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# If there are Men, Hands Up, and if there are Women, Face Down: Women's Experience of Human Rights Abuses in the Salvadoran Civil War, 1980-1983

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**If there are Men, Hands Up, and if there are  
Women, Face Down:  
Women's Experience of Human Rights Abuses in the  
Salvadoran Civil War, 1980-1983**

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## Abstract

This paper is a study of gender and human rights abuses. Using the Salvadoran Civil War as a case study, it explores the following question: how were human rights abuses in this conflict gendered? This study aims to determine whether men and women were affected differently by this war, and if so, in what ways. It furthermore inquires into the specific experiences of women in this conflict. I draw primary source information from the unique archives collection of *La Oficina de Tutela Legal del Arzobispado*, the Office of Legal Protection of the Archbishop, from which I randomly selected 50 women's files and 50 men's files, coded each, and analyzed for gendered patterns.

Activists' testimony shows that women faced a variety of human rights abuses in this conflict, including sexual violence. There is literature to be found on human rights abuses in this conflict, and on sexual violence. But the critical gap which this study fills is the need for an examination of human rights abuses against women, not excluding sexual violence, but not limited to it, either.

Once controlled for an imbalance in gender, it was found that many human rights abuses recorded had a higher proportion of female victims. This includes torture, hooding, and forced confessions. Men, on the other hand, were more likely to face beatings below the level of what constitutes torture, and disappearance. Additionally, all three victims confirmed dead were male.

And yet, another key finding was the lack of information to be found in primary sources of the human right abuses committed in this war. In fact, I discovered that it was most common to find no abuse besides a victim's abduction and detainment recorded at all. It can be gathered that there were barriers to the complete recording of all human rights abuses committed. This has especially adverse effects for the studying of human rights abuses against women. Although activists' testimony and other research shows that many women who were detained faced sexual violence, and some men did too, I didn't find any record of sexual violence in the 100 cases recorded. Accordingly, we must question why these abuses were not recorded when we know that they occurred. An important finding of this study is the lack of this information in official reports of nonprofits, and therefore the governmental and intergovernmental reports and academic literature which depend on them.

## I. INTRODUCTION

### ABDUCTION

Maria<sup>1</sup> was fifteen years old in 1983. She lived with her family in La Paz, El Salvador, where she worked as a physical laborer. It was 7:30 in the evening on July 17 when she was taken from her home. Four uniformed soldiers with masks on their faces stormed violently into the house, and once inside, instructed the family: “If there are men, hands up, and if there are women, face down.” While looking for Maria, they went into her father’s room, where they found him sleeping. They threw him to the floor, beating him and bloodying his nose. They then headed for Maria afterwards, and asked for her personal documents, which they then took away from her. Before leaving the house with Maria, they robbed the family members of the money they had on them. Maria was disappeared.<sup>2</sup>

So were many other women during the Salvadoran Civil War. Women faced numerous human rights abuses during this conflict, and their stories and experiences deserve to be shared.

### OVERVIEW

This paper is a study of gender and human rights abuses. Using the Salvadoran Civil War as a case study, it examines/explores the following question: how were human rights abuses in this conflict gendered? This study aims to determine whether men and women were affected differently by this war, and if so, in what ways. It furthermore inquires into the specific experiences of women in this conflict. I address these questions first by situating the project within the broader fields of international affairs and gender studies, and then within the proper historical context. This is followed by a literature review, and a discussion of methodology. I

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<sup>1</sup> Name has been changed.

<sup>2</sup> *Oficina de Tutela Legal Del Arzobispado*. File number 1103, June 16, 1983. Norlin Library Archives at the University of Colorado, Boulder. 1997.

then proceed into a detailed analysis of human rights abuses during the civil war. In this section, I draw from the unique archives collection of *La Oficina de Tutela Legal del Arzobispado*, the Office of Legal Protection of the Archbishop, housed in the University of Colorado at Boulder's Norlin Archives. From these files, I randomly selected 50 women's files and 50 men's files from *Tutela*, coded each, and analyzed for gendered patterns.

These archives showed promise as a primary source for a study in gendered violence because of the work of another researcher, Michele Leiby, who took the rare opportunity to use these underutilized files in a study of wartime sexual violence against both women and men. From her work, I knew that there were cases of sexual violence in these files. As such, with the support of a grant from the Undergraduate Research Opportunity Program at the University of Colorado, Boulder, I spent the 2015-2016 winter break in the archives of the Norlin Library, and expected to find a broader source of information on human rights abuses against women specifically, and against men in order to conduct a gendered comparison.

Activists' testimony shows that women faced a variety of human rights abuses in this conflict, including sexual violence. There is literature to be found on human rights abuses in this conflict, and on sexual violence. But the critical gap which this study fills is the need for an examination of human rights abuses against women, not excluding sexual violence, but not limited to it, either. A survey of the literature on gender and human rights abuses in the Salvadoran Civil War found that most of the research on gendered violence in this conflict focuses on sexual violence, to the point where there is almost a conflation with the term gendered violence. However after my own close examination of 100 case files, I found not a single case of sexual violence recorded. From the existing literature and especially from activists' testimonies, we know that sexual violence happened to many women while they were

detained. Accordingly, we must question why these abuses were not recorded when we know that occurred. An important finding of this study is the lack of this information in official reports of nonprofits, and therefore the governmental and intergovernmental reports which depend on them. In fact, I discovered that it was most common to find no abuse besides a victim's abduction and detainment recorded at all; sexual violence is not the only thing missing from these files. Ultimately, this study yielded important new information on the percentage of women and men victimized in this conflict, and what the experiences of these victims were.

The information which was gleaned was telling. Once controlled for that fact that more men were targeted than women, it was found that for most human rights abuses which were recorded there were a higher proportion of female victims. This includes torture, hooding, and forced confessions. The exception is beatings below the level of what constitutes torture. Men were also more likely to be disappeared, and all three victims who were confirmed dead were male. And yet, another key finding was the lack of information to be found in primary sources of the human right abuses committed in this war. We have basic biographical information of the victims, but the only abuse on which there is any consistent detail across files is on their abduction. This leaves us short of knowing what else happened, and very short of knowing the reasons why these victims were targeted and why they faced the abuses they did. This study conducted a unique analysis and shares stories that would otherwise have not been heard, some of the most telling results of this study were the lack of information to be found in the primary sources examined. While *Tutela Legal* conducted brave and essential work during the war, it can be gathered that there were barriers to the complete recording of all human rights abuses committed. There is little in the literature to show concretely what these might have been, but this is not all too surprising in the state of political repression in which *Tutela* operated. It may

also be possible that people who reported these abuses were more concerned with having their loved ones returned to them than they were with recording every abuse which happened.

