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Sexual Violence, Female Agencies, and Sexual Consent:  
Complexities of Sexual Violence in the 1994 Rwandan Genocide

Jennie E. Burnet

Sexual violence—ranging from forced marriage to rape to sexual torture and mutilation—was used as a weapon of genocide to torture, terrorize, or kill Tutsi women and girls and to reward militiamen and male civilians who participated in the 1994 genocide in Rwanda.<sup>1</sup> The majority of psychological, legal, and human rights research on sexual violence in Rwanda has focused on sexual violence perpetrated by Hutu perpetrators against Tutsi victims (see for example, Taylor 1999; Brunet and Helal 1998; Mukamana 2008; Zraly 2008; Zraly and Nyirazinyoye 2010).<sup>2</sup> Yet, sexual violence was a significant threat for women from all ethnic groups in Rwanda during the prolonged civil war, which began on October 1, 1990 and ended sometime in 2001.<sup>3</sup> To indicate the scope of the problem, an epidemiological survey of 921 women who lived in Rwanda in 1994 found that 45.8 percent of them had been raped (Fabri et al. 2007, 5).

As Sarah Soh (2008, 3) demonstrated in her study of Korean ‘comfort women’ during the Second World War, scholars must situate sexual violence associated with war in the context of ‘everyday gender violence’ and in the ‘structural power’ of the political economy to understand the extents of its social meaning and impact on survivors. In this chapter, I show how sexual violence in the genocide was shaped by pre-genocide social contexts and political economy. Then, I explore forms of sexual conduct that are conditioned by the wartime political economies but that may not constitute sexual harm. Rwandan women and girls exercised their sexual agency in the conflict zone within “a social field of action,” to borrow Eric Wolf’s (1994, 219) concept, that made some behaviors impossible and some behaviors more possible than others. I conclude by discussing the importance of acknowledging female sexual agency in conflict zones. As Dianne Otto (2007, 38) asserts, conflating all forms of sex in conflict zones as harm undermines women and children’s rights because it reinforces “conservative hierarchies of gender and sexuality” and “diverts attention away from the searing poverty that characterizes transitional post-conflict societies.” Obscuring the complexity of sexual encounters in the context of violent conflict—whether these encounters are violent, transactional, pleasurable, or labour—denies women’s agency. It also ignores the reality that initiating sexual encounters can be a coping strategy in the aftermath of conflict and violence.

**Social & Historical Contexts: The Political Economy of Everyday Gender Violence**

*Genocide & Civil War:* The 1994 genocide, in which at least 500,000 Tutsi and politically-moderate Hutu lost their lives in state-sanctioned massacres, occurred in the midst of a civil war, which began in October 1990 when the Rwandan Patriotic Front (RPF), a rebel movement based in Uganda, invaded Rwanda.<sup>4</sup> The genocide ended when the RPF seized the capital, Kigali, on July 4, 1994. In mid-July 1994, the RPF named a transitional government, which it called the “Government of National Unity.” The new government remained vulnerable due to the two million or so Rwandan refugees living just outside Rwanda’s borders with Zaire (now Democratic Republic of the Congo) and Tanzania. The ousted government, former military, and

militia groups used refugee camps as bases from which to launch armed attacks on Rwanda to destabilize the new regime in Kigali. To end this threat, the Rwandan Patriotic Army (RPA, the armed wing of the RPF) invaded Zaire to forcibly dismantle the camps in October 1996. This invasion led to the mass return of approximately one million refugees to Rwanda and to the massacres of hundreds of thousands of Rwandan (civilian) refugees in the rainforests of eastern Zaire.<sup>5</sup> Following the mass refugee return, an insurgency based in northern and western Rwanda emerged to contest RPF rule. The RPA's counterinsurgency operations created a very difficult, uncertain context for civilians in northern and western Rwanda who were victimized by combatants on both sides of the conflict. The insurgency lasted until approximately July 2001 when the RPA pushed the insurgents out of northwestern Rwanda into Democratic Republic of the Congo (Human Rights Watch 2002).

