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Digging in the Archives: The Promise and Perils of Primary Documents*

MICHELE LEIBY

This article explores the methodological obstacles to research on wartime sexual violence and the extent to which they can be overcome with archival research. It discusses issues of concept formation, counting victims of human rights abuse, and coding violations. It compares figures from the Peruvian Truth and Reconciliation Commission's final report, an analysis of the Commission's published materials, and an analysis of the primary documents and finds that (1) the number of reported cases of sexual violence is significantly higher than the 538 cited by the Commission, (2) men were more often the targets of sexual violence than previously thought, and (3) sexual humiliation and sexual torture were common practices during the war.

Keywords: *sexual violence; rape; war; archives; Peru*

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INTRODUCTION

Accounts of wartime rape, sexual torture, forced impregnation, and sexual slavery have been reported in Liberia, Bosnia-Herzegovina, Rwanda, Congo, Sudan, Sri Lanka, East Timor, and Sierra Leone in the last ten years alone. Sexual violence is one of the most horrific and intimate forms of nonlethal violence during war. Victims of sexual violence may suffer chronic health problems, face social stigma and isolation, and often confront inordinate obstacles to obtaining justice and reparation. The urgency of documenting the occurrence and understanding the causes of wartime sexual violence should not be underestimated, as stories of such atrocities in the Sudan and displacements camps in the Republic of Congo continue to appear frequently in media reports.

Emerging research on the patterns and determinants of wartime sexual violence represents one of the most exciting developments in the political violence and human rights literatures. Scholars are making significant advancements in documenting the prevalence and patterns of sexual violence and identifying the determinants of its use in civil and international conflicts.¹ Employing different methodological approaches and research designs, they are developing new theories to explain individual, group and state, or conflict-level variation in sexual violence. However, research on wartime sexual violence is faced with unique practical, ethical, and methodological obstacles. Using Peru as an illustrative case study, this article discusses the challenges of collecting and coding data on wartime sexual violence and offers suggestions for overcoming them. I argue that the methods employed by truth commissions, including in how cases of sexual violence are defined and counted, are too narrow, and may ultimately miss or misrepresent “the truth.”

This article is organized as follows. In the section below, I will provide a brief overview of the civil conflict in Peru and the subsequent work of the Comisión para la Verdad y Reconciliación (CVR; Commission for Truth and Reconciliation). I then discuss the four most common methodological obstacles confronted by scholars of political and sexual violence. I compare the figures on rape reported in the Commission’s final report with those I have found after a careful reading of the final report and published supplementary materials. I also compare these figures to those in my sample of the original testimonies. Doing so provides a unique opportunity to examine the processes through which reports of human rights abuse are collected, information sorted, and statistics transmitted. I show that what we know about wartime violence depends greatly on the choices we make in designing our investigations.

Manchay Tiempo (Time of Fear): The Peruvian Civil War and Political Violence, 1980–2000

On May 17, 1980, a small group of armed persons broke into the local election board offices in Chuschi and burned the ballot boxes to be used the following day

in the country's first democratic elections in twelve years.² With this, the insurgent organization Sendero Luminoso (Shining Path) declared war against the Peruvian state and began the most violent period of conflict in the country's history.

Centered around a personality cult of leader Abimael Guzmán, the Shining Path combined the politico-military ideology of Mao Zedong and the Chinese Communist Party with the teachings of Guzmán and called for immediate action to overthrow the existing imperialist system of power and realize the revolution. Unlike other leftist rebel groups in Latin America, the Shining Path did not accept violence as simply necessary, but celebrated its use. Common tactics employed by the group included sabotaging radio towers; bombing police stations, banks, and other commercial buildings; destroying electrical pylons; systematically killing local authorities and community leaders; and coercing the support of the civilian population (often using them as protective shields) through the threat and use of violence.

The initial response of the state was inadequate to confront the threat posed by the Shining Path. The armed group established itself in the southern Andes, a region of the country that historically has been ignored by government officials and institutions. The relative absence of authorities made it easier for the Shining Path to take control and more difficult for the state to gather intelligence on the movement. The state underestimated the strength of the guerrilla army and poorly understood its organizational versatility and military tactics.

Unable to distinguish between the civilian population and combatants who did not wear uniforms, the armed forces and the police responded with indiscriminate violence.³ This violence is not reducible to the excesses of a few individuals, but rather at certain times and places amounted to a generalized and systematic practice of illegal detention, often accompanied by torture during interrogations, extra judicial executions, and forced disappearance.⁴ As the police and armed forces acquired a better understanding of the Shining Path, it refined its strategy to include more targeted actions that distinguished among friendly, neutral, and enemy populations. This policy shift led to a reduction in abuses against the civilian population, even as the conflict continued to intensify.⁵

In 1992, the Dirección Nacional Contra El Terrorismo (National Antiterrorism Police Task Force, DINCOTE) carried out intelligence operations which led to the capture of key leaders of the Shining Path, among them Guzmán. Internal fractures within the organization and the arrest of its principal leader dealt a significant blow to the armed opposition. While combatants continue to carry out subversive operations in the country, they are sporadic and small in scale.

Confronting the Past: The Peruvian Truth and Reconciliation Commission

The report we hand in contains a double outrage: that of massive murder, disappearance and torture; and that of indolence, incompetence and indifference of those who could have stopped this humanitarian catastrophe but didn't.⁶

While there are several transitional justice mechanisms, the establishment of temporary investigative bodies known as truth commissions has become an increasingly popular choice for states moving from periods of violent conflict and authoritarian rule toward democracy.⁷ The Peruvian government established the Truth and Reconciliation Commission on June 4, 2001.⁸ It was modeled in part after the commissions in Argentina, Chile, El Salvador, South Africa, and Guatemala, but commissioners also consulted with those working on the concurrent commissions in East Timor and Sierra Leone.⁹ The CVR learned from the successes and failures of these previous commissions, reflected in its decision to investigate a broad range of human rights violations and hold public hearings throughout the country.¹⁰

The CVR was charged with “clarifying the process and facts [of what] occurred, as well as the corresponding responsibilities, not only of those who executed them, but also who ordered or tolerated them, while at the same time, proposing initiatives to strengthen peace and reconciliation among all Peruvians.”¹¹ This included investigating assassinations and massacres, forced disappearances, torture, sexual violence, forced recruitment, violence against children, and violation of the collective rights of indigenous peoples. To complete its work, the CVR was awarded a staff of more than five hundred people, including twelve Peruvian commissioners, and a budget of \$11 million. Although sizeable and comparatively well financed, the Commission had only twenty-four months to document twenty years of civil conflict and violence.¹²

At regional offices throughout the country, members of the CVR team collected 16,917 testimonies from witnesses, victims, and perpetrators of violence and approximately 1,700 photographs documenting individuals’ varied experiences during the war.¹³ It held public hearings where survivors were invited to denounce the violence they experienced. The hearings, which were broadcast on national television and radio stations, covered 318 cases and 422 testimonies (see the Appendix for a detailed description of the CVR’s work and the documents available at their documentation center in Lima, Peru). On August 28, 2003, the CVR released its twelve-volume final report. In it, the Commission estimated that 69,280 people were killed or disappeared during the conflict.¹⁴ Violence was concentrated in the south-central region of the country, particularly in the department of Ayacucho where the Shining Path initiated its “popular war.” Peasants who spoke indigenous languages such as Quechua and Asháninka and received little or no formal education were disproportionately targeted for violence.¹⁵ According to the CVR, while both the state and nonstate armed forces perpetrated horrific acts of violence against the civilian population, more than half (54 percent) of all the deaths and disappearances were perpetrated by the Shining Path.¹⁶

Due largely to the advancements forged by the International Criminal Tribunals in the former Yugoslavia and Rwanda (established in 1993 and 1994, respectively), the CVR operated in a more gender-aware climate. Beginning with

those tribunals, advancements have been made in international humanitarian law to protect both men and women from wartime sexual violence and to hold accountable those who perpetrate, order, or permit such abuses to occur.

Governmental and nongovernmental organizations, activists, and heads of state have begun to recognize the gendered nature of violence and armed conflict. At the urging of feminist scholars and activists in Peru, the CVR appointed a gender unit to investigate the varied roles and experiences of men and women during the civil conflict. They also lobbied to increase the overall gender consciousness within the Commission and in all of its work. While the unit's influence was limited, its work can be seen in the Commission's final report, which includes a historical analysis of gender inequality in Peruvian society, the role of women in civil society organizations and armed organizations, and the patterns of wartime sexual violence.¹⁷

The CVR interpreted sexual violence to fall within its mandate to investigate cases of torture, serious abuses and injuries, and other cases that constitute grave violations of human rights.¹⁸ While defining sexual violence broadly to include such abuses as forced prostitution, forced marriage, sexual slavery, forced abortion, forced impregnation, rape, and sexual torture, it investigated and reported only cases of rape and made only occasional references to other forms of sexual violence in the narrative of the final report. The Commission found that rape was widespread, but accounted for only 1.53 percent of all human rights violations it registered. The majority of victims were young women (between the ages of 10 and 29), housewives, and peasants who spoke Quechua as their primary language and completed only primary-level education.¹⁹ Of the 538 documented cases, 527, or 98 percent, were perpetrated against women and only 11, or 2 percent, were perpetrated against men. Contrary to patterns of other forms of violence, the state was responsible for the overwhelming majority (83 percent) of sexual abuses, and 100 percent of sexual violence against men.²⁰ Finally, the Commission found that sexual violence was most frequent in Ayacucho, Huancavelica, and Apurímac between 1984 and 1990.²¹

Any large-scale human rights data collection program, including the Peruvian truth commission, confronts numerous practical and methodological obstacles. Because of time and resource constraints, only 70 percent of the testimonies received were coded for nonlethal violence and included in the Commission's final estimates. The testimonies themselves are complex and highly detailed, requiring time on the part of interviewers, translators, coders and data entry staff. The CVR initially overestimated the capacity of regional teams and underestimated the demand by the population to make denunciations in particular regions of the country.²² The following section addresses additional obstacles faced by the CVR and other truth commissions when investigating sexual violence in conflict situations.

METHODOLOGICAL OBSTACLES TO STUDIES OF WARTIME SEXUAL VIOLENCE

Victim Underreporting

The greatest impediment to advancements in our understanding of sexual violence is the absence of systematic data on its occurrence. The limitations of the data come from victims' reluctance to report sexual crimes as well as institutional decisions that lead to underreporting the true prevalence of sexual violence. The factors that lead to the relative (under)reporting of sexual violence vary over time and across societies. As a result, observed variation in the prevalence and patterns of sexual violence may simply be the result of biases in its documentation.

Survivors of sexual violence may not report the offense because they feel ashamed or fear being stigmatized and isolated from their community. One woman, married with six children, relates her experience and the trauma she suffered after discovering she was pregnant after being raped.

A husband knows when he can get you pregnant and when he can't. My period didn't come and I said nothing until I told him and he was surprised because he had calculated the days. Weeping and in pain, I told him what happened and since then I have lived a terrible hell. Having been abused, my husband who was drinking all the time, insulted me, saying I was a whore.²³

Victims may also fear retributive violence. The police may be unable to adequately protect the victim or may have participated in the sexual abuse. Indeed, previous studies have shown that in many conflict situations, state security agents are the most frequent perpetrators of sexual violence.²⁴

One deponent recounts how she told the soldiers at the barracks about the rape of her cousin by members of the MRTA [Movimiento Revolucionario Túpac Amaru (Tupac Amaru Revolutionary Movement)]. . . . The soldiers told her that her cousin should come to the barracks to help them find the perpetrators. When she arrived, her hands and feet were tied. She was beaten and thrown on top of a desk and *offended* by one official and five soldiers. The deponent told her cousin that she shouldn't say anything to anyone about what happened.²⁵

Even if victims are willing to report acts of violence, war-torn societies may lack the necessary resources and infrastructure. Roads and bridges may be destroyed, making travel more difficult. Hospitals, community organizations, and police stations may have been bombed, and personnel killed. In this context, we can expect victim underreporting to be particularly pronounced. There are some measures that can be implemented to encourage victims of sexual violence to come forward, such as guaranteeing victims' anonymity, creating special female police units to handle cases of sexual abuse, increasing protective services, and providing physical and mental health services to victims. For the most part,

however, such initiatives are outside the purview and capabilities of social science scholars. In the section below, I will discuss a number of decisions that researchers make, often without thoughtful consideration, and the consequences they have on data and findings on wartime sexual violence.

What Is Sexual Violence: Legal Statutes and Social Norms

Despite its centrality to the research process—concept formation is inextricably linked to operationalization, data collection, and theory building—social science scholars often pay insufficient attention to conceptualization in their analyses. Studies of sexual violence are no exception. What is understood as sexual violence varies widely across ethnic, religious, and social groups. For example, not all societies recognize marital rape as a criminal offense. Cases where the victim does not show obvious signs of a violent attack, where the perpetrator did not use a weapon to coerce the victim, or where sexual violence is perpetrated to restore family honor may not be prosecuted.²⁶

Even within the same country, definitions of rape and other forms of sexual abuse change over time, particularly as the penal code evolves. Testimonies collected by the Peruvian truth commission revealed individuals' uncertainty in identifying rape cases and reluctance to denounce them as crimes due to changes in national rape statutes.²⁷ Until 1997, Article 178 of the Peruvian Penal Code allowed individuals accused of rape to avoid prosecution and punishment if they proposed to marry the victim.²⁸ Even in cases of gang rape, all the alleged perpetrators would be exempt from punishment if the victim agreed to marry one of them.²⁹ Whether rape followed by marriage is recognized by the populace as a criminal offense also affects the reported level of sexual violence during conflict.

In her study of wartime rape and proposals or contracts of marriage in Ayacucho, Boesten found that legal statutes strongly shaped the perceptions of not only the survivors of rape, but also their family members and those working for the CVR.³⁰ The following interview discusses the case of Rosalia,³¹ a fifteen-year-old girl raped by a soldier from the military base in her community. At the behest of her mother, Rosalia later signed a contract saying that she had sexual relations with the soldier and that she would marry him. After subsequent sexual relations, she discovered she was pregnant and gave birth to the soldier's baby. The case is illustrative of the social, cultural, and legal understanding of rape, consent, and violence from the perspectives of Rosalia, her mother, the captain of the military base who arranged for the marriage contract, and the CVR interviewer.

Interviewer: So it is more probable that you, that your daughter who was born on 18 October was, well, was born as a result of the sexual relations that you had with your husband, with your consent, in January. That would make for the nine months, which it normally takes in pregnancy, is that not true *mamita*? When I took your declaration earlier, you did not tell me this. You said that as a result of the rape, you had a

baby; that is what you said. And your daughter was not born as a result of this rape, as we were discussing earlier, rather, she was conceived later, when you had relations with your consent, when there was no violence, is that not true? So that means that there was no violence involved in conceiving your child, so why did you tell me that she was the product of violence?

Rosalia: But if it was not for this rape, I would not have had my daughter.³²

Signing the contract not only changes the social and legal understanding of any subsequent sexual relations Rosalia and the soldier had; it works retroactively as well to declare the original act legal and consensual in the eyes of the state and community. The sexual act that resulted in the birth of Rosalia's daughter was framed as consensual and nonviolent, despite the highly coercive and violent context within which it occurred.

In addition to the law, social and cultural norms, particularly regarding masculinity and heterosexuality, complicate the meaning of sexual violence. Men are less likely to report sexual violence and less likely to describe it as *sexual* violence if it threatens their identity as strong, capable, virile, heterosexual men.³³ Failure to recognize such cultural biases can result in the underreporting of sexual violence against men. Scholars and policy makers agree that the majority of victims of sexual violence are women and girls. However, the proportion of male to female victims can change according to how sexual violence is understood and recorded.

Preliminary research evaluating both the published records as well as primary documents of the truth commission reveals that the percentage of male victims of sexual violence in Peru is higher than commonly expected *and* higher than previously reported.³⁴ Rather than the 2 percent cited in the Commission's final report, I found that 29 percent of events of sexual violence listed in the published annexes of the report included male victims.³⁵ To date, my work in the archives, accessing the original victim and witness testimonies, indicates 22 percent of victims of sexual violence were men. One reason for this discrepancy is the CVR's conceptualization of sexual violence. As mentioned above, despite the Commission's broad definition of sexual violence, it reported only cases of rape, overlooking the multiple ways in which men and women were sexually victimized. Examining the primary documents shows that the most frequent form of sexual abuse suffered by men was sexual humiliation (46 percent) followed by sexual mutilation (20 percent), sexual torture (15 percent), and rape (15 percent).

Security forces, for instance, often used electricity applied to the genitals to punish or elicit information or a confession from male detainees. Linking the testimonies with the CVR's database reveals that sexual torture against both men and women is often coded as torture.³⁶ The rape of men is treated inconsistently—coded as either sexual violence or torture, and sometimes not recorded at all. Sexual violence perpetrated by nonstate actors was similarly misleading. A common tactic employed by the Shining Path to punish men suspected of betraying

the revolution was to forcibly strip them in public and remove their testicles and/or penis. Failing to report such abuses as *sexual* violence, or failing to report them at all, misrepresents the nature and patterns of violence during the war.

Consider the following example. In February 1984, a group of thirty soldiers entered and searched the home of a suspected member of the Shining Path. While interrogating the suspect's grandmother, the soldiers severely beat her and burned her vagina and anus. They later poured kerosene on her body and set her on fire. The soldiers also beat and interrogated the victim. They accused him of terrorism, stripped him, and cut off his penis.³⁷ The database captures the detention and torture of each victim. However, neither the sexual torture of the grandmother or the mutilation of the grandson is recorded as sexual violence. Each act is coded as torture. I argue, however, that these forms of violence are qualitatively different from other forms of torture. They attack the victim's gender and sexual identity, cause deep physical and psychological scars, and degrade and humiliate the person in ways that beatings, water boarding, or other forms of torture do not. In addition to being used to punish or extract information from individuals, sexual torture also may be used explicitly and perhaps solely for the purpose of attacking and destroying the individual's sense of self as a man or woman, a father or mother, or a spouse.

Scholars of wartime sexual violence need to understand the legal statutes and sociocultural norms regarding sexual abuse that operate within the country. They influence not only what survivors of sexual violence are willing to report to investigators, but *how* they report it as well. Care must also be taken to adequately train investigators so that their own perception and internalization of these norms does not interfere with taking a witness or survivor's statement.

Building on International Human Rights Norms to Create Analytical Concepts

The academic and policy literature has similarly struggled with conceptualizing and operationalizing sexual violence. Much of the literature either poorly specifies the dependent variable or limits it to rape and gang rape.³⁸ Green observes incidents of "collective rape." Collective rape is defined as "a pattern of sexual violence perpetrated on civilians by agents of the state or political civil group."³⁹ Sharlach uses rape and sexual violence interchangeably and defines them as "any sexual penetration of a female by a male (or with an object) that takes place without her consent."⁴⁰ The dependent variable of her study, however, is a state's "rape policy," which can range from the state's use of rape as an act of genocide, torture, or terror, to its failure to prosecute rape perpetrated by civilians, or the state's due diligence in prosecuting and preventing rape.⁴¹ While each author defines the dependent variable, these are concepts not easily operationalized or empirically measured. Moreover, they are limited to acts of penetrative rape, and in the latter case, only when perpetrated against a woman

by a man.⁴² The decision to focus exclusively on cases of rape may be driven by the limitations of the data. While there exists ambiguity across and within societies about what constitutes rape, it is more easily identified than other forms of sexual violence.

Collecting data on the various forms of sexual violence requires corresponding definition and operationalization. Isolating the unique attributes of different sexual abuses is not easy. What constitutes sexual torture and how does it differ from sexual mutilation? Should forced nudity be considered sexual violence? These are questions without straightforward answers. The International Criminal Court (ICC) recognizes rape, sexual torture and mutilation, sexual slavery, enforced prostitution, enforced sterilization, and forced pregnancy in its definition of sexual violence as a war crime.⁴³

In the interest of creating social science concepts to be used in analyses of the underlying causes of wartime sexual abuse, I argue for a broader interpretation of sexual violence than is currently used by the ICC. Here, the term includes all forms of sexual violence recognized by the ICC, and adds sexual humiliation and sexual coercion.⁴⁴ I hypothesize that armed groups that commit rape, mutilation, and other forms of sexual violence recognized by the ICC also will be inclined to use sexual humiliation and coercion. Therefore, understanding the causes of one may help us to understand the causes of all forms of wartime sexual violence.⁴⁵ Collecting data on the varied forms of sexual violence and maintaining the disaggregation of these violations will allow researchers to examine additional hypotheses regarding the perpetration of sexual violence during war.

I define *sexual humiliation* as any offense of a sexual nature whose primary goal is to humiliate and degrade the victim, but which does not use direct physical force and which does not result in physical injury. Arguably, all acts of sexual violence are designed to humiliate and debase the victim and demonstrate his or her powerlessness. Examples of sexual humiliation include forcible or compulsory nudity and stripping or dancing in public. Recoding the published annexes of the CVR reveals that 22 percent of all sexual violence events included sexual humiliation.⁴⁶ Examination of the primary documents shows similar results—27 percent of all sexual violations were sexual humiliation.

Sexual coercion involves the threat of sexual violence to pressure or force individuals to do something against their will, such as inform on the political activities of a neighbor or confess to committing a crime. According to this definition, the following would be categorized as sexual coercion and sexual humiliation.

On November 24, 1987, 60 soldiers arrived by helicopter and detained three people in the community of Nuevo San Miguel, district of Jepelacio, province of Moyobamba, department of San Martín. They gagged, bound and detained the victims at the local school. The soldiers hung and beat the three men on their backs with the butts of their guns. The soldiers then brought the men's wives and children into the school, stripped them and threatened to burn

them alive. The soldiers also threatened to “abuse” the wives. One of the victims’ faces was cut four times. Later, they were taken to the military base in Moyobamba where they were given food and attended to by doctors. . . . They were then taken to the base in Tarapoto where they were accused of belonging to the PCP-SL (Partido Comunista del Peru-Sendero Luminoso, Community Party of Peru-Shining Path). Finally, they returned to Nuevo San Juan and were freed on November 28, 1987.⁴⁷

The case is more complex than its presentation in the CVR database, which reports the three male victims as having suffered detention and torture. The men were not only subject to hangings and beatings. The soldiers intentionally used the sexual victimization of their wives and children (by forcibly stripping them) *and* the threat of further sexual violence (suggested by the use of *abusar*), perhaps to coerce the men to comply with their orders, or simply to punish them for their suspected subversive affiliations. Recording realized, attempted, and threatened acts of sexual violence gives the researcher a larger sample of cases to analyze the repertoires of violence of armed actors. Understanding in what contexts armed forces threaten or attempt sexual violence and how or why they were unable or unwilling to carry it out provides insight into the underlying causes of wartime sexual violence.

Following the United Nations Special Rapporteur on Torture, I argue that any form of sexual violence that causes severe pain and suffering to the victim, whether physical or psychological, should be considered sexual torture. It can be perpetrated during interrogations to intimidate or punish the victim, obtain information, or coerce a confession from the victim or a third party.⁴⁸ The Inter-American Commission of Human Rights (IACHR) further argued that in accordance with Article 5 of the Inter-American Convention on Human Rights, sexual offenses do not have to be perpetrated in official centers or institutions in order to be considered torture. In the case of Fernando and Raquel Mejía versus the Republic of Peru, the IACHR found that the rape of individuals in their home by state security agents was an act of torture.⁴⁹ This decision was significant in recognizing the environment in which irregular and counterinsurgent conflicts are often fought. To create mutually exclusive categories of sexual violence, I use *sexual torture* to refer to those abuses that satisfy the criteria for torture, but which are not covered in the ICC’s definition of rape.⁵⁰ This includes, but is not limited to, the application of electricity, beatings, or other injuries to the breasts, genitals, and in the case of pregnant women, the abdomen.⁵¹

To the extent that they are targeted against different population groups and occur in contexts different from rape, excluding cases of sexual torture will result in our misunderstanding of the nature of wartime sexual violence. It may be, for instance, that rape is perpetrated more often while soldiers are dispatched in the field where supervising officers may have less control over their subordinate troops. Sexual torture (many forms of which are grotesquely elaborate and require access to specialized equipment) may be more common in detention facilities where perpetrators have more control over their environment and more

time to plan and execute the crimes. Suggesting variation within the category of sexual violence, the CVR found that one out of every four women at the Women's Maximum Security Prison in Chorrillos, Peru, reported being raped, while three out of five reported suffering other forms of sexual violence, including sexual torture.⁵²

Sexual mutilation, while similar, can be distinguished from sexual torture in that it involves the removal or permanent damage and scarring of reproductive organs. In Peru, both the state armed forces and the Shining Path perpetrated sexual torture and mutilation. Moreover, these offenses followed different patterns of perpetration than rape. They were often carried out in public or during interrogation, targeted both men and women, and resulted in visible scars or signs of abuse, perhaps serving to terrorize others in the community.⁵³ The use of these offenses to send a message to a broader audience, combined with their brutality, warrants their treatment as a separate category of sexual violence.⁵⁴

Understanding how victims and reporting agencies conceptualize sexual violence is crucial to understand exactly what is captured in reported statistics on sexual violence and its use in war. I am proposing one model here with specific definitions for various forms of sexual abuse, including violations that have not been recognized by international law. While some may draw the lines in different places, it is important to clearly define our concepts and open a dialogue in which the academic and human rights communities can build a consensus regarding what constitutes sexual violence.

WHO COUNTS: ESTIMATING THE NUMBER OF SEXUAL VIOLENCE VICTIMS

After deciding what sexual violence is, human rights organizations and scholars must determine what constitutes a victim. The 538 cases of sexual violence documented in the CVR's final report include only those cases in the coded 70 percent of testimonies in which the deponent could identify the victim by first and last name. Including only named victims is a method commonly employed by large-scale database management projects. However, in studies and databases of sexual violence, there are likely to be numerous unnamed or unidentified victims. Because of the fear and stigma associated with being sexually violated, victims often report their attacks in the third person, as an event they witnessed or that happened to someone they know.

Despite, and perhaps due to, the reluctance of individuals to report personal sexual traumas, the CVR states that many of the testimonies it received make general reference to and provide stories of sexual abuse: "I heard that other girls had been raped, but not me."⁵⁵ Working with the archived testimonies, I have been able to identify 249 incidents of sexual violence that were not included in the CVR's database because the victims' full name was unknown or withheld (there were 222 unidentified victims of sexual violence, some of whom suffered

more than one violation). The most frequent forms of sexual violence against unidentified victims were rape and gang rape (56 percent), sexual humiliation (29 percent), and sexual torture, sexual mutilation and unspecified forms of sexual violence or the threat of sexual violence (5 percent each). Given the CVR's operationalization of sexual violence as rape or gang rape, it is not surprising that the latter cases were not captured in the database.

If events of violence including unnamed victims are qualitatively different from those where individuals can be identified, excluding anonymous accounts may underestimate a particular subgroup within the population of victims—those who have been attacked in the context of larger events of political violence where there were numerous victims. Massacres, battles between armed groups, or mass detentions are contexts particularly vulnerable to having “missing” victims of sexual violence. It may be the case that there are no surviving witnesses to the attack. Even if there are a few survivors, it may be that they do not know the names of everyone in the razed village. For example, during a community sweep in the district of San Jose de Ticllas in Ayacucho, the military rounded up everyone in the village, detained them at the San Martín de Atamparo military base, and raped all the women.⁵⁶ In this case, not only does the witness not know the names of the victims, she does not know how many people were targeted. It is common during community raids, massacres, and battles for there to be multiple, but an unspecified number of, unnamed victims. Excluding these cases from our analyses will bias our findings against identifying the patterns associated with mass, indiscriminate acts of violence.

Another illustrative case considers the use of sexual violence against fellow members of subversive organizations. Although officially sanctioned, sexual violence, particularly forced marriage and sexual slavery, have been reported amongst the ranks of the Shining Path. Individuals sequestered or forcibly recruited by the Shining Path may have witnessed this violence and reported it to the CVR. Because it is a clandestine organization, little is known about the identity of individual members. Witnesses can provide little, if any, information on the victims' names, ages, family members, or where they lived. Rather than excluding all victims of violence who belong or used to belong to subversive organizations, I treat them as “unnamed Shining Path” or “unnamed MRTA” and record as many details about the event as possible.

When the deponent does not provide a specific number or some other quantitative descriptor of the number of victims, I record two victim-violation observations. Often witnesses will refer to “many,” “a lot,” or even “everyone” being subjected to political violence during a particular event. Also likely are statements such as “among those killed, was my husband.” In these cases we know that more than one person died, but exactly how many more is indeterminable. Erring on the side of conservative estimation, while again risking mischaracterizing the level and patterns of violence, is warranted since we can make no reasonable judgment of the

number of victims. Employing this strategy, I have identified a minimum of 222 cases of sexual violence against unknown individuals.

Adding unnamed victims to data sets of political violence introduces its own potential biases. In this case, there is a risk of distorting the patterns of violence by overcounting cases that are duplicated within the data set. Most cases are sufficiently unique to allow duplicate records to be matched and eliminated based on the context and description of the violation, the sequencing of events, and where and when the event occurred. However, this presumes that victims and witnesses remember accurately and similarly the events. Even if we accept this as true, the matching process is time-consuming, difficult, and imperfect. There is an obvious trade-off when making the methodological decision to focus on both named and unnamed victims of violence. At the very least full disclosure of these tradeoffs is warranted.

Prioritization of Human Rights Violations

Quantifying sexual violence, as well as other human rights violations, is no easy task. This is particularly true when victims suffer multiple or repeated violations. Much of the human rights field employs a “one victim equals one violation equals one perpetrator” approach to recording abuses, but most cases of human rights abuse do not conform to such a narrow model.⁵⁷ The single coded violation is usually the one implicitly judged to be most severe. Imposing this restriction distorts reality and limits our ability to examine variation in the repertoires of violence employed by different armed actors. Knowing whether sexual violence is perpetrated in combination with other forms of human rights abuse and the order in which these offenses are perpetrated is useful in understanding motive.

Using this model with its simplification of offenses and the coding of only the purportedly most important or severe violation creates a situation in which particular abuses are systematically excluded or underreported. Even when truth commissions do not employ this model, staff may nonetheless neglect to systematically investigate and document “lesser” offenses. For example, in October 1983, a group of soldiers invaded Juana’s home looking for her husband. Because he wasn’t there, the soldiers accused him of being a subversive. They interrogated Juana, looking for information on the identity and location of others. She was detained for a month at the military base and was sexually abused.⁵⁸ The Commission recorded the event as an illegal detention, but did not record the sexual violence.

This is of concern not only because it underreports the level of sexual violence, but also because it rests on a presumed hierarchy of human rights violations. As Audre Lourde has said, “there is no hierarchy of oppressions.”⁵⁹ Many victims appear to feel that sexual violence is not less severe than prolonged detention, beatings, or even death. Because of the unique long-term effects of sexual violence—the potential for becoming pregnant, contracting a sexually transmitted disease, losing one’s spouse—victims sometimes report wishing they had not survived their attack.

In one testimony, a young woman detained at the military base in Capaya, Abancay, tells how she witnessed a number of sexual attacks. She could hear the women screaming and begging to be killed.⁶⁰ Another woman describing her own sexual abuse while in detention says, "I always thought to myself that rape was the worst thing that could happen to a woman, and if it happened at least I would be able to kill myself."⁶¹ Cases like these, where survivors report suffering deep depression or suicidal thoughts following a sexual attack, are not uncommon and suggest that for some, sexual violence is among the most destructive violence suffered by women and men in times of war. Recording only a single violation rather than the set of violations serves no analytical purpose in studies of the uses and causes of violence, and inevitably results in the loss of valuable data regarding the repertoires of violence.

Linguistic and Cultural Variation in Victim Reporting

By accessing the original testimonies, researchers can pay close attention to the nuances in the language used by victims in recounting violent and traumatic events. Victims may not use direct language when discussing human rights violations, particularly those of an intimate nature, or simply may not have the same concepts in their native tongue. Survivors often talk about *sassachacuy tiempo*, "the difficult times," and the *llaki*, "grief and sorrow," or *lukuyasca*, literally translated as the "craziness" that individuals suffered.⁶² In cases of sexual violence, it is very rare that a victim or deponent would use the Spanish word *violar* to talk about rape. Instead, they would describe abuse (*abusar*), disturbance or bother (*molestar*, *fastidiar*), being taken (*sacar*), or being offended (*ofender*). The literal translation of these words and phrases may not point to acts of sexual abuse. However, by examining the context within which they appear, such as the removal of the victim's clothing or indications of subsequent health problems, researchers can usually determine the intended meaning of the speaker.

For example, a woman in Ayacucho who was accused of participating in subversive activities was subjected to repeated detentions and torture. In 1984, she was detained again and transferred to the military base in Cangallo. The soldiers asked her about her involvement in a previous attack that resulted in a number of deaths, including a few soldiers. She denied participating in or knowing anything about the event. She was later transferred to the Policía Investigativa de Perú (PIP; Peruvian Investigative Police), where she was repeatedly interrogated by an officer (identified by name). After being released, the officer continually broke into the woman's home, beating and "bothering" (from the verb *molestar*) her. As a result of these events, the victim reported to the Commission having chronic pain in her ovaries.⁶³ Other women would describe their "condition as women" or their "dignity" or how a neighbor suddenly changed, became withdrawn, or had trouble with her husband: "I didn't have the strength to defend myself and I was really affected."⁶⁴

Commission staff members, most of whom were *mestizos* from urban coastal cities, would listen to a deponent's recorded testimony and simultaneously translate it from Quechua, Asháninka, or another native language, and transcribe it. Considering this, and the severe time constraints under which the Commission operated, it is likely that linguistic nuances and contexts such as these would be overlooked. While it cannot be known with certainty whether the victims mentioned above were sexually assaulted, scholars with considerable country expertise with access to original victim statements can explore the nuances in victim reporting of political and sexual violence.

Using these records, I created a new data set on political violence in Peru. The data set directly builds on the work done by the CVR, adding greater detail to its database on violent events. Cases that were previously not included in the CVR's database, either because they fall within the 5,000 testimonies that were not coded for nonlethal violence or because the victims were not identified by name, were added. Cases of sexual violence such as sexual torture that were overlooked or misrepresented in the CVR's work were also added. Reading almost 17,000 testimonies with great attention to detail and context would require far more time and resources than are available to the individual researcher. My database, therefore, is based on a sample of approximately 2,500 testimonies. I sampled randomly according to the event or case number (a number assigned at the time the case was entered into the CVR database), reading the testimonies for every tenth event. Since this captures only those cases that were originally included in the CVR's database, I then oversampled from the range of cases that Commission staff did not code for nonlethal acts of violence.

Each testimony within the sample was read and information on the identity of the victims, perpetrators, and the type of violation was recorded. I included information on cases of detention, disappearance, extrajudicial execution, death as a result of armed combat, injury, forced recruitment, kidnapping, torture, and multiple forms of sexual violence, including rape and gang rape, sexual torture, sexual mutilation, sexual humiliation, sexual coercion, forced abortion, forced impregnation, sexual slavery, and a general category for nonspecified forms of sexual violence. Additional details, such as descriptions of preceding events and the context in which the violence was perpetrated, were recorded for each case. I paid particular attention to such key facts as how the victim came to be targeted for violence, what he or she was doing at the time of the attack, who was present during the commission of the violence, and exactly where the violence was perpetrated. I documented whether the victim or his or her family or friends were previously targeted for violence. I also recorded language used by the perpetrators during the assault. Evidence of sexist or racist language can be particularly insightful in determining motive or demonstrating small-group norms regarding the use of violence.

To summarize, Table 1 presents descriptive statistics on wartime sexual violence in Peru according to the methods employed by the Truth and

Table 1
Comparison of Figures on Wartime Sexual Violence in Peru

CVR Final Report	Published Documents	Primary Documents
538 individual cases of rape (1.53 percent of all human rights violations)	695 events of sexual violence	800 cases of sexual violence
98 percent of victims were women; 2 percent of victims were men	71 percent included female victims; 24 percent included male victims; 5 percent included both male and female victims	67 percent of victims were women; 22 percent of victims were men; 10 percent of victims' gender was unreported
100 percent of cases of sexual violence were rape	48 percent of events of sexual violence included rape; 22 percent sexual humiliation;	40 percent of cases of sexual violence were rape; 27 percent sexual humiliation; 10 percent gang rape; 10 percent sexual torture; 5 percent sexual mutilation
83 percent of sexual violence cases were perpetrated by state armed forces	6 percent sexual torture	

Note: CVR = Comisión para la Verdad y Reconciliación (Commission for Truth and Reconciliation). The unit of analysis in the CVR's final report and in the analysis of the primary documents is the victim-violation. In other words, a "case" is an observation of one human rights violation against one victim. In Leiby, "Wartime Sexual Violence in Guatemala and Peru," the unit of analysis is a violent event. An event may include more than one victim, more than one type of violation, and more than one perpetrator.

Reconciliation Commission, those found after reexamining the Commission's published documents with a broader definition of sexual violence and a more inclusive counting of victims, and finally those found after accessing the primary documents and employing these same methodological guidelines.

Table 2 provides additional figures from the primary documents on the patterns of wartime sexual violence. It highlights the findings that men are more often the targets of sexual violence than previously reported and that, unlike women, men are more often the victims of sexual humiliation, mutilation, and torture than rape or gang rape. Lastly, it reports the number and types of sexual violations suffered by unidentified victims.

CONCLUSION

There are a number of methodological obstacles researchers confront when analyzing political violence. Accurately capturing the historical record is no small feat. When focusing on sexual violence in conflict situations, the obstacles become more frequent and complex. Underreporting is so pervasive that statistically estimating the total number of victims is likely impossible.⁶⁵ As victims themselves are reluctant to report sexual abuse, we must be particularly careful to not "lose" their stories when recording, coding, or manipulating the data.

In this article, I discussed four methodological decisions that researchers must make when collecting and reporting statistics on the occurrence of sexual

Table 2
New Findings on Wartime Sexual Violence in Peru from the Archives

Most Frequent Sexual Violations	Victim Gender and Most Frequent Sexual Violations	Unidentified Victims and Most Frequent Violations
Rape (40 percent)	Women composed 67 percent of victims of sexual violence	249 cases of sexual violence against unidentified victims
Sexual humiliation (27 percent)	Rape and gang rape (64 percent)	Rape and gang rape (56 percent)
Gang rape (10 percent)	Sexual humiliation (15 percent)	Sexual humiliation (29 percent)
Sexual torture (10 percent)	Sexual torture (8 percent)	Sexual torture (5 percent)
Sexual mutilation (5 percent)	Sexual coercion and attempted sexual violence (8 percent)	Threat of sexual violence (5 percent)
Sexual coercion (5 percent)	Sexual mutilation (2 percent)	Unspecified forms of sexual violence (5 percent)
Unspecified forms of sexual violence (3 percent)	Men composed 22 percent of victims of sexual violence	
	Sexual humiliation (46 percent)	
	Sexual mutilation (20 percent)	
	Sexual torture (15 percent)	
	Rape (15 percent)	
	Gender was unreported for 10 percent of victims of sexual violence	

violence. These include (1) how to define and measure sexual violence, (2) whether to include only named or both named and unnamed victims of sexual violence, (3) how to treat cases where victims suffer multiple forms of human rights abuse, and (4) how to treat ambiguous language in victims' statements. Above, I argue for a broad definition of sexual violence, the disaggregated coding of all forms of sexual violence, the inclusion of unnamed victims, the creation of a victim-violation database that does not force the researcher to rank or limit human rights abuses, and special attention to be paid to the linguistic nuances in reporting sexual violence. There are trade-offs associated with each decision, and ultimately, how one proceeds depends on the individual researcher, the resources available to him or her, and the goals of the study.

Scholars are implementing innovative strategies and methods to document and analyze wartime sexual violence. In this article, I present an argument for the use of existing primary documents. Access to original sources allows researchers to choose their own parameters of study and make their own decisions regarding concept formation, measurement, the unit of analysis, and the construction of their database. Moreover, primary sources allow the researcher to do all of this without reinterviewing and potentially stigmatizing or retraumatizing survivors and witnesses of political violence. My goal in writing this article is not only to increase awareness of an

underutilized and extremely rich human rights archive, but also to demonstrate how the use of primary documents may aid researchers in overcoming some of the methodological obstacles that plague the literature on wartime sexual violence.

APPENDIX

Guide to the Archives of the Peruvian Truth and Reconciliation Commission

The Centro de Información para la Memoria Colectiva y los Derechos Humanos (CIMCDH; The Center for Information on Collective Memory and Human Rights) in Lima holds the complete records of the Comisión para la Verdad y Reconciliación (CVR; Commission for Truth and Reconciliation), files from former district attorneys and special prosecutors, and files from the Defensoría del Pueblo (Office of the Ombudsman) and the human rights branch of the Ministerio Público (Public Prosecutor) of the Peruvian state.⁶⁶ Among its primary sources are internal reports, memoranda, and photographs documenting the institutional history of the CVR and news articles and photojournalistic accounts of the conflict as it unfolded. In addition, the CIMCDH has a collection of approximately 3,500 secondary sources on topics related to human rights, political violence, and transitional justice in Peru, as well as other countries (predominantly in Latin America).⁶⁷ Included in this library are all the secondary materials the CVR used in conducting its analyses and writing the final report.

The gem of the archive, however, is the 16,917 testimonies collected by teams of investigators throughout the country, which document the most violent period in Peruvian history as seen through the eyes of its citizens. The testimony files are of tremendous value to scholars. Each file contains the original intake forms used by field workers to record demographic information on the interview, the deponent, and the victims and perpetrators of violence. These forms are accompanied by a transcription of the deponent's statement describing the event. In addition, files may hold various supplemental documents such as pictures to identify victims who have disappeared or copies of previous denunciations filed by the victim's family.

In addition to victim and witness denunciations of violence, the Center also holds statements made to the Commission by alleged or confessed perpetrators. For the most part, these exist only in audio or video formats, and have not been transcribed. These interviews provide incredible insight into individuals' command posts throughout the war, military policy and operations, military training practices, and degrees of cooperation between branches of the state security apparatus, as well as officials' understanding of the nature of the opposition threat and prospects for a negotiated settlement to the conflict.

Staff at the Center can search the database of testimonies according to the name of the victim, the deponent (or person who gave the testimony), or the date or location of the violent event. This is an invaluable tool for researchers. For

(continued)

APPENDIX (continued)

instance, someone interested in a particular region or community, such as Accomarca in Ayacucho, can ask the staff to search the database and pull all testimonies that discuss violence in Accomarca and/or all testimonies that were taken in Accomarca. More specifically, someone wanting to investigate the massacre in Accomarca on August 14, 1985, can ask the staff to search the database according to the location and date of the massacre. Unfortunately, the database is not searchable according to the type of violation coded by the Commission. However, because all of the testimonies have been digitalized, staff can conduct keyword searches to circumvent this setback. The latter scenario is in fact preferable for researchers who may be concerned about the criteria used to code human rights abuses, as I have discussed may be the case with sexual violence.

NOTES

1. See Jeffrey Burds, "Sexual Violence in World War II, 1939–1945," *Politics & Society* 37, no. 1 (2009); Dara Cohen, "Evaluating the Causes of Sexual Violence by Insurgents during Civil War: Cross-national Evidence (1980–1999)" (paper presented at the annual meeting of the American Political Science Association, Boston, August 28–31, 2008); Elisabeth Wood, "Variation in Sexual Violence during War," *Politics & Society* 34, no. 3 (2006): 307–41; and Elisabeth Wood, "Armed Groups and Sexual Violence: When Is Wartime Rape Rare?" *Politics & Society* 37, no. 1 (2009).

2. However flawed the democratic system may have been, between 1980 and 1992 the country held free local and national elections and enjoyed freedom of the press. The Shining Path never intended to inject itself into the existing political system, but rather to destroy it and create a new government in which Abimael Guzmán would exercise supreme authority. In addition to the Shining Path, the state faced a second opposition organization, the Movimiento Revolucionario Túpac Amaru (MRTA; Tupac Amaru Revolutionary Movement). The MRTA initiated its armed struggle against the state in 1984. The MRTA is responsible for less than 2 percent of human rights violations documented by the CVR, including its most famous act of violence, in which insurgents stormed the Japanese Embassy and held dozens of people hostage for months.

3. The police were the first sent in to respond to the security threat. Under the state of emergency, the police were subordinated to the armed forces and particularly to the political-military commands. As such, officers answered to military commanders and not to civilian authorities.

4. Ernesto de la Jara Basombrío, *Memoria y Batallas en Nombre de los Inocentes: Peru*

1992–2001 (Lima, Peru: Instituto de Defensa Legal, 2001); Comisión para la Verdad y Reconciliación (CVR), *Hatun Willakuy: Versión Abreviada del Informe Final de la Comisión de la Verdad y Reconciliación* (Lima, Peru: Comisión de Entrega de la Comisión de la Verdad y Reconciliación, 2004).

5. CVR, *Hatun Willakuy*.

6. Comments made by Salomón Lerner, chair of the Peruvian Truth and Reconciliation Commission, at the public release of the Commission's final report. Comisión para la Verdad y Reconciliación (CVR), *Informe Final y Los Anexos de la Comisión para la*

Verdad y Reconciliación (Lima, Peru: Comisión de Entrega de la Comisión de la Verdad y Reconciliación, 2003), <http://www.cverdad.org.pe>.

7. Among others, states in transition may offer reparations to the victims and their families; try those responsible for criminal acts in the national court system or establish a special war crimes tribunal; remove individuals, including members of the armed forces, judges, or political leaders, from their posts or offices; and may issue a formal national apology to those who suffered.

8. Valentín Paniagua, "Creación de la Comisión de la Verdad en el Perú," Decreto Supremo No. 065-2001-PCM (Lima, Peru, June 2, 2001).

9. Daniel Manrique and David Sulmont, "Preguntas y Críticas Frecuentemente Formuladas sobre las Estadísticas de la Comisión de la Verdad y Reconciliación del Perú" (2007), <http://cifrascvr.wikidot.com>.

10. The truth commissions in Argentina, Chile, and Uruguay have been criticized for restricting their investigations to deaths (either extrajudicial executions or torture that results in death) and forced disappearances, a choice which underestimates the level and potentially mischaracterizes the nature of violence. In Uruguay, for example, the truth commission did not investigate illegal detentions, which was later discovered to be the most frequently experienced human rights violation. Conversely, the significant role of public hearings in South Africa's Truth and Reconciliation Commission led to their inclusion in the Peruvian model (a first for Latin American truth commissions). For a list of recent truth commissions and a critical overview of their structure and efficacy, see Priscilla Hayner, "Truth Commissions: A Schematic Overview," *International Review of the Red Cross* 88 no. 862 (2006): 295–310.

11. Alejandro Toledo, "Creación de la Comisión de la Verdad en el Perú" Decreto Supremo No. 101-201-PCM (Lima, Peru, August 31, 2001).

12. Hayner, "Truth Commissions: A Schematic Overview."

13. The Commission opened twenty-six regional offices. Each department had at least one office; Apurímac and Cusco each had two. The number of testimonies collected in each department are as follows: 5,313 Ayacucho; 1,444 Apurímac; 1,154 Huancavelica; 316 Cusco; 2,441 Huánuco; 209 Ucayali; 735 San Martín; 579 Puno; 2,308 Junín-Pasco; 1,174 Lima-Callao; 1,295 Other; see CVR, *Informe Final*, 382. Photographs were donated by individuals, community and social organizations, churches, and various state agencies. More than two hundred of these photographs are on display at the Museo de la Nación in Peru. The exhibition, entitled *Yuyanapaq: Para Recordar*, will be on display until 2011.

14. CVR, *Hatun Willakuy*, 17.

15. *Ibid.*, 21–23.

16. *Ibid.*, 18.

17. See CVR, *Informe Final*, chap. 2 and 6; Narda Ayín Henríquez, *Cuestiones de Género y Poder en el Conflicto Armado en el Perú* (Lima, Peru: Concejo Nacional de Ciencia, Tecnología e Innovación, 2006). In particular, the absence of a gender-sensitive approach within the national reparations program has been noted (for further discussion of the role of the gender unit within the CVR, see Henríquez, *Cuestiones de Género*).

18. CVR, *Informe Final*.

19. *Ibid.*

20. State security agents include the armed forces, police, civil defense organizations, and paramilitary groups. The Dirección Nacional Contra El Terrorismo and Sinchis counterterrorism forces within the National Police were singled out as particularly frequent perpetrators of sexual violence. Although sexual violence was prohibited by both the Shining Path and the Tupac Amaru Revolutionary Movement, the Commission found

that both groups (the MRTA to a lesser degree) participated in the sexual victimization of the civilian population.

21. Ibid.

22. David Sulmont, "Evaluación del Trabajo de Testimonios," internal document of the Comisión Para la Verdad y Reconciliación, Document No. 140306 (Lima, Peru: Centro de Información para la Memoria y los Derechos Humanos, 2002).

23. J. Luisa Li de Fernandez and Carmen Wurst, "Sexual Violence against Women: Psycho-judicial Approach," *Clinical Knowledge* 17, no. 2 (2007): 171.

24. Jennifer Green, *Collective Rape: A Cross-national Study of the Incidence and Perpetrators of Mass Political Sexual Violence, 1980–2003* (PhD diss., Department of Sociology, Ohio University, 2006); Michele Leiby, "Wartime Sexual Violence in Guatemala and Peru," *International Studies Quarterly* (forthcoming). This finding is not universal—in both Sierra Leone and Bosnia, it was nonstate armed actors who more frequently perpetrated sexual violence. Green's study relies on media reports to measure the level and patterns of wartime sexual violence (see Christian Davenport and Patrick Ball, "Views to a Kill: Exploring the Implications of Source Selection in the Case of Guatemalan Terror, 1977–1995," *Journal of Conflict Resolution* 46, no. 3 (2002): 427–50, for a discussion of the limitations of news sources for information on human rights violations). Leiby's study is based on truth commission and human rights organizations' reports, but covers only two countries in Latin America.

25. CVR, *Informe Final*, testimony 300578; italics are mine.

26. Patricia D. Rozée, "Forbidden or Forgiven? Rape in Cross-cultural Perspective," *Psychology of Women Quarterly* 17, no. 1 (1993): 499–514.

27. In their 1980 study based on the United States, Skelton and Burkhart found that the most significant determinant of a victim's likelihood of reporting sexual abuse was whether he or she understood what happened to be a criminal offense, an issue complicated by changing cultural norms and legal statutes on violence against women; see Carol Skelton and Barry Burkhart, "Sexual Assault," *Criminal Justice and Behavior* 7, no. 2 (1980): 229–36.

28. Lucero B. Merino, *Matrimonio y Violación: El Debate del Artículo 178 del Código*

Penal Peruano (Lima, Peru: Movimiento Manuela Ramos, 1997).

29. Even after the law was repealed, Congress maintained that criminal charges would be dropped if the issue was resolved "privately"; see Lisa Sharlach, *Sexual Violence as Political Terror* (PhD diss., Department of Political Science, University of California, Davis, 2001).

30. Jelke Boesten, "Marrying Your Rapist: Domesticating War Crimes in Ayacucho, Peru," in *Gendered Peace: Women's Search for Post-war Justice and Reconciliation*, ed. Donna Pankhurst (London: Routledge, 2007).

31. Rosalia is the pseudonym used in Boesten, "Marrying Your Rapist."

32. Ibid., 10.

33. The underreporting of male sexual violence may be further compounded in ethno-nationalist conflicts in which the power of the state is symbolically linked to images of the virility, power, and heterosexuality of its men. For instance, despite evidence of rape and castration of men in rape camps in the former Yugoslavia, the Croatian media reported only one story of male sexual violence—the rape of a Muslim man. There was no mention of Croatian men either having suffered sexual violence or having perpetrated it during the conflict; see Dubrakva Zarkov, "Sexual Violence and War in the Former Yugoslavia" (speech made at the Cordaid Debate on Gender-based War Crimes: A Future

after Humiliation, January 11, 2005), http://www.cordaid.nl/Overice/Extra_pop_up/Index.aspx?mid=9593&sid=292. The image of a powerful and righteous state is defended through the denial or suppression of stories of Croatian men having been the object or perpetrator of sexual assault.

34. Other studies have found that in Liberia and Sierra Leone, men were also subjected to sexual violence; see Kirsten Johnston, Jana Asher, Stephanie Rosborough, Amisha Raja, Rajesh Panjabi, Charles Beadling, and Lynn Lawry, "Association of Combatant Status and Sexual Violence with Health and Mental Health Outcomes in Postconflict Liberia," *Journal of the American Medical Association* 300, no. 6 (2008): 676–90; and Dara Cohen, "Explaining Sexual Violence during Civil War: Evidence from Sierra Leone (1991–2002)" (paper presented at the Yale University Workshop on Wartime Sexual Violence, New Haven, CT, November 2–4, 2007).

35. Leiby, "Wartime Sexual Violence in Guatemala and Peru." This 2008 study was conducted using the published annexes of the truth commission. They are available on the CVR's Web site at <http://www.cverdad.org.pe>. The annexes provide very brief descriptions of cases presented to the Commission. I read each summary and collected data on events of sexual violence. An "event" can include multiple victims and multiple violations, and multiple perpetrators. I recorded 695 events of sexual violence, and 913 individual sexual violations. Of the 695 events, 30 percent included male victims (25 percent of these included only male victims and 5 percent of events included both male and female victims).

36. Individual testimonies can be matched to observations in the data set according to the testimony number, the event number, and the victim ID number.

37. CVR, *Informe Final*, testimony 201443.

38. Cohen, "Evaluating the Causes of Sexual Violence by Insurgents"; Green, *Collective Rape* 2006; and Sharlach, *Sexual Violence as Political Terror*.

39. Green, *Collective Rape*, ii.

40. Sharlach, *Sexual Violence as Political Terror*, 11.

41. *Ibid.*, 7–8.

42. The International Criminal Court (ICC) defines rape as the invasion of "the body of a person by conduct resulting in penetration, however, slight, of any part of the body of the victim or of the perpetrator with a sexual organ, or of the anal or genital opening of the victim with any object or any other part of the body." See ICC, *Rome Statute of the International Criminal Court, Part 2: Jurisdiction, Admissibility and Applicable Law*, Article 8(2) (e) (vi) (2000), http://www.un.org/law/icc/statute/99_corr/2.htm.

43. *Ibid.* Sexual slavery is defined as "when women and girls are kidnapped against their will and converted into the property of one or more people who demand sexual services from them, and often other forms of domestic service as well." Forced marriage can take many different forms, including when fathers or other guardians give a woman to be married without her consent or ability to refuse. See Agnés Callamard, *Documentar las Violaciones de Derechos Humanos por los Agentes del Estado: Violencia Sexual* (Montreal, Canada: Centro Internacional de Derechos Humanos y Desarrollo Democrático, 2002).

44. It is beyond the scope of this article to address the program of forced sterilization of predominantly poor indigenous women from rural areas implemented during Alberto Fujimori's governments. Some of the same causal processes—such as a disdain for women and a societal-level disregard for their rights—could explain both armed groups' willingness to perpetrate rape and other forms of sexual violence on the "battlefield" and that of health care professionals, policy makers, and others in the health care community

to sterilize women. Others—such as how these social norms are imbedded and transmitted through military institutions, and how state armed forces frame their national security and react to threats to it—are distinct and require separate analysis.

45. This is a hypothesis that requires empirical testing. Indeed, it may be the case that even those forms of sexual violence recognized by the ICC—rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, and mutilation—occur under different behavioral constraints and institutional contexts. Similarly, groups that engage in one or more of these abusive practices may not use them all.

46. Leiby, “Wartime Sexual Violence in Guatemala and Peru.”

47. CVR, *Informe Final*, case 1012572.

48. United Nations, *United Nations Document UN E/CN.4/1992/SR.21* (New York: United Nations, 1999).

49. Inter-American Commission on Human Rights (IACHR), *Informe N 5/96 Case 10.970 Fernando y Raquel Mejía vs. Peru* (Washington, DC: IACHR, 1999).

50. United Nations, *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (New York: United Nations, 1994), <http://www.hrweb.org/legal/cat.html>.

51. State security agents have been reported to beat pregnant women’s abdomens in order to induce labor or forcibly abort the fetus or otherwise damage the woman’s reproductive organs.

52. CVR, *Informe Final*.

53. Leiby, “Wartime Sexual Violence in Guatemala and Peru.”

54. Publicity is not a characteristic unique to sexual mutilation. Rape and gang rape, sexual humiliation, and even sexual torture may, and often are, committed in public settings. In such cases, these other forms of sexual violence may also be used to terrorize entire families or communities, making their distinction from sexual mutilation less clear.

55. CVR, *Informe Final*, testimony 700021.

56. Anonymous, “Victim Interview,” CVR testimony No. 201549 (2002).

57. Patrick Ball, *Who Did What to Whom?* (Washington, DC: American Association for the Advancement of Science, 1996).

58. Jose Coronel, “Victim Interview,” CVR testimony No. 200012 (2002).

59. Audre Lourde, *Homophobia and Education* (New York: Council on Interracial Books for Children, 1983).

60. CVR, *Informe Final*, testimony 205316.

61. CVR, *Informe Final*, testimony 700225.

62. Duncan Pedersen, Jacques Tremblay, Consuelo Errazuriz, and Jeffrey Gamarra, “The Sequelae of Political Violence: Assessing Trauma, Suffering and Dislocation in the Peruvian Highlands,” *Social Science and Medicine* (April 2008): 1–13.

63. Felicita C., “Victim Interview,” CVR testimony No. 201476 (2002).

64. CVR, *Informe Final*, testimony 700906.

65. See Amelia Hoover, “Sexual Violence and ‘Variation in Covariation’” (paper presented at the Yale University Workshop on Wartime Sexual Violence, New Haven, CT, November 2–4, 2007), for a discussion of the possibilities of using multiple systems estimation for nonlethal acts of violence, including sexual violence.

66. Note that the unit of analysis in the CVR’s final report and in the analysis of the primary documents is the victim-violation. In other words, a “case” is an observation of one human rights violation against one victim. In Leiby, “Wartime Sexual Violence in Guatemala and Peru,” the unit of analysis is a violent event. An event may include more than one victim, more than one type of violation, and more than one perpetrator.

67. The Centro de Información para la Memoria Colectiva y los Derechos Humanos is open to the public Monday through Friday from 9 AM to 5 PM. Access to the documents, particularly those that are confidential, is granted on an individual basis and at the discretion of the director and center staff.

68. Some of these materials are available in digital format only.

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