This shows an additional importance of archival research: it allows us to learn not only about a specific topic (in this case gender and human rights abuses in the Salvadoran Civil war), but also about how these topics were treated in the particular historical context in which they occurred. While this lack of information is lamentable for many reasons, it has especially adverse effects for the studying of human rights abuses against women, a portion of the population to which little attention is already paid. No gendered analysis was undertaken by any of the major truth commissions after the war, many of which relied on *Tutela's* testimony.

## II. BACKGROUND

### NARRATIVES OF GENDER AND WAR

Maria was abducted that night in 1983 from her home in La Paz. What caused masked, uniformed agents of the Salvadoran state to charge into her home and search for her by perhaps her most identifying feature: her gender? And how were events like this framed, at the time they were committed and later on?

In 1980 in El Salvador, violence between leftist guerillas and the military and their allied rightist paramilitaries was in full swing.<sup>3</sup> Archbishop of San Salvador Oscar Romero had been assassinated, allegedly by the rightwing death squads.<sup>4</sup> Noncombatants were dying in indiscriminate attacks.<sup>5</sup> And all the while, the rightwing army and their violent methods were being funded by a Cold War US government, desperate to fight guerillas supported by Cuba and

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<sup>3</sup> United Nations Security Council, "Report of the UN Truth Commission on El Salvador," S/25500, April 1, 1993, 27.

<sup>4</sup> United Nations Security Council, "Report of the UN Truth Commission on El Salvador," 28.

<sup>5</sup> United Nations Security Council, "Report of the UN Truth Commission on El Salvador," 27.

to a lesser extent the USSR in order to stem the flow of communism in Central America.<sup>6</sup> In December of 1980, it would take something truly horrific for the United States to (very) temporarily cut off military aid to El Salvador: the brutal rape and murder of three nuns and one laywoman from the United States, at the hands of the Salvadoran military.<sup>7</sup>

This was a shocking event, as it should have been. No one would like to think that government forces would harm noncombatants or civilians on purpose, and the idea of harming women seems even more unforgivable. The event drew the attention of the international community in a way which highlighted the horrors of the civil war in El Salvador. However, if it is this event which caused the United States to halt funding to El Salvador, this means that what did not gain the attention of the United States Government enough to stop the financing of the violence were the thousands of Salvadoran women who were kidnapped, killed or raped by the Salvadoran paramilitaries.

Tragically, this did happen to thousands of women during El Salvador's civil war, which lasted from 1980 to 1992.<sup>8</sup> Examining the effects of war on these women is essential to understanding the true cost of violent conflict – it is not enough to focus only on more normal narratives of war. It is first notable that these normal narratives very often focus on men.<sup>9</sup> In order to achieve understanding of what war really means to normal people, and all people, it is crucial to examine the roles of and impacts on marginalized people in the populations in conflict, or affected by the conflict. Women are one such group of people. Understanding both the contributions of women to war and war's impacts on women is essential in understanding the

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<sup>6</sup> Mayra Gómez, *Human Rights in Cuba, El Salvador, and Nicaragua: A Sociological Perspective on Human Rights Abuse*, New York: Routledge, 2003, 152-153.

<sup>7</sup> Gómez, *Human Rights in Cuba, El Salvador, and Nicaragua: A Sociological Perspective on Human Rights Abuse*. 136

<sup>8</sup> United Nations Security Council, "Report of the UN Truth Commission on El Salvador."

<sup>9</sup> Lorraine Bayard de Volo, "Women and War in Latin America, 1950–2000," *History Compass* 7, no. 4 (2009): 1182.

conflict as a whole, and yet these narratives are not as widely available as they should be in order to achieve this understanding.<sup>10</sup> Large conflicts such as civil wars affect entire societies, but we cannot understand exactly how until we examine their effects on people not generally considered, such as women. In examining the ways in which Salvadoran women specifically experienced the Salvadoran Civil War, we can understand more about the nature of conflict and the experience of women. Thus, there is a need for a study which focuses on the ways in which state-perpetrated violence in the Salvadoran Civil War was gendered. In order to better understand the violence inflicted on women, their cases will be compared with one another, and additionally with an equal number of men's cases. These human rights abuses – abduction, beating, even rape – also happened to men during this war.<sup>11</sup> But, men's narratives are typically the ones considered when examining conflict, except for in cases of rape. This paper, then, aims to more broadly examine the narratives of women.

My primary source information for this study is from the records of the *Oficina de Tutela Legal del Arzobispado*, the Office of Legal Protection of the Archbishop.<sup>12</sup> These records collected by the Catholic Church during the civil war aimed to detail killings, extrajudicial executions, disappearances, torture, and other human rights abuses, along with biographical information of the victims. In examining these records, it is possible to examine human rights abuses against the victims on an individual level before drawing larger comparisons, and therefore begin to see how these abuses were gendered. That is, I was interested in if there was any discernable correlation between a victim's gender and the types of abuse she or he suffered.

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<sup>10</sup> Bayard de Volo, "Women and War in Latin America, 1950-2000," 1182.

<sup>11</sup> Dara Kay Cohen, Amelia Hoover Green, and Elisabeth Jean Wood. "Wartime Sexual Violence: Misconceptions, Implications, and Ways Forward." United States Institute of Peace Special Report 323. February 2013. 2.

<sup>12</sup> Photocopies of these documents are available in the CU Boulder Norlin Library archives.

The purpose of this paper is to highlight the abuses faced by women during this war at the hands of government forces by focusing on the women of El Salvador whose stories are documented in these files. Often, images we have of the disappeared or the victims of state-perpetrated violence are images of men. Indeed, after examining primary sources I can confirm that it is true that a higher percentage of victims in this war were men.<sup>13</sup> And, as Sjoberg points out, men experience war in gendered ways, as well, with many of these being negative experiences.<sup>14</sup> However, the goal of this paper is to focus on women, and to demonstrate that women were targeted victims, and not only collateral damage – and in looking at these records, to begin to explore in what ways.

