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Constraints, Instrumentality & Signalling: Explaining Sexual Violence by State-Actors in Armed Conflict

An Empirical Analysis, 1989-2009

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Introduction

States are the subject of a disturbing paradox: on the one hand, they are often portrayed as the primary security provider for their populations and civilians during armed conflict. On the other hand, "state armed groups are far more likely than rebel groups to be reported as perpetrators of rape and other sexual violence" as well as of other violations of human rights and international humanitarian law (Cohen / Wood / Hoover Green 2013: 323; Englehart 2009: 163). In 1975, Susan Brownmiller asserted that sexual violence (and rape in particular) is "unconscionable, but nevertheless *inevitable*" in armed conflict and "flourishes in warfare irrespective of nationality or geographic location" (Brownmiller 1975: 31f., highlight added). And indeed, since 1989 reports of 'massive', 'systematic' and 'deliberately used' sexual violence are a constant part of media reporting on the civil wars in Angola, Bosnia, Burundi, Chad, Colombia, El Salvador, Indonesia, Liberia, Myanmar, Nepal, Peru, Rwanda, Sierra Leone, Somalia, Sudan, Syria, Tajikistan, Thailand, the Central African Republic, the Democratic Republic of Congo, the Republic of the Congo, Uganda, and Uzbekistan. In 2013 alone, the UN Secretariat General (2014: 4ff.) has catalogued reports of conflict-related sexual violence from 12 conflicts. Between 1989 and 2009, 21 armed conflicts on average per year registered conflict-related sexual violence perpetrated by any of the participating parties (Cohen / Nordås 2014, own calculations).

However, a growing number of authors point to the "relative absence of wartime sexual violence" in many other conflicts (e.g. in Sri Lanka or Israel/Palestine, see Wood 2006) and thus conclude that sexual violence is certainly "not inevitable in war" (Wood 2009: 132, 153). Indeed, wartime sexual violence varies considerably across time, space, and between involved armed actors and conflicts (see below). This shift in perspective makes Wood (2009: 153) believe, that it "may strengthen the efforts of those government, military, and insurgent leaders, UN officials, and members of non-governmental organizations who seek to end sexual violence and other violations of the laws of war." And indeed, especially the Balkan wars as well as the Rwandan civil war and subsequent genocide have bumped wartime sexual violence to the international political, legal and academic agenda. Especially since its resolution 1325 on "women, peace and security", the UN Security Council has dealt

on several occasions with the matter[1], launched a number of campaigns such as the *Stop Rape Now* campaign and appointed in 2009 a Special Representative on Sexual Violence in Armed Conflict, charged with the coordination of 13 UN agencies. In 2013, the UK's foreign minister William Hague initiated a *Declaration of Commitment to End Sexual Violence in Conflict*, signed by 120 states and hosted a *Global Summit to End Sexual Violence in Conflict* in June 2014 in London that brought together delegations from about 100 states and 900 NGOs, victim associations and experts. The creation of the International Criminal Tribunal for Yugoslavia (ICTY) in 1993, the International Criminal Tribunal for Rwanda (ICTR) in 1994 and the International Criminal Court (ICC) in 1998 have for the first time allowed for the prosecution of alleged war criminals under charges of committed sexual violence (De Brouwer 2005, 2009; Skjelsbæk 2012: 74ff.). Likewise, scholars have been interested in the phenomenon since the 1970s, but a sudden and considerable spike can be observed since 1993 (Skjelsbæk 2012: 78ff.). However, as Koos (2015: 5) recently noted: "most existing work is qualitative in nature as quantitative data on [conflict-related sexual violence] is so limited". The bulk of the existing studies focuses on the Balkan wars, Rwanda and the Democratic Republic of Congo.[2] In this context, sexual violence has most often been described as a strategically employed "weapon of war" (see critically Eriksson Baaz / Stern 2013)—both for state and non-state actors. Very recently, public attention has shifted to allegations of conflict-related sexual violence committed by increasingly notorious non-state actors such as the *Islamic State* / *Daesh* or *Boko Haram*. However, Cohen, Wood and Hoover Green (2013: 4) remind us that while "reports of wartime rape often seem to imply that rape is perpetrated primarily by unruly and undisciplined rebel forces […], several recent studies, […] have found that state armed groups are far more likely than rebel groups to be reported as perpetrators of rape and other sexual violence." Recently, the involvement of state armed actors has primarily found attention in relation to UN peacekeeping soldiers as perpetrators of sexual violence (Nordås / Rustad 2013), French peacekeepers in the Central African Republic being the latest example. However,

[1] See apart from resolution S/RES/1325 (2000) especially resolutions S/RES/1820 (2008), S/RES/1888 (2009), S/RES/1960 (2010) and S/RES/2106 (2013).

[2] See for instance Allen 1996; Benard 1994; Bijleveld et al. 2009; Christian / Safari / Ramazani / Burnham / Glass 2011; De Brouwer et al. 2009; Eriksson Baaz / Stern 2009; Human Rights Watch 1996; Kirchner 2007; Lindsey / Toft 2014; Meger 2010; Mukwege / Nangini 2009; Mullins 2009; Salzman 1998; Sharlach 2000; Skjelsbæk 2012; Snyder / Gabbard / May / Zulcic 2006.

states engage in wartime sexual violence in *ordinary* inter- and intra-state conflicts, too, one of the most recent examples being reports of sexual violence committed by members of the Syrian army (see e.g. Wolfe 2013). Indeed, data used in this study (Cohen / Nordås 2014, own calculations) suggests that 41 % of all states involved in armed conflict between 1989 and 2009 were reported to engage in sexual violence at least once compared to 20 % of rebel forces and 17 % of all active pro-government militia (about 19 % of all non-state actors irrespective of the side they fight on).

This is a troubling observation—especially, as the following analysis indicates, that state-perpetrated wartime sexual violence seriously decreases the likelihood of a durable end to conflict (see section 4.2). In this regard, the issue whether and when state armed actors are a part of the problem rather than part of the solution becomes a crucial one. Thus, the following analysis is driven by the question *under which circumstances armed state actors are more likely to engage in wartime sexual violence and why they perpetrate such violence.*

In this context, it is remarkable that "there are no large-N cross-national empirical analyses of sexual violence committed by governments' security forces" (Butler / Gluch / Mitchell 2007: 670). Indeed, Butler et. al.'s own analyses are limited to data from 2003 and only test one theoretical argument in particular. Leiby (2011) focuses in her quantitative analyses solely on state-perpetrated sexual violence in Peru and El Salvador while Green (2006) only focuses on the involvement of state actors in 37 episodes of massive "collective rape". Cohen (2013) has conducted the most comprehensive quantitative analysis so far. However, her data only comprises a subset of the data underlying the present study; furthermore, her analyses of state-perpetrated wartime sexual violence are mainly characterized by non-significant statistical results—the theoretical explanations she tests seem suited to explain sexual violence perpetrated by insurgents, but bear little explanatory power for state actors (see also replication models in appendix to Cohen / Nordås 2014). Thus, Koos (2015: 3) has recently concluded that "there remains a shortage of comparative, and particularly quantitative, research." Recently, Cohen and Nordås (2014) have however published the most extensive data on wartime sexual violence available so far. It includes information on 129 active armed conflicts and as many states involved therein between 1989 and 2009. By relying on this data set, the present analysis is to my knowledge

the most extensive test of existing explanations of state-perpetrated wartime sexual violence until now. Employing ordered logistic regression, I test 14 hypotheses in total based on the recent literature.

As Leiby (2011: 2) underlines, "the political science literature on wartime sexual violence is [still rather] new". Nevertheless, several theoretical explanations have been proposed in the recent past (for the most extensive literature review so far, see Koos 2015; see also Wood 2006: 320ff., 2008: 337ff., 2009: 134ff.). I argue that the most common approaches can be roughly divided into two camps: an *instrumentalist* one that is mainly concerned with the question *under which conditions wartime sexual violence is particularly likely*. These approaches conceptualize such violence as an act that is beneficial for and intended by state armed actors and their leaders. The second approach focuses on *constraining structures* and hence the question *under which conditions wartime sexual violence is rare*. The first approach subsumes still dominant arguments on ethnic hatred and gender-based inequalities as explanations for sexual violence. However, little evidence is found for these approaches further questioning the omnipresent 'sexual violence as weapon of war' narrative: Sexual violence is not particularly more likely in ethnically motivated or secessionist wars, nor does it mirror broader societal gender-inequalities. The latter approach mainly draws on the capacity of state bureaucracies and of the military leadership to monitor and sanction rogue agents as well as to build strong vertical cohesion as explanations for the absence of sexual violence. Additionally, the existing quantitative studies incorporate measurements of *democracy* in their analyses but *do not* formulate a coherent theoretical framework linking democratic institutions and norms to the absence of such behaviour. In light of an extensive *democratic peace* literature, such an omission is surprising. Thus, the present paper sketches a possible argument for linking *democratic institutions and norms* to a reduced likelihood of state-perpetrated sexual violence. The statistical analyses support the constraining structures approaches. Additionally, I outline an alternative explanation of sexual violence based on *signalling theory*, arguing that sexual violence can be conceptualized as a costly signal to three distinct audiences: enemy forces, allied forces and the civilian population. These explanations, which constitute an addition to the *instrumentalist approach* find some support in the statistical analyses, especially where state actors

may misrepresent their willingness and ability to fight or signal their dominance in situations of steep imbalances of power.

The following sections are structured as follows. Before providing a more detailed overview of these theoretical considerations, I will first turn to the definition of key terms. The theoretical overview is followed by methodological considerations, a description of the employed operationalizations and a critical assessment of the principal data source. The statistical analyses and a discussion of the results follow before I turn to a summarizing conclusion.

1 Defining Wartime Sexual Violence

Sexual violence is no war-specific phenomenon.[3] Indeed, some authors have questioned the pertinence of an analytical distinction between 'peacetime' and 'wartime' sexual violence, arguing that the differences between both periods might not be as pronounced for the victims as they seem for the political scientist (Enloe 1990, 2000). The present paper does not argue, that wartime sexual violence reaches different degrees of prevalence than peacetime sexual violence. Indeed, Butler and Jones' (2014) preliminary findings suggest that the prevalence of sexual violence does not vary considerably between pre-conflict and conflict phases. Rather, I—as most others—assume that there are significant differences between both periods in the underlying *logics* leading to sexual violence.[4] Additionally, such a distinction makes sense from the perspective of *international criminal law*: in order to have jurisdiction over such crimes, the ICTY, ICTR and the ICC have to establish that acts of sexual violence have taken place in the context of armed conflicts to prosecute them as war

[3] The World Health Organization (WHO) defines sexual violence in its *World Report on Violence and Health* as "any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work" (Jewkes / Sen / Garcia-Moreno 2002: 149). However, as Skjelsbæk notes, "the definition of rape and sexual crimes has changed over time." For instance, "in colonial times, rape was defined as non-consensual relations with married women when the man was someone other or inferior to the husband of the victim" (Skjelsbæk 2001: 212; see also Kelly 1988: Ch. 6).

[4] However, I would also suggest, that the compartmentalization of 'wartime' and 'peacetime' sexual violence mirrors to a significant amount the compartmentalization of different disciplines of social sciences.

crimes or crimes against humanity (Klabbers 2013: 140ff, 219ff.).[5] Otherwise, international human rights law (or, of course, national law) may apply, which is outside the scope of these tribunals. Unsurprisingly, their work has thus proven instrumental in defining wartime sexual violence and has been adopted by most scholars analysing wartime sexual violence (Cohen / Hoover Green 2012: 24ff.; Cohen / Nordås 2014: 7; Wood 2006: 308f., 2009: 133). Key sources are the courts' judgments in *Akayesu*[6], *Furundžija*[7], *Kunarac*[8] and *Gacumbitsi*[9]. In *Akayesu*, the ICTR define rape as "a physical invasion of a sexual nature, committed on a person under circumstances which are coercive" (Grewal 2012: 378) whereas the ICTY judges define it in *Furundžija* as the "the forcible sexual penetration of the human body by the penis or the forcible insertion of any other object into either the vagina or the anus" (De Brouwer 2009: 586). In *Kunarac* and *Gacumbitsi*, the judges focused on the lack of consent as defining characteristic (De Brouwer 2009: 587, 589). These considerations are reflected in the *Rome Statute* and the ICC's *Elements of Crime* which define sexual violence as follows:

> "The perpetrator committed an act of a sexual nature against one or more persons or caused such person or persons to engage in an act of a sexual nature by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or persons or another person, or by taking advantage of a coercive environment or such person's or persons' incapacity to give genuine consent" (ICC 2011: 11, 38).

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[5] The prohibition of sexual violence has a long tradition in International Humanitarian Law (IHL) and is explicitly enshrined in the fourth Geneva Convention from 1949 (Art. 27, see also Art. 76(1) in the First Additional Protocol and Art. 4(2)(e) in the Second Additional Protocol from 1977; see also Barrow 2010: 223ff.; Meron 1993). However, Barrow (2010: 233f.) criticizes that "underpinning the Geneva Conventions is a 'male as perpetrator, female as victim paradigm'," but "judgements at the ICTR and ICTY have gone some way to reorient conceptions of rape as a crime against a woman's honour to rape as a crime causing serious bodily and mental harm."

[6] ICTR (1998). Judgement, Prosecutor v. Akayesu, Case No. ICTR-96-4-T.

[7] ICTY (1998). Judgement, Prosecutor v. Furundžija, Case No. IT-95-17/i-T.

[8] ICTY (2001). Judgement, Prosecutor v. Kunarac, Kovac and Vukovic, Cases No. IT-96-23-T & IT-96-23/1-T sowie ICTY (2002). Judgement, Prosecutor v. Kunarac, Kovac and Vukovic, Case No. IT-96-23 & IT-96-23/1-A.

[9] ICTR (2004). Judgement, Prosecutor v. Gacumbitsi, Case No. ICTR-2001-64-T sowie ICTR (2006). Judgement, Gacumbitsi v. Prosecutor, Case No. Case No. ICTR-2001-64-A.

As Sivakumaran (2007: 262) notes, this definition "does not elaborate on the meaning of 'an act of a sexual nature'" but focuses primarily on physical penetration. The *Special Rapporteur on Systematic Rape, Sexual Slavery and Slavery-like Practices during Armed Conflict* provides thus a considerably broader definition*:*

> Sexual violence is "any violence, physical or psychological, carried out through sexual means or by targeting sexuality [including] both physical and psychological attacks directed at a person's sexual characteristics" (cited in Sivakumaran 2007: 261).

However, reports on purely psychological violence are difficult to assess and to collect after the facts. Thus, in accordance with the definition used by the *Sexual Violence in Armed Conflict* (SVAC) data set used in the present study (Cohen / Nordås 2014), I focus "on violations that involve direct force and/or physical violence" and "exclude acts that do not go beyond verbal sexual harassment, abuse or threats, including sexualized insults, forced nudity, or verbal humiliation" (Cohen / Nordås 2013: 7). Having said that, both definitions have the advantage of defining sexual violence independently from perpetrator and victim characteristics, their intentions or consequences. Thus, the definitions explicitly include male victims and female perpetrators (Oosterhoff / Zwanikken / Ketting 2004; Russell 2007; Sivakumaran 2007; Solangon / Patel 2012). Additionally, both recognize sexual violence as an umbrella concept comprising various forms. In particular, the ICC recognizes as sexual violence: *rape*, *sexual slavery*[10], *enforced prostitution*[11], *enforced pregnancy* and *enforced sterilization*[12]. Wood (2009: 133) adds *sexual torture* and *mutilation*, while Sivakumaran (2007: 261) mentions "situations in which two victims are forced to perform sexual acts on one another or to harm one another in a sexual manner." This

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[10] Defined by the ICC (2011: 8, 28, 37) as follows: "The perpetrator exercised any or all of the powers attaching to the right of ownership over one or more persons, such as by purchasing, selling, lending or bartering such a person or persons, or by imposing on them a similar deprivation of liberty [and] caused such person or persons to engage in one or more acts of a sexual nature."

[11] Defined by the ICC (2011: 9, 29, 37) as follows: "The perpetrator caused one or more persons to engage in one or more acts of a sexual nature by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or persons or another person, or by taking advantage of a coercive environment or such person's or persons' incapacity to give genuine consent."

[12] Defined by the ICC (2011: 9, 29, 38) as follows: "The perpetrator deprived one or more persons of biological reproductive capacity [and] the conduct was neither justified by the medical or hospital treatment of the person or persons concerned nor carried out with their genuine consent."

definition and typology is in accordance with the one underlying the data set used in this paper and its coding procedures (Cohen / Nordås 2014: 7).

As I analyse *wartime* or *conflict-related* sexual violence, I only consider violence that has been perpetrated *during* an ongoing armed conflict by state armed actors. With regards to the data at hand, I define *armed conflict* as "a contested incompatibility that concerns government or territory or both where the use of armed force between two parties results in at least 25 battle-related deaths. Of these two parties, at least one is the government of a state" (Gleditsch / Wallensteen / Eriksson / Sollenberg / Strand 2002: 618f.). For the sake of readability, the terms 'wartime', 'conflict-related', 'during armed conflict' etc. are used interchangeably. They point however to acts of violence perpetrated while offenders where clearly identifiable as members of state armed forces (hence, acting in their official position). This can include acts of (sexual) violence against civilians, foreign troops or insurgents. However, violence against individuals within the same organization is excluded (Cohen / Nordås 2013: 5). I define *armed state actors* as comprising a state's military forces, but also "special police, special units, treasury police, presidential guards, presidential units, and security forces" (ibid.: 6f.). However, "peacekeeper and civilian perpetrators" are not considered (ibid.: 5) with the exception of "domestic police, interrogators, border patrol, border police, and checkpoint police" if they act against a member of a foreign military, "an insurgent or suspected member of an insurgent group, a close relative of a member of an insurgent group, and/or undertaken for the purpose of collecting intelligence related to the conflict" or in an otherwise conflict-related manner (ibid.: 6). Explanatory considerations are of course absent from these definition exercises. There is however no shortage of theoretical explanations of wartime sexual violence.

2 Explaining Sexual Violence: Between Instrumentality and Constraints

Until now, despite an increasing number of theoretical considerations no comprehensive framework to explain wartime sexual violence, yet alone to explain state-perpetrated sexual violence, has been proposed. While several authors have proposed

their own systematisations (see for instance Cohen 2013; Eriksson Baaz / Stern 2013; Gottschall 2004; Leiby 2011; Skjelsbæk 2012; Wood 2006, 2009), I argue that the most common explanations can be roughly divided in two groups: first, an *instrumentalist* approach, analysing conditions that render state-perpetrated wartime sexual violence *more likely*. Under this paradigm, I first consider the most pervasive explanation, arguing that sexual violence is particularly instrumental in ethnically motivated, secessionist and genocidal conflicts. I also consider feminist accounts conceptualizing wartime sexual violence as manifestations of broader societal gender-inequalities. Both approaches face however considerable criticism. The second approach is mainly concerned with structural *constraints* that render state-perpetrated wartime sexual violence *less likely*. I first consider theoretical arguments focusing on the capacity of a state's bureaucracy to monitor and sanction its agents, as well as on the military leaderships to maintain vertical cohesion among their soldiers. Additionally, I focus on *democratic institutions* and *norms* as constraining factors. These approaches seem more convincing then the first approach. To tackle that issue, I finally outline an *instrumentalist* argument based on signalling theory.[13] **Table 1** summarizes the hypotheses deduced from the following theoretical discussions.

2.1 Destroying Ethnic Groups: Sexual Violence as a 'Weapon of War' in Ethnic, Secessionist and Genocidal Conflicts

Since the beginning of 1990s, and especially in the wake of to the Balkan wars and the Rwandan genocide, the conception of sexual violence as a "weapon", "tactic" or "strategy" of war has become the "dominant explanatory framework within the research community, the global policy community and the media" (Eriksson Baaz / Stern 2013: 42)—particularly with respect to so-called ethnic conflicts.

Within this theoretical framework, sexual violence is conceived of as a (short-term) tactic or (long-term) strategy that is *intentionally* employed by *rational* (i.e. utility-

[13] The attentive reader may wonder why mainstream International Relations theories are suspiciously absent from the following discussions. Traditional IR theories on armed conflict are mainly concerned with the explanation of the *onset* of armed conflicts, but much less with the *types of violence* armed actors employ once they have taken the decision (or haven been forced) to go to war. In contrast, the present paper is solely concerned by the second question.

maximizing) military leaders in order to achieve particular *military goals* and outcomes (Eriksson Baaz / Stern 2013: 42f.). From such an instrumentalist perspective, "wartime sexual violence becomes an extension of politics in the sense that it is one tool among many adopted by self-interested actors" (Kirby 2012: 807).

In general, its effectiveness as a tool of humiliation and intimidation is considered being the principal utility of wartime sexual violence. More specifically however, proponents of such explanations point to three particular functions that sexual violence is thought to fulfil: (a) the destruction of the 'social fabric' of ethnic groups and thus their annihilation as a cultural, political and social factor in the domestic system, (b) the overall expulsion of ethnic groups from the territory or (c) the physical extinction of these groups.

2.1.1 Breaking Social Bonds: Sexual Violence in Ethnic Conflicts

A first set of arguments conceptualizes sexual violence as a suitable means to dissolve the social bonds of particular *ethnic* groups. The Balkan wars at the beginning of the 1990s have been the empirical blueprint for such theoretical considerations (Skjelsbæk 2012: 63ff.). While Stiglemeyer emphasizes that sexual violence was perpetrated by all belligerent sides and "spread from one ethnic group to the next throughout the conflict years" (cited in Skjelsbæk 2012: 64), most emphasis has been put on the crimes committed by the Serbian side, especially in form of the infamous Serbian "rape camps" in which mostly Muslim women are reported to have been systematically raped and forcefully impregnated by Serbian soldiers and paramilitaries (De Brouwer 2005: 9f.).[14] In total, estimates range from 10.000 up to 60.000 sexually assaulted women and (probably to a lesser extend) men (Sharlach 2000: 96) during the conflict.

In this regard, most accounts refer to a constructivist understanding of ethnicity, commonly conceived of as an "imagined community" (Anderson 1991; Hobsbawm / Ranger 1983) that is based on shared but selectively chosen "ideas of common origins, history, culture, language, experience and values" (Brown / Langer 2010a: 3).

[14] For detailed accounts, see also the final report of the commission of experts established pursuant to Security Council Resolution 780 (1992), Chapter 4(F).

While a set of authors (e.g. Ignatieff 1993; Moynihan 1993) takes a more "perennialist" approach, pointing to the "long-standing, 'deep' nature of ethnic differences [that] make domestic peace difficult" (Fearon / Laitin 2003: 78), Horowitz (1985: 141ff.) introduces a group psychological theory that attempts to explain the violent escalation of ethnic conflict through the dynamics of "group comparison". Such comparison becomes especially conflict-prone, he argues, where ethnic groups perceive themselves or are portrayed as "backwards" and outpaced compared to other groups and hence constitute a group of marginalized that is excluded from mainstream society, high education, advanced economy and political power (Horowitz 1985: 229ff.). Consequently, attention in quantitative conflict studies has shifted from a focus on mere ethnic *fractionalization* and diversity to ethnic *polarization* as a predictor of (civil) war onset, however with a mixed empirical track record (Brown / Langer 2010a; Montalvo / Reynal-Querol 2005).

However, ethnic explanations for the outbreak of armed conflict do not account for the occurrence of *sexual violence* in such conflicts. In order to do so, proponents of such explanations introduce a *gendered* dimension to explanations of ethnic violence and argue that sexual violence is particularly likely where it targets ethnic groups with pronounced gender roles in which women are "cast as the symbolic bearers of ethno/national identity through their roles as biological, cultural and social reproducers of the community" (Eriksson Baaz / Stern 2013: 52ff.). In such cases, gender roles go hand in hand with a social identity that is perceived as hereditary. The rape of 'enemy' women becomes "a blow against the collective enemy by striking at a group with high symbolic value" (Skjelsbæk 2012: 37). It not only inflicts trauma and psychological and physical pain to individuals but demoralizes the collective (Bernard 1994).[15] In a situation of "pre-existing stigma against raped women" (Sharlach 2000: 101), sexual violence may equally "result in the raped women being rejected by her husband/family, or [...] rendered unsuitable for marriage" (Eriksson Baaz / Stern 2013: 21). Moreover, "in societies where lineage membership is determined via patrilineal parentage", the children resulting from rape and forced impregnation "are members of the father's and not the mother's ethnic group. In effect, this

[15] Salzman reports that the Yugoslav National Army (JNA) Psychological Operations Department made explicitly the following observation about Muslim behaviour: "their morale […] could be crushed more easily by raping women, especially minors and even children" (Salzman 1998: 356).

can change the symbolic ethnic group membership" (Mullins 2009: 18; Sofos 1996: 86f.), and lead to the rejection of the abused women and their children by their former peer group.[16] Sexually assaulted men may bear a similar fate of humiliation and stigmatization that turn them into outcasts and pariahs (Sivakumaran 2007: 267ff.) Thus, sexual violence is perceived as a suitable instrument to *forcibly dissolve the social bonds between members of ethnic groups* without necessarily killing its members. Stripped of the membership in their ethnic group, individuals are left with no choice but to surrender and to subordinate themselves to the dominance of the triumphant ethnic group. As Cynthia Enloe (2000: 134) aptly summarizes the military rationale:

> "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."