*Ethnicity & Genocide:* Virtually any glyph of Rwanda states that the population is comprised of three ethnic 'groups': Tutsi at 15 percent of the population, Hutu at 84 percent, and Twa at less than 1 percent.<sup>6</sup> Yet, the origin of these widely cited statistics is unclear. They themselves form part of the "mythico-histories," a term I borrow from Malkki (1995), that structure reality. Despite the widely accepted mythico-history of separate origins for the three so-called 'ethnic groups', historical linguistic and archeological evidence indicate that the people who populated what today is Rwanda have shared similar ways of life, language, and culture since approximately 500 BCE (Schoenbrun 1998, 155). Although genocide perpetrators targeted victims based on these ascribed identities, so called 'age-old ethnic hatred' (or tribalism) was not the cause of the genocide (Straus 2006). Rather, the killings were the result of political strategizing and conscious choices by a political and economic elite who desired to maintain their power. At the local level, community members identified Tutsi neighbors based on local knowledge of ethnic identity. In killings organized at the regional or national level, genocide perpetrators used national identity cards to help identify targets. Often, perpetrators relied on stereotypical, physical markers of 'Tutsiness', which included a tall, slender frame; aquiline nose with small nostrils; long, narrow fingers or feet; dark (instead of pink) gums in the mouth; and a tan (instead of a pink) skin tone on the palms of the hands or soles of the feet. For women, the rule of thumb was often beauty. Since colonial times, Tutsi women were heralded as great beauties by European colonizers (Taylor 1999, 170). The Hutu extremist, racist propaganda leading up to the genocide reinforced these ideas. As a result, all beautiful women risked becoming victims during the genocide.

*Everyday Gender Violence:* Sexual violence during the civil war took place in a legal, political, historical, and cultural context of patriarchy and gender discrimination. With the exception of Meredith Turshen's (2001) comparative analysis of sexual violence in Rwanda and Mozambique, few scholars have situated the sexual violence of the 1994 genocide in the context of everyday gender violence or the structural power of the political economy. Rwandan women faced a great deal of gender discrimination before the 1994 genocide. The colonial legacy had undermined women's economic autonomy so that it was virtually impossible for them to control resources without interference from husbands, fathers, or brothers (Jefremovas 1991, 2002; Burnet 2012, Turshen 2001). Under Rwanda's system of patrilineal kinship, widows, married women and unmarried girls derived their social identities from the men to whom they were related. A Rwandan proverb states, '*Abagore ntibafite ubwoko* –wives have no identity', meaning as a girl, a woman had the same identity as her father or brothers, but as a wife she took on the identity of her husband and his patrilineage.<sup>7</sup> Female labour was at the center of Rwandan

agricultural production in the precolonial and colonial periods. With the exception of a few regional ethnic groups, such as the Bagogwe in the northwest, or the Bahima in the northeast, most households, whether ‘Hutu’ or ‘Tutsi’ subsisted primarily from agriculture with small livestock supplementing economic production. The colonial period wrought many changes in Rwandan gender roles as the economy became monetized, and the colonial state pushed Rwandan husbands/men into the cash economy and excluded Rwandan wives/women from the cash economy (Jefremovas 1991, 2002). Many of the sources of girls’ and women’s power within marriages and kin groups were undermined by these changes thus further subordinating females to males. In the recent past, wives have been responsible for cultivating all food for the household on land belonging to her husband or his lineage while husbands focused on the production of cash crops, managed the livestock, or migrated in search of paid labor (Jefremovas 2002, 87).

Although women gained some legal protections in the postcolonial period, they remained largely subordinated to men. The 1991 constitution guaranteed the equality of all people before the law, but numerous legal codes subordinated women to men in the home and in the public sphere (Kamatali and Gafishi 2000, 188). Patriarchal ideas about the roles of women as well as an education system that limited access to secondary education meant far fewer girls than boys attended post-primary school. According to World Bank Development Indicators, in 1990 the ratio of female to male primary enrollment was 96 percent for primary school, 71 percent for secondary, and only 22 percent for tertiary school. Banking, commercial, and land ownership laws limited women’s opportunities to participate in the cash economy. The vast majority of Rwandan women worked in the agricultural sector as subsistence farmers working on land owned by their husbands or their husbands’ family (Burnet and RISD 2003). Women could not seek salaried work without the approval of their husbands, and women required their husband’s signature to open a bank account (Names withheld, pers. comm., 1999, 2000). While some women became successful entrepreneurs, their businesses were vulnerable, in practice and by law, to plunder or to complete takeover by their husbands (Jefremovas 1991, 2002, 97-108).