### **WOMEN IN EL SALVADOR**

At its roots, the Salvadoran Civil War was a war fought over class inequalities, and so it is imperative to examine the inequalities within these classes, as well. The poor of El Salvador faced suffocating oppression. This was only truer for the poor women of El Salvador. Paley notes that even before the war began, the role of women in El Salvador, a poor country, was never an easy one. Writing in the 1980s, Paley describes their long days spent hauling water, working on small and rocky plots of land or cleaning the homes of the wealthy, and raising several children, often alone.<sup>15</sup> In 1978, 40% of households were women-headed – that is, there was no male head of household present.<sup>16</sup> These gendered inequalities were felt all the more sharply during wartime in a conflict which sprouted from deeply ingrained class inequalities. In the 1980s, the cost of living in El Salvador increased by 250% while wages only increased by 50%, and because in Salvadoran culture, women are charged with ensuring the survival of their

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<sup>13</sup> I found in this study that 87.6% of victims of human rights abuses documented by *Tutela Legal* were men.

<sup>14</sup> Laura Sjoberg. *Gendering Global Conflict: Towards a Feminist Theory of War*. New York: Columbia University Press, 2013. 252-253.

<sup>15</sup> Grace Paley, ed., *A Dream Compels Us: Voices of Salvadoran Women*. Brooklyn: South End Press, 1999, 7.

<sup>16</sup> Paley, *A Dream Compels Us: Voices of Salvadoran Women*, 27.

families, women faced the brunt of this economic burden.<sup>17</sup> Said activist Miriam Galdémez in 1981, "The social structure in El Salvador is inhuman."<sup>18</sup> She described how women were burdened with work in all hours of the day, first in caring for their own families, and often then working as migrant laborers, as well.<sup>19</sup>

Furthermore, access to healthcare was gravely lacking, with only one maternity hospital in San Salvador in the 1980s, and very few other hospitals accepting maternity cases. This meant that women gave birth to their many children at home, usually without assistance.<sup>20</sup> Many women worked as domestic workers, work for which there was no minimum wage, workers' compensation, insurance, retirement, or any other benefits. Since there was no childcare, many of them took their children to work with them. Even educated women filled jobs mostly as nurses, teachers, and in government agencies or business, where they were still paid very low salaries. And most women remained housewives because there was no one to take care of their children.<sup>21</sup> In the 1980s, Paley described that Salvadoran society as a whole conditioned women to be submissive and conforming, and to stay in the home and be dependent on men. Often, the sheer amount of work to be done in the home without support was enough to keep women at home.<sup>22</sup>

Ready explains women's economic history in El Salvador starting with the history of agrarian reforms, which she argues actually penalized many women, as communal lands were transferred to the ownership of the male heads of households, meaning that many women had no legal rights to the lands that they worked on.<sup>23</sup> Still, women's literacy increased in the years leading up to the war, and their participation in the economy began to increase again in the

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<sup>17</sup> Paley, *A Dream Compels Us: Voices of Salvadoran Women*, 28.

<sup>18</sup> Paley, *A Dream Compels Us: Voices of Salvadoran Women*, 28.

<sup>19</sup> Paley, *A Dream Compels Us: Voices of Salvadoran Women*, 32-33.

<sup>20</sup> Paley, *A Dream Compels Us: Voices of Salvadoran Women*, 36.

<sup>21</sup> Paley, *A Dream Compels Us: Voices of Salvadoran Women*, 37.

<sup>22</sup> Paley, *A Dream Compels Us: Voices of Salvadoran Women*, 38.

<sup>23</sup> Kelley Ready. "It's a Hard Life: Women in El Salvador's Economic History." In: Tula, Maria Teresa. *Hear My Testimony*. Boston: South End Press, 1987, 188-189.

1960's and 1970s.<sup>24</sup> It is unfortunate that such a devastating event as the Civil War would come just at this time, effecting everyone, and especially already-weak marginalized populations such as women. However, I have not found any research specifically tying the halting of the progress seen women's rights in El Salvador to the beginning of the Civil War; in fact, Kampwith argues that women's involvement in the FMLN in the 70s and 80s led to the blossoming of the feminist movement in El Salvador in the 1990s.<sup>25</sup>

Women have been marginalized in many times and many places, and El Salvador in the 1970s and 80s was a clear case of this. The war, then, only increased their suffering and disrupted lives.<sup>26</sup> However, one trap which must be avoided is that of portraying women simply as helpless victims. This is a paper which focuses on human rights abuses against women, and so should be noted here that when women in war are discussed, it is indeed very often as victims. Viterna explains that violence against civilians in war is almost synonymous with violence against women and children.<sup>27</sup> Women clearly suffered in Salvadoran society, but this paper does not argue that they were merely and only helpless victims. They were the ones to raise families and care for children on dismal wages with very few protections or supports from the government even before the war broke out.<sup>28</sup> And it is also important to note that women had a wider role in the Salvadoran Civil War, during which many guerrilla combatants and social activists were women. When women faced oppression, it was often in the active roles they took.

For example, organizations like CO-MADRES, the Committee of Mothers and Relatives of Prisoners, the Disappeared and the Politically Assassinated of El Salvador, while supported

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<sup>24</sup> Ready, "It's a Hard Life: Women in El Salvador's Economic History," 193.

<sup>25</sup> Karen Kampwith. *Feminism and the Legacy of Revolution: Nicaragua, El Salvador, Chiapas*. Athens: Ohio University Press, 2004, 76.

<sup>26</sup> Paley, *A Dream Compels Us: Voices of Salvadoran Women*, 38.

<sup>27</sup> Jocelyn Viterna, "Radical or Righteous? Using Gender to Shape Public Perceptions of Political Violence," In: *Dynamics of Political Violence: A Process-Oriented Perspective on Radicalization and the Escalation of Political Conflict*, ed. Lorenzo Bosi et al (Surrey, UK: Ashgate Publishing; 2014), 194-195.

<sup>28</sup> Paley, *A Dream Compels Us: Voices of Salvadoran Women*, 32-37.

heavily by Archbishop Oscar Romero, was made up primarily of women.<sup>29</sup> Over 30% of the FMLN was made up of women.<sup>30</sup> Kampwirth explains that women often chose to join the FMLN for reasons very similar to those of their male counterparts, such as being raised in a family with a history of resistance, being young, or belonging to a pre-existing network. However, gendered inequality extended even into the ranks of the FMLN. Kampwirth and Viterna both demonstrate that there was gender inequity in the roles of the guerrillas in the camp, with women performing positions regarded with less prestige, such as cooking.<sup>31</sup> <sup>32</sup> Viterna argues that the FMLN used gender strategically to portray themselves as protectors of the people, and the government as assailants.<sup>33</sup> And yet, Kampwirth and Luciak both argue that feminism or women's liberation were never a part of the revolutionary struggle.<sup>34</sup> <sup>35</sup> And Luciak explains that after the war, women combatants did not always receive land allotted to them in redistribution programs.<sup>36</sup> Reintegration did nothing to take into account the particular needs of women as women, following a "stereotypical" vision of women, with no account for widows, orphans, or the wounded.<sup>37</sup> Women, even given their difficult role in Salvadoran Society, had roles beyond "victim" in this war – and even in these roles, they were often marginalized.