However, Mary Kaldor has noted, that commanding elites may themselves not be consumed by such identity struggles but *instrumentally* use "identity politics" (Kaldor 2012: 79ff.)—and by extension: sexual violence—to fuel conflict in order to "retain their grip on power" (ibid.: 87). In return, Kalyvas (2006) has pointed to the micro-dynamics of conflict and argues that conflict-level struggles (e.g. of an ethnic nature) may *intentionally* be picked up and used by individuals to violently settle *private* disputes. Be the intentions of the different actors as they may, the previously discussed theoretical explanations point to a common hypothesis:

> **H1a**: In ethnically motivated conflicts, state actors are more likely to perpetrate sexual violence.

[16] However, as Koos (2015: 22) notes, "Skjelsbæk (2006) provides rare insights into how powerful the support of their husbands has been for rape survivors in Bosnia."

2.1.2 Expulsion through Fear: Sexual Violence in Secessionist Conflicts

Instead of simply dissolving social bonds of ethnic groups to leave them no other choice then to succumb to the identity of the winner, some authors argue that military leaders may value in particular the fear-instilling effect of spreading reports of massive wartime sexual violence to drive people away from their homeland. As Kirby (2012: 808) argues, sexual violence may thus constitute "an instrument of ethnic cleansing or of forced expulsion during secessionist wars" (Cohen 2013: 463; Snyder / Gabbard / May / Zulcic 2006: 190). Sexual violence serves thus the purpose of rendering "an area ethnically homogenous" (Salzman 1998: 354; Leiby 2011: 4) and serves as a symbol that "life together is finished" (Hayden 2000: 32), and that perpetrators are willing to pass beyond a point of no return to a common life in society.

> **H1b**: In secessionist conflicts, state actors are more likely to perpetrate sexual violence.

2.1.3 Slow Killing: Sexual Violence as Acts of Genocide

Lastly, sexual violence has been cast as a means of genocide (Sharlach 2000; Rittner / Roth 2012), especially in the context of state-perpetrated crimes (Farr 2009; Mullins 2009).[17] Proponents of such an explanation of wartime sexual violence do not hint to its *instrumentality* for dissolving social bonds or forcing ethnic groups to leave their territory but rather focus on its efficiency as a means to *physically destroy* the targeted individuals. Such explanations of "genocidal rape" (MacKinnon 1994) mainly draw on instances from the Rwandan genocide, Darfur, East Timor and the Democratic Republic of Congo. Apart from turning the victims into outcasts, thus considerably reducing their survival chances in a warring environment, Sharlach (2000: 99; see also De Brouwer / Chu / Muscati 2009) points out that "rape in the Rwandan genocide [...] was [often] intended to cause fatal injuries." Similar accounts

[17] The 1948 *Convention on the Prevention and Punishment of the Crime of Genocide* defines genocide as "any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group" (Art. 2).

are reported from the 1971 Bangladesh war of independence, where many "women and girls who survived the assaults [...] later killed themselves" (Sharlach 2000: 94ff.). Rwandan HIV-positive Hutu men are reported to have "used the HIV virus as a weapon of genocide against Tutsi women" (Sharlach 2000: 99). In an attempt to "prevent births within the group" (*Genocide Convention*, Art. 2), "the rape of Tutsi women was accompanied or followed by mutilation of the sexual organs", including "pouring of boiling water into the vagina; the opening of the womb to cut out an unborn child before killing the mother; cutting off breasts; slashing the pelvis area; and the mutilation of vaginas" (Human Rights Watch 1996: 37.). During the Bosnian and Croatian wars, many men had to endure comparable atrocities, as numerous reports of castrations and amputations or mutilations of men's genitals underline (Sivakumaran 2007: 265, 273ff.; Linos 2009; Oosterhoff et al. 2004).

> **H1c**: State actors are more likely to commit acts of sexual violence in genocidal conflicts.

2.1.4 Ontological, Epistemological and Empirical Shortcomings

Arguably, it is the dominance of that theoretical framework in academic, political, jurisprudential and public discourse that has shifted attention from sexual violence as a byproduct of war to its *avoidability* (Eriksson Baaz / Stern 2013: 59ff.). This is certainly a desirable effect, as it has opened up windows of opportunity to discuss its prevention. However, the theoretical framework suffers from a number of serious issues. A set of ontological, epistemological and empirical critiques is discussed in the following.

From an ontological and epistemological perspective, three distinct issues can be observed. First, Brubaker (2004: 3) argues, that mainstream approaches on ethnically motivated conflicts have adopted a "clichéd constructivism" in which "broadly constructivist ontological pronouncements" are paradoxically "followed by 'groupist' empirical analysis, which take the ethnic group as an essentially primordial given" (Brown / Langer 2010b: 35): Instead of analysing the *processes* of ethnicisation (that lead e.g. to behaviour involving sexual violence), such approaches rely *de facto* on ethnic categories that "are both *exhaustive* (all members of the population must fit into a category) and *exclusive* (members of the population cannot be members of two

or more categories)" (Brown / Langer 2010b: 33). The literature on ethnically motivated wartime sexual violence is partly guilty of such misconceptions. As outlined before, most proponents of such explanations rely on *functionalist* arguments to argue that sexual violence is a rational result of ethnic hatred. However, to allow for such an argumentation, ethnicity has to be cast as a pre-existing category that structures any actor's interests *a priori* (e.g. grouping sides in the Bosnian wars in terms of *Serb Christians* and *Bosnian Muslims*). Secondly, Eriksson Baaz and Stern (2013: 66ff.) argue that proponents of 'sexual violence as weapon of war' explanations often uncritically assume that actors across time and space share a common understanding of what effective military strategy consists of. Such a critique of the rational choice underpinnings of these explanations essentially boils down to the ongoing debate whether interests are *exogenous* or *endogenous* to social action. However, the very fact that scholars tend to produce long lists of examples of possible strategic advantages that military leader may pursue through the deliberate employment of sexual violence may indicate, that such a consensus does not even exist between those scholars that advocate such explanations.[18] Furthermore, such accounts ignore that "studies of armed groups and military units demonstrate that commanders (or political leaders) frequently perceive rape as counterproductive and therefore try to minimize, rather than encourage the rape of women by their troops". Thirdly, Gottschall (2004: 132) points out, that "the supporters of strategic rape theory may be confusing the consequences of wartime rape with the motives for it. Just because these consequences may include demoralized populaces or fractured families does not mean that these were the goals for which the rapes were perpetrated in the first place. All of these results may be unintended (which is not to say unwelcome) consequences of wartime rape." Equally, proponents of such explanations tend to erroneously interpret the widespread occurrence of wartime sexual violence as an indicator for successful strategy (Eriksson Baaz / Stern 2013: 67). Conflating intentions and consequences in such a manner strips the theory however of its falsifiability and renders it nearly useless for empirical analyses.

Additionally, 'ethnic hatred' and 'sexual violence as a weapon of war' explanations feature only a mixed empirical track record at best. First, sexual violence has been

[18] In formulating a signaling theory that casts alternative understandings of the strategicness of wartime sexual violence, I will be partly guilty of such a mistake, too.

observed in conflicts that are commonly not referred to as ethnic, secessionist or genocidal conflicts. Secondly, sexual violence does not systematically occur in all ethnic conflicts. Indeed, most quantitative analyses have shown no significant influence of ethnical, secession or genocide indicators on the likelihood of wartime sexual violence (see for instance Butler et al. 2007: 678; Cohen 2013: 470). On a more general level, Elbert et al. (2013) suggest that superiors ordering their subordinates to rape are rather the exception than the norm. The results of the following analysis will further corroborate existing doubts about any empirical relationship between the likelihood of sexual violence perpetrated by state actors and the occurrence of ethnically motivated, secessionist or genocidal conflicts. Consequently, Eriksson Baaz and Stern (2013: 64, 71–78) underline that "military institutions seldom (if ever) embody the ideals of discipline, hierarchy and control to which they aspire. Rather than reflecting strategic action, sexual violence in war can also reflect the breakdown and fragility of military institutions" and the state apparatus (Butler et al. 2007). Before turning to such explanations, I first explore explanations that cast wartime sexual violence as the reproduction of larger societal gender-based inequalities.

2.2 Wartime Sexual Violence and the Reproduction of Gender Inequalities

A second rather common set of explanations is rooted in feminist scholarship and contends that "wartime sexual violence is a manifestation of 'peacetime' gender-based inequalities" and helps to reproduce these inequalities (Leiby 2011: 4; Wood 2006: 325). As MacKinnon (1991: 1302; see also MacKinnon 1994; Brownmiller 1975) argues:

> "Sexual violation symbolizes and actualizes women's subordinate social status to men. [...] Availability for aggressive intimate intrusion and use at will for pleasure by another defines who one is socially taken to be and constitutes an index of social worth. To be a means to the end of the sexual pleasure of one more powerful is, empirically, a degraded status and the female position. [...] Rape is an act of dominance over women that works systemically to maintain a gender-stratified society in which women occupy a disadvantaged status as the appropriate victims and targets of sexual aggression."

Gender inequalities have been found to predict the outbreak of internal conflicts (Caprioli 2005; Fearon 2010; Melander 2005). In war zones, peacetime societal institutions tend to break down, and traditional gender roles come under pressure. Indeed, Wood (2006: 325) argues that "in many civil wars, gender roles become less polarized because [traditional] hierarchies break down as the population disperses and women take on tasks normally carried out by men." Koos (2015: 21) reports, that "women in the DRC took on traditionally male leadership roles due to their men living and fighting with militias in the bush". Consequently, proponents of such a perspective on wartime sexual violence assert that in situations where "the balance of power is in the process of being reshaped and [where] there may be room for movement within the pre-existing social hierarchies, [...] rape and other forms of sexual violence" become mechanisms to maintain and restore these pre-war hierarchies (Sivakumaran 2007: 267).

Two different interpretations of such relationships are possible. First, wartime sexual violence is to be more likely where gender-inequalities are steep and where women have less political, societal and economic rights then men. A second interpretation argues however, that wartime sexual violence may "be more likely in contexts where women *are gaining* rights and men feel threatened" (Cohen 2013: 463, emphasis is mine). While the first interpretation hints to a *linear* relationship (and is most commonly tested in quantitative conflict analysis), the second points to an *inverted U-shaped* one where the likelihood of state-perpetrated sexual violence during armed conflict is the highest where women have gained in rights but have not yet obtained full equality.

> **H2a**: Wartime sexual violence by governmental actors is likely to happen in societies with steep gender inequalities (*linear relationship*).
>
> **H2b**: State-perpetrated sexual violence in armed conflict is more likely in societies in which women have made steps towards full equality but have not yet reached it (*parabolic relationship*).

Conceptually, this theory is closely related to the previously discussed arguments on 'ethnic hatred' and 'strategic wartime sexual violence'. However, while these accounts assume that wartime sexual violence is principally perpetrated against 'enemy' women (and men), feminist accounts do not make such a distinction. Instead,

while enemy soldiers may fight against each other, wartime sexual violence is considered to be a manifestation of larger, underlying struggles between genders. In a somewhat extreme account, enemy male soldiers are thus accomplices in the reproduction of gender hierarchies against women at large. However, Wood (2006: 308ff.) reports that cases such as El Salvador and Sri Lanka, where sexual violence has been low during the civil war despite pronounced gender inequalities, challenge such accounts. Furthermore, such conceptions risk to essentialize gender roles in war and fail to account for the observation that men are not always the (sole) perpetrators and women not always only victims of sexual violence (Leiby 2011: 7; Sivakumaran 2007). While more sophisticated accounts may claim that women participate in the reproduction of inequalities, statistical evidence of such general relationships is mixed: Butler / Jones (2014) recently argued that levels of sexual violence prior to armed conflict predict its prevalence during the conflict. But while Leiby (2011: 153ff.) finds some evidence that wartime sexual violence is related to women's (economical) inequality, Cohen (2013: 471; see also replication in annex of Cohen / Nordås 2014) finds no such relationship at all.

2.3 Insufficient Constraints: 'Rogue Agents' and Sexual Violence

Rather then focusing on the *intentionality* of sexual violence and relying on a restraint understanding of military strategy, a second set of explanations focuses on structural constraints on armed state actors. I first introduce explanations focusing on a state bureaucracy's and a military's capability to monitor, control and train its agents. I then turn to democratic institutions and norms as constraining factor.

The first set of explanations assumes that "sexual violence by government forces is driven by out-of-control agents" (Butler et al. 2007: 673). Borrowing from principal-agent theories (see for instance Arrow 1985), proponents of such explanations argue, that wartime sexual violence occurs mainly in situations where the principal, i.e. state authorities or military leadership, lack (full) control over the actions of their

agents.[19] Broadly speaking, two versions of such an argument can be identified: A first version (discussed in the following paragraphs) focuses on a state's (civil) bureaucracy and its overall capacity to control, monitor and sanction state agents. A second one (discussed in the subsequent section) focuses on intra-organizational (e.g. in the military) control-mechanisms and the internal cohesion among armed forces. Both versions share a similar theoretical underpinning of principal-agent theory.

In general, principal-agent theory is based on a rather simple model of the policy process that distinguishes between two sets of actors: on the one hand, the *principal* who choses, revises, and orders the implementation of a specific policy, and on the other hand, the *agents* charged with its implementation. In most formulations, both actor types are modelled as self-interested, utility-maximizing actors. Two main issues arise for the principal: first, "the problem of goal variance, where agents have goals independent of those of the principal", second, "the problem of information asymmetry, where agents have an information advantage over the principal" (Mitchell 2004: 45; Butler et al. 2007: 670). A principal needs thus the resources to gap its informational deficits in order to keep an agent's pursuit of private interests in check.

With regards to wartime sexual violence, two additional assumptions are made. Proponents of the previously discussed *instrumentalist* approach assume that military and political leaders intentionally order sexual violence (or at least not create disfavour able conditions for such acts, see Eriksson Baaz / Stern 2013: 47). In contrast, proponents of a principal-agent-based state capacity approach assume firstly, that rational leaders would generally perceive such behaviour as counter-productive or irrational and would thus try to prohibit their agents from engaging in wartime sexual violence. Secondly, they assume that self-interested state agents tend to got 'rogue' and pursue their private interests, e.g. engage in sexual violence, if either the state bureaucracy or the military hierarchy has not the capabilities to assert control and check on their behaviour. Both assumptions need further elaboration.

[19] However, Leiby (2011) takes the opposite approach and analyses based on a principal-agent-framework possible alternative rationales for armed state actors to perpetrate sexual violence. See in this regard also Mitchell (2004) for an explanation of general human rights violations by state actors based on a principal-agents approach.

Interpretations of what constitutes effective military action and strategy "var[ies] from one political and military actor to another and from one context of conflict to another" (Eriksson Baaz / Stern 2013: 67). As Eriksson Baaz and Stern argue, "there is no objective definition of what constitutes a strategic military action that is *outside* competing discourses" as proponents of the discussed weapon-of-war explanations implicitly assume (ibid.: 66). Therefore, what is perceived as strategic may evolve over time, e.g. due to changes in personnel, changing circumstances or organizational learning. Thus, civil and military decision-makers may very well see wartime sexual violence by their armed forces as counter-productive and not strategic. For instance, while Kalyvas (2006) and Leiby (2011: 10) argue in similar ways that lethal and sexual violence against civilians in *civil wars* may be perceived as a strategic means to deter civilians from defection to the enemy in zones of limited territorial control, Gottschall (2004: 132), Wood (2006: 314, 2009: 140) and Eriksson Baaz / Stern (2013: 67) contend, that such tactics might equally be perceived by civil and military leaders as having the contrary effect of reducing commitment to the state and increasing the likelihood of civilians joining a rebel movement. Gottschall (2004: 132) reports that during the 1997 civil war in Zaïre civilians started killing soldiers and joining rebel movements after governmental soldiers repeatedly raped young schoolgirls. Similar stories about Tamil women joining rebel movements emerged after reports of wartime sexual violence by Sri Lankan police and military forces (Wood 2006a: 314). In case of the El Salvadorian civil war, Wood (2009: 140ff.) has argued that sexual violence may be perceived as counter-productive where armed forces "strongly dependent on civilians for logistical support, such as supplies, recruits, and, especially, intelligence (which is difficult to coerce over a long period of time)". Military strategists may have similar concerns in *interstate wars* especially where one site occupies the territory of the other. For instance, wartime rape by Japanese soldiers stationed in Korean and Japanese territories during the 1930s (and in particular the previously mentioned 'rape of Nanking') was perceived as counter-productive by Japanese military leaders (Gottschall 2004: 132) and directly led to the instauration of the (surely questionable) 'comfort women' system of forced military prostitution. Equally, Wood (2009: 140) underlines that troops perpetrating sexual violence in warzones "may be unready to counter a surprise attack" or "may prove difficult to bring back under control", both characteristics that can hardly

be described as strategically advantageous when pursuing military objectives. This accounts are only anecdotal, but they underline that both, civil and military leaders may very well perceive the preventing of wartime sexual violence as strategic.

In addition to these assumptions about the *principal's* rationale regarding wartime sexual violence, proponents of a principal-agent approach generally assume that the agent—once left with little oversight—will pursue its personal interests (Butler et al. 2007: 670). The principal may 'loose' its agents (Englehart 2009: 164). Thus, given the opportunities, 'rogue agents' are believed to engage in all forms of sexual violence (but rape in particular), the implicit assumption being that (at least some) agents have a natural tendency or at least a "latent desire" (Cohen 2013: 462) to rape.[20] In an equal manner, "pressure cooker theories" (Seifert 1996: 35) are often invoked, assuming that the high levels of stress and risk in combat, low societal recognition or low and infrequent payment will lead to frustration that may transform itself in sexual violence (see Eriksson Baaz / Stern 2009 for similar explanations by soldiers themselves).

Apart from its problematically deterministic perspective both on gender roles and biological underpinnings, three different sets of critiques have been identified in conjunction with this second assumption. First, it mostly fails to explain the rape of girls under reproductive age or elderly women (Wood 2006: 322) or the prevalence of other forms of sexual violence (such as torture or genital mutilation), that are far less likely to be linked to any form of sexual satisfaction by the perpetrator. Secondly, it cannot explain, why some armed actors clearly exploit opportunities to rob and kill, while at the same time refraining from sexual violence (ibid.). Thirdly, it cannot account for male victims or female perpetrators of sexual violence (Sivakumaran 2007).

Despite such criticism, principal-agent approaches constitute the third dominant strand of explanations for wartime sexual violence. Based on this common underpin-

[20] For instance, Cohen (2013: 465) underpins such claims with references to peacetime rape statistics, arguing that about 35% of men indicated they would possibly rape if assured of exemption from punishment while Wood (2006: 323) discusses at some length the possible impact of higher testosterone levels in soldiers during combat.

nings, I argue that two distinct theoretical formulations of these approaches can be distinguished, the first focusing on the ability of a states' bureaucracy and administration to control and sanction its agents, the second zooming on the intra-organizational chains of command within the military and its vertical cohesion.

2.3.1 State Bureaucracies and the Capacity to Control

From a principal-agents perspective, a state is best understood as fragmented entity, made up of different, often competing organizations (i.e. a central bureaucracy, different ministries, the military or military branches, special or police forces etc.) with hierarchical relationships vis-à-vis each other. Those actors charged with implementing particular policies (e.g. military operations) have an informational advantage and opportunities to conceal their behaviour. Thus, in order to control its agents (i.e. its armed forces), the central state bureaucracy and state leaders need to bridge this information asymmetry in order to identify agents that are unwilling or unable to implement their policies and to prosecute violations. Accordingly, Hendrix (2010: 274) defines a state's capacity in terms of a professionalized bureaucracy with the "ability [...] to collect and manage information" on the actions of its agents and events on the territory as well as the ability to force its decisions upon its agents and a states' population. For this purpose, principals require a far reaching, loyal and often costly information and sanction network. In revenge, "states with corrupt, poorly paid police, judges, and civil servants may be unable to control their own agents" (Englehart 2009: 163; see also Herbst 2000). Additionally, monitoring their armed agents violent (mis-) behaviour becomes more difficult for state leaders and their bureaucracies where such misbehaviour is less likely to be reported, e.g. because of "significant infrastructure problems [such as the] lack of good roads, rail lines, telephone connections" (ibid.: 165) or socio-geographical factors. For instance, violence against civilians as well as sexual violence may be more likely in hardly accessible and or only sparely populated areas where rogue agents can more easily conceal their (mis-) behaviour.

> **H3a**: A high capacity of the state's bureaucracy to monitor and sanction its agents' behaviour reduces the likelihood of state actors perpetrating wartime sexual violence.

2.3.2 Military Hierarchy and Vertical Cohesion

As Anthony King (2006: 493) notes, "military institutions depend on a level of social cohesion that is matched in few other social groups. In combat, the armed forces are able to sustain themselves only so long as individual members commit themselves to collective goals even at the cost of personal injury or death." Two types of (military) group cohesion are generally distinguished: primary or horizontal and secondary or vertical group cohesion.

Primary group cohesion denotes the bonds within the smallest military units, i.e. a group of rank-and-file soldiers and their immediate commanding officer (Shils / Janowitz 1948: 281). Stouffer et. al. (1949) as well as Shils and Janowitz (1948) have argued that combat performance among US and Wehrmacht soldiers during the Second World War was particularly high, where primary group cohesion was strong. Such group cohesion is commonly created through formal and informal rituals, and can be further intensified through the common experience of brutality (Wood 2009: 138). In this regard, Amir (1971: 185) has argued that "group rape" can "solidify the status claims of a member as well as the cohesiveness of the whole group" which has led Cohen (2013: 463ff.) to argue, that gang rape may be widespread where small military groups face a need to foster stronger bonds. However, her own empirical tests lend little support to her hypotheses (Cohen 2013: 470 and appendix in Cohen / Nordås 2014)—at least with regards to *state military* units. This may partly be due to difficulties of distinguishing *group rape* from other forms of sexual violence in the data. May it as it be, her argument underlines that "small-group dynamics can undermine military discipline" (Wood 2009: 139). In groups with strong "loyalties and conformity effects" (ibid.), misbehaving agents may furthermore profit from the support or leniency of their peers, who may help to cover up acts of sexual violence by fellow soldiers e.g. to avoid collective punishment, the relocation or dissolution of the unit, or public shaming, disgrace and prosecution within the military. This classical instance of information asymmetry highlights the military leaders' need for functioning hierarchies in order to channel and control the exercise of physical violence (Siebold 2001: 147f.).

Thus, while primary group cohesion might be an integral part of efficient state militaries, it is primed by *secondary group cohesion*[21], because the "identification with military units above the most immediate [peers] and with the armed group as a whole are critical to the resolution of principal–agent tensions and thus for a strong military hierarchy" (Wood 2009: 137). Such vertical cohesion is however less created through rituals than through extensive and excessive military training (King 2006) that increases obedience and the legitimacy of authorities (Wood 2009: 137). Furthermore, training can effectively transfer the leaderships believes e.g. on the counter-productiveness of sexual violence (and possibly, on its prohibition under international humanitarian law), to lower levels of the hierarchy. As Wood (2009: 141f.) further notes: where "commanders prohibit sexual violence [and] combatants and their units endorse norms against sexual violence" primary group cohesion can function as an additional safe guard against rogue agents.

> **H3b**: The stronger a military's vertical cohesion and the more extensive its training, the less likely is wartime sexual violence to be committed by its members.

So far, three rather common explanations of wartime sexual violence have been outlined. As part of the *structural constraints* approach, I furthermore identify a set of explanations inspired by *democratic peace theory*. While omnipresent in empirical results, the theoretical mechanisms remain mostly implicit in the existing literature on wartime sexual violence.

2.4 Democratic Peace Theory and Sexual Violence

Wartime sexual violence is commonly explained with one of the previously discussed approaches, i.e. ethnic hatred, feminist approaches, or state capacity and military cohesion. The characteristics of specific *regime types*, and especially the influ-

[21] Indeed, both types of cohesion are linked to one another. As King (2006: 510) notes: "Only those who have already proven themselves capable of contributing to the collective military goals of the group will be allowed access to more genuinely personal and intimate interactions. Only those who are already good professional comrades will be allowed to participate in those […] rituals that too many military sociologists regard as fundamental to the formation of primary groups."

ence of *democratic institutions* and *norms* on state-perpetrated sexual violence in times of war, are only rarely discussed on a theoretical level. Nevertheless, *empirical indicators* of democracy (and, consequently, non-democracies) are omnipresent *control variables* in quantitative analyses of wartime sexual violence. Their inclusion comes at no surprise: democratic indicators have consistently been linked to a reduced likelihood of civil war onset (Fearon / Laitin 2003; Hegre / Ellingsen / Gates / Gleditsch 2001), gross human rights violations, state repression and mass killings of civilians (Bueno De Mesquita / Cherif / Downs / Smith 2005; Davenport / Armstrong 2004; Davenport 1999, 2007; Mitchell / McCormick 1988; Poe / Tate / Keith 1999; Poe / Tate 1994) as well as genocide (Fein 1993; Rummel 1995). However, in the case of sexual violence, the empirical results have been mixed: while Cohen (2013) and Cohen / Nordås (2015) find *no* significant relationship between the level of democracy and the likelihood of wartime sexual violence, Butler et. al (2007) point to such a relationship for *established* democracies. Additionally, Morrow (2007, 2014) argues, that democratic regimes tend to comply more fully with the laws of war (which, for instance, prohibit sexual violence) then do non-democracies.