### **Sexual Violence Before, During and After the 1994 Genocide**

Before, during and after the genocide, rape and sexual violence became a common feature of the social landscape that already considered many forms of gender-based violence, such as wife-beating, normal. The Rwandan civil war from 1990 until 1994, the genocide between April and July 1994, the refugee camps in eastern Zaire and western Tanzania, and the insurgency between 1997 and 2001 were all characterized by high rates of sexual violence. Sexual assaults on women and girls increased dramatically following the advent of the civil war in 1990.<sup>8</sup> As the general state of security in the country declined, members of the *Interahamwe* and *Impuzamugambi* militias, the *Forces Armées Rwandaises* (FAR—the Rwandan army), and other opportunists committed acts of sexual violence with impunity (Human Rights Watch 1993, 11). During the genocide, rape was widespread and Rwandan women faced brutal acts of sexual violence: individual rape, gang rape, rape with objects, sexual slavery, and sexual mutilation (Human Rights Watch 1996, 39). Both Tutsi and Hutu women became victims of sexual violence but Tutsi women and girls were targeted in a systematic fashion. Rape became a weapon of genocide used to destroy the Tutsi ethnic group as well as “to terrorize the community and warn all people of the futility of resistance—those targeted as victims as well as those who might wish to protect the intended targets” (Turshen 2001, 59).<sup>9</sup>

Beyond physical brutality, sexual violence during the genocide intersected with symbolic and psychosocial violence. Tutsi women and girls were raped and then told that bullets should not be “wasted” on them because they would “die of AIDS,” presumably contracted during the rapes (Names withheld, pers. comm., 1999, 2000, 2001, 2002). Extremist rhetoric targeted Tutsi beauty and desirability—militiamen were promised the opportunity for sexual intercourse with Tutsi as a reward for their “work.” Rape survivors frequently reported that perpetrators said that they wanted “to see if Tutsi women were like Hutu women” (Human Rights Watch 1996, 42). Many perpetrators insulted Tutsi women for “their supposed arrogance” while being raped (Des Forges 1999, 215). Beauty as a marker of Tutsi-ness was so strong in the popular imagination that Hutu women who were perceived as beautiful risked being mistaken for Tutsi and raped, sexually tortured, or even killed (Names withheld, pers. comm., 1998, 2000, 2002, 2009).

A third aspect of sexual violence in the genocide was the political economy of rape. Perpetrators systematically stripped Tutsi of their assets as one strategy of genocide. Tutsi homes and businesses were looted and burned; soldiers, militiamen, and civilian perpetrators were “rewarded” for their “work” with property taken from Tutsis. Tutsi women and girls were often treated as property (Turshen 2001). FAR soldiers took girls from schools as *umusanzu* (a contribution to the war effort) (Des Forges 1999, 216; Turshen 2001, 60). The genocide planners also treated “women’s productive and reproductive capacities as property” (Turshen 2001, 61). In some communities, local authorities worked to keep the Tutsi wives of Hutu men alive because “depriving a man of the productive and reproductive capacities of his wife harmed his interests” and could diminish these men’s willingness to support the genocide (Des Forges 1999, 296). Women’s reproductive capacity and land rights were bundled as “reward” for militiamen: girls were given to militiamen as “wives” along with their families’ land (Human Rights Watch 1996, 59-60). Finally, the genocide planners and perpetrators sought to destroy Tutsi women’s reproductive labour through rape by preventing them from bearing children for their own community by making them unacceptable to their community through their violation or by physically destroying their capacity to bear children through mutilation (Turshen 2001, 62). Indeed, female genocide survivors who were raped find it difficult to marry because they are treated as spoiled goods (Burnet 2012)

After the genocide, sexual violence continued in different forms. The RPA was much more disciplined than the FAR had been. RPA soldiers did not engage in widespread rape following the RPF’s victory, but two practices resembled sexual violence. In the internally displaced persons (IDPs) camps behind RPA lines, RPA soldiers solicited women and girls who had been saved from genocide for a “reward” or for “some victory,” meaning sexual intercourse (Names withheld, pers. comm., 1998, 2002). While it is almost certainly true that these women and girls ‘consented’ to these sexual encounters in that they did not say ‘no’, it is difficult to discern whether they felt like they had a choice or whether these were “choiceless decisions.”<sup>10</sup> In a second common practice, RPA soldiers asked Tutsi women married to Hutu men to leave their husbands, “saying those marriages must have been the consequence of rape” (Turshen 2001, 63). If the women refused, their husbands would be arrested on accusations of genocide and imprisoned—an almost certain death warrant between 1994 and 1997 given the abysmal prison conditions (Turshen 2001, 63). The women would then be forced to marry a RPA soldier (Twagiramariya and Turshen 1998, 112).