The examination of women as victims in this paper by no means should suggest that this was every woman's primary role in this war. This paper would instead suggest that women, far from being only victims as normally presented (passive, on the sidelines, an externality), were

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<sup>29</sup> Maria Teresa Tula. *Hear My Testimony*. Boston: South End Press, 1987. 55.

<sup>30</sup> Viterna, "Radical or Righteous? Using Gender to Shape Public Perceptions of Political Violence," 200-201.

<sup>31</sup> Jocelyn Viterna. *Women in War : the Micro-Processes of Mobilization in El Salvador*. New York: Oxford University Press, 2014, 132-133.

<sup>32</sup> Karen Kampwirth. *Women & Guerrilla Movements : Nicaragua, El Salvador, Chiapas, Cuba*. University Park, Penn: Penn State University Press, 2002, 79.

<sup>33</sup> Viterna, "Radical or Righteous? Using Gender to Shape Public Perceptions of Political Violence," 191.

<sup>34</sup> Kampwirth, *Feminism and the Legacy of Revolution: Nicaragua, El Salvador, Chiapas*, 83.

<sup>35</sup> Ilja Luciak. *After the Revolution: Gender and Democracy in El Salvador, Nicaragua, and Guatemala*. Baltimore: Johns Hopkins University Press, 2001, 39.

<sup>36</sup> Luciak, *After the Revolution: Gender and Democracy in El Salvador, Nicaragua, and Guatemala*, 39.

<sup>37</sup> Luciak, *After the Revolution: Gender and Democracy in El Salvador, Nicaragua, and Guatemala*, 49

also victims because they themselves were the targets of political violence, and this study will examine how and how often this was the case. This is a needed area of research – we know that there are women in those files, but there is no easily accessible information outside of their paper on who is there, in what numbers, or why they were targeted.

It is also essential to note a conflation of the terms “woman” and “female,” and “man” and “male,” in this paper. While the words “woman” or “girl” refers to a person’s gender, the term “female” refers to a person’s sex. I found no differentiation between these terms in the literature or primary sources, and therefore could not make an accurate distinction between these terms in this study of women victims of human rights abuses. The terms “female” and “woman,” and “male” and “man,” are used interchangeably.

### **ROOTS OF CONFLICT**

Although the primary source records used in this study, and therefore this paper, focus disproportionately on areas close to San Salvador, the capitol city of El Salvador,<sup>38</sup> this violence of El Salvador’s Civil War was felt in almost all parts of this small and densely populated Central American country throughout the 1980’s and early 1990’s. In tracing the roots of this conflict, it is clear that El Salvador suffered the effects of colonization well into the twentieth century. As in many countries in Latin and especially Central America, one of the primary long-lasting effects of colonization in El Salvador was highly unequal and inequitable land distribution.<sup>39</sup> As conditions of inequality wore on the people of El Salvador, tensions mounted between the wealthy and the poor.<sup>40</sup>

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<sup>38</sup> Michele Leiby, Leiby, Michele: “The Promise and Perils of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru,” in *Understanding and Proving International Sex Crimes*, eds. Bergsmo et al (Beijing: Torkel Opsahl Academic EPublisher, 2012): 14.

<sup>39</sup> Elisabeth Jean Wood, *Insurgent Collective Action and Civil War in El Salvador*, Cambridge: Cambridge University Press, 2003, 22-23.

<sup>40</sup> Wood, *Insurgent Collective Action and Civil War in El Salvador*, 24.

These conditions of structural violence finally bubbled over into direct violence in an event which came to be known as *La Matanza*. Peasants revolted against the ruling oligarchy in 1932, attempting to take power of the land on which they worked, and on which their ancestors had worked before colonization. Government forces killed 30,000 of these rebels and other indigenous civilians, indiscriminately targeting anyone in *campesino* dress.<sup>41</sup> The revolt was led by the labor leader Farabundo Marti, and it was from Marti which a later organization aimed at retaking the land for the poor would draw its name. By 1980, the *Frente Farabundo Marti para la Liberación Nacional* (FMLN), the Farabundo Marti National Liberation Front, had been formed and was combatting the government's armed forces.

Conditions of violence and inequality persisted after *La Matanza*. In 1977, Carlos Humberto Romero won the presidential office after elections fraught with fraud and threats of violence towards voters.<sup>42</sup> Hundreds of protesters were killed in San Salvador in February of that year, and repression mounted as Romero assumed office, curtailing civil liberties and assembling death squads to take out prominent activists, union leaders, and left-leaning students and teachers.<sup>43</sup> Death Squad activity was rampant in politically active areas.<sup>44</sup> While regular military forces also targeted opponents of the state, were they civilians or guerrillas, there was a special kind of terror caused by death squads. They also operated under the control of the government, but without any of the legal checks applied to legal bodies of security. They would leave white handprints on the doors of activists as a signal that they would soon be murdered.<sup>45</sup>

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<sup>41</sup> Gómez, *Human Rights in Cuba, El Salvador, and Nicaragua: A Sociological Perspective on Human Rights Abuse*, 125.

<sup>42</sup> Gómez, *Human Rights in Cuba, El Salvador, and Nicaragua: A Sociological Perspective on Human Rights Abuse*, 125-126.

<sup>43</sup> Gómez, *Human Rights in Cuba, El Salvador, and Nicaragua: A Sociological Perspective on Human Rights Abuse*, 127.

<sup>44</sup> Wood, *Insurgent Collective Action and Civil War in El Salvador*, 5.

<sup>45</sup> Paley, *A Dream Compels Us: Voices of Salvadoran Women*, 12.