Traditional democratic peace theory (Doyle 1983, 1986; Maoz / Russett 1993; Oneal / Russett 1999, 1997) has been labelled "the closest thing to an empirical law found in the study of international relations" (Rousseau 2005: 19; Levy 1988), but is mainly based on empirical observations of *inter-state wars*. In this regard, a *dyadic* formulation of the argument has dominated most of the debate (see however Rousseau 2005 for a recent and powerful defence of a monadic argumentation), arguing that (1) democratic states do not fight war against each other, but (2) engage as frequently in war as non-democracies (Geis / Brock / Müller 2006). Those approaches focused on explaining *particular forms* of state violence and human rights abuses (such as this paper) continue however to focus on a *monadic* argumentation (see Kant 1795 for the intellectual roots): in general, armed state actors from democratic regimes are believed to be less likely to commit any form of political violence. Two different causal mechanisms are usually identified in order to explain these phenomena: one focusing on democratic *institutions* and especially the particular costs they impose on political leaders for certain behaviour, the other focusing on the *socialization* of actors and the constraining influence of democratic *norms* (Rousseau 2005: 20ff.). While Butler et. al. (2007) base their theoretical argumentation solely on arguments

from the institutional structures school, I will argue that the normative approach seems better suited to explain a possible restrain by democratic actors from wartime sexual violence.

When it comes to war, the institutional structures approach assumes "that failure [in war] is more costly [for the political leaders] in more democratic political systems" then in other regimes (Rousseau 2005: 22). As democratic political leaders must fear to be publicly opposed at the domestic level and to be ousted from power in the next elections if their policies fail, they are believed to be reluctant to promote risky strategies such as war (but might, for the very same reason, favour covered operations and approve of heavier fighting and extensive killing of civilians once they have taken the decision to enter an armed conflict in order to secure a success, see Downes 2006). Furthermore, their power is based on larger constituencies then is the case for non-democratic leaders, making it more difficult for them to secure their support after apparent (foreign) policy failures. However, while national parliaments have a say[22] in the decision to wage war, they do not directly control military tactics, the employment of specific forms of violence nor are they entitled to directly sanction military misbehaviour. Thus, such argumentations need to be adapted to be suitable for the explanation of wartime sexual violence.[23]

Apart from parliamentary oversight, democracies feature independent *judicial* institutions. Morrow (2007: 560) argues that from a liberal perspective "regime type could influence compliance because democracies are more likely to respect the rule of law, meaning international law can be enforced through domestic institutions." In this regard, both the rank-and-file soldier as well as their military and civil superiors could be held individually accountable for violations of these laws—a factor that might increase the potential cost of such behaviour. Butler et. al. (2007) argue how-

[22] While for instance the German parliament has total control over the deployment of the military abroad (wherefore the German army is often referred to as a veritable 'parliamentary force'), other parliaments play only a consultative role or gain a veto right to military deployments after a certain amount of time (as it is the case in the US and France).

[23] Of course, sexual violence committed by democratic armed forces may become the topic of parliamentary inquiries and the executive may be held directly accountable for not prohibiting, or worse, encouraging such behaviour. However, these are rather indirect forms of control that do not take place on an automatic and continuous basis.

ever, that the central mechanism at play is neither parliamentary nor judicial oversight, but *public scrutiny* by a watchful civil society: they contend that "self-regulating mechanisms for auditing the bureaucracies [...] are most likely to develop where there are rights to free and critical media" and where "organizations can form to monitor human rights violations" and violations of the laws of war by governmental actors (Butler et al. 2007: 673; Fearon 1994). Or, as Morrow (2007: 561) underlines: "If domestic audiences hold democratic leaders accountable for their public commitments to the laws of war, then democracies should be more likely to comply."

One central assumption for this mechanism to work is however, that foreign policy issues and the behaviour of the state armed forces during war are of any importance for the domestic constituency (Rousseau 2005: 22). Only in such cases rational political leaders would have to fear public and legal scrutiny for the political costs wartime sexual violence may entail. But democratic institutions alone cannot create such scrutiny by civil society and public outrage. These institutional structures can only *channel* it and give it its power. Therefore, the outrage itself must be fuelled by what the public may believe to be a mismatch between the behaviour of a democratic society's armed forces and the assumption of an idealtypical behaviour or *norms*. Thus, I would argue that not democratic *institutions* but democratic *norms* are best suited to explain any possible relationship between the democratic character of a state and the *absence* of sexual violence committed by its forces during armed conflict.

The normative approach of democratic peace assumes that "domestic political systems socialize political leaders [as well as other actors] regarding acceptable ways to resolve political conflicts" and that "domestic political norms are naturally externalized by decision makers when they confront international disputes" (Rousseau 2005: 27). Sexual violence arguably contradicts several of modern liberal democracies' founding norms as well as norms of international humanitarian law and international human rights law. As political leaders, the administrative elite, but also military leaders and rank-and-file soldiers are socialized in a context that values the right to physical and psychological integrity, protection from inhuman or cruel treatment, as well as the rule of (international) law in general they should be less likely to engage in behaviour that contradicts these norms. Moreover, these norms are the probable

yardsticks for scrutiny by civil society. Thus, as Valentino et. al. argue: "if democratic values promote tolerance, nonviolence, and respect for legal constraints, then democracies should wage their wars more humanely than other forms of government" (Valentino / Huth / Balch-Lindsay 2004: 382; see also Wood 2006a: 332).

> **Hypothesis H4a**: The higher the level of democracy, the less likely it is that state armed actors will commit acts of sexual violence during armed conflict.

As mentioned at the outset, the empirical track record of such assertions is mixed (Butler et al. 2007; Cohen / Nordås 2015; Cohen 2013). In slightly different theoretical contexts, several authors have challenged the *linear* relationship implied by hypothesis H4a, and have instead pointed to a *parabolic* / *inverted-U* shaped relationship or to a *threshold effect*.

Fein (1995) argues in light of human rights violations that there tends to be "more murder in the middle", i.e. that "the ends of the political spectrum (full democracy and full autocracy) are less important for understanding human rights violations than those governments that lie somewhere between these two extremes" (Davenport / Armstrong 2004: 541). For these authors, such intermediary regimes or "anocracies" (Vreeland 2008) are inherently incoherent as they mix "elements of democracy and autocracy" (Davenport / Armstrong 2004: 541). Fein (1995) argues, that in such regimes, *institutions* to sanction inappropriate behaviour are not comprehensive and easily circumvented. Additionally, any cost-benefit calculation is further undermined, as the incoherent institutional structure leads to uncertainty for (armed) actors about which behaviour is allowed and which will be sanctioned. Actors in such regimes are thus believed to be more likely to commit violations of human rights and the laws of war, and by extension to engage in wartime sexual violence. Vreeland (2008) and Cohen / Nordås (2015) contend however, that no such relationship is empirically observable.

> **Hypothesis H4b**: Full democracies and full autocracies are less likely then semi-democracies to engage in wartime sexual violence.

In contrast to such assertions, Davenport and Armstrong (2004: 542; Bueno De Mesquita et al. 2005: 442f.) argue in favour of a *threshold effect*. In this perspective, behavioural constraints of state actors can only occur where "institutional reforms pass thresholds that ensure [their] accountability" (Bueno De Mesquita et al. 2005: 443). Below that threshold "the constraints are not comprehensive or severe enough to deter" (Davenport / Armstrong 2004: 542) wartime sexual violence. While these arguments are mainly inherited from an institutional approach to democratic peace theory, similar arguments can be made using a norms-based approach. Both, international and domestic norms can be defined as "socially shared expectations, understandings, or standards of appropriate behaviour" (Duffield 2007: 6). However, the rise of such standards of appropriateness and their internalizations by state actors needs time (see Finnemore / Sikkink 1998: 895ff. for a three stage norm life-cycle). Thus, only established democracies in which state actors had enough time to be socialized in a normative context of non-violence and to learn appropriate behaviour are less likely to engage in wartime sexual violence. In transitioning regimes or outright non-democracies, actors are exposed to competing and contrary norms, often based on violent and uncompromising conflict resolution and are thus less likely to internalize any constraining norms. In this regard, the threshold hypothesis closely resembles the *more murder in the middle* hypothesis (see above). However, the *threshold* hypothesis assumes that actors in autocracies are as likely as those in semi-democracies to engage in wartime sexual violence and other unwanted behaviour; the relationship does not follow an *inverted-U* but is steadily linked to a high likelihood of sexual violence until a certain point of democratic institutionalization and norm socialization is reached from which on the likelihood of such behaviour drops significantly (see Butler et al. 2007: 678 for supporting statistical evidence).

> **Hypothesis H4c**: The likelihood of wartime sexual violence by state actors only drops in established democracies, but not in other regimes.

2.5 Violent Communication: Sexual Violence as a Costly Signal

I have divided existing explanations of wartime sexual violence into an *instrumentalist* and a *constraints* approach. While the former faces serious critiques and does not perform well in the following analyses either, the latter seems more convincing, but has its shortcomings, too. Thus, in the following paragraphs I sketch an alternative explanation of sexual violence based on *signalling theory* to provide further accounts of possibly *instrumental* explanations of wartime sexual violence. Signalling theory assumes, that social actors have to make sense of their surrounding to adequately guide their actions. However, they constantly face uncertainty about each other's intentions, motives and capabilities. Signalling serves the purpose of both reducing and exploiting such information asymmetries. Sexual violence, I argue, may constitute such a means of signalling. Not without sending conflicting signals and creating unintended consequences, state armed actors may intentionally employ sexual violence to provide information to three distinct audiences: civilians, enemy forces and allied forces.

Signalling theory has first been introduced in economic studies as an approach of analysing markets characterized by imperfect and asymmetrical information, e.g. the labour market or financial markets (Spence 1973; Stiglitz 1985). Both describe a situation where actors have diverging information and where one or several actors hold more accurate information than the others. Similar approaches have been adopted in anthropology (e.g. Bliege Bird / Smith 2005), conflict analysis and bargaining theory (partially Fearon 1995), as well as terrorism studies (e.g. Lapan / Sandler 1993).[24]

Most rationalist IR theories put the concept of *uncertainty* at the heart of their assumptions on armed conflict and so does signalling theory. Two (or more) actors opposing each other face two types of uncertainty: first, uncertainty about each other's intentions, notably the *willingness* to fight, and second, uncertainty about each

[24] While these formulations mainly draw on rational choice models, signalling as a means to share interpretations of a situation has also played an important part in *symbolic interactionism* (Mead / Morris 1967) and partially constructivist IR theories (most notably in this regard Wendt 1999; for an early attempt to combine both via social psychology, see Jervis 1970).

other's (military) capabilities and thus the *ability* to fight.[25] Kenneth Waltz (1979: 105) and John Mearsheimer (2001; see also Booth / Wheeler 2008: 36) have argued that actors may be perfectly informed about the present state of other actors abilities and intentions, but continue to live under a sword of Damocles about their *future* development. As Booth and Wheeler candidly argue, such *future uncertainty* (in conjunction with the risk of severe losses or even complete annihilation in armed conflict) creates two distinct *security dilemmas* for political leaders: first, a "dilemma of interpretation", and—once that has been resolved—a "dilemma of response about the most rational way of responding" (Booth / Wheeler 2008: 4). Of course, one of the main discussions that has driven IR theorizing has evolved around the question whether, and if yes: how, states and other political actors may overcome such uncertainty and dilemmas. While most neo-liberal accounts argue that international institutions provide a possibility for every actor to secure absolute gains by reducing uncertainty and providing a framework that makes each other's behaviour more predictable (see classically Keohane 1984), signalling theorists add that such a stabilization of expectations is the result of a *continuous* exchange of information between involved actors on their respective definition of the situation, the role they want to play and the expectations they have of other's behaviour. Most crucially, however, these information bits are not *verbal expressions* but *actions* executed (at least partially) with the intent to transport a particular message.

However, Fearon (1995: 400) argues that governments have a "strategic incentive to misrepresent" information about their capabilities or intentions: as much as they have an incentive to avoid a potentially costly armed conflict, as much they "have incentives to do well in the bargaining" that precedes or accompanies it. In pretending that an actor is more powerful than it actually is, it might incite its opponents to overestimate the costs of armed conflict and therefore to reduce their initial demands. Similarly, a decision-maker may exaggerate its hostility, e.g. by mobilizing its troops (Fearon 1995: 396), "in order to signal that [she] will fight if not given a good deal in bargaining" (Fearon 1995: 397). Such (intended) misrepresentations may lead oppo-

[25] It comes without surprise, that both factors—relative military capabilities indicating the probability to win an armed confrontation and the willingness to fight indicating the utility an actor is attaching to such a violent clash—constitute the cornerstones of most expected-utility models in IR (see notably Bueno de Mesquita 1980, 1981, 1985).

nents to miscalculate the risk of armed conflict and ultimately lead to its escalation. Fearon's arguments deserve recognition for pointing out that governments may purposefully send *hostile* signals. However, as already mentioned at an earlier stage, he (as well as the bulk of mainstream IR theories on armed conflict) is solely concerned with the question of why such conflicts *escalate* in the first place, but fails to address the question driving the present analysis, namely why armed state actors behave in a certain way once conflict *has escalated*. From a signalling perspective, *terrorism studies* have however addressed such questions.

Hoffman and McCormick (2004: 224; see also Lapan / Sandler 1993) conceptualize (suicide) terrorism in accordance with state-oriented bargaining theory as a "signalling game in which high profile attacks are carried out to communicate a player's ability and determination to use violence to achieve its political objectives.". As such, terrorism is perceived to be an instrument for materially weak and politically marginalized actors, who either "lack [...] significant political support in an otherwise open political environment" or lack "a political voice in [...] an [...] closed political system" altogether (Hoffman / McCormick 2004: 245). Terrorist acts thus constitute "dirty bargaining" (ibid.; see also Lapan / Sandler 1993: 383), because the terrorist actor not only has an informational advantage concerning its true motives and capabilities (Lapan / Sandler 1993: 384) but, because of its marginalized position, has also strong incentives to send "deceptive" signals (the equivalent of Fearon's misrepresented information): in the end, "the target audience is intended to know only what it sees" (Hoffman / McCormick 2004: 247). These considerations do not only apply to non-state terrorist groups, but also to *terrorist states* (Blakeley 2009). Ruth Blakeley defines state terrorism as "a deliberate act of violence against civilians individuals [...] perpetrated by actors on behalf of or in conjunction with the state [with the intention] to induce extreme fear" in the target audience in order to induce that audience "to consider changing their behaviour in some way" (Blakeley 2009: 30). Thus, where governments are in conflict with considerably more powerful opponents, they might be seduced to proceed with particularly violent and fear-inducing violence against civilians and enemy armed actors.

However, Connelly et. al. (2011: 45) argue that in order to be recognized as credible, a signal has to meet two requirements: first, it has to be observable for the target au-

dience. The issue is however, that a signal is rarely only perceivable for the target audience alone, but equally for other actors and audiences. Secondly, signals have to be costly for the sender, otherwise the audience may "dismiss them as 'cheap talk'" (Booth / Wheeler 2008: 91). Only if an actor is ready to bear possible negative side effects he is considered truly committed to the message he wants to send (Bliege Bird / Smith 2005: 223f.; Connelly et al. 2011: 45f.; Fearon 1995: 397). Wartime sexual violence fulfils these requirements. Firstly, while the injuries of sexual violence might not be visible indefinitely, the fact that such acts are often performed in the public, might lead to undesired pregnancies, chronic physical and psychological issues and so forth assures at least their temporary visibility for a larger audience than the victim's immediate environment alone. Somewhat perversely, coverage of such incidents by (international) media and human rights groups increases the visibility even further. Secondly, wartime sexual violence can be considered a costly signal for at least three reasons: first, as argued before, sexual violence may entail serious military disadvantages. Furthermore, it may create an outcry in public opinion and thus lead allies to withdraw their support or, possibly even worse, encourage until then neutral states to support the opposing side. Third, it may create a mobilizing effect among the civil population and lead to uprisings and further challenges for the state military.

In line with this general framework, I contend that wartime sexual violence can be analysed as a signal sent by perpetrating governmental armed forces. However, such a conceptualization raises two obvious questions: first, to whom are these signals sent, i.e. who is the targeted audience? And second what is the message to be transmitted? I distinguish between three main audiences that—I suggest—all receive different, possibly conflicting, signals. The first audience is its own population or populations in occupied and contested territories; the second one is the state's opponent in the conflict; the third audience are its allies.

2.5.1 You Shall Not Defect: Civilians as Target Audience[26]

First, I argue that sexual violence can serve as a signal to civilians *not* to switch allegiance to opposing forces or to lend them their support (particularly in civil war).

Political scientists and legal scholars tend to portray armed conflict as a clash of opposing armed fractions with civilians being pushed to passively observe the action unfold from the sidelines. If civilians are recognized to play a role in the conflict, then it is that of the victim (Mégret 2009). This perspective is highly misleading (see Baines / Paddon 2012 and Barrs 2010 for a more nuanced view on civilian survival strategies in armed conflict) and particularly ignores that governmental forces (as much as non-state actors) may strongly rely on the support of the civilian population in their struggle, e.g. on logistical support, supplies and intelligence (Wood 2009: 140). They may hence have an incentive to *force* the civilian population to support them. Even where governmental forces may not rely on such support because they dispose of independently operated supply and intelligence networks, military leaders may see strategic value in *discouraging* civilians to provide such support to the *opposing forces* and to 'encourage' them to stay out of the conflict as an active part.[27] The previously outlined (state) terrorism approach predicts, that state armed actors should be tempted to increasingly rely on terrorizing means as control slips out of their hands. While they have full control over a territory and its population, they have other means to secure compliance. However, with control of and thus also access to a territory and its population slipping away, state forces have to find different means to secure compliance. Targeting few civilians by means that spread terror across the whole civilian population may be perceived as suitable means to do so even in territories where state forces have nearly lost control. Hence, "indiscriminate violence" and possibly terrorizing means such as sexual violence "appear as a handy substitute" for control (Kalyvas 2006: 165; Valentino et al. 2004; R. M. Wood 2010: 602).

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[26] The attentive reader may observe that the theories on the instrumentality of sexual violence in ethnic, secessionist and genocidal wars could possibly be translated into the vocabulary of signalling theory. However, such an integration is beyond the scope of this paper. Thus, the following sections are best interpreted as *examples* of an extended understanding of wartime sexual violence as *instrumental*.

[27] The same arguments may hold true for interstate wars. However, due to data constraints, I am only able to test these arguments in the case of intra-state or civil wars, hence the focus on such conflicts in the theoretical argumentation, too.

Sexual violence becomes thus a form of state terror and a signal to civilians to stay out of the conflict, avoid any cooperation with the enemy or (somewhat paradoxically for the civilian who finds itself caught in the middle) to provide support to the governmental forces. While Leiby (2011: 10) predicts a quadratic relationship in the case of counter-insurgency wars, I assume a linear relationship based on a terrorism approach.

> **Hypothesis H5a**: Sexual violence becomes more likely in (intra-state) conflicts where governmental forces loose control over a territory and its population to insurgent forces. In such instances, state armed forces may be tempted to employ wartime sexual violence as a terrorizing means to secure compliance by civilians.

2.5.2 You Shall Fear My Determination: Enemy Forces as Target Audience

As much as wartime sexual violence may constitute a signal by governmental forces who loose control to civilians not to switch allegiance, as much it may constitute a signal to the opposing forces themselves. I would argue, that two types of signals are of relevance: first, were balances of power turn to unfavourable relations, governmental forces signal their *determination* to employ any means necessary to secure success; second, they signal their readiness to *reciprocate* their opponents' violent behaviour and thus further underline their determination.

Hannah Arendt (1970: 56) argued that "violence appears where power is in jeopardy." In other words: Where governmental actors see their power being eclipsed by their opponent's power (possibly to the point that their political and physical survival is threatened), they may be tempted to increasingly substitute it by brutality. As outlined before, the signal to be send is deceptive in nature: in a situation of an "asymmetry of weakness" (Münkler 2006: 139ff.), states may have an incentive to misrepresent information and to appear more able and willing to fight then they actually do. Indeed, as Fearon (1995: 396) has acknowledged, that acts of war—and by extension, different forms of physical violence—can constitute signals in and of themselves as their employment can lift the fog of asymmetric information and underline an actor's willingness to fight. In terms of rational choice theory, such acts are thus a

viable signal to 'quantify' the utility or importance an actor attaches to the matter at stake in the conflict. However, Münkler also identifies "asymmetr[ies] of strength" (ibid). Where balances of power are favourable, armed state actors may be tempted to show their superiority. An indiscriminate targeting of the civilian population and enemy fighters through sexual violence may be perceived as such a signal of dominance, further foster compliance among civilians and crush the morale of the insurgents (especially where insurgents continue to live among or where part of the local population before). Hence, while governmental actors may wish to signal their determination and capacity to deploy violence to their opponents to counter an unfavourable balance of power, the very same signal may be send to accurately inform its opponents of its dominance. Thus, I assume an *inverted U-type* relationship between the balance of power between opponents and wartime sexual violence.

> **Hypothesis H5b:** Where the balance of power between opponents is highly unequal, state-perpetrated wartime sexual violence becomes more likely either as state armed actors intend to signal misleading information by overstating their ability and intention to deploy violence or by accurately signalling their dominance.

Equally, sexual violence may be particularly likely, where the opponent is already resorting to such violence. Wood (2006: 317f.) finds partial support for "such tit-for-tat retaliation" or "mirroring". Robert Axelrod (1984) has argued from a game theoretical perspective, that direct reciprocity increases the chances of an actor to win in iterative games. In the given framework, reciprocating sexual violence may signal that an actor is on par with its opponent in its ability to deploy violence as well as with its willingness to employ all available means of violence. Hence, I expect that wartime sexual violence by enemy forces increases the likelihood of state-perpetrated sexual violence.

> **Hypothesis H5c**: Armed state actors are likely to reciprocate wartime sexual violence by their enemies.

2.5.3 We Shall Be Brothers in Arms: Allied Forces as Target Audience

As much as wartime sexual violence is predicted to constitute a signal to civilians and direct opponents in the conflict to indicate the state's willingness to fight to the point to employ especially costly techniques, its capacity to do so and to dissuade other actors from pursuing the fighting or joining it, as much such violence may constitute a signal to a state's allies in the conflict. As allies, I understand those armed actors that directly participate in the conflict on the side of the government. These can be either other states and their militaries or non-state actors, i.e. pro-government militias. Of course, third parties may provide other forms of support, including access to territory, military and intelligence infrastructure, weapons, materiel and logistics, training, expertise, funding and intelligence material (Pettersson 2011) but I will solely focus on direct military involvement in the conflict.

One might plausibly assume that state actors tend to *delegate* human rights violations and sexual violence to pro-government militias (or even foreign militaries) to make such violations (a) more difficult to detect and to (b) make it possible to credibly deny responsibility for and knowledge of the acts (Mitchell / Carey / Butler 2014). However, Cohen and Nordås (2015) find no support for such a delegation logic in the case of sexual violence. Instead, they find that "rather than exhibiting reductions in the level of sexual violence by states, the years following the first perpetration of sexual violence by militias are instead associated with higher levels of sexual violence committed by the state" (ibid.: 5). In reference to Cohen (2013), they analyse sexual violence again as a means to foster *intra*-group cohesion. However, one might argue that such cohesion is not only necessary at the *intra*-group level for effective combat behaviour (see above) but equally at the *inter*-group level for a functioning cooperation among allies. This *inter*-group cohesion, I would argue, is tightly linked to a shared definition of the situation and, more importantly, to a shared understanding of the appropriate measures to employ. In such a conception, inspired by constructivist accounts, sexual violence is adopted as a "practice, not because it advances the means-ends efficiency of the organization [i.e. the immediate military aims in the conflict] but because it enhances the social legitimacy of the organization or its participants" in the eyes of its allies (Hall / Taylor 1996: 949). As Janie Leatherman has argued, sexual violence can function as a "runaway norm" (2007: 59), that

"comes to be seen as the 'right thinking' by most members of a group. They are taught to new members and imposed on old members who appear to question them". This tendency to behaviour governed by a "logic of appropriateness" (March / Olsen 1989: Ch. 2; critically Goldmann 2005) is however not completely disconnected from a "logic of instrumentality" but arises especially in conflict situations where an armed actor depends on external support to further it aims. On these occasions, sexual violence signals a (costly) commitment to coherent group behaviour. By mirroring its allies behaviour, especially in the case of sexual violence that will surely draw criticism and fierce condemnation by *outsiders*, an armed actor signals that it perceives himself to be 'sitting in the same boat' as its ally (and effectively places itself in the same boat e.g. by committing war crimes which sexual violence often constitutes). It equally signals, that it may value long-term cooperation and cohesion over perfectly efficient short-term military operations. From such a perspective, we should thus expect wartime sexual violence to follow *reinforcing* patterns and to *co-occur* among allies.