For Rwandan civilians in the refugee camps in eastern Zaire or western Tanzania as well as neighboring civilian populations, rape was a common occurrence, and perpetrators faced no

consequences. Little detailed information about sexual violence during the height of the insurgency (1998-1999) is available because foreign researchers had little or no access to these communities at this time. Survivors of attacks against civilians have been reluctant to give testimony for fear of reprisals from the current government. In 2000 and 2001, Rwandan women in northwestern Rwanda cited rape as a pressing social problem for women and girls (Names withheld, pers. comm., 2000, 2001, 2002). They explained that unidentified perpetrators targeted individual women or girls who were walking alone on errands. Government interventions at the time were ineffective because perpetrators were long gone before gendarmes and local authorities arrived from provincial headquarters. By 2009, women in the same community stated that the problem had been solved by local authorities working closely with the population following national government awareness raising campaigns about the problem of child sexual violence in 2002 and 2003. Training of the national police between 2003 and the present to handle investigations of sexual assault was also cited as a significant improvement (Names withheld, pers. comm., 2009).

### **Female Sexual Agency & Sexual Consent in Conflict Zones**

In her work on sex workers in the United Kingdom, Day highlighted the importance in clarifying indigenous categories of “rape” because they are not uniform across cultures (Day 1994, 172). According to Day, rape is commonly defined as “non-consensual sex” or “non-consensual sexual intercourse” (Day 1994, 172). This definition raises some significant conceptual problems when used in Rwanda—as well as many other African countries—because women do not give explicit, verbal consent to sexual intercourse. Among Rwandans and many other African cultural groups, modesty is a feminine ideal. Unmarried girls/women are expected to uphold a cultural ideal of “modest virgins” devoid of any sexual knowledge or urges (Jefremovas 1991, 2002). Because explicit expressions of sexual desire are considered immodest, female consent is usually signaled implicitly through non-verbal cues or situational consent. By “situational consent,” I mean a woman or girl’s willingness to be in a particular place, at a particular time, with a particular person. For instance, a woman who agrees to spend the night with a man in his home or a hotel is agreeing, in effect, to sex. In the past (and even today), married women gave non-verbal cues to their husbands to indicate sexual desire such as cooking a special meal, wearing attractive clothing, attending to her husband’s physical comfort, or lighting a pipe of tobacco and giving it to her husband at bedtime (Musabyimana 2006, 79). Rwandan cultural values precluded rape in marriage because a wife’s consent was given upon wedding, and a wife could not refuse to have intercourse with her husband unless she was sick or menstruating (Musabyimana 2006, 79).<sup>11</sup> Thus, the emic cultural model of rape differs substantially from the European and American consent model. Work by Go et al (2003) on socially acceptable forms of domestic violence in India and by Harvey (1994) on socially acceptable forms of domestic violence in the highlands of Peru suggest that many other cultural contexts have similar implicit or situational consent models.

Research on sexual violence in Rwanda during the genocide conducted in late 1994 and early 1995 was complicated by the fact that there was no precise vocabulary in Kinyarwanda for “rape” or sexual violence (Human Rights Watch 1996). Article 350 of the 1977 Rwandan penal code defined rape as a crime punishable by five to ten years imprisonment (Human Rights Watch 1996, 36). In research on child sexual assault conducted in 2002, I found that Rwandans usually expressed the concept ‘rape’ with the formulation “*gufata ku ngufu*-to take by force,” which

suggests that ‘rape’ was conceived of involving violence (Names withheld, pers. comm., 2002). A former military policeman confirmed this when he explained that in the absence of any other means he looked for signs of physical violence on an alleged victim’s body in order to determine whether she had been raped (Names withheld, pers. comm., 2002). Given the country’s dense population, there was a cultural assumption that ‘rape’ understood as sex by force was impossible during non-conflict times because a potential victim could simply yell out for assistance to interrupt the attack (Names withheld, pers. comm., 2002).