It was also in 1977 that the "Law for the Defense and Guarantee of Public Order," was passed, establishing so broad a definition of "political offense" that it seemed explicitly designed to target labor unions, church workers, and human rights workers. Those arrested under this law could not be released on bond and the arrest was not subject to appeal.<sup>46</sup>

In 1979, the *Junta Revolucionaria del Gobierno* deposed Romero, with military and economic aid from the United States to support the coup. The effort was carried out by the military but supported by many on the left as an effort to avoid war.<sup>47</sup> The Junta's proposed land reforms and nationalization were never realized, as rightist militias formed and allied with the military.<sup>48</sup>

Another massacre at a peaceful demonstration occurred on January 22 of 1980. In February of that year, the Archbishop of San Salvador, Oscar Romero, wrote an open letter to President Jimmy Carter asking that the United States cease funding the Salvadoran military, and spoke out against the military violence as a whole, suggesting that soldiers top obeying demands.<sup>49</sup> Romero was assassinated by the death squads on March 24<sup>th</sup> of that same year while giving mass, and another massacre occurred at his funeral where dozens of civilian attendees were killed. A main player among the conservative opponents of the Junta and a leader of death squad activity, Roberto D'Aubuisson, was arrested for orchestrating the assassination, but was later released under the pressure of right-wing terrorist attacks and would later go on to found the *Alianza Republicana Nacionalista de El Salvador*, the conservative ARENA party.<sup>50</sup>

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<sup>46</sup> Margaret Popkin. *Peace without Justice: Obstacles to Building the Rule of Law in El Salvador*. University Park: The Pennsylvania State University, 2000. 35-36.

<sup>47</sup> Gómez, *Human Rights in Cuba, El Salvador, and Nicaragua: A Sociological Perspective on Human Rights Abuse*, 127.

<sup>48</sup> United Nations Security Council, "Report of the UN Truth Commission on El Salvador," 43.

<sup>49</sup> Phillip Berryman. *Liberation Theology: The Essential Facts about the Revolutionary Movement in Latin America and Beyond*. New York: Pantheon Books, 1987. 2.

<sup>50</sup> Wood, *Insurgent Collective Action and Civil War in El Salvador*, 27.

Paramilitary groups and guerrillas had been engaged for combat for years prior, but for many, Romero's assassination marks the official start of the civil war.<sup>51</sup>

### EL SALVADOR IN WAR

The first stage of the war from 1980-1982 was characterized by the institutionalization of violence.<sup>52</sup> Five once-fragmented opposition guerrilla groups amalgamated to form the FMLN. The death squads were in full operation. Hundreds of thousands were displaced as thousands were killed.<sup>53</sup> In the end of that year, the governing junta passed Decree Law 507, which made it legal to hold political suspects incommunicado for 195 days for an investigation period, denying their right to defense. The law allowed a military judge to order that someone be held in corrective detention for 120 days even if no grounds were found for detention.<sup>54</sup> And it was in that same month of 1980, of course, that the American churchwomen were raped and killed and the funding from the United States was temporarily cut off under Carter.<sup>55</sup>

However, Ronald Regan assumed the presidential office in the U.S. in 1980, and his administration was intent on creating and supporting allies in the Cold War.<sup>56</sup> Funding of the Salvadoran government, and by extension the military and death squads, was resumed.<sup>57</sup> By 1981 the FMLN launched full-scale war on the government. The FMLN had planned a "final offensive" in 1981 in order to incite a mass revolution, but the effort failed.<sup>58</sup> 1981 also saw the

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<sup>51</sup> Mike Allison, "El Salvador's brutal civil war: What we still don't know," *Al Jazeera*, March 1, 2012.

<sup>52</sup> UN Security Council, "Report of the UN Truth Commission on El Salvador," 27.

<sup>53</sup> UN Security Council, "Report of the UN Truth Commission on El Salvador," 27.

<sup>54</sup> Popkin, *Peace without Justice: Obstacles to Building the Rule of Law in El Salvador*, 37.

<sup>55</sup> Gómez, *Human Rights in Cuba, El Salvador, and Nicaragua: A Sociological Perspective on Human Rights Abuse*, 152-153.

<sup>56</sup> Gómez, *Human Rights in Cuba, El Salvador, and Nicaragua: A Sociological Perspective on Human Rights Abuse*, 138.

<sup>57</sup> Gómez, *Human Rights in Cuba, El Salvador, and Nicaragua: A Sociological Perspective on Human Rights Abuse*, 138.

<sup>58</sup> Gómez, *Human Rights in Cuba, El Salvador, and Nicaragua: A Sociological Perspective on Human Rights Abuse*, 137.

El Mozote massacre, in which the Salvadoran army killed over one thousand people, many of them civilians.<sup>59</sup>

From 1983 to 1987, El Salvador was in a fully-fledged state of armed conflict. José Napoleón Duarte Fuentes was elected as the first civilian president in 50 years, but the peace talks he held were to no avail.<sup>60</sup> Violent activity became more targeted, so while there was an increase of military operations by both sides and thousands were killed and hundreds of thousands displaced, the total number of violent incidents still decreased during this period.<sup>61</sup> From 1987 to 1989, negotiations were at a standstill. Alfredo Cristiani of the ARENA party was elected in 1989, and negotiations began to make progress even as the war continued.<sup>62</sup> The FMLN planned its second “final offensive” for November 11 of 1989, and the highly destructive battle saw 2,000 dead from both sides, yet at this point, neither side had gained a concrete advantage over the other.<sup>63</sup> It seemed increasingly clear that neither side would be capable of a military victory.<sup>64</sup>

While all were distracted with the final offensive, the Salvadoran Military carried out the murder of six Jesuit priests, their housekeeper and her daughter on November 16. This event again called the world’s attention to the brutality of the war, increasing the international condemnation necessary to call for a negotiation for the end of the conflict.<sup>65</sup> While military

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<sup>59</sup> Wood, *Insurgent Collective Action and Civil War in El Salvador*, 34.

<sup>60</sup> UN Security Council, “Report of the UN Truth Commission on El Salvador,” 37.

<sup>61</sup> UN Security Council, “Report of the UN Truth Commission on El Salvador,” 37.

<sup>62</sup> UN Security Council, “Report of the UN Truth Commission on El Salvador,” 40.

<sup>63</sup> UN Security Council, “Report of the UN Truth Commission on El Salvador,” 39.

<sup>64</sup> Gómez, *Human Rights in Cuba, El Salvador, and Nicaragua: A Sociological Perspective on Human Rights Abuse*, 146.