> **Hypothesis H5d:** States are more likely to perpetrate wartime sexual violence where their allies also engage in such violence.

Table 1 provides a summary of the previously identified hypotheses and their operationalization to which I shall turn now.

Theory	Hypotheses	Operationalization	Data source
Ethnic Hatred / Weapon of War / Strategic Rape	**H1a**: In ethnically motivated conflicts, state actors are more likely to perpetrate sexual violence.	Ethnic war (Dummy)	EPR & PITF
	H1b: In secessionist conflicts, state actors are more likely to perpetrate sexual violence.	Secessionist war (Dummy)	EPR
	H1c: State actors are more likely to commit acts of sechxual violence in genocidal conflicts.	Genocidal war (Dummy) Magnitude of Genocide	PITF
Feminist Theory / Gender-based Inequalities	**H2a**: Wartime sexual violence by governmental actors is likely to happen in societies with steep gender ine-qualities (linear relation-ship).	Fertility Women's economic rights, political rights, social rights	World Bank & CIRI
	H2b: State-perpetrated sexual violence in armed conflict is more likely in societies in which women have made steps towards full equality but have not yet reached it (parabolic relationship).	As H2a, but quadratic	
State Capacity	**H3a**: A high capacity of the state's bureaucracy to monitor and sanction its agents' behaviour reduces the likelihood of state actors perpetrating wartime sexual violence.	Tax revenue / GDP Population density (log) Mountainous terrain (log)	World Bank World Bank Fearon / Laitin 2003
Military Coherence	**H3b**: The stronger a military's vertical cohesion and the more extensive its training, the less likely is wartime sexual violence to be committed by its members.	Troop quality (log)	World Bank & SIPRI
Democratic Peace Theory	**H4a**: The higher the level of democracy, the less likely it is that state armed actors will commit acts of sexual violence during armed conflict.	Xpolity	Vreeland 2008
	H4b: Full democracies and full autocracies are less likely then semi-democracies to engage in wartime sexual violence.	Xpolity (quadratic)	
	H4c: The likelihood of wartime sexual violence by state actors only drops in established democracies, but not in other regimes.	Full democracy: Xpolity > 5 Full autocracy: Xpolity < -4	
Signalling Theory	**H5a**: Sexual violence becomes more likely in (intra-state) conflicts where governmental forces loose control over a territory and its population to insurgent forces. In such instances, state armed forces may be tempted to employ wartime sexual violence as a terrorizing means to secure compliance by civilians.	Effective territorial control (mean)	NSA
	H5b: Where the balance of power between opponents is highly unequal, state-perpetrated wartime sexual violence becomes more likely either as state armed actors intend to signal misleading information by overstat-ing their ability and intention to deploy violence or by accurately signalling their dominance.	Relative strength of the insurgent armed forces (mean, quadratic)	NSA
	H5c: Armed state actors are likely to reciprocate wartime sexual violence by their enemies.	Same year's and last year's level of wartime sexual violence by primary enemy in conflict	SVAC
	H5d: States are more likely to perpetrate wartime sexual violence where their allies also engage in such vio-lence.	Same year's and last year's level of wartime sexual violence by allies in conflict	SVAC

***Table 1**: Overview of Hypotheses, Operationalizations and Data Sources*

3 Methods and Operationalization

Quantitative analyses of wartime sexual violence are rare and often severely limited in their temporal and spatial scope (Butler et al. 2007; Cohen 2013; Green 2006; Leiby 2011) which has led Koos (2015: 3) to the conclusion that "there remains a shortage of comparative, and particularly quantitative, research." While Cohen and Nordås (Cohen / Nordås 2014) have recently published one of the most extensive datasets on wartime sexual violence, the *Sexual Violence in Armed Conflict* (SVAC) dataset has found little adoption until now (for exceptions, see Cohen and Nordås' own replication of Cohen (2013), as well as Cohen / Nordås 2015). It features annual data on 129 conflicts that were active between 1989 and 2009. Information on sexual violence is reported at a conflict-actor-year level. As this study focuses on wartime sexual violence by governmental forces, only the cases regarding the 132 involved states where analysed. Equally, the SVAC data set includes reports of sexual violence that occurred in interim and post-conflict years, i.e. the five years after a conflict ended either for good or was inactive and then broke out again. As I am mainly concerned with analysing the reasons for governmental actors to resort to sexual violence *during* conflict, only cases from active conflict years where taken into consideration (section 4.2 being an exception).

This section proceeds as follows: first, I detail the construction of the dependent variable. I proceed with an overview of the operationalization of the independent variables. A short discussion of underlying data issues closes the section. All data transformations, statistical analyses and figures where produced in R (version 3.2.0, for logistical regressions the *ordinal* package was used).[28]

[28] My data set containing all the variables used in the present analysis, as well as the R code used to construct the data set, to perform the analyses and to produce all the graphics and tables in this paper are available under the following link: https://www.nicolasklotz.de/ma-thesis/stuttgart/data/

3.1 Sexual Violence as Dependent Variable

Information from the SVAC data set provides the basis for the following analysis. The highest reported prevalence of sexual violence by governmental forces active in each conflict[29] between 1989 and 2009 is used as the dependent variable. It is coded at an ordinal scale, ranging from 0 to 3, the former indicating no reported sexual violence, the latter pointing to reports of massive prevalence. The coding is based on a qualitative analysis of three different sources: the U.S. State Department's annual *human rights country reports*, Amnesty International's annual reports on *the state of the world's human rights* and special *country reports* as well as Human Rights Watch's annual *world reports* and special *human rights reports* (Cohen / Nordås 2013: 18). The procedure is inspired by similar yet less extensive ones used by Butler et. al. (2007), Cohen (2013) as well as Wood and Gibney (2010).

For each of the three information sources, the SVAC data set provides a separate variable but no composite index that combines the information of all three sources. In order to do so, I considered three options to construct such an index: firstly, taking the *mean* of the respective *Human Rights Watch*, *Amnesty International* and *U.S. State Department* scores as the value of an overall sexual violence index; secondly, taking the *minimum* of each of these three as the value of the dependent variable; thirdly, taking their *maximum*. While the second option constitutes a rather conservative approach that assumes that wartime sexual violence is genuinely *over-reported*, the first one would be suitable if all three sources would possess the same degree of information but evaluate it differently. Reports of sexual violence are however extremely difficult to collect and may only be registered by one of these organizations but not by the others (or may vary in its reported degree of prevalence) in function of differently oriented information networks.[30] The absence of *reports* of sexual violence registered by one of these sources do thus not indicate an absence of sexual violence *per se*. Hence, I argue that it is more suitable to use the highest reported

[29] The SVAC data set codes prevalence of sexual violence for every actor active in any conflict identified by the UCDP armed conflicts data set (Pettersson / Wallensteen 2015). Hence, according the previously mentioned UCDP definition of armed conflict, every conflict with more then 25 registered battle deaths is included.

[30] The individual codings derived from the three different sources do correlate at levels between r = .39 and r = .47, pointing to a rather weak overlap.

level of wartime sexual violence reported by *any* of the three sources as the dependent variable. Cohen and Nordås (2015) take a similar approach. As the U.S. State Department, Human Rights Watch and Amnesty International have distinct information networks, their reports can thus not only serve as a viable means to corroborate existing reports, but are in fact *complementary*.

As the dependent variable is of an ordinary scale (with the categories 0, 1, 2 and 3), conventional linear Ordinary Least Squares (OLS) regression is unsuitable for the analysis (Menard 2010: 4ff.). I hence employ an *ordinal logistic regression* model. Instead of OLS, logistic regression uses a maximum likelihood procedure to estimate the coefficients reported bellow. Thus, the results are *probabilistic* in nature. Logistic regression estimates the *probability* of a case to fall within each of the dependent variable's categories. However, the estimates are not as easily interpretable as they are in OLS regression. In logistic regression models, the dependent variable is linked to the independent variables through a logarithmic function. Hence, the estimates are scaled in the logarithm of the dependent variable's scale. Nevertheless, the direction and statistical significance can be interpreted in the same way as in classical OLS regression. To allow for substantive interpretations of the results, I calculate *predicted probabilities*. As mentioned above, these indicate the probability to fall within one of the dependent variable's categories in function of one of the independent variables (the other independent variables are hold constant at their mean values to calculate the probabilities.

3.2 Independent Variables and Data Transformation

3.2.1 Ethnic, Secessionist and Genocidal War and Strategic Rape

In order to test hypotheses H1a, H1b and H1c on sexual violence in ethnically motivated, secessionist and genocidal conflicts, I rely on data by the *Political Instability Task Force* (PITF) (Marshall / Gurr / Harff 2014) as well as the *Ethnic Power Relations* (EPR) project's *Ethnic Armed Conflict* data set (EAC v.3.01) (Wimmer / Cederman / Min 2009). The PITF provides data on genocidal conflicts while the EPR's data set provides information on ethnic wars as well as on secessionist wars.

To identify ethnic wars (H1a), I rely on Wimmer et. al.'s (2009: 326) EPR coding. They "distinguish between ethnic and nonethnic conflicts using the aims of the armed organization and their recruitment and alliance structures"; conflicts are deemed national where armed actors pursue ethnical aims (e.g. "achieving ethnonational self-determination, a more favourable ethnic balance-of-power in government, ethnoregional autonomy, the end of ethnic and racial discrimination, language and other cultural rights", ibid.) and recruit along ethnical lines. To identify secessionist conflicts (H1b), I equally rely on the EPR's *Ethnic Armed Conflict* data set. Wimmer et.al. classify those conflicts as secessionist where one of the fighting parties wants "to establish a separate, independent state or join another existing state" (2009: 327).

Finally, in order to test the genocidal war hypothesis (H1c), I use the PITF's coding of such conflicts. Marshall et.al. (2014: 14) identify those conflicts as genocidal, which "involve the promotion, execution, and/or implied consent of sustained policies by governing elites or their agents [...] that result in the deaths of a substantial portion of a communal [ethnolinguistic or religious] group". In this regard, only those conflicts are coded in which "authorities' complicity [was] established", where a "coherent pattern" of "physical destruction" was observed and where "the victims to be counted [were] unarmed civilians" (ibid.: 15). The PITF data set uses however a different threshold[31] then the SVAC and UCDP data sets that build the base of the present analysis. The data set only captures major incidents and may therefore tend to *underestimate* the prevalence of ethnically motivated violence. Genocide is however generally defined independently from the magnitude of the killings. To control for the lethal magnitude of genocidal violence, I additionally rely on the PITF coding of the level of genocidal killing. The provided *magdeath* variable is a scaled measure of the "annual number of deaths" (Marshall et al. 2014: 4) in genocidal wars and ranges from 0 to 5.0, the latter indicating the highest magnitude of genocidal killings.

All other indicators are coded as dummy variables, a value of 1 indicating that the given conflict was ethnic, secessionist or genocidal in nature, a value of 0 indicating

[31] The PITF data set includes only those conflicts "wherein each party [...] mobilize[s] 1000 or more people" and where there are "at least 1000 direct conflict-related deaths over the full course of the armed conflict and at least one year when the annual conflict-related death toll exceeds 100 fatalities" instead of the UCDP's 25 deaths threshold (Marshall et al. 2014: 6).

the opposite case. As the EPR's EAC data is structured on a country-conflict level (assuming that the ethnic, secessionist or genocidal nature of a conflict does not vary over time), the data set was manually transformed to match the used country-conflict-*year* structure of the SVAC data set.

There is however an inherent mismatch between such (common) operationalizations and the underlying theory: while the theory is constructivist in nature, the operationalization is not based on the involved actors own *interpretations* and the *meanings* they attach to particular situations but rather on the interpretation by *external* coders and the identification of material indicators (such as the recruitment along predefined ethnical lines). This matches Brubaker's (2004: 3) critique of a "clichéd constructivism" underlying such approaches.

3.2.2 Societal Gender-Inequalities

Feminist scholars argue that societal gender-based inequalities raise the likelihood of wartime sexual violence. I use a country's *fertility rate* as a proxy for such inequalities. I use data from the World Bank's *World Development Indicators* (WDI) which define fertility rate as "the number of children that would be born to a woman if she were to live to the end of her childbearing years and bear children in accordance with current age-specific fertility rates". Caprioli (2005: 169) argues, that *fertility rate* is an adequate proxy for gender inequalities as it both captures cultural factors as well as structural inequalities: "[H]igh fertility rates are not only a result of gender discrimination but also have a negative impact on women's health and are related to lower levels of education, employment, and decision-making authority in both the family and the community." At the same time, "the expectation of women as biological and social reproducers [...] also serves to lower occupational aspirations" and thus "allow[s] for fewer opportunities" (ibid.). The World Bank provides a continuous measure of *fertility rates* on a per country per year basis. A lower value indicates a lower fertility, and thus lower gender inequalities while a higher value points to a steeper degree of gender inequalities.

Additionally, I use *women's economic rights*, *political rights*, and *social rights* measures from the *Cingranelli-Richards Human Rights* (CIRI) data set to test the robustness of the results (Cingranelli / Richards / Clay 2013). However, as Caprioli

et al. (2009: 841) underline, the CIRI data only captures to which degree gender equalities are enshrined in *state law*, but may overlook the continuing existence of social discriminations that are either not addressed by law or that routinely circumvent existing legal provisions. All three variables indicate to which degree a set of internationally recognized rights have been transposed in national law.[32] They are coded on a four-point scale. It was inverted to match the scale of the *fertility rate* indicator: the highest level (3) points now to *no* particular recognition of women's rights in the law and thus to the highest level of gender-based inequality, while the lowest level (0) points to total recognition of these rights in national law. Unfortunately, the *social rights* indicator is only available for the time period 1989 to 2005. Thus, a considerable number of cases had to be dropped from models incorporating this indicator. Additionally, I created a quadratic version of each of the four variables in order to test *hypothesis H3b*.

3.2.3 State Capacity and Military Cohesion

So far, no commonly accepted operationalization of *state capacity* has emerged. Hendrix (2010) has reviewed a set of 15 different operationalizations of the concept. Distinguishing between military-oriented, administrative-bureaucratic and quality of institutions-oriented conceptions of state capacity, he concludes that his analyses "point to two clear candidates: bureaucratic quality and total taxes/GDP" (Hendrix 2010: 283). The former relates to an indicator based on expert assessments and is published by the Political Risk Services Group (PRSG) in their *International Country Risk Guide*. As this data needs to be licenced, I chose the second one for the present analysis.

Total taxed per GDP measures a state's—and more precisely its bureaucracy's—ability to extract taxes. In order to effectively prohibit their agents from acts of sexu-

[32] In the case of *economic rights* these include among others "equal pay for equal work", "free choice of profession or employment without the need to obtain a husband or male relative's consent", "job security (maternity leave, unemployment benefits, no arbitrary firing or layoffs, etc...)", and "non-discrimination by employers". The *political rights* indicator includes inter alia the incorporation of "the right to vote", "the right to run for political office" and "the right to hold elected and appointed government positions" into national law. The *social rights* indicator refers to "the right to enter into marriage on a basis of equality with men", "the right to travel abroad", "the right to obtain a passport", "the right to initiate a divorce", "the right to an education" etc. (Cingranelli et al. 2013: 7).

al violence during armed conflicts, the state bureaucracy and political leaders need to be able to monitor their agents, to collect and evaluate information on such behaviour and to credibly make agents believe that their principals can sanction them (and can, again, monitor the effects of such sanctions). Thus, the state bureaucracy needs to build and maintain a dense information and sanction network. *Taxes per GDP* is a double proxy for a state's capacity to prohibit sexual violence: first, it is a proxy for the state's financial resources to build such a sanctioning system (Hendrix 2010: 279); second, a strong tax collection system indicates an overall ability of a state to construct and maintain such a sanctioning system in general (Englehart 2009: 168). *Total taxes per GDP* is continuously scaled and taken from the World Bank's *World Development Indicators*. A higher value indicates a higher capacity of the state to extract taxes, and hence a higher overall state capacity.

To account for socio-geographical constraints on the state bureaucracy's capability to monitor and constrain its agents' behaviour, I furthermore include the *population density* as well as the proportion of the country that is *mountainous* as a proxy for *inaccessible terrain* (Fearon / Laitin 2003: 81) as control variables. Both variables are continuous measures. The World Bank defines *population density* as "the mid-year population divided by land area in square kilometres". The data is taken again from the World Bank's *World Development Indicators*. As its distribution is highly skewed, I take the natural logarithm to achieve a more normal distribution (Benoit 2011: 2). *Mountainous terrain* is taken from the Fearon / Laitin (2003) replication data set. Again, the initial distribution is highly skewed and was thus transformed with the natural logarithm. However, one should note that the data is not geo-referenced, but only provided on a country (and year, for the population variable) level. Hence, no information whether wartime sexual violence actually occurs in mountainous areas or densely populated areas can be derived from the models!

I use *troop quality* as a proxy for the *vertical cohesion* of a state's military forces. It indicates "how well funded and presumably well trained a country's military forces are" (Pickering 2010: 127; see also Cohen 2013: 468) and is defined as annual military expenditures divided by the number of military personnel. For this purpose I use the World Bank's *World Development Indicators'* data on *total armed forces person-*

nel per country and year as well as the *Stockholm International Peace Research Institute's* (SIPRI) *military expenditure data* to construct the index.[33]

Undoubtedly, military expenditure per total number of personnel is a rather rough proxy for *training* expenditures (not even to mention their *success*). Indeed, the majority of military expenditures may not serve training purposes, but the acquisition and maintenance of military equipment. Expenditures may furthermore correlate with the geographical expansion of the military, the missions it is instructed to fulfil, and a country's overall economic performance.[34] In this light, the measure of troop quality may be skewed and over-represent countries with a large and sophisticated military as well as the economic resources necessary to maintain it. On the other hand, more sophisticated material does also require far more sophistication and expenditure in training. I do thus assume, that an increase in material sophistication does also lead to an equivalent increase in the need for training. In this regard, the measure adequately captures what it is supposed to do: the amount of training that soldiers have received. However, neither does the indicator capture whether such training was *successful* nor does it measure what *kind* of training soldiers received, especially whether they received primarily combat-related training or also training that may be directly targeted at decreasing sexual violence, i.e. training related to discipline and restraint, to legal provisions of International Humanitarian Law etc.

3.2.4 Democratic Peace Theory

In quantitative conflict analysis, the *polity2* index from the Polity IV data set (Marshall / Gurr / Jaggers 2013) constitutes the most commonly used operationalization of a state's *regime type*. Capturing patterns of authority, the *polity2* index is a one-dimensional index formed by five components. A high value points to a democratic regime type whereas low values indicate authoritarian patterns. The middle of the continuum between both regime types is occupied by "anocracies" or "semi-democracies" (Vreeland 2008) with mixed institutional characteristics. The five

[33] The data is available online at http://milexdata.sipri.org.

[34] Indeed, annual *GDP per capita* (data also taken from the World Bank's *World Development Indicators*) correlates very strongly with the newly constructed *troop quality* variable (r = 0.86).

components that are used to construct the index are (1) the constraints on the chief executive (*XCONST*), (2) the competitiveness of executive recruitment (*XRCOMP*), (3) the openness of executive recruitment (*XROPEN*), (4) the degree of regulation of political participation (*PARREG*) and (5) the competitiveness of political participation (*PARCOMP*).

Researchers have been criticized for their "overdependence" on the Polity IV data calling "into question the robustness of the results" (Rousseau 2005: 139). Additionally, its rather simple typology of regime types has been criticized. In response, critics have both developed multidimensional democracy measures (e.g. Gates / Hegre / Jones / Strand 2006 who propose the SIP-Index or Vanhanen 2000 who proposes the Vanhanen index). However, data for the Vanhanen- and SIP-indices was not available for the full time period analysed in this paper. Furthermore, the SIP-index simply constitutes a mere extension of Polity IV data (by combining it with the Vanhanen data). As the *polity2* index continuous to be widely accepted and used, I thus also rely on a (slightly modified) version.

As (Vreeland 2008: 406f.) underlines, the original construction of the *polity2* index is problematic when studying political violence, especially in the context of civil war because two of its components, PARCOMP and PARREG, are directly linked to the existence of such violence. In both cases, extreme political violence including civil war and genocide are explicitly part of the definition. "At worst", Vreeland (2008: 402) concludes, "the finding is tautological". Following his advise, I thus rely on his *xpolity* index for the present analysis. Xpolity simply excludes the problematic components from the calculation of the index. The index ranges from -6 to +7, the former pointing to a purely autocratic regime, the latter indicating a pure democratic system.[35]

To test hypotheses H4b and H4c, I constructed three additional variables: first, a quadratic version of *xpolity* by squarring each *xpolity* value. Second, a dummy vari-

[35] The data set provided by Vreeland only covers cases up to 2004. As the newest version of the Polity IV data set (p4v2013) includes information up to 2013, I updated Vreeland's *xpolity* data set based on his instructions. The updated data set covers cases from 1800 to 2013 and is made available as an R data file together with the R scripts used to create it under: https://github.com/n-klotz/X-Polity-Index.

able indicating whether a regime is a *full democracy*. Countries with a *xpolity* score greater then 5 take a value of 1 (full democracy), all other cases take a value of 0 (instructions taken from Butler et al. 2007: 674). Full democracies are thus those countries, that reach maximum values on all *xpolity* components (i.e. *XCONST*, *XRCOMP*, and *XOPEN*). A similar dummy variable has been constructed for *full autocracies* with every case taking on the value 1 if *xpolity* is lower then -4 and otherwise taking the value 0.

3.2.5 Signalling to Civilians, Enemies and Allies

In order to test hypotheses H5a and H5b on signalling in situations of steep imbalances of power and of low territorial control, I rely on data from the *UCDP non-state actor* database (Cunningham / Gleditsch / Salehyan 2012). It "provides information on the military capabilities and political opportunities available to non-state actors in ongoing civil wars" (ibid.: 1) and contains two useful variables. First, *rebstrength* which "provides a coding of the strength of the rebel forces relative to the government forces" (ibid.: 4). It is coded on a 5-point scale, a value of -2 indicating much weaker rebel forces, a value of 2 indicating much stronger rebel forces and a value of 0 pointing to a balance of (military) power. In accordance with the concerned hypothesis, I constructed a quadratic version of the variable. Additionally, I rely on the variable *effterrcont* that "indicates the degree of effective control the rebel group exercises over the territory conflict type" (ibid.: 6) ranging from 0 to 3, higher values indicating a higher degree of effective control over territory by rebel forces, and hence a lower level of control by governmental forces. In many conflicts, state actors oppose many non-state actors, some of which may cooperate, others may fight each other. Consequently, the *non-state actors data* contains several entries per conflict-year and enemy state. For both variables, I thus took the mean of all cases per conflict-year and state enemy before combining it with the SVAC data. As the data only contains information from intra-state wars, all cases from other conflicts had to be dropped from model 8 during the calculation.

To test the other two hypotheses (H5c and H5d) I constructed two dummy variables for each of them: first a dummy variable indicating whether any enemy (both state and non-state) actors in the conflict resorted to sexual violence during the same year, as well as an other dummy variable indicating whether any enemy actor had resorted

to sexual violence in the same conflict during the previous year. I constructed similar dummy variables for allies. A value of 1 indicates that such violence has taken place. As data is only available starting for the year of 1989, the dummy variables regarding sexual violence in earlier years could not be constructed for this year. Hence, in model 9 where these variables are included, all cases from this year had to be dropped.

3.2.6 Additional Control Variables

In the context of mass killings, Schneider, Bussmann und Ruhe (2012: 446) argue that "actors who previously decided that the use of violence against the civilian population might be beneficial to their overall goal, or who were not constrained in the recent past to do so, are more likely to use one-sided violence in current or future time periods." Similar patterns may be expected in the case of sexual violence. Thus, to account for such "auto-regressive processes" (ibid.), I constructed a dummy variable, indicating whether a state actor as perpetrated sexual violence in the same conflict during the previous year. A value of 1 indicates the presence of such auto-regressive violence.

Apart from the already mentioned variables for *population density* and *mountainous terrain*, I also include a control for *conflict duration* (the total number of years a conflict was active) "to account for the likelihood that longer conflicts have a higher probability of exhibiting at least one year of sexual violence" (Cohen / Nordås 2015: 10).

3.3 Limitations and Shortcomings of the Data

Measuring sexual violence, especially in times of armed conflict, is a difficult task. While Cohen and Nordås' (2014) efforts to provide a large-N data set on the phenomenon is laudable, there are several issues to be considered. Two distinct types of issues can be distinguished: first, issues concerning biases in the initial data collection process. These issues are particularly severe as they can directly influence the statistical results without any chance for the analyst to detect them by using the data alone. Second, shortcomings concerning the coding limitations. These issues are less

severe but can nevertheless seriously hinder accurate analyses and restrict the scope of possible results. These shortcomings may be tackled in future revisions of the data.

Two sets of data collection biases can be distinguished, one concerning systematic *under*estimation, the other concerning—as surprising as it may sound—*over*estimation. Systematic *under*reporting mainly occurs for two reasons: first, even in societies with liberal sexual norms, sexual violence is often "the only crime for which the community's reaction is [...] to stigmatize the victim rather than prosecute the perpetrator" (Human Security Report Project 2012: 38). Shame and stigmatization are widespread and the possible consequences of openly reporting assaults (to law enforcement officers, health and humanitarian aid workers, or human rights investigators) can effectively silence the victims (Eriksson Baaz / Stern 2009: 496). As Wood (2006: 334) notes, "male victims of sexual violence appear to be particularly reluctant to report" as are "female victims of rape" living "in societies where abortion is illegal" but "who abort".[36] Additionally, victims' willingness to report may "var[y] substantially across societies" (Wood 2006: 334); sexual violence may thus not only be underestimated in general, but *unequally* underestimated across cases. Apart from cultural differences, such variation in reporting may also be due to varying access to conflict zones by human rights investigators, health workers and (inter)national officials. Some conflicts (such as the Balkan wars and the civil war in the Democratic Republic of Congo) may be particularly well-documented in terms of wartime sexual violence not (solely) because of the high prevalence of such violence in these conflicts, but because of the particular high attention (and resources) channelled to these conflicts and countries by human rights organizations and government agencies. Or, as Wood (2006: 334) puts it: "The reported variation may reflect different intensities of domestic and international monitoring of conflicts rather than different prevalence rates." Equally, governmental agencies such as the U.S. State Department (one of the sources used to code the SVAC data) may have political incentives to make "human rights abuses from allied countries [...] appear less severe" (Cohen 2013: 467). In other cases, restraint access to affected regions (either for purely geographic reasons, or exacerbated by underfunded missions) may further

[36] However, Wood argues also, that reporting may de facto increase in armed conflict precisely because "the stigma felt by its victims may be less, and displacement from home communities may loosen traditional norms and lessen the likelihood of reprisal" (Wood 2006: 335).

deepen the reporting gap among conflicts. In this regard, it is noteworthy that some of the (control) variables used in the following statistical analysis, namely *population density* and *mountainous terrain*, could be easily interpreted as proxies for difficult access not only for governmental actors to *prohibit* and *sanction* sexual violence, but also for investigators to collect reports of sexual violence. It is disturbing that at least one of these variables features statistically significant estimators, pointing indeed to a *lower* likelihood of reported sexual violence in particularly lightly populated countries. The reliance on such reports for quantitative analyses as does the SVAC data set used in the present study is thus problematic. In the subsequent sections, I will interpret these results in light of the tested theories. Their implications for the *reporting* of sexual violence and thus for the quality of the data itself should nevertheless be taken into account.

While wartime sexual violence may be *under*estimated, several factors may also lead to its *over*estimation. In particular, incentives for those in need for help and those in need for funding may be structured in a way to systematically favour such over-reporting. First, reporting on wartime sexual violence may be subject to the "politics of numbers" (Human Security Report Project 2012: 42). Cohen and Hoover Green (2012) argue, that advocacy and human rights organizations in particular face "duelling incentives" to create short-term drama but also long-term credibility (ibid.: 451). Ron, Ramos and Rodgers (2005) have argued, that such organizations use statistics selectively as rhetorical tools, especially to secure funding from donors. As the authors of the Human Security Report (2012: 39) argue, these organizations face a continuous need of financial resources to fund their operations, "but securing funding to address these needs is a continuing challenge. Humanitarian needs are great, but the demands on donors from UN agencies and international NGOs are always greater than the funds available to meet them. [...] With demand for humanitarian funding greatly exceeding supply, it is not surprising that competition for funding among UN agencies that play a major humanitarian role, between the agencies and NGOs, and between the NGOs themselves, is often rife." Thus, Smillie and Minear (2004: 207) argue: "In a highly competitive environment—made competitive by great needs and inadequate funding—exaggeration not only pays, it is sometimes the only thing that will dislodge funding from donors who themselves have too few resources and too many supplicants." Additionally, such incentives for overrepresentation may find their counterpart in media outlets themselves facing similar incentives for 'drama' to

secure attention and income through advertisement (see Lindsey / Toft 2014 for an analysis of media reporting in the case of wartime rape in the Democratic Republic of Congo).

But those in need living in crisis areas face incentives for *over*reporting, too. Suarez and Black (Harrell-Bond 2002; Suarez / Black 2014: 3) have noted, that needy populations often resort to "narratives, performances, and self- representations of 'victimhood'" in order to "increase their opportunities to receive assistance during and after war". In situations where humanitarian aid is scarce and may be increasingly directed towards victims of sexual violence, reporting oneself as a victim of such violence may constitute a strategy of survival (Peterman / Cohen / Palermo / Green 2011). Utas found in the case of Sierra Leone, that "presenting themselves as victims [of sexual violence] was a means by which women effectively established themselves as 'legitimate recipients' of humanitarian aid" (Utas 2005: 409), and hence a strategy of survival. While it would be hugely inappropriate to criticize endangered individuals for such strategies, it further puts into question at least the reliance on reports that are directly linked to the reception and distribution of humanitarian aid.

While wartime sexual violence may be seriously underreported in some cases but overreported in others, the *structure* of the data limits the scope of the analysis even further. To be fair, such critique may seem overly harsh in light of the work done by the SVAC team to assemble the data; it should thus better be understood as a disclaimer of existing limits and as an indicator for future improvement of the data.

Four major shortcomings deserve attention: first, the data does not allow to properly distinguishing between different forms of sexual violence. While the SVAC data contains a variable describing the type of sexual violence employed, only 9.5 % of all cases (692 in total, including cases on wartime sexual violence by non-state actors, as well as occurrences in interim and post-conflict periods) contain such information. While this is in fact a sign of careful and not overly interpretative data collection strategies, it also sheds a light on how easily sexual violence is reported by human rights organizations and state agencies without properly specifying (if possible) the perpetrated form of sexual violence. Secondly, the data does not open the 'black box state'; as outlined above, cases of wartime sexual violence include, but do not distinguish between acts perpetrated by military personnel, police forces, customs personnel, prison guards etc. It thus does not allow for the disentanglement of

different logics that might lead to sexual violence by different state actors. Similar observations are true for disaggregating the victims. The SVAC data contains several variables to capture whether reports specifically mention rapes against men, children, refugees, and detainees but again the reported number of cases is suspiciously low (1%, 3%, 1% and 2%, respectively). Thirdly, as the data is based on *yearly* reports, data is only available for such long periods. This makes any temporal analysis extremely shady. *Temporal co-occurrences and sequences* can only be tested within these time frames, which considerably lowers the explanatory power of explanations incorporating such sequences. Fourthly and lastly, the data is only collected on a state-level but is not geo-referenced on a regional or local level. This has important implications for any argument about *spatial co-occurrence* of sexual violence. As much as the data does not allow to properly test whether sexual violence takes place in the same or subsequent periods of times, it does not allow to test whether it was commit in the same geographical area. Thus, the data does not allow answering the question whether sexual violence spreads across actors (e.g. from one unit to the other) or whether it is the same actors again and again that perpetrate it (e.g. the same guards in a detention facility) in the same areas.

Despite these challenges and limitations, Wood and Cohen remain confident that "the variation in sexual violence is sufficiently well documented across enough wars and armed groups to suggest that it is real and not solely an artefact of bias in reporting and observation" (Wood 2006: 336) and that "the relative magnitude of rape across conflicts can be measured reliably" (Cohen 2013: 467). Nevertheless, I would argue that the take-away message of the previous paragraphs is unsatisfying at best: while large-N statistical studies seem a necessary way forward in the analysis of wartime sexual violence to put the overwhelming number of case studies into perspective, the phenomenon does not easy lend itself to such a task. As we shall see, the following analysis partly confirms, partly questions previous results based on smaller data sets. Whether that is due to additional information provided by the used data set or whether it is simply a reflection of different data sources and coding decisions must thus remain largely unanswered.

4 Testing Explanations of Wartime Sexual Violence

Before I proceed with the analysis and test the hypotheses (in order of their appearance in **Table 1**), I first turn to a descriptive analysis concerning the prevalence of (state-perpetrated) wartime sexual violence. As we shall see, (state-perpetrated) wartime sexual violence is a common, yet not inevitable feature of war, especially of intra-state conflicts. More importantly, wartime sexual violence may constitute a serious impediment to peace.

4.1 Descriptive Analysis

Sexual violence has often been described as a common feature of armed conflict (Brownmiller 1975). And indeed: Between 1989 and 2009, sexual violence has been a quite common feature of armed conflict. As the SVAC data indicates, wartime sexual violence was perpetrated at least during one year in nearly 54 % of all active conflicts; in about half of all conflicts (51 %) sexual violence by *state actors* was reported at least once. On average, accounts of sexual violence have been registered in about 15 conflicts (22 %) per year. Armed state actors seem however far more notorious perpetrators then non-state actors: 41 % of all states involved in armed conflict between 1989 and 2009 perpetrated sexual violence at least once in the studied period compared to 20 % of rebel forces and 17 % of all active pro-government militia. The number of conflicts in which sexual violence has been documented at least on an occasional scale varies between 10 conflicts in 1990 and 22 conflicts in 2000 (see **Figure 1**(a)). In relative terms, the variations range from slightly over 14 % of all conflicts in 1995 to about 32 % in 2002 (see **Figure 1**(b)). In total, armed actors are reported to have committed acts of sexual violence at least once in 68 conflicts during the study period, 64 of which saw sexual violence by state armed actors. However, Elisabeth Wood underlines, that the *extend* to which sexual violence is perpetrated within wars "varies dramatically" (Wood 2008: 321).

Controversial discussions have surrounded the question whether sexual violence has increased over time (Cohen et al. 2013: 8). **Figure 1**(a) and (b) lends some support to such assumptions, at least for the period until 2003 (see also Cohen / Nordås 2014).

However, one should be careful about overly hasty conclusions, as it "is entirely possible that these trends signify increases in reporting, rather than true increases in rape" (Cohen et al. 2013: 8; see also Human Security Report Project 2012: 20). Equally, while suggesting that wartime sexual violence "is declining on a global scale" since 2003, it is entirely possible that "it is increasing in some conflicts" (ibid.: 9). The data however only reports sexual violence on a conflict level.

However, wartime sexual violence is certainly no *new* phenomenon. For instance, Richlin (2010: 353) and Jesh (1991: 1f.) provide accounts of wartime rape by Roman and Viking soldiers. Wolfthal (1999) provides an excellent overview of the changing image of rape during the Middle Ages. Arguably, the First and Second World Wars constitute the definite turning point—at least in Western Europe—from a vision of wartime sexual violence as a legitimate 'payoff' to a conception of sexual violence as war crime (De Brouwer 2005; Skjelsbæk 2012: 49). Additionally, the Second World War is considered the first conflict where cases of massive sexual violence were documented relatively well (Wood 2006: 309f.).[37] In the 1970s and 80s, particularly notorious conflicts included the 1971 independence war in Bangladesh, the Vietnam war, as well as conflicts in Guatemala, El Salvador, Nicaragua, Cambodia, Angola Mozambique and Uganda (Skjelsbæk 2012: 52–59). The 1990s marked a new turning point with reports of about 25.000 to 50.000 victims of sexual violence in the Balkan wars (Snyder et al. 2006: 189) and about 250.000 to 500.000 victims of sexual violence in Rwanda (Skjelsbæk 2012: 67) which particularly fuelled the perception of sexual violence as a weapon of war (Eriksson Baaz / Stern 2013).

Indeed, sexual violence was mainly committed (or at least reported) in intrastate or civil wars (see **Figure 1**(e)). Only in 1990, 1991, 1995, 1998, 2000 and 2003 did sexual violence occur in inter-state armed conflicts. This distribution does however coincide with overall conflict patterns in the same period (Pettersson / Wallensteen 2015: 536). **Table 2** lists the 10 conflicts with the most reports of sexual violence both by state and non-state actors (on an actor-year basis). In 2014—a period not

[37] Well documented instances of massive wartime rape include the massacre of Nanking (1937-38) with about 20.000 to 80.000 victims of sexual violence (Skjelsbæk 2012: 51f.; Wood 2006: 311 reports, that most victims were killed thereafter). Russian troops are reported to have assaulted about 6 % of the female population of Berlin (Beevor 2002; E. J. Wood 2008: 324f.). Similar reports exist on German (Wood 2006: 310f.; Skjelsbæk 2012: 50) and American troops (Lilly 2007).

covered by the following statistical analyses—four of these conflicts (Afghanistan, Colombia, the Democratic Republic of Congo and (South) Sudan) continued to be the subject of reports of conflict-related sexual violence, while additional reports continue to arise from ongoing conflicts in the Central African Republic, Iraq, Libya, Mali, Myanmar, Somalia, the Syrian Arab Republic and Yemen.

Conflict Location	Conflict type	Isolated SV	Widespread SV	Massive SV	Total n° of conflict-year cases with SV
Sudan	(partially) internationalized	35	23	9	67
Uganda	(partially) internationalized	24	14	0	38
Burundi	Intrastate conflict	16	8	7	31
DR Congo	(partially) internationalized	15	12	3	30
Colombia	Intrastate conflict	21	1	0	22
Punjab/Khalistan (India)	Intrastate conflict	18	1	0	19
Sierra Leone	(partially) internationalized	7	3	8	18
Liberia	Intrastate conflict	9	5	2	16
Nepal	Intrastate conflict	15	1	0	16
Afghanistan	(partially) internationalized	9	1	2	12

***Table 2**: Number of Actor-Year Cases by Prevalence of Sexual Violence and Conflict Location (Source: SVAC data, own calculations).*

As **Table 3** indicates, the governments engaged in the previously listed most notorious armed conflicts seem also to be among those state actors who engage regularly in wartime sexual violence. Burmese, Sudanese and Ugandan state actors feature particularly high *total* counts (on a conflict-year level), whereas Sudanese, Burundian, and Congolese governmental forces are reported to have particularly engaged in *massive-scale* sexual violence for several years. Other governmental forces reported to have engaged *massively* in wartime sexual violence include Rwandese, Congolese, Tajik, Serbian and Uzbek forces.

States	Isolated SV	Widespread SV	Massive SV	Total n° of conflict-year cases with SV
Myanmar	19	3	0	22
Sudan	7	7	5	19
Uganda	14	4	0	18
Burundi	5	3	5	13
Chad	10	2	0	12
Ethiopia	9	2	0	11
Colombia	10	1	0	11
Nepal	10	1	0	11
DR Congo	5	3	2	10
Indonesia	8	2	0	10
Angola	9	1	0	10
Russia	9	1	0	10

***Table 3**: Number of Actor-Year Cases by Prevalence of Sexual Violence and Governments (Source: SVAC data, own calculations).*

However, reports of isolated cases of sexual violence prevail (see **Figure 1**(d)) (with increases in reports of widespread perpetration between 2000 and 2003, as well as in

1991). Reports of *massive* instances of wartime sexual violence are indeed very rare. Nevertheless, even on an occasional level wartime sexual violence may constitute a serious impediment to lasting peace, as I argue in the following section.

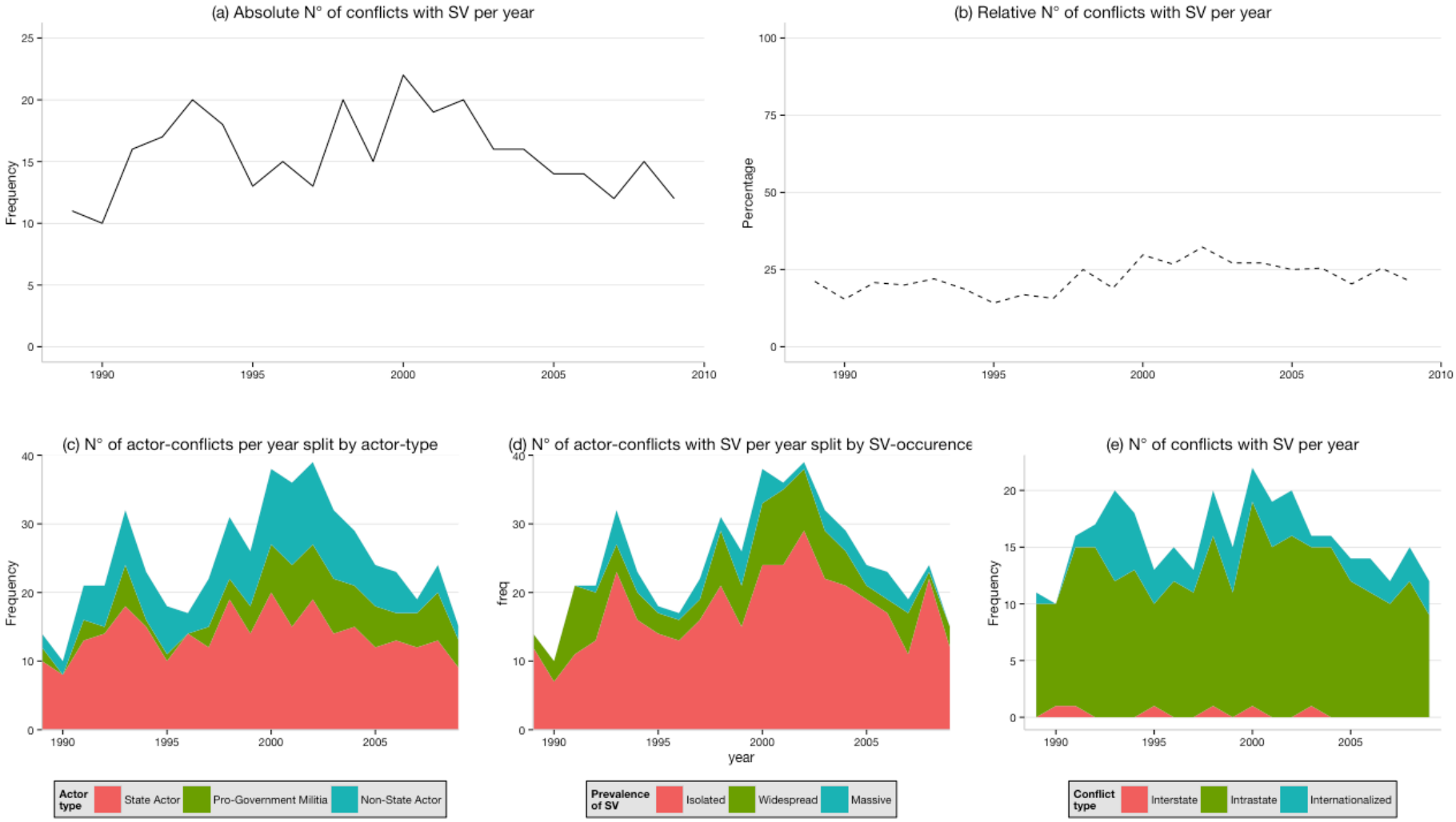

***Figure 1**: Visualization of Descriptive Statistics (Source: SVAC data, own calculations)*

4.2 Sexual Violence as an Impediment to Peace

As I have argued before, I am mainly interested by the question why state actors perpetrate a particular form of physical violence. However, as the following analysis shows, sexual violence can have a serious impact on whether inactive conflicts break out again or whether they may transform in lasting periods of peace. Therefore, it seems as if wartime sexual violence constitutes a serious impediment to peace.

In addition to active conflict years, the SVAC data codes reports of sexual violence by conflict participants that occur in the five years after the conflict stopped (i.e. dropped below the threshold of 25 battle-related deaths). A posteriori, these instances of sexual violence are either coded as occurring in interim years (if the conflict turned active again within the five years) or in the post-conflict period (Cohen / Nordås 2013: 6). **Figure 2** plots the probabilities that *state-perpetrated* sexual violence occurs during active conflicts, in interim years or in post-conflict years.

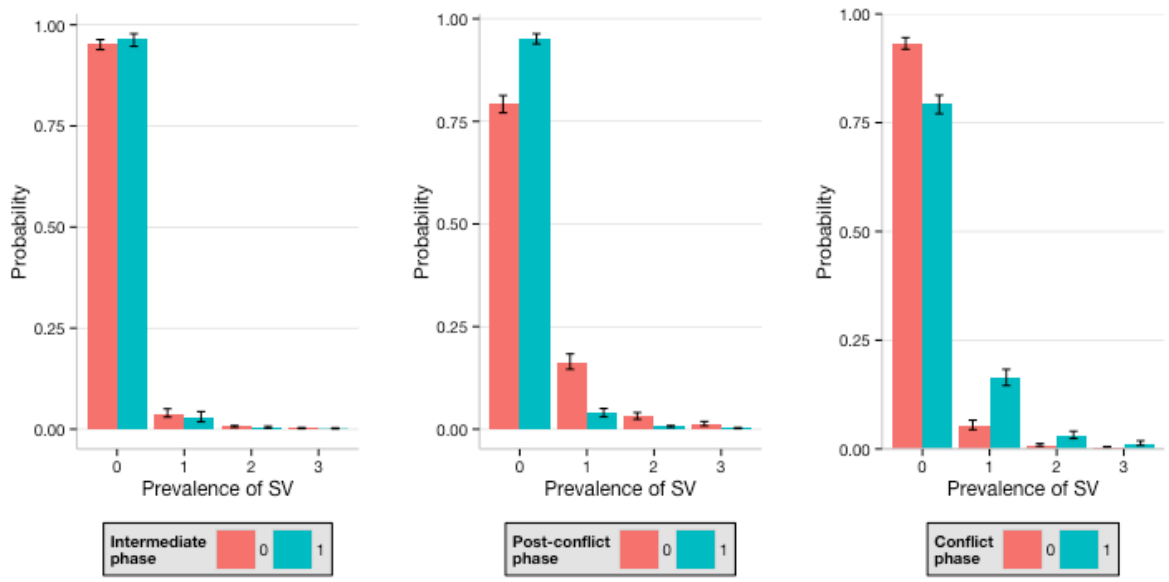

***Figure 2**: Predicted Probabilities for State-Perpetrated Sexual Violence per Conflict Phase. Prediction models only include dummies for conflict phase (Source: SVAC, own calculations). .95 confidence intervals are indicated.*

As the figures underline, chances that *no* conflict-related sexual violence occurs is *highest* in post-conflict periods. Furthermore, these periods spot a significantly different probability of no sexual violence by armed state actors than the other periods. Intermediate phases are characterized by *no* significantly lower risk of state-perpetrated sexual violence. Of course, at the time state actors perpetrated sexual violence, they do not know whether their actions would be reported *a posteriori* as happening in a post-conflict or interim periods. Thus, if we presume a causal relationship it would plausibly point the other way around: sexual violence may be a serious impediment to peace. If it continuous to occur after a conflict stopped, a conflict is more likely to re-activate in the five years to follow. In cases where state actors do *not* perpetrate conflict-related sexual violence, the conflict is likely to reach the five-year threshold without breaking out again.[38] This is an important finding as it underlines that (state-perpetrated) sexual violence has not only often disastrous consequences for the victims and their relatives on a physical, psychological and societal level (Koos 2015: 13ff.) but may effectively *prolong* the entire conflict and make a transitioning to peace far more difficult. Both, the difficulty of identifying and prosecuting perpetrators and the possible impact of such impunity on reconciliation efforts are probable factors for such an observation.

[38] I also calculated a model with the *complete* SVAC data including information on non-state actor-perpetrated sexual violence, including cases of conflict-related sexual violence perpetrated by non-state actors. In this model (not shown), the likelihood of sexual violence is significantly lower *both* in intermediate and post-conflict periods (however, the drop is considerably stronger in post-conflict periods). This difference to the reported *state*-related results point to the particular influence state actors may play in ending or prolonging conflicts.