Thus, Rwandan cultural models focused on dealing with instances of improper sexual relations—a man/husband having sexual intercourse with an ‘unauthorized’ woman such as the woman/wife of a different patrilineage or an unmarried girl. In these instances, the offending man’s patrilineage would offer gifts such as beer and livestock to compensate the lineage to whom the wife or unmarried girl belonged. The wife most likely faced a severe beating at the hands of her husband, father-in-law or brothers-in-law, and risked being sent back to her own patrilineage without her children because her consent was assumed to have been given. In instances of an unmarried man and an unmarried girl caught *en flagrant délit*, a marriage between the two lineages would render improper sexual relations proper. If marriage was not viewed as a favorable outcome, the unmarried girl would most likely face a severe beating at the hands of her father or brothers for bringing shame to the family through her immodesty. Knowledge of her ‘mistake’ would also lower the potential brideprice her lineage could seek during marriage negotiations. The man’s lineage was required to make gifts of traditional beer or livestock to the girl’s male relatives to compensate for this damage to the lineage’s economic and reproductive interests. Thus, existing data from published research and my own interviews suggest that Rwandan cultural models for coping with sexual violence largely position female survivors as passive and voiceless.

A great deal of international scholarship and policy research has focused on the issue of sexual violence in conflict zones.<sup>12</sup> In conflict zones, however, there are many different types of sexual encounters, many of which do not conceptually fit into legal definitions of sexual violence. Put simply, a great deal of sex for a variety of reasons— for “pleasure, labour, comfort, intimacy, adventure, curiosity, or livelihood, for example” —occurs in conflict zones as elsewhere (Otto 2007, 37). Yet, these encounters are conditioned by the circumstances of violent conflict.<sup>13</sup> For instance, many young women exercise their sexual agency in conflict zones by trading sexual access to their bodies for the means of survival: food, water, clothing, money. The degree to which these women *choose* is highly contingent on the structural factors determined by the conflict. How do women and girls refuse sexual intercourse when the implicit signs of consent (accepting food, clothing, shelter, protection, etc.) are the means of survival?

The question of sexual consent in conflict zones raises the problem of sexual consent in resource poor environments more generally. In many local contexts, virginity, or the appearance of virginity, and sexual access are important social capital for women and girls. This social capital can be translated into economic capital or at least the means to survival. Rwanda before and after the violent conflict and genocide of the 1990s constituted a resource poor setting. In pre and post-genocide Rwanda, prostitution, defined as the beforehand negotiated exchange of money or goods for sex, was extremely rare. Instead, transactional sex, defined as the exchange of sex for money, food, clothing, or other resources, was common. The majority of transactional sexual encounters in Rwanda consist of a ‘date’ followed by money, goods, or other resources provided the morning after rather than a beforehand negotiated exchange of money or goods for

sex. Scores of educated, young women in Kigali spend their time in restaurants and bars frequented by foreign tourists and aid workers in the hopes of finding a wealthy foreign boyfriend who will shower them with gifts and, in the girls' wildest dreams, propose marriage and a gateway to Europe, the United States, or Canada. Even in contemporary Rwandan marriages, male economic contributions to the household economy can resemble, at least on the symbolic plane, an exchange of money or goods for sexual access to or for the reproductive labour of women. In this context, prostitution, transactional sex, and forced marriage can be placed on a continuum of sexual economic exchanges along with 'dating' and even marriage.<sup>14</sup>

Beyond the sexual agency women exercise—sometimes in exchange for survival necessities—research shows that rape and sexual violence survivors also exercise agency in the face of difficult circumstances. In Punjab in 1947, the social fiction of “practical kinship” allowed raped or forcibly married women to be incorporated into families and communities when the women's natal families and communities would have rejected them (Das 1995). Raped women in Bosnia exercised similar agency to find a socially acceptable place for themselves in the aftermath of the conflict (Hayden 2000). Yet, sexual violence's long-term impacts on female agency have been less well studied.

Maggie Zraly and Laetitia Nyirazinyoye (2010) found that some genocide-rape survivors in southern Rwanda joined solidarity associations and deployed a variety of coping mechanisms to continue living; yet, this type of social support is not available to other sexual violence survivors in Rwanda. Data from my ethnographic research in Rwanda suggest that rape survivors who do not fit the Hutu-perpetrator/Tutsi-victim dyad remained silent because their experiences did not fit the paradigmatic version of Rwandan history promoted by the RPF government (Burnet 2009, 2012). Hutu women raped by FAR soldiers or Interahamwe militiamen during the civil war and genocide are hidden by the dominant narrative which depicts rape as a tool used against Tutsi women by Hutu perpetrators. The option of speaking out publicly about their experiences is not available to Hutu women who will either be disbelieved—because Hutu women are not perceived as genocide targets—or rejected by their husbands and families—because of the ‘shame’ of their violated status. Women coerced into sexual relationships or forced into marriage with RPA soldiers do not have access to social services for rape survivors unless they altered their narratives and called the perpetrators “Interahamwe.” Finally, an unknown number of (Hutu and Tutsi) women remained in marriages that began as ‘forced’ marriages. These women dare not talk about how their relationships began for fear of being thrown out by their husbands or husbands' families.

## **Conclusion**

Representations of genocide rape and sexual violence, as well as legal proceedings and human rights research have tended to focus on sexual violence committed by Hutu perpetrators against Tutsi victims during the genocide. This focus has hidden an unknown number of sexual violence survivors from view and obscured the complexity and contradictions of sexual violence during violent conflict. Some women and girls initiate sexual relationships out of individual sexual desire, as a means to secure their own or their families' survival, or because they face a choiceless decision where other options either do not exist or are less desirable. Finally, the focus on sexual violence in the genocide detaches the question of female sexual consent from the cultural historical context and political economy of poverty that structures women's agency and limits their options.

This narrow focus oversimplifies the problem whereby the larger question of sexual consent in non-violent contexts remains unplumbed. The assumption that European or North American models of sexual consent are relevant to other contexts ignores significant differences in the social construction of sexuality and marginalizes emic cultural models. In addition, it can be argued that the question of sexual consent in Europe and North America remains unresolved.<sup>15</sup>

Since the majority of post-genocide interventions for sexual violence survivors in Rwanda assisted mostly Tutsi victims or Hutu widows-of-the-genocide, many (perhaps even most) sexual violence survivors remain hidden by the paradigmatic public discourse on sexual violence, by their own shame, and by the cultural requirement for silence in matters of sexual violence. This case study points to the need for more open frameworks for confronting instances of sexual violence during violent conflict, ones that make it possible for more victims to come forward for medical, psychological and social support. Furthermore, it points to the need to address the structural violence of wartime political economies that leave poor women and girls vulnerable to sexual exploitation and trafficking because they face choiceless decisions to ensure their or their families' survival. As Soh pointed out in the case of Japan's comfort stations during WWII, "the comfort system encompassed both commercial *and* criminal sex" (Soh 2008, 108, emphasis in original). United Nations Security Council Resolution 1325 on gender-based and sexual violence in conflict zones as well as the UN Secretary-General's Bulletin in 2003 on the sexual conduct of peacekeepers are important steps in the right direction.<sup>16</sup> Yet, as Otto (2007, 35) and Toupin (this volume) note the directives outlined in the Secretary-General's bulletin rob women, as well as male peacekeepers, of their sexual agency. As Otto (2007, 34) argues there is a need to examine the real differences between women's "experiences of consensual and non-consensual sexual conduct, no matter how fine those distinctions are." Thus, human rights lawyers and academic researchers should investigate in a systematic fashion the degree to which all militarized sex encompasses this divide.

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## Notes

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<sup>1</sup> This essay draws from data collected during dissertation research in Rwanda between 1997 and 2001, during consultancies for CARE-Rwanda in 2002, and from more recent research trips in 2007 and 2009. I would like to thank the Government of Rwanda and the Ministry of Gender and Women in Development for authorizing and facilitating my dissertation research and the Ministry of Health for authorizing more recent research. The research was funded by the Office of the Executive Vice President for Research and the College of Arts & Sciences of the University of Louisville from the University of Louisville, by the Joan B Kroc Institute for International Peace Studies at the University of Notre Dame, by the University of North Carolina at Chapel Hill, by the United States Institution for Peace, by the United States Department of Education, and by the National Science Foundation. My eternal gratitude goes to my Rwandan interpreters: Bernadette, Dancille, and Elise.

<sup>2</sup> Human Rights Watch (1996, 2004) and Alison Des Forges (1999) have maintained a more balanced approach that includes accounts of sexual violence perpetrated against Hutu women.