<sup>65</sup> Gómez, *Human Rights in Cuba, El Salvador, and Nicaragua: A Sociological Perspective on Human Rights Abuse*, 148.

action continued through the early 90s, the attention of the United Nations and the end of the Cold War ensured that by 1992, a peace treaty had been signed.<sup>66</sup>

As in many civil wars, civilians and noncombatants suffered in large numbers for long periods of time. The war would ultimately kill over 75,000<sup>67</sup> and see hundreds of thousands more displaced or made refugees<sup>68</sup>. The government, and the military as an increasingly powerful independent unit, continued the use of death squads and use of violence against noncombatants suspected of leftist activity or thought.<sup>69</sup> The focus of this paper is on that aspect of the Salvadoran Civil War: the use of death squads, and the state's other human rights abuses against the noncombatant population of El Salvador. The FMLN did sometimes commit violence against civilians, increasingly so towards the end of the war.<sup>70</sup> There are some cases of FMLN violence recorded in the primary source material used, but because it was in such small proportion compared to violence committed by the state, none of these cases were randomly selected for this study.

### **TUTELA LEGAL**

This primary source information comes from an organization of great importance during the war, *La Oficina de Tutela Legal Del Arzobispado* – The Archbishop's Office of Legal Aid, referring to its founders Archbishops Oscar Romero and Arturo Rivera y Damas.<sup>71</sup> When conducted, the *Comision de la Verdad de El Salvador* (CVES), The Truth Commission of El Salvador, as well as the United Nations' Final Report took much of their information from reports already made during the conflict by human rights organizations, *Tutela* begin among

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<sup>66</sup> Gómez, *Human Rights in Cuba, El Salvador, and Nicaragua: A Sociological Perspective on Human Rights Abuse*, 147.

<sup>67</sup> Wood, *Insurgent Collective Action and Civil War in El Salvador*, 8.

<sup>68</sup> UN Security Council, "Report of the UN Truth Commission on El Salvador," 32.

<sup>69</sup> UN Security Council, "Report of the UN Truth Commission on El Salvador," 135.

<sup>70</sup> UN Security Council, "Report of the UN Truth Commission on El Salvador," 135.

<sup>71</sup> Graham P. Stinnett. "Oficina De Tutela Legal Del Arzobispado Collection." Latin American Studies Center, the University of Colorado, Boulder. Accessed March 07, 2016.

them. This nongovernmental organization, the successor to a project created by the Archbishop's office under Oscar Romero, would become an essential witness to the abuses faced by the Salvadoran people during the war. Activist Maria Teresa Tula describes the Archbishop's Office as an important resource for those who had been detained and tortured;<sup>72</sup> it was to this office that family and friends of victims, and in some cases the victims themselves, could report the abuses which had been committed against them.

*Tutela Legal* was a successor to the first organization created for this purpose, *Socorro Juridico Cristiano*, which was founded in 1975 to provide legal aid to those in need. After the coup of 1979, it focused on documenting political violence and providing assistance to the victims. It closed in 1982 and was replaced by *Tutela* in part because of suspected political bias in favor of the FMLN.<sup>73</sup> Although *Tutela* was also denounced as a leftist organization by the United States Embassy, the Salvadoran courts, and the Salvadoran military government, the OAS the UN and the CVES all called it a credible organization and relied on its information.<sup>74</sup>

*Tutela Legal*, then, was created in 1982. Its aim was to collect systematic information on the abuses in order to put pressure on those responsible for the violence. It included reporting of all abuses of perpetrators where verification was possible, and used teams of lawyers and students to investigate what happened in places where violence was known to have occurred. It was considered one of the only reliable sources of data on the war.<sup>75</sup> *Tutela* was predominantly internally funded, and sponsored by the Catholic Church.<sup>76</sup> Their office was located in the

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<sup>72</sup> Tula, *Hear My Testimony*, 111.

<sup>73</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 11.

<sup>75</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 11-12.

chancery offices of the church, providing a sense of safety and immunity to declarants.<sup>77</sup> It had between 12 and 25 investigators, who were mostly lawyers and university students. It released no overarching report of its findings at any point.<sup>78</sup>

Its work of course proved to be crucial, but just that this organization was founded by Romero was enough to make it important to the Salvadoran people and many others. Romero was a religious figure, as well as an active political one; he was a primary actor in the Latin American movement of Liberation Theology. According to this theology, God has what is called a “preferential option for the poor;” God prioritizes the poor and we should, too.<sup>79</sup> This was Romero’s radical philosophy, in his advocacy and in his work for human rights.<sup>80</sup> He was assassinated because of this work, and after this, the conflict in El Salvador was considered a war.<sup>81</sup>

*Socorro Juridico*, and later *Tutela Legal*, were essential in documenting these abuses, and of course it was necessary that this documentation be preserved. This is why the University of Colorado photocopied these documents: in order to preserve the information they contain in a neutral place. Indeed, *Tutela Legal* was closed down in 2013, under mysterious conditions during a time of increased pressure to repeal amnesty laws passed after the war.<sup>82</sup> It is fortunate, then, that in 1997, copies of *Tutela's* records were gifted to The University of Colorado at Boulder,

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<sup>78</sup> Leiby, “The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru,” 18.

<sup>79</sup> Berryman, *Liberation Theology: The Essential Facts about the Revolutionary Movement in Latin America and Beyond*, 44.

<sup>80</sup> Berryman, *Liberation Theology: The Essential Facts about the Revolutionary Movement in Latin America and Beyond*, 2.

<sup>81</sup> Allison, “El Salvador’s brutal civil war: What we still don’t know.”

<sup>82</sup> Tracy Wilkinson. “Catholic Church in El Salvador shuts down rights and legal office.” *Los Angeles Times*, October 2, 2013.

and their archives now serve as the secondary safe house for the files.<sup>83</sup> Due to a lack of university funds, their contents are mostly in the state that they arrived in: largely unorganized and containing duplicated documents.<sup>84</sup> These files are underutilized although they contain valuable insight collected during the war. Just as it was essential for this information to be recorded, and then preserved, it is essential that it now be used. In this research I hope to honor the victims of this war by building on our understanding of conflict and gender.

### **III. LITERATURE REVIEW**

In order to understand the information contained in the primary source documents, it is essential to review the existing literature and scholarly work relating to the topic of gender and human rights abuses in the Salvadoran Civil War. As much of the literature makes no explicit reference to gender, I will first clarify the terms “gendered violence” and “sexual violence,” then discuss human rights abuses in El Salvador, followed by a discussion of women’s human rights. This project ultimately seeks to bridge the concepts of gender and human rights abuses, a piece largely missing from this conversation.

#### **DEFINING GENDERED AND SEXUAL VIOLENCE**

Themes which will emerge in this literature review include the lack of gendered analysis in the literature and in primary source documents, and the related lack of attention paid to women in the literature and primary sources. There is furthermore a tendency in the literature to conflate the terms “gendered violence” and “sexual violence.” As such, it is imperative at this point to differentiate between those two terms.

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<sup>83</sup> Leiby, “The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru,” 48.

<sup>84</sup> Leiby, “The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru,” 49.

Terry and Hoare point to the problems associated with the interchangeable use of the terms gender-based violence and sexual violence.<sup>85</sup> The Declaration on the Elimination of Violence Against Women (1993) classifies violence against women as a subcategory of gender-based violence. Gender-based violence is any sort of violence committed related to gender. Examples can include male teachers beating their male students particularly harshly, or violence against gay men because they are gay – and of course, sexual violence.<sup>86</sup> The definition used for sexual violence in this paper is the International Criminal Court's, as summarized by Leiby: "rape, sexual torture and mutilation, sexual slavery, enforced prostitution, enforced sterilization, and forced pregnancy."<sup>87</sup>

Gendered violence, then, refers to the differences seen in violence according to gender. It can be the way that violence is committed due to the gender of the victim, or the structural causes of a gendered society which ensure that violence affects men and women differently. While the literature has addressed sexual violence in this conflict, in part drawing from the files of *Tutela Legal*, this study examines the broader category of gendered violence in human rights abuses committed by state forces. It focuses on women because so little of the literature on this conflict does, especially outside of the context of *guerrilleras* or victims of sexual violence. However, this is not to say that sexual violence will be overlooked in this study; it will not, as it is a key part of gendered violence in this conflict and many others. It is the goal of this study to determine and analyze the range of human rights abuses women suffered as documented by *Tutela Legal*, and to see if there are any noticeable patterns. As the initial overview of human rights will show, while structural violence can constitute a human rights abuse, and women did

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<sup>85</sup> Geraldine Terry and Joanna Hoare, *Gender-Based Violence*. Oxford: Oxfam, 2007, xiv.

<sup>86</sup> Terry and Hoare, *Gender-Based Violence*, xiv-xv.

<sup>87</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 31.

face structural violence in their poor living conditions. However, this study focuses on occurrences of direct violence during this war, which further burdened women who were already affected by structural violence.

### **HUMAN RIGHTS ABUSES**

There is a broad consensus in the literature that human rights abuses occurred at a high rate. Indeed, they are a defining feature of the Salvadoran Civil War even beyond what would be expected in wartime and beyond that seen in similar conflicts.<sup>88</sup> It is first essential to understand the concept of a human rights abuse. Human rights have become an increasingly important concept within the international arena since the adoption of the Universal Declaration of Human Rights (UDHR) by the newly created United Nations in 1948.<sup>89</sup> They are fundamentally the idea that individuals have rights to personal security, general equality, political autonomy, and social and economic wellbeing, and can be generally sorted into the categories of civil and political rights and social and economic rights.<sup>90</sup> While typically conceived of as a product of enlightenment thinking, the creation of the human rights system was a response to historical circumstance: World War II and the Holocaust. The system is flexible and develops over time, and has moved from a focus on individual rights to collective or group rights, protection from colonization and the international political economy.<sup>91</sup>

Specific rights violated in The Salvadoran Civil War, according to the Universal Declaration of Human Rights, are as follows: The right to life, liberty and security of person (Article 3), the right to not be subjugated to torture or inhumane treatment (Article 5), a right to

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<sup>88</sup> Gómez, *Human Rights in Cuba, El Salvador, and Nicaragua: A Sociological Perspective on Human Rights Abuse*, 123.

<sup>89</sup> Gómez, *Human Rights in Cuba, El Salvador, and Nicaragua: A Sociological Perspective on Human Rights Abuse*, 24.

<sup>90</sup> Gómez, *Human Rights in Cuba, El Salvador, and Nicaragua: A Sociological Perspective on Human Rights Abuse*, 24.

<sup>91</sup> Sally Engle Merry, "Women, Violence and the Human Rights System," in *Women, Gender, and Human Rights: a Global Perspective*, ed. Marjorie Agosín (New Brunswick: Rutgers University Press, 2001), 85.

equal protection before the law (Article 6), a right to a fair and competent judge should human rights be violated (Article 8), freedom from arbitrary arrest (Article 9), right to a fair public hearing (Article 10), the right to be considered innocent until proven guilty (Article 11), the right to freedom of thought and opinion (Articles 18 and 19), the right to peaceful assembly (Article 20), the right to join trade unions (Article 23), and the right to a social order (Article 28).<sup>92</sup>

Section II of this paper has given a broad overview on how these rights were violated in the use of death squads and paramilitaries against civilians. Specific violations of these rights as found in primary source material will be discussed in more detail in Section V, Findings.

There is debate over the origin and meaning of human rights. Universalists believe that rights are universal and timeless;<sup>93</sup> they “merely presume the validity of human rights, which abnegates the need for justification,” as Renteln says.<sup>94</sup> And, as Gómez explains, constructivists believe that rights are “historically situated and contextually bound.”<sup>95</sup> In this view, human rights are essentially human constructions, caused by the historical context of the people who create them. This is tied to the ideas of relativists, who according to Renteln, “reject the possibility that there can be universal moral standards because no justification can avoid being culturally based and thus limited in scope.”<sup>96</sup> Renteln explains that there are four possible explanations for the origins of human rights, none of them wholly satisfactory. They could come from divine authority, natural law, intuition that certain actions are wrong, and the ratification of international instruments.<sup>97</sup>

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<sup>92</sup> The United Nations. Universal Declaration of Human Rights. 1948.

<sup>93</sup> Gómez, *Human Rights in Cuba, El Salvador, and Nicaragua: A Sociological Perspective on Human Rights Abuse*, 20.

<sup>94</sup> Alison Dundes Renteln. *International Human Rights: Universalism versus Relativism*. New Orleans: Quid Pro, 2013. 1.

<sup>95</sup> Gómez, *Human Rights in Cuba, El Salvador, and Nicaragua: A Sociological Perspective on Human Rights Abuse*, 20.

<sup>96</sup> Renteln, *International Human Rights: Universalism versus Relativism*, 1.

<sup>97</sup> Renteln, *International Human Rights: Universalism versus Relativism*, 1 -2.

Renteln argues that it is important to not focus so much on the human rights explicitly, so much as to see that there are equivalents in other cultures.<sup>98</sup> She believes there could indeed be a global willingness to embrace particular human rights such as the right to not be tortured, as her research shows that the principle of "retribution tied to proportionality" is widespread.<sup>99</sup> Furthermore, she argues that this justifies criticism of governments who repress citizens who have done no wrong<sup>100</sup> – although this, too, can be difficult to define based on the morals of one culture compared to another, or by what is legal and what is not in the context of an oppressive government. Death squads, for example, clearly violate this near-universal principle of retribution; there is a clear moral weight against that sort of activity.<sup>101</sup> Moving forward, this discussion of human rights bears in mind that there may in fact be no such thing as a set of universal human rights. Regardless, I argue that the activities of the Salvadoran Government during the Civil War were clearly morally wrong, and there would likely be near-universal agreement on that. Furthermore, their activities were illegal, as El Salvador signed on to the Universal Declaration of Human Rights. The issue in this conflict was not that the Salvadoran Government denied that what they were doing was not a violation of human morality; the issue is that they refused to take responsibility for what they were doing.<sup>102</sup>

### **WOMEN'S HUMAN RIGHTS**

With the context of the importance of human rights stated, I argue that women's human rights deserve special attention. Although Gómez describes first the sociological perspective of human rights, and how important it is for the international community to recognize this concept,

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<sup>98</sup> Renteln, *International Human Rights: Universalism versus Relativism*, 3.

<sup>99</sup> Renteln, *International Human Rights: Universalism versus Relativism*, 11.

<sup>100</sup> Renteln, *International Human Rights: Universalism versus Relativism*, 14-15.

<sup>101</sup> Renteln, *International Human Rights: Universalism versus Relativism*, 14-15.

<sup>102</sup> Inter-American Commission on Human Rights, "Applicability of Article 42 of the Regulations of the Commission in certain cases reported to the Inter-American Commission on Human Rights." "Report on the Situation of Human Rights in El Salvador." Doc. 28 rev. 11 February 1994.

there is no explicit discussion of gender in her discussion of the actual abuses even after discussing feminist challenges to human rights norms. By this I mean there is no discussion on the experience of women in this war, on gendered difference in the violence and human rights abuses suffered, or even mention of sexual violence. I have found this to be the case with most literature on human rights abuses in the Salvadoran Civil War.

Agosín states the importance of women's human rights beautifully:

In the 1970s, most Latin American countries were ruled by military dictatorships. All forms of civil disobedience were met with arrests, torture, or even death. The bodies of the victims often simply disappeared. The vanished body, deprived of identity, of physical and spiritual space, of social as well as historical memory, brings to mind the nearly universal condition of women pushed towards the margins of official and recorded history, uneducated, illiterate, and powerless. The story of the disappeared represents a startling parallel to the worldwide struggle by women for visibility and for human rights and justice.<sup>103</sup>

Although Gómez does not mention gender in any of her descriptions of human rights abuses, her work includes a discussion on feminist challenges to the rights discourse. Feminists, like relativists, claim that certain groups have not been adequately represented by the rights discourse.<sup>104</sup> Indeed, when the UDHR was being drafted, the working group wanted to use the word "men" to refer to all human beings, until the women working on the document spoke out against this.<sup>105</sup>

The marginalization of women in the human rights framework is demonstrated by how women's rights are barely addressed within most human rights norms and institutions. According to Agosín, Most organizations define human rights in terms of male models, failing to take into account reproductive freedom and other health issues, or granting asylum in decisions based on

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<sup>103</sup> Marjorie Agosín. *Women, Gender, and Human Rights: A Global Perspective*. New Brunswick: Rutgers, The State University. 2001. 1.

<sup>104</sup> Gómez, *Human Rights in Cuba, El Salvador, and Nicaragua: A Sociological Perspective on Human Rights Abuse*, 27.

<sup>105</sup> Arvonne Fraser, "Becoming Human: The Origins and Development of Women's Human Rights," in *Women, Gender, and Human Rights: a Global Perspective*, ed. Marjorie Agosín (New Brunswick: Rutgers University Press, 2001), 45.

gender.<sup>106</sup> Furthermore, women's rights are usually just presented as a weaker version of the mainstream conception of rights.<sup>107</sup> This mainstream convention ignores that women are a marginalized population; they have been denied equal status to men for millennia, and as such, we cannot simply hope that their rights will fall into place when society is focused on the needs of men. The lack of security for women's human rights comes despite international conventions, such as the UN Convention on All Forms of Discrimination against Women (CEDAW) in 1981, which called violence against women a form of discrimination, and called on governments to create penalties in response.<sup>108</sup> Article 5 of CEDAW goes so far as to say that governments are responsible for eliminating practices which are harmful to girls and women.<sup>109</sup> The Declaration of the Elimination of Violence against Women in 1993 was developed during the UN Conference in Vienna,<sup>110</sup> and the Beijing Declaration and Platform of Action in 1995 reasserted this expansion of human rights by holding governments responsible for the protection of women from gender based violence.<sup>111</sup> However, without going into detail about what abuses were committed against women in the Salvadoran Civil War, Gómez argues, many nations have failed to protect women's rights in practice.<sup>112</sup> CEDAW was signed by El Salvador at the start of the Salvadoran Civil War, and later ratified by El Salvador, and yet outrageous abuses of the rights of women were committed regardless. We know from activists' testimony that women in this

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<sup>106</sup> Agosín, *Women, Gender, and Human Rights: A Global Perspective*, 2-3.

<sup>107</sup> Gómez, *Human Rights in Cuba, El Salvador, and Nicaragua: A Sociological Perspective on Human Rights Abuse*, 28.

<sup>108</sup> Merry, "Women, Violence and the Human Rights System," 87.

<sup>109</sup> Shelia Dauer, "Indivisible or Invisible: Women's Human Rights in the Public and Private Sphere," in *Women, Gender, and Human Rights: a Global Perspective*, ed. Marjorie Agosín, New Brunswick: Rutgers University Press, 2001. 67.

<sup>110</sup> Merry, "Women, Violence and the Human Rights System," 88.

<sup>111</sup> Merry, "Women, Violence and the Human Rights System," 88 -89.

<sup>112</sup> Gómez, *Human Rights in Cuba, El Salvador, and Nicaragua: A Sociological Perspective on Human Rights Abuse*, 29.

conflict faced human rights abuses such as rape, being deprived of food, extreme physical abuse, torture, kidnapping, and detainment without being charged of a crime.<sup>113</sup>

### GENDERED ANALYSIS

Overall, primary source documentation gives little mention of gender. The UN Security Council's report on the war gives a detailed summary of the history of the conflict, the abuses perpetrated, those responsible, and the significance of all this to the larger history of the war. But after analyzing it, I found that this document gives no mention of gender or sex in discussing human rights abuses, and contains exactly five mentions of rape in over 250 pages. Similarly, