbaek makes a more direct argument: sexual violence against women is

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<sup>34</sup> Morris 1996 (707; 701-6). There appears to be significant consensus among researchers as to the factors at the individual level that are associated with increased likelihood to suffer sexual violence or to perpetrate sexual violence. In addition to Morris’s summary, see WHO 2002: Chapter 6.

prevalent in war because the majority of civilians in war zones are women (because men have joined armies or have fled) and sexual violence is an effective form of violence against women (2001: 222). While these arguments are necessary for any account, they do not appear sufficient to account for the variation in the use of sexual violence: not all armed groups commit sexual violence to the same degree (despite the fact that most civilians in most war zones are women).

Consider the use of violence against civilians who collaborate with the enemy, for example. Collaboration with the enemy is punished by some armies by sexual violence, as in the targeting of sexual violence against detained insurgent women (and some men) in El Salvador and perhaps also in Sri Lanka. The security forces of Argentina, Chile, and other countries of Latin America's Southern Cone also used sexual violence against suspected insurgent women and girls and against the female relatives of male suspects (Bunster-Burotto 1986); militant groups did not employ such tactics. Similarly, security forces in South Africa sexually assaulted detained insurgent women, and in contrast to the Salvadoran and Sri Lankan insurgencies, members of the military wing of the ANC occasionally committed sexual violence against suspected informers in training camps (Krog 2001). However, the most prevalent form of violence against collaborators in civil wars is homicide, particularly in certain zones of war in which an army is in control but not dominant, which accounts for a large fraction of the homicides of civilians during the civil war in Greece (Kalyvas forthcoming). Why some armies deploy sexual violence to control and punish collaborators while others do not remains to be explained.

Similarly, the most notorious use of widespread violence against civilians occurs during "ethnic cleansing," in which violence is used against entire populations to force their movement from particular regions claimed as the homeland, and during genocide. Even in these cases, however, some armies use sexual violence but others do not. Bosnian Serbs used sexual violence in forcing Muslims away from areas they claimed. But the LTTE forced non-Tamil populations from certain areas of Sri Lanka without sexual violence. Sexual violence often preceded the killing of Tutsi women in Rwanda (HRW 1996), but sexual violence against Jewish women was apparently not widespread in Nazi concentration camps.

Thus if the militarized masculinity argument is to explain variation in wartime sexual violence, it would have to be the case that armies promote different notions of masculinity, with the armies that emphasize more militaristic notions of manhood responsible for higher levels of sexual violence. This might account for the near zero use of sexual violence by the female-intensive insurgent armies in El Salvador and Sri Lanka. It is difficult to evaluate this argument as it calls for systematic comparison of military norms and practices across armed groups. Additional insight comes from looking more closely at the way in which the breakdown of mechanisms that regulate sexual aggression varies across wars and groups.

*Variation in the breakdown of regulation of sexual aggression.* We turn now to *iii*) above.

The clearest example of variation in the breakdown in the regulation of sexual aggression comes from cases where, rather than mechanisms of regulation breaking down, mechanisms that *promote* sexual aggression came to play a role. Armed groups actively promoted sexual violence by their troops in Berlin (at least some of the time), Nanjing, and Bosnia despite its undermining of military effectiveness in Berlin and Nanjing (and arguably Bosnia).<sup>35</sup>

Leaders may promote sexual aggression if they believe that it is effective in the pursuit of their objectives. Several authors suggest that sexual violence is indeed an effective form of wartime violence in particular cultural settings. For example, sexual violence may be an effective form of ethnic cleansing, destroying the social fabric of a society, when widely used against groups where sexual violence against a woman is understood as a violation of the family's honor as well as hers, and as humiliation of her male relatives.<sup>36</sup> Lisa Sharlach (2000: 90) suggests that widespread rape appears to occur against groups that strongly stigmatize rape survivors rather than rapists and for whom women as mothers and as transmitters of culture symbolize the honor of the group. These were the common elements across the three cases of genocidal rape that she discusses, Rwanda, the former Yugoslavia, and the war of secession of East Pakistan (1971). However, they are common across many other conflicts where rape was not widespread. Cynthia Enloe (2000: 134) suggests a more refined hypothesis along the same lines:

... *if* military strategists ... imagine that women provide the backbone of the enemy's culture, *if* they define women chiefly as breeders, *if* they define women as men's property and as the symbols of men's honor, *if* they imagine that residential communities rely on women's work – *if* any or all of these beliefs about society's proper gendered division of labor are held by war-waging policy makers – they will be tempted to devise an overall military operation that includes their male soldiers' sexual assault of women.

Ximena Bunster-Burotto (1986) similarly emphasizes particular cultural beliefs in accounting for the effectiveness of sexual violence as a form of torture of female collaborators with militant groups in the Southern Cone. It is effective, she holds, because it plays with specific deeply-held cultural ideas of womanhood, in particular the polarization of female identities between motherhood in the self-sacrificing and traditional model of Mary, mother of Jesus, and female sexuality as embodied in “whores”. Drawing on Bunster-Burotto's work, Enloe makes a more general argument (applicable to non-Catholic societies). Sexual torture of suspected insurgents is especially likely, she reasons, when the regime is preoccupied with national security, a majority of civilians understand security as

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<sup>35</sup> According to Lisa Sharlach, Rwanda is another example where pre-war propaganda denigrating and sexualizing Tutsi women created a climate in which mass sexual violence appeared to be an appropriate form of retribution (1999: 394),

<sup>36</sup> See also Sharlach 2000.

military, security policy is left to masculinized elite and security apparatuses are male-dominated, the definitions of *honor*, *loyalty* and *treason* are derived from military and police cultures, which are misogynous, when men seen as threats are also seen as vulnerable through roles as fathers, lovers, and husbands, *and* where some local women are publicly visible as opposition leaders (Enloe 2000: 124).

These promising ideas if substantiated by careful empirical testing may contribute to our understanding of the form as well as the prevalence in sexual violence across wars and groups.

Even if leaders were persuaded of the potential effectiveness of sexual violence against particular groups of women (and perhaps men), they might be constrained in pursuing this strategy by normative, strategic, or practical considerations.

For example, the norms and practices of liberation theology informed many of the practices and values of the Salvadoran insurgency, the FMLN (Wood 2003); it is difficult to imagine the organization embracing liberation theology while violating one of its central norms, the sanctity of womanhood. In some ethnic conflicts, sexual violence across the ethnic boundary may be construed as polluting the instigator rather than humiliating the victim and the social group. In general, however, continuity of values should be accounted for rather than assumed as many social norms break down during war (e.g. norms against killing).

New social norms against the use of particular forms of violence and in favor of others may also be actively cultivated by an armed group as a matter of strategy or principle. The FMLN attempted to shape individual longings for revenge toward a more general aspiration for justice because revenge-seeking would undermine insurgent discipline and obedience (Wood 2003). Despite systematic celebration of martyrdom in pursuit of victory, the FMLN did not endorse suicide missions and explicitly prohibited sexual violence. The LTTE, in contrast, carries out suicide bombing and, arguably, shapes desires for revenge toward that end, yet also does not invoke sexual violence. Within mixed-gender units of the US military, sexual tensions are managed to some extent by the extension of family norms to members of the same unit (“We’re just like brothers and sisters out here”, Morris 1996: 758). These examples suggest that military organizations may promote selected forms of violence and form able soldiers without the endorsement of general violence against civilians or of sexual violence against enemies or colleagues.

Other constraints on the use of violence against civilians, and sexual violence in particular, may follow as a practical strategy from the goal of the insurgent organization. If the organization aspires to govern the civilian population, members may be more constrained in the use of violence for fear of undermining support or fomenting resentment, or because the use of sexual violence may conflict with their self-image as disciplined bearers of the new social order for all citizens (as in some revolutionary groups). (Counterinsurgency doctrine promotes the use of well-targeted state violence for this reason: while all forms of violence are endorsed against some populations or areas, violence should be limited to

keeping order and targeting insurgency elsewhere.) On the other hand, if the goal of the organization is to separate itself from civilians of a particular ethnicity, for example, when the organization is comprised of individuals of different ethnicity attempting to secede, the organization may pursue sexual violence as in Bosnia. However, some secessionist groups, the LTTE as mentioned above but also the Sudanese insurgency, do not appear to deploy sexual violence.

A third type of constraint concerns an armed group's dependency on civilians. Jeremy Weinstein (2003) holds that an insurgent army whose military capacity depends on a relatively collaborative relationship with the civilian population, as when it depends on the voluntary and ongoing provision of intelligence and other services by civilians, is likely to limit its use of coercion and violence and will only attract highly-committed "activist" insurgents. Such considerations will not deter an army with easy access to resources, as in the case of abundant lootable natural resources or those whose soldiers loot civilian property indiscriminately as a form of self-supply and reward for participation. Such armies attract opportunistic not idealistic recruits, he reasons. Weinstein's considerations may extend to sexual violence as well: armies that depend on civilian populations will limit their use of sexual violence, while others may allow sexual violence as a reward for participation, as appears to be the case for the Sierra Leone insurgency. In addition, insurgent and government armies that depend on funding provided by external allies may be sensitive to their ally's normative concerns (though such concerns may be more rhetorical than felt). Even if neither the armed group nor its sponsor are themselves normatively concerned, they may seek to avoid criticism by international human rights organizations.

Arguments based on constraints raise two issues. The first is whether the constraint operates directly on soldiers as well as leaders. If soldiers do not themselves feel the causal pinch of the constraint, whether or not the constraint in fact constrains then depends on the degree of discipline within the organization. In particular, many armies probably prohibit sexual violence yet do not in fact discipline soldiers who commit it. The second is that independent evidence for the existence of constraints may be difficult to establish beyond the non-observation of the type of violence supposedly constrained. I return to this issue in the conclusion.

### *Conclusion: Toward a Research Agenda*

Despite the increasing literature on sexual violence during war and the tragic accumulation of more patterns, as yet we do not have an adequate explanation for the variation in sexual violence across wars and armed groups. Four avenues of research may contribute to progress in addressing this puzzle.

First, within-case contrasts should be explored as the simplest way to control for many otherwise confounding variables. This is an approach that is proving very rich for the study of civil war violence, including in Greece (Kalyvas forthcoming), Rwanda (Straus, 2004), Peru (Weinstein 2003), and El Salvador (Wood 2003).

Second, the prospect of an adequate explanation of the variation is complicated by the possibility that multiple and conjunctural causal processes result in high sexual violence. To explore this possibility, an initial exercise is to lay out the patterns for the cases discussed here (as well as others for which the prevalence and form of sexual violence are reasonably well known) in order to test whether a unitary explanation is possible and to construct a reasonably parsimonious set of variables from which causal arguments might perhaps be constructed taking account of all available data. The idea (Ragin 1987) is to construct a “truth table” indicating the presence or absence of potentially explanatory factors as well as the presence or absence of high levels of sexual violence, in general and for particular forms. The method is especially appropriate because of the coarse nature of the data and the small number of cases that renders more conventional statistical testing of hypotheses impossible. Table 1 (which will draw on existing databases for some variables) summarizes some of the observed patterns for the cases as well as selected others; it is included to suggest the type of data necessary. Successive applications of simple set theory (Boolean algebra) reduces the table into a minimum set of clusters of variables of the form Y is observed if and only if (A and B but not C) or (A and B and D) or (E) is present. The existence of particular forms of sexual violence gives additional analytical traction to the method as clusters of variables that correspond to particular forms of sexual violence can also be identified. Even if a reasonably parsimonious set of hypotheses do not emerge, the method will highlight particular anomalies for further research.

Third, I suggested above that armed groups may be constrained in their use of sexual violence by their members’ norms, the leaders’ goal in fighting the war, or the organization’s dependency for resources on civilians. Establishing the operative force of such constraints poses several methodological challenges (in addition to those to knowing the extent and form of sexual violence). The first is the difficulty in establishing the causal force of a stated norm or goal independently of the observed presence or absence of sexual violence. An additional complication is the possible divergence in norms and goals between leaders of the organization and its adherents: in particular, local cleavages underlying civil wars may be quite distinct from national rhetoric (Kalyvas 2003). Addressing these challenge requires access to detailed local sources, research not always possible during or in the aftermath of war. However, wars differ in the availability of such records and the possibility of extended local field research (Wood 2003).

Such research is particularly important for wartime cases where sexual violence is *not* prevalent as we know much less about these cases, which tend not to be the focus of human rights and other organizations. Fortunately, it is precisely those cases for which local research may be possible. Of particular interest are those cases where one party does not “mirror” the use of sexual violence by another party to the war.

A fourth avenue of research would regard sexual violence as an epidemic-like phenomenon in which small initial differences between wars and groups might be associated with large differences in the prevalence and form of sexual violence. The importance of positive feedback mechanisms in the propagation of sexual violence make this approach plausible. One such mechanism is escalating revenge: if a member of one party commits

sexual violence against a member of another group, a member of the other may retaliate in ways leading to a spiral of sexual violence. A second is the disruption of the power of conformism by a few acts of sexual violence. If some members of a small group commit sexual violence, other members of that small group may do so as well; once that small group does, neighboring units may join in, leading to widespread sexual violence by that party to the war. In both cases the dynamic processes explaining the escalation or dampening of violence will be characterized by tipping points such that seemingly small differences in the causes of violence would account for large differences in the consequences.

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