<sup>3</sup> These beginning and end dates for the Rwandan civil war are somewhat controversial. The most commonly cited dates for the civil war are from October 1, 1990 when the Rwandan Patriotic Front invaded Rwanda until July 14, 1994 when the RPF captured Kigali and ended the genocide. As the RPF advanced, the regime responsible for the genocide along with the army, the *Forces Armées Rwandaises* (FAR), and the extremist Hutu militias, such as the Interahamwe, who helped carry out the genocide, fled into exile in Zaire (now Democratic Republic of the Congo) and Tanzania. Nearly two million civilians went with them. From 1994 until 1996, these refugees lived not far from the Rwandan border and the former government used the refugee

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camps as bases from which they launched attacks on the new, RPF-led government in Rwanda. The RPF government solved this problem by planning and directing a “Banyamulenge uprising” in eastern Zaire in September 1996 (Reyntjens 2009, 50-57), which came to be known as the *Alliance des Forces Démocratiques pour la Libération du Congo-Zaire* (AFDL). The AFDL attacked the Rwandan refugee camps in eastern Zaire sending a flood of approximately one million civilians back into Rwanda between October 1996 and May 1997. Following the return of these refugees, an insurgency comprised of members of the former government and army, returning refugees, and new recruits, fought against the RPF in northern and western Rwanda between 1997 and 2001 (Reyntjens 2009, 173-178, 194-201). Although I cite early 2001 as the end-date of the Rwandan civil war, the ongoing wars in Democratic Republic of the Congo can be seen, at least in part, as an exportation of Rwanda’s internal conflict.

<sup>4</sup> Estimates of how many people died in the 1994 genocide vary widely. While how many died is irrelevant to whether or not the killings in Rwanda in 1994 were genocide, the issue is highly politicized so it is necessary to indicate the sources. The number I use here comes from Alison Des Forges (1999, 15). For more on the numbers of dead see Straus 2006: 41-64.

<sup>5</sup> Rwanda’s invasion also led to the defeat of the Zairean army and overthrow of President Mobutu Sese Seko’s government by the rebel alliance, *Alliance des Forces Démocratique pour la Libération du Congo* (AFDL). The AFDL initially served as a Zairean/Congolese cover for Rwanda’s invasion fronted by the exiled Zairean Joseph Kabila, but it eventually gained autonomy from Rwanda’s central command and threw the Rwandans out in 1998.

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<sup>6</sup> See for example the CIA Factbook <https://www.cia.gov/library/publications/the-world-factbook/geos/rw.html> or Wikipedia.org <http://en.wikipedia.org/wiki/Rwanda>, accessed August 27, 2011.

<sup>7</sup> Today in Rwanda, the standard translation for this proverb is “wives have no ethnicity.” However, the Kinyarwanda word translated here as “ethnicity,” *ubwoko*, literally means “sort” or “type” and can be applied to monkeys, trees or bananas as easily as to people. Prior to the 1950s, ethnicity was not the primary way that Rwandans classified each other. At that time, the term *ubwoko*, when referring to human beings, meant the combination of a person’s social attributes relevant to a given context, hence I translate *ubwoko* in this proverb as “identity.”

<sup>8</sup> This assessment is based on information gleaned during interviews with Rwandans conducted between 1995 and 2011. Official statistics of sexual assaults in Rwanda before 1994 are not available.

<sup>9</sup> The sexual violence took many forms. For example, Interahamwe militia men often raped or sexually tortured Tutsi women before killing them (Human Rights Watch 1996). Perpetrators sometimes mutilated women by cutting off their breasts, puncturing the vagina with sharp objects, or disfiguring body parts that looked ‘Tutsi’ such as long fingers or thin noses (Des Forges 1999, 215). In other cases, Tutsi women were sexually enslaved or ‘married’ by Interahamwe militiamen in exchange for having their lives saved (Human Rights Watch 1996).

<sup>10</sup> In her study of policy agency among female members of the Irish republican movement in Northern Ireland, Aretxaga (1997) used the term “choiceless decisions” to describe the ways women’s ‘decisions’ were highly circumscribed by social, economic and political contexts.

<sup>11</sup> The 2008 law against gender-based violence made rape in marriage a criminal offense.

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<sup>12</sup> See for example the United Nations Security Council Resolutions 1325, 1820, 1888, and 1889.

<sup>13</sup> Dianne Otto (2007, 56), for instance, writes, “sexual exchanges between peacekeeping personnel and the host population are shaped by the complex political economies of post-conflict reconstruction and the specific gendered and sexualized cultures of UN humanitarianism.”

<sup>14</sup> Mark Hunter (2002, 2007) has found similar relationships in South Africa.

<sup>15</sup> See, for example, the attempts in 2010 by a United States Senator to redefine rape in the United States as involving force.

<sup>16</sup> Secretary-General’s Bulletin, *Special measures for protection from sexual exploitation and abuse*, ST/SGB/2003/13, October 9, 2003.