	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6	Model 7
Ethnic hatred							
Ethnic war (dummy)	0.49 *(0.28)*				0.50 *(0.30)*	0.45 *(0.28)*	0.42 *(0.25)*
Secession war (dummy)		0.17 *(0.26)*					
Genocidal war (dummy)			0.70 *(0.41)*				
Magnitude of Genocide				0.26* *(0.13)*			
State Capacity & Military Cohesion							
Taxes per GDP	0.01 *(0.02)*	0.00 *(0.02)*	0.00 *(0.02)*	0.00 *(0.02)*	0.01 *(0.02)*	0.00 *(0.02)*	0.00 *(0.02)*
Troop quality (log)	-0.48** *(0.15)*	-0.43** *(0.14)*	-0.47** *(0.14)*	-0.48*** *(0.14)*	-0.48** *(0.15)*	-0.43** *(0.15)*	-0.33* *(0.14)*
Gender-Inequalities							
Fertility	0.04 *(0.09)*	0.10 *(0.08)*	0.07 *(0.08)*	0.07 *(0.08)*	0.08 *(0.08)*	0.04 *(0.08)*	0.09 *(0.07)*
Fertility (quadratic)					0.00 *(0.04)*		
Democracy							
Xpolity	-0.10** *(0.04)*	-0.11** *(0.04)*	-0.09* *(0.04)*	-0.09* *(0.04)*	-0.10** *(0.04)*	-0.06 *(0.04)*	
Xpolity (quadratic)						-0.02 *(0.01)*	
Full democracy (xpolity > 5)							-1.01** *(0.33)*
Full autocracy (xpolity < -4)							1.54+ *(0.85)*
Controls							
SV prevalence (previous year; dummy)	2.16*** *(0.25)*	2.15*** *(0.25)*	2.13** *(0.25)*	2.12*** *(0.25)*	2.16*** *(0.25)*	2.12*** *(0.25)*	2.00*** *(0.22)*
Conflict duration	0.02 *(0.02)*	0.02 *(0.02)*	0.02 *(0.02)*	0.02 *(0.02)*	0.02 *(0.02)*	0.03 *(0.02)*	0.03 *(0.02)*
Intrastate war (dummy; Ref = interstate war)	1.74 *(1.15)*	1.80 *(1.31)*	1.80 *(1.12)*	1.83 *(1.12)*	1.74 *(1.16)*	1.69 *(1.15)*	1.66 *(1.11)*
Internationalized war (dummy; Ref = interstate war)	0.84 *(1.17)*	0.89 *(1.15)*	0.82 *(1.14)*	0.84 *(1.14)*	0.85 *(1.18)*	0.76 *(1.17)*	0.91 *(1.12)*
Population density (log)	-0.27 *(0.10)*	-0.23* *(0.10)*	-0.19* *(0.10)*	-0.18+ *(0.10)*	-0.27* *(0.01)*	-0.23* *(0.10)*	-0.23* *(0.10)*
Mountainous terrain (log)	0.12 *(0.11)*	0.12 *(0.11)*	0.11 *(0.11)*	0.12 *(0.11)*	0.11 *(0.11)*	0.11 *(0.11)*	0.01 *(0.09)*
Cut 1	4.20	4.01	3.94	3.90	4.12	4.17	3.62
Cut 2	6.89	6.70	6.66	6.64	6.91	6.85	6.07
Cut 3	8.85	8.67	8.65	8.66	8.87	8.81	8.14
Observations	788	788	788	788	788	788	856
-2LL	639.98	642.70	640.22	639.39	639.97	637.33	763.88
Nagelkerke Pseudo-R^2	0.48	0.47	0.48	0.48	0.48	0.48	0.45

Table 4*: Ordinal Logistic Regression Results, Hypotheses H1-H4.*
*Standard Errors in Brackets, Sign. levels: * p < .05, ** p < .01, *** p < .001.*

4.3 Sexual Violence in Ethnic, Secessionist and Genocidal Conflicts: Testing H1a, H1b and H1c

The dominant explanation of wartime sexual violence draws on a restraint understanding of instrumentality, and argues that such violence is deliberately (or at least tolerated) employed in ethnically motivated contexts where the social ties of ethnic groups are to be dissolved (H1a), where ethnic groups are to be ousted from their homeland (H1b), or where ethnic groups are to be physically destroyed (H1c). The empirical results are mixed, lending mainly support to the third hypothesis (see models 1 to 4 **Table 4**).

Wars classified as *ethnic* wars (model 1) and as *secessionist* wars (model 2) feature positive estimates, indicating that indeed, such wars feature a higher probability of wartime sexual violence by state actors. However, none of the estimates is statistically significant.[39] In this light, H1a and H2b seem to have to be rejected. From a substantive perspective, Wood provides an alternative explanation for such a finding: even if ethnic group identities structure the conflict, "sexual violence may conflict with [the] self-image" of armed state actors because its perpetration "across ethnic boundaries may be understood by leaders or combatants as polluting the instigator rather than humiliating the targeted individual and community" (Wood 2008: 341).

Secondly, and possibly more importantly, these results are *probabilistic* from a statistical point of view. They indicate that wars classified as ethnic or secessionist, are in general not more *likely* to feature wartime sexual violence by state actors. However, exceptions are possible, and numerous authors have credibly pointed to a link between ethnic hatred, an ethnically loaded image of gender roles, and the impact of massive wartime sexual violence in the Balkan wars. The prominence of this case and its impact on theorizing wartime sexual violence may thus be a classical example of an *individualistic* or *atomistic fallacy* (Alkers 1969) where a single case's characteristics are unduly generalized and seen as representative for the entire set of cases. At least regarding armed state actors in conflicts between 1989 and 2009, this study

[39] Some of the estimates for ethnic war in other models are however significant (see models 9, and models A1 to A6 in the appendix). Thus further questions the robustness of the results regarding ethnic war.

lends further support to similar previous statistical findings (Cohen 2013: 471; see also replications in appendix to Cohen / Nordås 2014) and thus further questions a narrow understanding of sexual violence as "weapon of war" (Eriksson Baaz / Stern 2013).

Having said that, *genocidal wars* (model 3) is significant at the .1-level (not indicated), and state-perpetrated sexual violence seems particularly more likely with increasing magnitude of genocide (model 4). Sexual violence is perpetrated by state actors in about 61 % of all conflicts coded by the PITF data as genocidal wars and includes actors from Angola (with reports ranging from 1998 to 2002), Bosnia (1993-1995), El Salvador (1989), Indonesia (1989-1992), Rwanda (1994), Somalia (1989-1991) and Sudan (1989-2009). The estimates, both for a rough categorization of such wars as well as for a more fine grained coding of the magnitude of killings in genocide episodes, point in the hypothesized directions. All things being equal, genocidal conflicts have a 42 % probability of featuring any prevalence of state-perpetrated sexual violence compared to an about 20 % probability in non-genocidal wars. Accordingly, **Figure 3** plots the probabilities for each category of state-perpetrated sexual violence with increasing magnitude of genocidal killings. This counters previous statistical results by Cohen (2013: 471; see again replications in appendix to Cohen / Nordås 2014) and supports Sharlach's (2000) claim about "genocidal rape".

These results point to two preliminary findings: first, it would be overly hasty to completely reject any claim about the *instrumentality* of sexual violence. However, any ethnically flavoured explanation should be taken with a pinch of salt. Secondly, the link between lethal (genocidal) and sexual violence indicates, that such forms of violence should not be analysed disconnectedly from the overall (lethal and non-lethal) violent context.

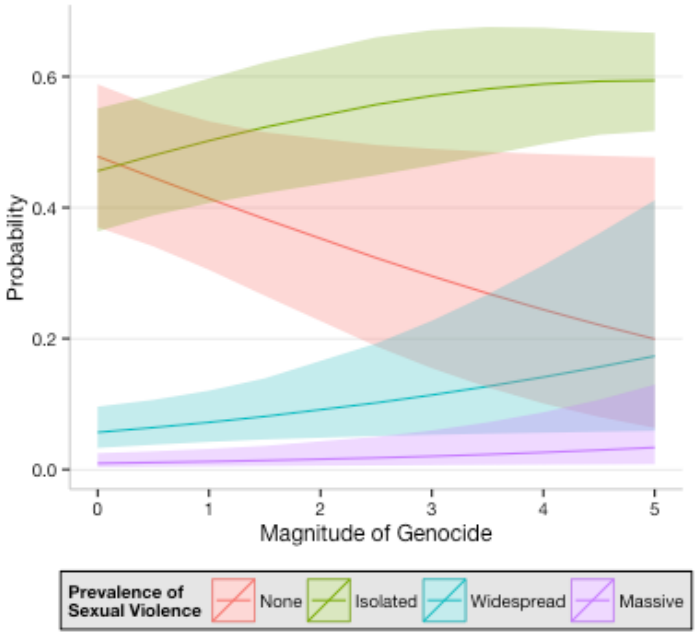

Figure 3: *Predicted Probabilities of Wartime Sexual Violence for Magnitude of Genocide. Predictions based on Model 4. .95 confidence intervals are indicated.*

4.4 Sexual Violence and Gender Inequalities: Testing H2a and H2b

A set of authors argues that sexual violence is a reflection of larger societal gender inequalities. I test both the linear (H2a) as well as the parabolic hypothesis (H2b) via a general proxy for gender inequalities (*fertility*) and via measures of legal equality in political, economical and social matters. Higher fertility rates are positively linked to higher chances of state-perpetrated wartime sexual violence, but the estimates are not statistically significant (Model 2, neither are they in any of the other tested models), and neither are the other tested indicators (Models A1 to A3 in the appendix). Interestingly, though, the indicators for the legal recognition of political and social rights for women point in the opposite direction then predicted, indicating that equality linked with higher probabilities of wartime sexual violence. While such a relationship may lend support to the explanation tested by H3b, assuming that wartime sexual violence occurs where masculinities are increasingly threatened by women's progression towards equal rights, none of the estimates testing for an inverted U-shaped relationship reaches statistical significance (Model **5** and models A4 to A6 in the Appendix). While the estimate for a parabolic fertility rate is substantively zero,

the estimates for women's political, economic and social rights point again in the predicted direction. However, even while estimates for women's economic and social rights reach fairly strong substantive levels, H3a and H3b have to be rejected. This is not to say, that gender inequalities cannot indirectly affect the likelihood of wartime sexual violence. More importantly, these models only test macro-level inequalities but leave untested the many possible micro-level gender inequalities that might be created or intensified by wartime sexual violence.

Nevertheless, both conflict-related and societal explanations for wartime sexual violence have yielded little explanatory power so far. As argued before, another set of authors has focused on restraining factors such as the state bureaucracy's and the military's capacity to control its agents, as well as institutional and normative constraints in democracies. As we shall see in the following, the statistical analyses lend strong support to some of these explanations.

4.5 Bureaucratic Capacity and Military Cohesion as Impediments to Sexual Violence: Testing H3a and H3b

While explanations of sexual violence that draw on its instrumentality in ethnically motivated conflicts have to be put into question (see previous section), a similar frequent account assumes that wartime sexual violence is committed where state actors have the opportunity to do so, hence where state bureaucracy's capacity to monitor and sanction its agents is low (H3a) or where the military itself is incapable of preventing such behaviour (H3b). While the first hypothesis finds no support in the data, the second one does.

The estimates for state capacity (*total taxes per GDP*) are neither statistically significant nor substantively different from zero (see model 1, neither are they in any of the other tested models). The capacity of a state's bureaucracy to monitor its (armed) agents (including police forces and the military) does thus not have any impact on the probability of conflict-related sexual violence. This strongly contradicts Butler et. al.'s (2007) findings regarding state-perpetrated sexual violence in 2003, as well as similar accounts in the larger quantitative human rights literature. That finding is remarkable, considering that it also indicates, that the breakdown of the state's bu-

reaucracy—arguably a common feature of intra-state wars that account for the most reports of sexual violence—has no impact either. As much as conflict-related and societal factors did not provide sufficient explanation, this indicates that a purely *opportunistic* oriented explanation does not either. On the other side, at least population density as a possible socio-demographic impediment to a state's monitoring capacity features a statistically significant negative estimate throughout all models. However, mountainous terrain doesn't, but features nevertheless a positive estimate.[40] However, as noted in section 3.3, one may not only interpret these variables as proxies for low state capacity, but also as an indicator oft he difficulties to *collect reports* of sexual violence (and hence a reduced probability of such reports) in such areas. Thus, a cautious reader might tend to see these results not as an indicator of the partial validity of theoretical claims, but as a remainder for possible data issues. Certainly, results regarding H3a should be taken with a pinch of salt. While the results regarding H3a are thus mixed, results for H3b seem much clearer.

As predicted, the proxy for military vertical cohesion and hierarchical strength, *troop quality*, is statistically highly significant at the .01-level and features a negative relationship: higher troop quality is linked to a lower likelihood of state-perpetrated sexual violence (model 1 and most other models as well). **Figure 4** plots the predicted probabilities of every level of wartime sexual violence prevalence in function of troop quality: the probability of no wartime sexual violence increases quite steeply with increasing troop quality, while probabilities of widespread and massive reports of sexual violence drop quickly to very low values. This is also in line with Eriksson Baaz and Sterns (2013: 19, 71ff.) claim, that the "occurrence of sexual violence […] can also be seen to reflect the breakdown of the chain of command; indiscipline instead of discipline" but contradicts Cohen's (2013: 469) previous statistical finding.

From this perspective, it seems that it is less a state's (civil) bureaucracy but the military's internal hierarchy that able to reduce the likelihood of such violence. Interestingly enough, where leaders perceive sexual violence as instrumental *and* dispose of

[40] As highlighted earlier, the data is not geo-referenced. Hence, it is not possible to say whether the reported acts of sexual violence take place in the *areas* that are hard to control for the state. However, harder to control areas will likely drain more resources from the state's bureaucracy to assure a sufficient level of oversight, thus reducing the *overall* monitoring capacity, including in relatively well accessible areas.

a highly qualified military, one would expect the likelihood of such violence to rise. Thus, the present results point to two different possible interpretations: either, sexual violence is far less often perceived as instrumental, as for instance proponents of the previously discussed 'ethnic hatred' argumentation assume, but as particularly costly and counter-productive. Or, a well-trained military may function as a *safe-guard* against civil leaders or the state bureaucracy that continues to see such violence as instrumental. These findings have important policy implications, as they suggest that a strong military with a focus on a functioning hierarchy and high training of its members is rather part of the *solution* then of the problem, as one might intuitively suspect. The question that remains unanswered in this context is however, which training matters. Is it strategic considerations that make sexual violence appear as counter-productive to a military's mission and let soldiers perceive such acts as instances of indiscipline. Or, is it rather norm-oriented training, outlining for instance the individual responsibility of soldiers for such war crimes under international law and the possibility of prosecution

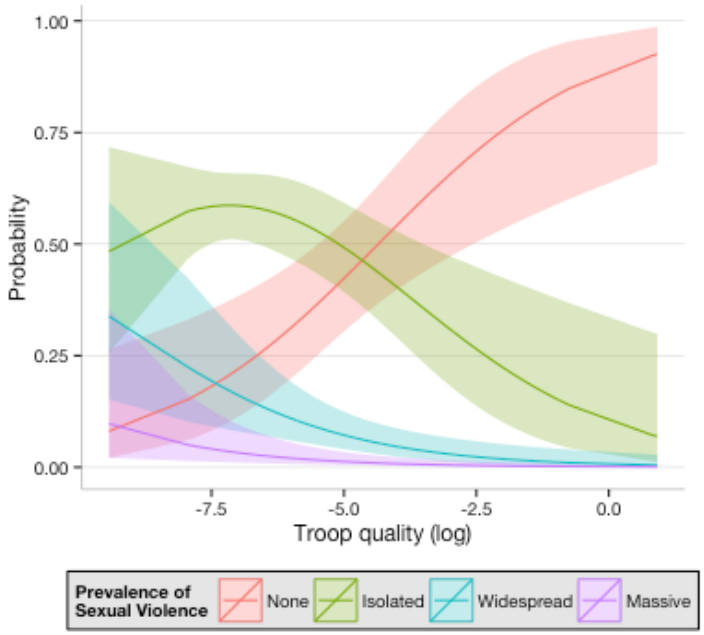

***Figure 4**: Predicted Probability for State-Perpetrated Sexual Violence in Function of Troop Quality (log). Predictions are made using model 1.*

While these questions have to remain unanswered in the present study, the following section will indicate that democratic institutional (or, possibly, normative) constraints matter where they are sufficiently developed.

4.6 Democratic Institutions and Norms as Constraining Factors: Testing Hypothesis H4a, H4b and H4c

Are democratic armed actors less likely to commit acts of wartime sexual violence then armed actors from other regimes? Based on theoretical considerations, three different characterizations of such a relationship where hypothesized: a *linear* (H4a), a *parabolic* (H4b) and a *threshold effect* (H4c). As models 1, 6 and 7 indicate, the latter seems to be strongly confirmed by the analysis.

The left side of **Table 5** breaks down how many conflicts have features sexual violence at least once per regime type. As the data shows, nearly 50% of all active conflicts have seen *some* reports of sexual violence by anocracies and nearly 40 % of conflicts by full autocracies, but only about 29 % of established democracies. Similar patterns are observable for widespread wartime sexual violence (second category). However, full autocracies seem slightly more likely to engage in *massive* wartime sexual violence then do anocracies. No established democracy did engage was reported to engage in wartime sexual violence on a massive scale. Similar patterns are observable by breaking down the numbers of states per regime type that have at least once engaged in wartime sexual violence (right side of **Table 5**). These descriptive results already indicate, that there are only little differences between mixed regimes and full autocracies in wartime sexual violence patterns. Full democracies seem however to be considerably less likely to engage in such violence. Indeed, the logistic regression models lend further support to such a claim.

Model 1 tests the *linear* hypothesis H4a. The coefficient of the continuous *xpolity* variable is significant at the .01-level and slightly negative pointing to a *steadily decreasing* likelihood of wartime sexual violence the more democratic a regime is. **Figure 5** plots the probabilities for a regime with a specific *xpolity* score to engage in a certain degree of sexual violence. With higher *xpolity* scores, the probability of *no* wartime sexual violence (*red line*) increases, while the probabilities of *some* (*green line*), *widespread* (*turquois line*), and *massive* (*purple line*) sexual violence drop. A state with an xpolity score of -6 (lowest possible score) features a probability 63 % not to engage in wartime sexual violence whereas, hence of 37 % to commit such violence at least at an occasional level. The likelihood of a state with a *xpolity* score

of 0 to do so is of 24 % while a state with the highest possible *xpolity* score of 7 has a probability of 86 % not to do so (and consequently a probability of 14 % to engage to any degree of wartime sexual violence).

Regime	**Number of active conflicts with reports of sexual violence per regime type** *(share of total number of armed conflicts with involvement by specific regime type in brackets)*				**Number of states with reports of wartime sexual violence per regime type** *(share of total number of states involved in armed conflict by specific regime type in brackets)*			
	Isolated Reports	**Several Reports**	**Massive reports**	**Total**[41]	**Some reports**	**Several reports**	**Massive reports**	**Total**[41]
Full democracy	12 *(28,57%)*	4 *(9,3%)*	0 *(0%)*	12	10 *(16,67%)*	4 *(6,67%)*	0 *(0%)*	10
Full autocracy	4 *(40%)*	2 *(20%)*	1 *(10%)*	4	4 *(36,36%)*	2 *(18,18%)*	1 *(9,09%)*	4
Anocracy	50 *(49,02%)*	21 *(20,59%)*	7 *(6,86%)*	53	42 *(53,85%)*	20 *(25,64%)*	7 *(8,97%)*	44

***Table 5**: Reports of sexual violence per regime type in active armed conflicts (full democracies are those regimes with a xpolity score over 5, full autocracies those with a xpolity score under -4, anocracies are all regimes with an xpolity score in between). Data: SVAC, 1989-2009 (Cohen / Nordås 2014, own calculations).*

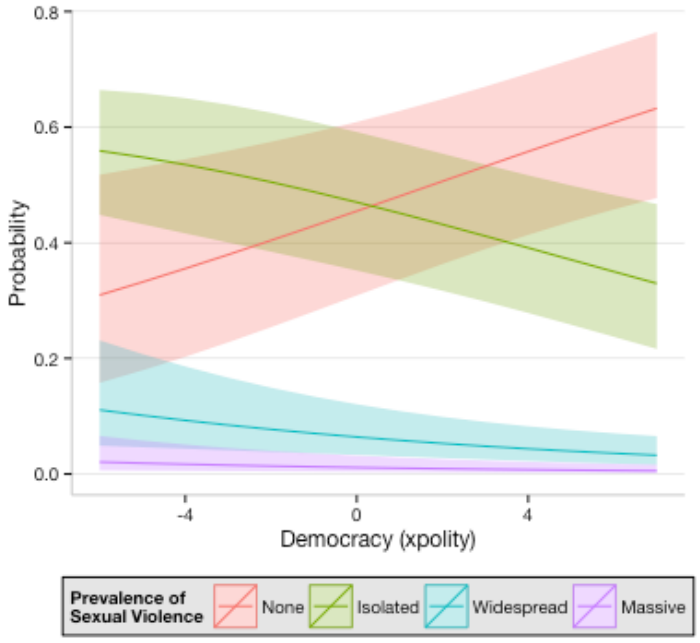

***Figure 5**: Predicted Probabilities of Wartime Sexual Violence in Function of Democracy. Predictions based on Model 1. .95 confidence intervals are indicated.*

[41] Categories of sexual violence are not mutually exclusive: the same state may have engaged to various degrees in wartime sexual violence in different years of the same conflict or during the same year in different conflicts. Hence, the total number of conflicts and governments that engage in sexual violence may be inferior to the sum of each row, as every state is only counted once.

This assertion is further corroborated by model 7 testing the *threshold effect* hypothesized by H4c. While the coefficient for full democracies is significant at the .01-level and, as predicted, strongly negative, the coefficient for full autocracies points neither in the predicted direction nor is it significant. Both variables are dummies, with anocratic regimes as the reference category. Hence, as predicted by H4c, only full democracies with an *xpolity* score over 5 have a significantly lower likelihood to engage in wartime sexual violence then mixed regimes. **Figure 6** plots the probabilities of full democracies compared to non-democracies (both mixed-type and autocracies) to engage to any degree in wartime sexual violence.

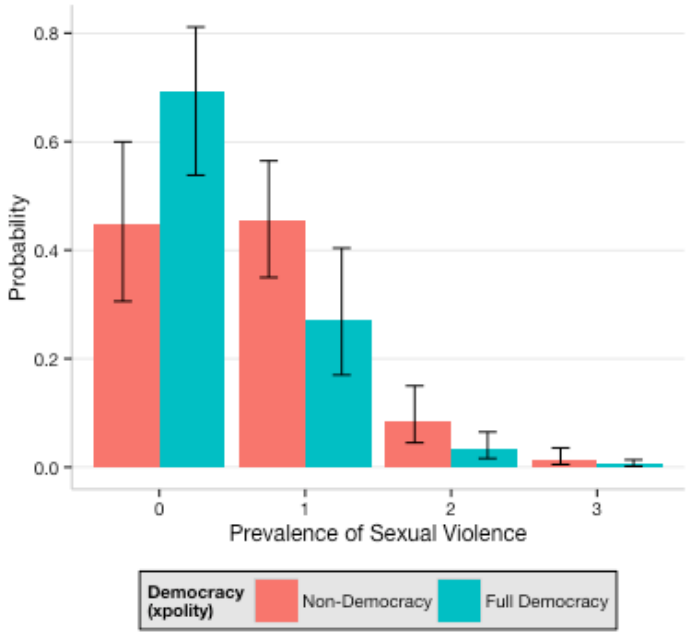

***Figure 6**: Predicted Probabilities for Wartime Sexual Violence in Function of Democracy. Predictions are based on model 1.*

Consequently, while there seems to be a linear relationship at first sight, a closer inspection shows that autocracies are *not significantly* more likely then mixed regimes to engage in wartime sexual violence. In contrast, full democracies are significantly *less* likely then other regimes to do so. In this respect, H4b has to be rejected. In turn, H4c seems more convincing then H4a. Of course, the data does not indicate whether it is democratic norms or institutions that explain such a relationship. While I have argued before that the normative approach seems more convincing from a theoretical perspective, further research in this regard could prove worthwhile.

However, as previously mentioned, the tested relationships are *probabilistic* in nature: Armed actors from democracies, even from the most institutionalized and normatively mature ones, *do* occasionally engage in wartime sexual violence—they are only less likely to do so and are less likely to commit such acts on a widespread scale. **Table 6** lists regimes that according to *xpolity* data where considered full democracies at the times their armed actors perpetrated sexual violence in armed conflicts they were active in.

Democratic state	Years with reported wartime sexual violence	Highest prevalence
Colombia	1990, 1992/3, 1996/7, 2000, 2003-2007	Several reports (cat. 2)
India	1989-1992	Several reports (cat. 2)
Peru	1989-1991	Several reports (cat. 2)
Turkey	1991, 1993, 1995, 1999, 2002/03	Several reports (cat. 2)
Indonesia	2004/05	Some reports (cat. 1)
Israel	1991, 1992, 1993, 1996, 2000	Some reports (cat. 1)
Philippines	1989, 1990, 2001, 2005, 2009	Some reports (cat. 1)
Sri Lanka	2001	Some reports (cat. 1)
Thailand	2004	Some reports (cat. 1)
USA	2003	Some reports (cat. 1)

***Table 6**: Democratic states with reports of wartime sexual violence, ordered by prevalence (only full democracies with an xpolity score over 5 are included). Data: SVAC, 1989-2009 (Cohen / Nordås 2013, own overview).*

4.7 Signaling Intentions and Ability to Civilians, Enemies and Allies: Testing Hypotheses H5a, H5b, H5c and H5d

As for the other hypotheses testing *instrumental* explanations of wartimes sexual violence, I find mixed results for the proposed signalling approach (see models 8 and 9). The estimate for *territorial control* (H5a) points neither in the predicted direction, nor is it statistically significant. The hypothesis is thus rejected: state armed actors are not more likely to engage in wartime sexual violence if insurgents have taken control over large parts of the territory. This might be partially due to the fact, that the data is not geo-referenced and does thus not allow to test, whether both factors co-occur locally or not. However, even with having said that, the estimate does not point into the predicted (negative) direction.

	Model 8[42]	Model 9[43]
Ethnic hatred		
Ethnic war (dummy)	0.17 *(0.32)*	0.72** *(0.27)*
State Capacity & Military Cohesion		
Taxes per GDP	0.01 *(0.02)*	0.00 *(0.02)*
Troop quality (log)	-0.26 *(0.18)*	-0.49*** *(0.15)*
Gender-Inequalities		
Fertility	0.07 *(0.10)*	-0.09 *(0.09)*
Fertility (quadratic)		
Democracy		
Xpolity	-0.08* *(0.04)*	-0.09* *(0.04)*
Signalling Theory		
Relative Rebel strength	-0.74 *(0.68)*	
Relative Rebel strength (quadratic)	-0.56* *(0.28)*	
Territorial control	0.17 *(0.13)*	
SV by enemy (dummy)		0.99** *(0.33)*
SV by enemy (previous year; dummy)		0.29 *(0.35)*
SV by ally (dummy)		0.18 *(0.36)*
SV by ally (previous year; dummy)		-1.14** *(0.38)*
Controls		
SV prevalence (previous year; dummy)	1.67*** *(0.26)*	2.20*** *(0.25)*
Conflict duration	0.05* *(0.02)*	0.03 *(0.02)*
Population density (log)	-0.27 *(0.11)*	-0.30** *(0.10)*
Mountainous terrain (log)	0.15 *(0.12)*	0.14 *(0.11)*
Cut 1	2.93	2.95
Cut 2	5.77	5.74
Cut 3	7.69	7.76
Observations	463	788
-2LL	552.52	631.22
Nagelkerke Pseudo-R^2	0.44	0.49

***Table** 7; Ordinal Logistic Regression Results, Hypotheses H5a-H5d.*
*Standard Errors in Brackets, Sign. levels: * p < .05, ** p < .01, *** p < .001*

[42] Covers only intra-state / civil wars due to data limitations.

[43] Covers only the period 1990-2009 because of the lagged variables.

On the other hand, the estimates for the *balance of power* between armed state actors and insurgents is statistically significant at the .05-level and indicates as predicted an *inverted U-shaped* relationship: armed state actors seem indeed more likely to perpetrate sexual violence during intra-state conflicts either if they face an "asymmetry of weakness" or an "asymmetry of strength" (Münkler 2006: 139ff.). This corroborates the assumption that in situations of pronounced weakness, armed state actors tend to signal (and possibly intentionally misrepresent) their ability and intention to continue fighting at any means through the perpetration of sexual violence. Equally, in times of strength, they are equally more likely to perpetrate sexual violence, asserting their dominance vis-à-vis their opponent. While this may fasten success, an alternative explanation of the observed relationship may assume that in times of perfectly assured and visible dominance armed state actors may develop a feeling of invincibility and unaccountability. Hence, wartime sexual violence in situations of "asymmetries of strength" may be less do to *intentional* signals then to an exploitation of power by some armed actors. However, it is perfectly conceivable, that state leaders may tolerate such excesses precisely as it has the possibly welcome side effect of sending the intended signal. At this point, such assumptions must however remain highly speculative.

Equally, partial support is found for hypotheses H5c and H5d (model 9). Indeed, wartime sexual violence by state actors seems more likely in response to sexual violence by enemies: the estimate is positive as predicted and statistically significant at the .01-level. However, the lagged variable is not significant. Whether it constitutions a calculated strategy of restraint reciprocity à la tit-for-tat as predicted by Axelrod's assumptions (1984) or whether it does better account for an uncontrolled down slide into a mutual "spiral of violence" where "violence looses its taboo" (Eriksson Baaz / Stern 2013: 80) remains open. Nevertheless, as argued by signalling theory, the findings underline that armed actors do not act in a void, but do probably react to one another's actions and behaviour. Regarding H5d, only the lagged variable is statistically significant but points into an unpredicted direction: previous wartime sexual violence by allied forces *reduces* the likelihood of stated armed forces to perpetrate such acts themselves. Signalling theory could account for that: as the previous allies acts of wartime sexual violence constitute signals to the civilians and the mutual enemies, too, they may render violent and *costly* signalling unnecessary; the signal has

already been sent. From such a perspective, armed state actors would act as *free riders*, indirectly profiting from the signalling of their enemies without having to pay the costs themselves. However, the statistical results refute the argument on *inter-group cohesion* built by a mutual engagement in costly and violent behaviour. This result further puts into question the overall argument, that wartime sexual violence may increase cohesion or even create shared identities among armed actors (Cohen 2013).

Additional Controls

Interestingly enough, previous perpetration of sexual violence by the same actor is one of the highly significant and positive throughout all tested models. If state actors have engaged in sexual violence at least once in the previous year, there is a chance of 46 % that they will do so again in the current year. On the other hand, if they didn't, there is only a 9 % chance that they will in the current year. Together with the findings on the impact of sexual violence on the likelihood of lasting peace (section 4.2), this powerfully shows that *prevention* of sexual violence is key. Once state actors have engaged in sexual violence, they are unlikely to stop, but ongoing sexual violence may reduce the chances for peace: certainly a terrible vicious spiral for all concerned actors.

As has already been analysed before, armed state actors perpetrate conflict-related sexual violence mostly in intra-state wars. Interstate wars are considerably infrequent in the period of study (see also Pettersson / Wallensteen 2015): only eight active inter-state conflicts (compared to 104 purely internal and 28 conflicts with involvement by external actors) are registered in the data. Thus, the number of cases is far too low to provide for a statistically significant impact in the calculations. The finding does thus not necessarily indicate, that sexual violence does not take place in interstate wars. Indeed, taking the other tested variables into considerations, the regression models point to no significant difference between conflict types.

The control for the duration of a conflict is not significant in the majority of the models (model 8 being the exception) but the substantial effects negligible anyways. Thus, there is no indication that norms, control structures and personal restraint

(where there are existent) erode over time. Bearing these results in mind, I turn now to a concluding discussion of a few implications of the results.

Conclusion

Drawing on the most extensive data set on wartime sexual violence between 1989 and 2009 available so far (Cohen / Nordås 2014), this study has aimed to further explore the question *under which circumstances armed state actors are more likely to engage in wartime sexual violence and why they perpetrate such violence*. Sexual violence is a common, yet not inevitable part of armed conflict, and armed state actors are among the most notorious perpetrators: 41 % of all states involved in armed conflict between 1989 and 2009 compared to about 19 % of non-state actors (both insurgents and pro-government militias). However, conflicts that are at least occasionally affected by sexual violence seem to face a bleak fate. Not only are state actors likely to continue perpetrating wartime sexual violence once they have started to engage in such violence, moreover they seem prone to react to sexual violence by their enemies with perpetrations of their own. Consequently, it does not surprise that continuing sexual violence seems to constitute a serious impediment to lasting peace.

While an abundance of case studies has treated the subject (Koos 2015), quantitative research has been scarce so far (see Butler et al. 2007; Cohen / Nordås 2015; Cohen 2013; Green 2006; Leiby 2011 for notable, yet limited counter examples). The present study tries to further narrow this gap by conducting one of the most extensive quantitative analysis on state-perpetrated wartime sexual violence available so far. In total, I tested 14 hypotheses, juxtaposing common explanations with novel approaches. I argue, that theoretical explanations of wartime sexual violence can be roughly divided into two groups: on the one hand, *instrumentalist* approaches that are mainly concerned with the question *under which conditions state-perpetrated wartime sexual violence is particularly likely*. I find little support for the most common assumptions, that wartime sexual violence is likely to be perpetrated by state actors in ethnically motivated conflicts, as well as in secession wars. However, genocidal conflicts seem indeed prone to wartime sexual violence by armed state actors, especially if they are characterized by a high degree of lethal violence. This underlines an existing

nexus of sexual violence with other forms of lethal and non-lethal violence. In revenge, I find no support for the assumption, that wartime sexual violence is a direct reflection of broader societal gender-inequalities. This corroborates earlier statistical findings.

The second set of theoretical approaches focuses on *constraining structures* and hence the question *under which conditions wartime sexual violence is rare*. I find little support for the assumption that capable state bureaucracies are able to limit the risk of wartime sexual violence by state agents. However, vertical military coherence and the intensity and quality of training provided to soldiers do, sparking the question whether military hierarchies are possibly less part of the problem than part of the solution.

While measures of democracy are frequently included in existing statistical analyses on wartime rape and other lethal and non-lethal political violence, no sorrow formulation of a democratic peace theory of wartime sexual violence has been proposed yet. Indeed, the empirical test corroborates the assumption, that mature democracies successfully (but certainly not entirely) mitigate the risk of their agents engaging in wartime sexual violence. However, further research is necessary to precisely identify the mechanisms at work. Particularly, I tested a *monadic* formulation of common democratic peace arguments but ignored *dyadic* accounts. Equally, my tests do not allow distinguishing whether it is democratic institutions or norms that create such a constraining effect. From a theoretical perspective, the latter may however seem more plausible.

Finally, I proposed a signalling approach to wartime sexual violence. Assumptions on states using wartime sexual violence as a means of terror to deter civilians from defecting to the enemy found no support in the analysis. However, armed state actors seem likely to perpetrate sexual violence in situations of pronounced imbalances of power. I assume, that one possible explanation points to incentives for armed actors to (mis-) represent their ability and intention to fight through such costly, and thus particularly credible forms of violence.

In conclusion, this paper provides three take-away messages: First, existing explanations of wartime sexual violence need further elaboration. While the focus on *instrumental* approaches may continue to proof valuable, as the test of a signalling approach has shown, the focus on a restraint understanding of *instrumentality* in an ethnic context may have focused attention on important, yet not entirely representative cases.

Secondly, the paper provides further evidence for the assumption, that democratic institutions and norms matter. On the other side, it is not a strong state, but a strong military hierarchy that seems particularly able to reduce the likelihood of wartime sexual violence. This raises interesting questions and possible conflicts, as militaries are not among the first actors to be commonly described as democratic. Did military actors adopt norms—maybe influenced by international humanitarian law and broader democratic norms—against sexual violence or do they simply perceive such acts as counter-productive and not strategic? The difference may be of particular importance for advocacy groups wondering which might be the most effective way to convince militaries to fight sexual violence in their ranks more actively.

Thirdly, prevention matters. While effective *a posteriori* prosecution of sexual violence as war crimes may have deterring effects (a hypotheses not tested in the present paper) and may be perceived a requirement for justice, it may be even more worthwhile to further research and implement structures that effectively prevent actors from engaging in sexual violence in the first place. As I have argued repeatedly, sexual violence decreases the likelihood of long-lasting peace and becomes more likely in an environment where the actors have already perpetrated acts of sexual violence in the past and where enemies are equally engaged in such practices. To end on a slightly more positive note, the present paper provides evidence, that such prevention is possible. However, it also provides evidence, that the fight against wartime sexual violence will be a constant one.

Bibliography

Alkers, H. R. (1969). A typology of ecological fallacies. In: M. Dogan & S. Rokkan (Eds.), *Quantitative Ecological Analysis in the Social Sciences* (pp. 69–86). Cambridge: Cambridge University Press.

Allen, Beverly. (1996). *Rape Warfare: The Hidden Genocide in Bosnia-Herzegovina and Croatia*. Minneapolis: University of Minnesota Press.

Amir, Menachem. (1971). *Patterns in Forcible Rape*. Chicago: Chicago University Press.

Anderson, Benedict. (1991). *Imagined communities : reflections on the origin and spread of nationalism*. London; New York: Verso.

Arendt, Hannah. (1970). *On Violence*. San Diego: Harcourt, Brace, Jovanovich.

Arrow, Kenneth J. (1985). The Economics of Agency. In: J. W. Pratt & R. J. Zeckhauser (Eds.), *Principals and Agents: The Structure of Business* (pp. 37–51). Boston: Harvard Business School Press.

Axelrod, Robert M. (1984). *The Evolution of Cooperation*. New York: Basic Books.

Baines, E. / Paddon, E. (2012). "This is how we survived": Civilian agency and humanitarian protection. *Security Dialogue*, *43*: 231–247.

Barrow, Amy. (2010). UN Security Council Resolutions 1325 and 1820: Constructing gender in armed conflict and international humanitarian law. *International Review of the Red Cross*, *92*(877): 221–234.

Barrs, Casey a. (2010). *How Civilians Survive Violence: A Preliminary Inventory*. Arlington.

Beevor, Anthony. (2002). *Berlin: The Downfall 1945*. London: Penguin Books.

Benard, Cheryl. (1994). Rape as terror: The case of Bosnia. *Terrorism and Political Violence*, *6*(1): 29–43.

Benoit, Kenneth. (2011). *Linear Regression Models with Logarithmic Transformations*.

Bernard, Cheryl. (1994). Rape as Terror: The Case of Bosnia. *Terrorism and Political Violence*, *6*(1): 29–43.

Bijleveld, Catrien / Morssinkhof, Aafke / Smeulers, Alette. (2009). Counting the Countless: Rape Victimization During the Rwandan Genocide.

International Criminal Justice Review, *19*(2): 208–224.

Blakeley, Ruth. (2009). *State Terrorism and Neoliberalism. The North in the South*. Abingdon: Routledge.

Bliege Bird, Rebecca / Smith, Eric Alden. (2005). Signaling Theory, Strategic Interaction, and Symbolic Capital. *Current Anthropology*, *46*(2): 221–248.

Booth, Ken / Wheeler, Nicholas J. (2008). *The Security Dilemma. Fear, Cooperation and Trust in World Politics*. New York: Palgrave Macmillan.

Brown, Graham K. / Langer, Arnim. (2010a). Conceptualizing and measuring ethnicity, (9).

Brown, Graham K. / Langer, Arnim. (2010b). Horizontal inequalities and conflict: a critical review and research agenda. *Conflict, Security & Development*, *10*(1): 27–55.

Brownmiller, Susan. (1975). *Against Our Will. Men, Women and Rape*. New York: Fawcett Columbine.

Brubaker, Rogers. (2004). *Ethnicity Without Groups*. Cambridge: Harvard University Press.

Bueno de Mesquita, Bruce. (1980). An Expected Utility Theory of International Conflict. *The American Political Science Review*, *74*(4): 917–931.

Bueno de Mesquita, Bruce. (1981). *The war trap*. New Haven: Yale University Press.

Bueno de Mesquita, Bruce. (1985). The war trap revisited: A revised expected utility model. *The American political science review*, *79*(1): 156–177.

Bueno De Mesquita, Bruce / Cherif, Feryal Marie / Downs, George W. / Smith, Alastair. (2005). Thinking Inside the Box: A Closer Look at Democracy and Human Rights. *International Studies Quarterly*, *49*(3): 439–458.

Butler, Christopher K. / Gluch, Tali / Mitchell, Neil J. (2007). Security Forces and Sexual Violence: A Cross-National Analysis of a Principal Agent Argument. *Journal of Peace Research*, *44*(6): 669–687.

Butler, Christopher K. / Jones, Jessica L. (2014). Establishing a Baseline: Can Peacetime Levels of Sexual Violence Predict Levels of Sexual Violence in Civil Conflict? *Working Paper*. Retrieved from http://www.unm.edu/~ckbutler/workingpapers/ButlerJones2014.htm

Caprioli, Mary. (2005). Primed for Violence: The Role of Gender Inequality in Predicting Internal Conflict. *International Studies Quarterly*, *49*: 161–178.

Caprioli, Mary / Hudson, Valerie M. / Mcdermott, Rose / Ballif-Spanvill,

Bonnie / Emmett, Chad F. / Stearmer, S. Matthew. (2009). The WomanStats Project Database: Advancing an Empirical Research Agenda. *Journal of Peace Research*, *46*(6): 839–851.

Christian, Mervyn / Safari, Octave / Ramazani, Paul / Burnham, Gilbert / Glass, Nancy. (2011). Sexual and Gender Based Violence against Men in the Democratic Republic of Congo: Effects on Survivors, Their Families and the Community. *Medicine, Conflict and Survival*, *27*(4): 227–246.

Cingranelli, David L. / Richards, David L. / Clay, K. Chad. (2013). CIRI Human Rights Data Project. Short Variable Descriptions for Indicators in the Cingranelli-Richards (CIRI) Human Rights Dataset.

Cohen, Dara Kay. (2013). Explaining Rape during Civil War: Cross-National Evidence (1980–2009). *American Political Science Review*, *107*(3): 461–477.

Cohen, Dara Kay / Hoover Green, Amelia. (2012). Dueling incentives: Sexual violence in Liberia and the politics of human rights advocacy. *Journal of Peace Research*, *49*(3): 445–458.

Cohen, Dara Kay / Nordås, Ragnhild. (2013). *Sexual Violence in Armed Conflict (SVAC) Dataset. Codebook and User Instruction Guide*.

Cohen, Dara Kay / Nordås, Ragnhild. (2014). Sexual violence in armed conflict: Introducing the SVAC dataset, 1989-2009. *Journal of Peace Research*, *51*(3): 418–428.

Cohen, Dara Kay / Nordås, Ragnhild. (2015). Do States Delegate Shameful Violence to Militias? Patterns of Sexual Violence in Recent Armed Conflicts. *Journal of Conflict Resolution*: 1–22.

Cohen, Dara Kay / Wood, Elisabeth J. / Hoover Green, Amelia. (2013). *Wartime Sexual Violence. Misconceptions, Implications, and Ways Forward*. *United States Institute of Peace Special Report*.

Connelly, B. L. / Certo, S. T. / Ireland, R. D. / Reutzel, C. R. (2011). Signaling Theory: A Review and Assessment. *Journal of Management*, *37*(1): 39–67.

Cunningham, David E. / Gleditsch, Kristian S. / Salehyan, Idean. (2012). *Codebook for the Non-State Actor Data*.

Davenport, Christian. (1999). Human Rights and the Democratic Proposition. *Journal of Conflict Resolution*, *43*(1): 92–116.

Davenport, Christian. (2007). *State repression and the domestic democratic peace*. Cambridge University Press.

Davenport, Christian / Armstrong, David A. (2004). Democracy and the Violation of Human Rights : *American Journal of Political Science*, *48*(3): 538–554.

De Brouwer, Anne-Marie. (2005). *Supranational Criminal Prosecution of Sexual Violence: The ICC and the Practice of the ICTY and the ICTR*. Antwerpen: Intersentia.

De Brouwer, Anne-Marie. (2009). Commentary on ICTR Judgement, Gacumbitsi v. Prosecutor, Case No. ICTR-2001-64-A, 7 July 2006. In: A. Klip & G. Sluiter (Eds.), *Annotated Leading Cases of International Criminal Tribunals* (pp. 583–593).

De Brouwer, Anne-Marie / Chu, Sandra / Muscati, Samer. (2009). *The men who killed me : Rwandan survivors of sexual violence*. Vancouver: Douglas & McIntyre.

Downes, Alexander B. (2006). Desperate Times, Desperate Measures: The Causes of Civilian Victimization in War. *International Security*, *30*: 152–95.

Doyle, Michael W. (1983). Kant, Liberal Legacies, and Foreign Affairs. *Philosophy & Public Affairs*, *12*(3): 205–235, 323–53.

Doyle, Michael W. (1986). Liberalism and World Politics. *American Political Science Review*, *80*(4): 1151–1169.

Duffield, John. (2007). What Are International Institutions? *International Studies Review*, *9*: 1–22.

Elbert, Thomas / Hinkel, Harald / Mädl, Anna / Hermenau, Katharin / Hecker, Tobias / Schauer, Maggie / ... Lancaster, Philip. (2013). *Sexual and Gender-Based Violence in the Kivu Provinces of the Democratic Republic of Congo. Insights from Former Combatants*. Washington, D.C.: World Bank.

Englehart, Neil A. (2009). State Capacity, State Failure, and Human Rights. *Journal of Peace Research*, *46*(2): 163–180.

Enloe, Cynthia H. (1990). *Bananas, Beaches & Bases: Making Feminist Sense of International Politics*. Berkeley, Calif.: University of California Press.

Enloe, Cynthia H. (2000). Maneuvers: The International Politics of Militarizing Women's Lives. Berkeley: University of California Press. Retrieved from http://search.ebscohost.com/login.aspx?direct=true&scope=site&db=nlebk&db=nlabk&AN=42263

Eriksson Baaz, Maria / Stern, Maria. (2009). Why Do Soldiers Rape? Masculinity, Violence, and Sexuality in the Armed Forces in the Congo (DRC). *International Studies Quarterly*, *53*(2): 495–518.

Eriksson Baaz, Maria / Stern, Maria. (2013). *Sexual Violence as a Weapon of War? Perceptions, Prescriptions, Problems in the Congo and beyond*. Uppsala, London, New York: Zed Books.

Farr, Kathryn. (2009). ExtremeWar Rape in Today's Civil-War-Torn States: A

Contextual and Comparative Analysis. *Gender Issues*, *26*(1): 1–41.

Fearon, James D. (1994). Domestic political audiences and the escalation of disputes. *American Political Science Review*, *80*(43): 577–592.

Fearon, James D. (1995). Rationalist explanations for war? *International Organization*, *49*(3): 379–414.

Fearon, James D. (2010). *Governance and Civil War Onset*.

Fearon, James D. / Laitin, David D. (2003). Ethnicity, Insurgency, and Civil War. *American Political Science Review*, *97*(1): 75–90.

Fein, Helen. (1993). Accounting for Genocide After 1945: Theories and Some Findings. *International Journal on Group Rights*, *1*(2): 79–106.

Fein, Helen. (1995). More Murder in the Middle: Life-Integrity Violations and Democracy in the World. *Human Rights Quarterly*, *17*: 170–191.

Finnemore, Martha / Sikkink, Kathryn. (1998). International Norm Dynamics and Political Change. *International Organization*, *52*(4): 887–917.

Gates, Scott / Hegre, Håvard / Jones, Mark P. / Strand, Håvard. (2006). Institutional inconsistency and political instability: Polity duration, 1800-2000. *American Journal of Political Science*, *50*(4): 893–908.

Geis, Anna / Brock, Lothar / Müller, Harald. (2006). *Democratic wars : looking at the dark side of democratic peace*. (A. Geis, L. Brock, & H. Müller, Eds.). Basingstoke [England]: Palgrave Macmillan.

Gleditsch, Nils P. / Wallensteen, Peter / Eriksson, Mikael / Sollenberg, Margareta / Strand, Havard. (2002). Armed Conflict 1946-2001: A New Dataset. *Journal of Peace Research*, *39*(5): 615–637.

Goldmann, Kjell. (2005). Appropriateness and Consequences: The Logic of Neo-Institutionalism. *Governance*, *18*(1): 35–52.

Gottschall, Jonathan. (2004). Wartime Rape. *Journal of Sex Research*, *31*(2): 129–136.

Green, J. L. (2006). *Collective Rape: A Cross-National Study of the Incidence and Perpetrators of Mass Political Sexual Violence, 1980-2003*. Retrieved from http://etd.ohiolink.edu/send-pdf.cgi/Green Jennifer Lynn.pdf?osu1153496251

Grewal, Kiran. (2012). The Protection of Sexual Autonomy under International Criminal Law. The International Criminal Court and the Challenge of Defining Rape. *Journal of International Criminal Justice*, *10*(2): 373–396.

Hall, Peter A. / Taylor, Rosemary C. R. (1996). Political Science and the Three New Institutionalisms. *Political Studies*: 936–957.

Harrell-Bond, Barbara E. (2002). Can Humanitarian Work with Refugees be Humane? *Human Rights Quarterly*, *24*(1): 51–85.

Hayden, Robert. (2000). Rape and Rape Avoidance in Ethno-National Conflicts: Sexual Violence in Liminalized States. *American Anthropologist*, *102*(1): 27–41.

Hegre, Havard / Ellingsen, Tanja / Gates, Scott / Gleditsch, Nils P. (2001). Toward a Democratic Civil Peace? Democracy, Political Change, and Civil War, 1816 - 1992. *American Political Science Review*, *95*(01): 33–48.

Hendrix, C. S. (2010). Measuring state capacity: Theoretical and empirical implications for the study of civil conflict. *Journal of Peace Research*, *47*: 273–285.

Herbst, Jeffrey. (2000). *States and Power in Africa: Comparative Lessons in Authority and Control*. Princeton: Princeton University Press.

Hobsbawm, E. J. / Ranger, T. O. (1983). *The Invention of Tradition*. Cambridge: Cambridge University Press.

Hoffman, Bruce / McCormick, Gordon H. (2004). Terrorism, Signaling, and Suicide Attack. *Studies in Conflict & Terrorism*, *27*(4): 243–281.

Horowitz, Donald. (1985). *Ethnic Groups in Conflict*. Berkeley: University of California Press.

Human Rights Watch. (1996). *Shattered lives. Sexual Violence during the Rwandan Genocide and its Aftermath*. *Tidsskrift for den Norske lægeforening : tidsskrift for praktisk medicin, ny række* (Vol. 129).

Human Security Report Project. (2012). *Human Security Report 2012. Sexual Violence, Education, and War: Beyond the Mainstream Narrative*. Vancouver.

Ignatieff, Michae. (1993). *Blood and Belonging*. London: Noonday Press.

International Criminal Court [ICC]. (2011). *Elements of Crime*. The Hague: International Criminal Court.

Jervis, Robert. (1970). *The logic of images in international relations*. Princeton: Princeton University Press.

Jesh, Judith. (1991). *Women in the Viking Age*. Woodbridge: The Boydell Press.

Jewkes, Rachel / Sen, Purna / Garcia-Moreno, Claudia. (2002). Sexual Violence. In: E. G. Krug, L. L. Dahlberg, J. A. Mercy, A. B. Zwi, & R. Lozano (Eds.), *World report on violence and health* (pp. 147–181). Geneva: World Health Organization.

Kaldor, Mary. (2012). *New and Old Wars: Organized Violence in a Global Era, Third Edition.* Stanford: Stanford University Press.

Kalyvas, Stathis N. (2006). *The Logic of Violence in Civil War*. Cambridge; New York: Cambridge University Press.

Kant, Immanuel. (1795). *Zum ewigen Frieden: Ein philosophischer Entwurf*. Königsberg: Friedrich Nicolovius.

Kelly, Liz. (1988). *Surviving sexual violence*. Minneapolis: University of Minnesota Press.

Keohane, Robert O. (1984). *After hegemony : cooperation and discord in the world political economy*. Princeton, N.J.: Princeton University Press.

King, Anthony. (2006). The Word of Command: Communication and Cohesion in the Military. *Armed Forces & Society*, *32*(4): 493–512.

Kirby, Paul. (2012). How is rape a weapon of war? Feminist International Relations, modes of critical explanation and the study of wartime sexual violence. *European Journal of International Relations*, *19*(4): 797–821.

Kirchner, Stefan. (2007). Hell on Earth – Systematic Rape in Eastern Congo. *Journal of Humanitarian Assistance*. Retrieved from http://sites.tufts.edu/jha/archives/50

Klabbers, Jan. (2013). *International law*. Cambridge: Cambridge University Press.

Koos, Carlo. (2015). What Do We Know About Sexual Violence in Armed Conflicts ? Recent Empirical Progress and Remaining Gaps in Peace and Conflict Research Carlo Koos, (275).

Lapan, Harvey E. / Sandler, Todd. (1993). Terrorism and signalling. *European Journal of Political Economy*, *9*(3): 383–397.

Leatherman, Janie. (2007). Sexual Violence And Armed Conflict: Complex Dynamics Of Re-Victimization. *International Journal of Peace Studies*, *12*(1): 53–71.

Leiby, Michele L. (2011). *State-perpetrated Wartime Sexual Violence in Latin America*. University of New Mexico.

Levy, Jack S. (1988). Domestic Politics and War. In: R. I. Rotberg & T. K. Rabb (Eds.), *The Origin and Prevention of Major Wars*. Cambridge: Cambridge University Press.

Lilly, Robert J. (2007). *Taken by Force: Rape and American GI's i Europe during World War II*. New York: Palgrave Macmillan.

Lindsey, Summer E. / Toft, Monica Duffy. (2014). Reporting Rape in Congo: A Unique or Paradigmatic Case?

Linos, Natalia. (2009). Rethinking gender-based violence during war: Is

violence against civilian men a problem worth addressing? *Social Science and Medicine*, *68*(8): 1548–1551.

MacKinnon, Catharine. (1991). Reflections on Sex Equality Under Law. *Yale Law Journal*, *100*(5): 1281–1328.

MacKinnon, Catherine. (1994). Rape, Genocide and Women's Human Rights. *Harvard Women's Law Journal*, *17*(5): 5–16.

Maoz, Zeev / Russett, Bruce M. (1993). Normative and Structural Causes of Democratic Peace, 1946-1986. *American Political Science Review*, *87*(3): 624–638.

March, James G. / Olsen, Johan P. (1989). *Rediscovering institutions : the organizational basis of politics*. New York: The Free Press.

Marshall, Monty G. / Gurr, Ted R. / Harff, Barbara. (2014). *PITF - State Failure Problem Set: Internal Wars and Failures of Governance, 1955-2013*.

Marshall, Monty G. / Gurr, Ted R. / Jaggers, Keith. (2013). *Polity IV Project. Political Regime Characteristics and Transitions, 1800-2013. Dataset Users' Manual*.

Mead, George Herbert / Morris, Charles William. (1967). *Mind, Self, and Society from the Standpoint of a Social Behaviorist*. Chicago: University of Chicago Press.

Mearsheimer, John J. (2001). *The Tragedy of Great Power Politics*. New York: W. W. Norton.

Meger, Sara. (2010). Rape of the Congo: Understanding Sexual Violence in the Conflict in the Democratic Republic of Congo. *Journal of Contemporary African Studies*, *28*(2): 119–135.

Mégret, Frédéric. (2009). Beyond the "Salvation" Paradigm: Responsibility To Protect (Others) vs the Power of Protecting Oneself. *Security Dialogue*, *40*(6): 575–595.

Melander, Erik. (2005). Gender Equality and Intrastate Armed Conflict. *International Studies Quarterly*, *49*: 695–714.

Menard, Scott. (2010). *Logistic regression. From introductory to advanced concepts and applications*. Los Angeles: Sage.

Meron, T. (1993). Rape as a Crime under International Humanitarian Law. *American Journal of International Law*, *87*: 424–428.

Mitchell, Neil J. (2004). *Agents of Atrocity. Leaders, Followers, and the Violation of Human Rights in Civil War*. New York: Palgrave Macmillan.

Mitchell, Neil J. / Carey, Sabine / Butler, Christopher. (2014). The Impact of

Pro-Government Militias on Human Rights Violations. *International Interactions*, *40*(5): 812–836.

Mitchell, Neil J. / McCormick, James M. (1988). Economic and Political Explanations of Human Rights Violations. *World Politics*, *40*: 476–498.

Montalvo, José / Reynal-Querol, Marta. (2005). Ethnic Polarization, Potential Conflict, and Civil War. *American Economic Review*, *95*(3): 796–816.

Morrow, James D. (2007). When Do States Follow the Laws of War? *American Political Science Review*, *101*(03): 559–572.

Morrow, James D. (2014). *Order Within Anarchy: the Laws of War as an International Institution*. New York: Cambridge University Press.

Moynihan, Daniel P. (1993). *Pandaemonium: Ethnicity in International Politics*. New York: Oxford University Press.

Mukwege, Denis Mukengere / Nangini, Cathy. (2009). Rape with extreme violence: The new pathology in South Kivu, Democratic Republic of Congo. *PLoS Medicine*.

Mullins, Christopher. (2009). He Would Kill Me with His Penis': Genocidal Rape in Rwanda as a State Crime. *Critical Criminology*, *17*(1): 15–33.

Münkler, Herfried. (2006). *Der Wandel des Krieges : von der Symmetrie zur Asymmetrie*. Weilerswist: Velbrück.

Nordås, Ragnhild / Rustad, Siri C. a. (2013). Sexual Exploitation and Abuse by Peacekeepers: Understanding Variation. *International Interactions*, *39*(4): 511–534.

Oneal, John R. / Russett, Bruce. (1999). The Kantian Peace: The Pacific Benefits of Democracy, Interdependence, and International Organizations, 1885-1992. *World Politics*, *52*(1): 1–37.

Oneal, John R. / Russett, Bruce M. (1997). The Classical Liberals Were Right: Democracy, Interdependence, and Conflict, 1950–1985. *International Studies Quarterly*, *41*(2): 267–94.

Oosterhoff, Pauline / Zwanikken, Prisca / Ketting, Evert. (2004). Sexual Torture of Men in Croatia and Other Conflict Situations: An Open Secret. *Reproductive Health Matters*, *12*(23): 68–77.

Peterman, By Amber / Cohen, Dara Kay / Palermo, Tia / Green, Amelia Hoover. (2011). Rape Reporting During War. Why the Numbers Don't Mean What You Think They Do. *Foreign Affairs*.

Pettersson, T. / Wallensteen, P. (2015). Armed conflicts, 1946-2014. *Journal of Peace Research*, *52*(4): 536–550.

Pettersson, Therése. (2011). Pillars of Strength – External Support to Warring Parties. In: T. Pettersson & L. Themnér (Eds.), *States in Armed Conflict 2010. Research Report 94*. Uppsala: Universitetstryckeriet.

Pickering, Jeffrey. (2010). Dangerous Drafts? A Time-series, Cross- national Analysis of Conscription and the Use of Military Force, 1946–2001. *Armed Forces and Society*, *36*(2): 1–22.

Poe, Steven / Tate, C. Neal. (1994). Repression of Personal Integrity Rights in the 1980's: A Global Analysis. *American Political Science Review*, *88*: 853–872.

Poe, Steven / Tate, C. Neal / Keith, Linda C. (1999). Re- pression of the Human Right to Personal Integrity Revisited: A Global, Cross-National Study Covering the Years 1976– 1993." International Studies Quarterly 43:291–313.

Richlin, Amy. (2010). Sexuality in the Roman Empire. In: D. S. Potter (Ed.), *A Companion to The Roman Empire* (pp. 327–354). Malden, Mass.: Wiley-Blackwell.

Rittner, Carol / Roth, John K. (2012). *Rape : weapon of war and genocide*. St. Paul, MN: Paragon House.

Ron, James / Ramos, Howard / Rodgers, Kathleen. (2005). Transnational Information Politics: NGO Human Rights Reporting, 1986–2000. *International Studies Quarterly*, *49*(3): 557–587.

Rousseau, David L. (2005). *Democracy and War. Institutions, Norms, and the Evolution of International Conflict*. Stanford: Stanford University Press.

Rummel, R. J. (1995). Democracy, Power, Genocide, and Mass Murder. *Journal of Conflict Resolution*, *39*(1): 3–26.

Russell, Wynne. (2007). Sexual violence against men and boys. *Forced Migration Review*, *27*: 27–28.

Salzman, Todd a. (1998). Rape Camps as a Means of Ethnic Cleansing: Religious, Cultural, and Ethical Responses to Rape Victims in the Former Yugoslavia. *Human Rights Quarterly*, *20*(2): 348–378.

Schneider, Gerald / Bussmann, Margit / Ruhe, Constantin. (2012). The Dynamics of Mass Killings: Testing Time-Series Models of One-Sided Violence in the Bosnian Civil War. *International Interactions*, *38*: 443–461.

Seifert, Ruth. (1996). The Second Front: The Logic of Sexual Violence in Wars. *Women's Studies International Forum*, *19*(1): 35–43.

Sharlach, Lisa. (2000). Rape as Genocide: Bangladesh, the Former Yugoslavia, and Rwanda. *New Political Science*, *22*(1): 89–102.

Shils, Edward A. / Janowitz, Morris. (1948). Cohesion and Disintegration in the Wehrmacht in World War II. *Public Opinion Quarterly*, *12*(2): 280–315.

Siebold, Guy L. (2001). Core issues and theory in military sociology. *Journal of Political and Military Sociology*.

Sivakumaran, Sandesh. (2007). Sexual Violence Against Men in Armed Conflict. *European Journal of International Law*, *18*(2): 253–276.

Skjelsbæk, Inger. (2001). Sexual Violence and War:: Mapping Out a Complex Relationship. *European Journal of International Relations*, *7*(2): 211–237.

Skjelsbæk, Inger. (2006). Victim and Survivor: Narrated Social Identities of Women Who Experienced Rape During the War in Bosnia-Herzegovina. *Feminism and Psychology*, *16*(4): 373–403.

Skjelsbæk, Inger. (2012). *The political psychology of war rape : studies from Bosnia and Herzegovina*. Abingdon, Oxon; New York: Routledge.

Smillie, Ian / Minear, Larry. (2004). *The Charity of Nations: Humanitarian Action in a Calculating World*. Bloomfield: Kumarian Press.

Snyder, Cindy S. / Gabbard, Wesley J. / May, J. Dean / Zulcic, Nihada. (2006). On the Battleground of Women's Bodies: Mass Rape in Bosnia-Herzegovina. *Affilia*, *21*(2): 184–195.

Sofos, Spyros a. (1996). Inter-ethnic Violence and Gendered Constructions of Ethnicity in former Yugoslavia. *Social Identities*, *2*(1): 73–92.

Solangon, Sarah / Patel, Preeti. (2012). Sexual violence against men in countries affected by armed conflict. *Conflict, Security & Development*.

Spence, M. (1973). Job market signaling. *Quarterly Journal of Economics*, *87*: 355–374.

Stiglitz, Joseph E. (1985). Information and Economic Analysis: A Perspective. *Economic Journal*, *95*: 21–41.

Stouffer, Samuel A. / Lumsdaine, Arthur A. / Lumsdaine, Marion Harper / Williams Jr., Robin M. / Smith, M. Brewster / Janis, Irving L. / ... Cottrell Jr., Leonard S. (1949). *The American soldier: combat and its aftermath. (Studies in social psychology in World War II, Vol. 2.).* Princeton, NJ, US: Princeton University Press.

Suarez, Carla / Black, David. (2014). Surviving Violence: Transgressing Categories and Boundaries in Armed Conflicts. *Stability: International Journal of Security & Development*, *3*(1): 26.

UN Secretary-General [UNSG]. (2014). *Conflict-Related Sexual Violence: Report of the Se-cretary-General, S/2014/181.*

Utas, Mats. (2005). Victimcy, Girlfriending, Soldiering: Tactic Agency in a Young Woman's Social Navigation of the Liberian War Zone. *Anthropological Quarterly*, *78*(2): 403–430.

Valentino, Benjamin / Huth, Paul / Balch-Lindsay, Dylan. (2004). "Draining the Sea": Mass Killing and Guerrilla Warfare. *International Organization*, *58*(2): 375–407.

Vanhanen, T. (2000). A New Dataset for Measuring Democracy, 1810-1998. *Journal of Peace Research*, *37*(2): 251–265.

Vreeland, James R. (2008). The Effect of Political Regime on Civil War: Unpacking Anocracy. *Journal of Conflict Resolution*, *52*(3): 401–425.

Waltz, Kenneth N. (1979). *Theory of International Politics*. London: McGraw-Hill.

Wendt, Alexander. (1999). *Social Theory of International Politics*. Cambridge: Cambridge University Press.

Wimmer, Andreas / Cederman, L. E. / Min, Brian. (2009). Ethnic Politics and Armed Conflict: A Configurational Analysis of a New Global Data Set. *American Sociological Review*, *74*(2): 316–337.

Wolfe, Lauren. (2013). Syria has a massive rape crisis. *Women Under Siege*.

Wolfthal, Diane. (1999). *Images of Rape: The "Heroic" Tradition and Its Alternatives*. Cambridge: Cambridge University Press.

Wood, Elisabeth J. (2006). *Variation in Sexual Violence during War*. *Politics & Society* (Vol. 34).

Wood, Elisabeth J. (2008). Sexual violence during war: Toward an understanding of variation. In: I. Shapiro, S. Kalyvas, & T. Masoud (Eds.), *Order, Conflict, and Violence* (pp. 321–351). Cambridge: Cambridge University Press.

Wood, Elisabeth J. (2009). Armed Groups and Sexual Violence: When Is Wartime Rape Rare? *Politics & Society*, *37*(1): 131–161.

Wood, Reed M. (2010). Rebel capability and strategic violence against civilians against civilians. *Journal of Peace Research*, *47*(5): 601–614.

Wood, Reed M. / Gibney, Mark. (2010). The Political Terror Scale (PTS): A Re-introduction and a Comparison to CIRI. *Human Rights Quarterly*, *32*(2): 367–400.

Appendix

	Gender-Inequalities					
	Model A1	**Model A3**	**Model A3**	**Model A4**	**Model A5**	**Model A6**
Ethnic hatred						
Ethnic war (dummy)	0.57 * *(0.27)*	0.55 * *(0.27)*	0.36 *(0.28)*	0.55 * *(0.27)*	0.54 * *(0.27)*	0.29 *(0.29)*
State Capacity & Military Cohesion						
Taxes per GDP	0.00 *(0.02)*	0.01 *(0.02)*	0.00 *(0.02)*	0.00 *(0.02)*	0.00 *(0.02)*	0.00 *(0.02)*
Troop quality (log)	-0.52 *** *(0.14)*	-0.52 *** *(0.14)*	-0.37 * *(0.16)*	-0.51 *** *(0.14)*	-0.50 *** *(0.15)*	-0.35 * *(0.17)*
Gender-Inequalities						
Political rights	-0.10 *(0.26)*			0.95 *(1.09)*		
Political rights (quadratic)				-0.32 *(0.33)*		
Economic rights		0.23 *(0.27)*			0.51 *(1.08)*	
Economic rights (quadratic)					-0.07 *(0.25)*	
Social rights			-0.02 *(0.27)*			0.83 *(1.14)*
Social rights (quadratic)						-0.20 *(0.26)*
Democracy						
Xpolity	-0.11 *** *(0.03)*	-0.11 *** *(0.04)*	-0.12 *** *(0.04)*	-0.12 *** *(0.03)*	-0.11 ** *(0.03)*	-0.12 ** *(0.04)*
Controls						
SV prevalence (previous year; dummy)	2.09 *** *(0.25)*	2.19 *** *(0.26)*	1.98 *** *(0.26)*	2.08 *** *(0.25)*	2.18 *** *(0.26)*	1.97 *** *(0.26)*
Conflict duration	0.02 *(0.02)*	0.03 *(0.02)*	0.03 *(0.02)*	0.02 *(0.02)*	0.03 *(0.02)*	0.04 *(0.02)*
Intrastate war (dummy; Ref = interstate war)	1.75 *(1.16)*	1.78 *(1.15)*	1.80 *(1.12)*	1.78 *(1.15)*	1.77 *(1.15)*	1.78 *(1.12)*
Internationalized war (dummy; Ref = interstate war)	-0.79 *(1.18)*	0.90 *(1.17)*	1.16 *(1.15)*	0.83 *(1.18)*	0.90 *(1.17)*	1.14 *(1.16)*
Population density (log)	-0.29 ** *(0.10)*	-0.28 *** *(0.10)*	-0.21 * *(0.11)*	-0.28 ** *(0.10)*	-0.28 ** *(0.10)*	-0.22 * *(0.11)*
Mountainous terrain (log)	0.15 *(0.11)*	0.12 *(0.11)*	0.17 *(0.12)*	0.13 *(0.11)*	0.12 *(0.11)*	0.18 *(0.12)*
Cut 1	4.22	4.39	4.03	4.34	4.39	4.09
Cut 2	6.89	7.19	6.60	7.00	7.19	6.65
Cut 3	8.87	9.073	8.74	8.96	9.07	8.78
Observations	782	767	504	782	767	504
-2LL	632.0866	597.8602	543.4684	631.0443	597.7854	542.7913
Nagelkerke Pseudo-R^2	0.48	0.49	0.43	0.48	0.49	0.43

Table 8*: Ordinal Logistic Regression Results, Robustnesstests for Hypotheses H2a and H2b. Standard Errors in Brackets, Sign. levels: * p < .05, ** p < .01, *** p < .001*

Deutsche Zusammenfassung

Die vorliegende Studie setzt sich mit sexueller Gewalt in bewaffneten Konflikten auseinander. Sie analysiert dabei insbesondere die Gründe, die sexuelle Gewalt durch staatliche Akteure erklären können. Insgesamt 41 % aller staatlichen Akteure, die zwischen 1989 und 2009 in bewaffnete Konflikte involviert waren, haben Berichten zufolge auch zu sexueller Gewalt gegriffen—deutlich mehr als nicht-staatliche Akteure. Systematische quantitative Analysen der zugrunde liegenden Dynamiken sind allerdings bis dato sehr selten. Basierend auf kürzlich veröffentlichten Daten zu sexueller Gewalt in bewaffneten Konflikten (Cohen / Nordås 2014) zwischen 1989 und 2009 stellt diese Studie die aktuell umfangreichste Analyse sexueller Gewalt in bewaffneten Konflikten durch staatliche Akteure dar.

Kriegs-bedingte sexuelle Gewalt ist dabei kein neues Phänomen. Seit den 1990er Jahren, insbesondere seit den massenhaften Berichten über den systematischen Einsatz sexueller Gewalt als Waffe (Eriksson Baaz / Stern 2013) in den Jugoslawienkriegen und dem Genozid in Ruanda, hat das Thema allerdings sowohl auf politischer, juristischer und akademischer Ebene massiv an Aufmerksamkeit gewonnen.

Obwohl die politikwissenschaftliche Analyse, insbesondere mit Blick auf quantitative Analysen dabei noch in den Kinderschuhen steckt (Leiby 2011), wurden verschiedenste theoretische Erklärungsmodelle vorgeschlagen. In der vorliegenden Arbeit teile ich diese Modelle in zwei Kategorien ein: einen instrumentalistischen Ansatz, sowie einen Ansatz, der auf einschränkende Strukturen eingeht. Basierend auf der Diskussion vier der prominentesten Ansätze, sowie eines neu formulierten Erklärungsansatzes sexueller Gewalt auf Basis einer Signaltheorie identifiziere ich insgesamt 14 Hypothesen, die ich mit Hilfe logistischer Regressionsmodelle teste.

Der erste Ansatz, insbesondere die These, sexuelle Gewalt werde zu strategischen Zwecken in ethnisch motivierten Konflikten, sowie in Sezessionskriegen und genozidalen Konflikten eingesetzt, findet dabei wenig Bestätigung. Staatliche Akteure scheinen allerdings in besonders intensiven Genozidphasen auch zu sexueller Gewalt zu greifen. Ähnliche Aussagen für als ethnisch motiviert identifizierte Konflikte und Sezessionskriege lassen sich allerdings nicht treffen. Ebenso muss die Hypothese,

sexuelle Gewalt sei eine direkte Folge geschlechtsspezifischer sozialer Ungleichheiten verworfen werden.

Andererseits finden Ansätze, die auf einschränkende Strukturen eingehen, sowie signaltheoretische Ansätze tendenziell Bestätigung. Insbesondere Militäreinheiten mit starker vertikaler Kohäsion und intensivem Training scheinen weniger zu sexueller Gewalt zu neigen. Ebenso einschränkende Wirkung zeigen demokratische Institutionen und Normen, insbesondere in etablierten Demokratien. Andererseits scheinen staatliche Akteure insbesondere in Situationen großer „Kräfteasymmetrie" zu sexueller Gewalt zu greifen, möglicherweise um dem Gegner die eigene (vermeintliche) Stärke und Kampfbereitschaft zu signalisieren.

Insgesamt stellt sexuelle Gewalt ein ernstzunehmendes Hindernis für die dauerhafte Beilegung bewaffneter Konflikte dar. Die Wahrscheinlichkeit, dass ein Konflikt innerhalb von fünf Jahren nach seiner Beilegung abermals ausbricht, ist deutlich höher, wenn staatliche Akteure auch in der unmittelbaren Nachkriegsphase weiter zu sexueller Gewalt greifen. Ebenso ist es besonders wahrscheinlich, dass staatliche Akteure zu sexueller Gewalt greifen, wenn sie bereits in der Vergangenheit entsprechende Akte vollführt haben, oder wenn sich Gegner vergleichbarer Praktiken schuldig gemacht haben.

Drei Schlussfolgerungen lassen sich aus der vorliegenden Betrachtung ziehen: Erstens bedürfen vorliegende theoretische Erklärungsansätze der weiteren Präzisierung. Zweitens, kann die weitere Forschung insbesondere an der Formulierung einer Demokratietheorie sexueller Gewalt ansetzen. Interessant in diesem Zusammenhang ist allerdings, dass es insbesondere militärische Hierarchien sind, die wirkungsvolle Eindämmungsmechanismen darzustellen versuchen. Ob sich Militärs dabei eher von normativen oder strategischen Überlegungen leiten und überzeugen lassen, stellt eine ebenso interessante Frage für die weitere Forschung dar. Drittens zeigen die Ergebnisse, dass es vor allem auf Prävention ankommt, da es sonst zu selbstverstärkenden Effekten kommen kann. Die Ergebnisse deuten darauf hin, dass solche präventiven Maßnahmen möglich sind, allerdings ist auch davon auszugehen, dass der Kampf gegen sexuelle Gewalt in bewaffneten Konflikten ein lang anhaltender sein wird.

Eigenständigkeitserklärung

Ich erkläre,

1. dass diese Arbeit selbständig verfasst wurde,
2. dass keine anderen als die angegebenen Quellen benutzt und alle wörtlich oder sinngemäß aus anderen Werken übernommenen Aussagen als solche gekennzeichnet wurden,
3. dass die eingereichte Arbeit weder vollständig noch in wesentlichen Teilen Gegenstand eines anderen Prüfungsverfahrens gewesen ist,
4. dass die Arbeit weder vollständig noch in Teilen bereits veröffentlicht wurde und
5. dass – falls zutreffend – das elektronische Exemplar mit den gedruckten Exemplaren übereinstimmt.

Amsterdam, den 15. Juli 2015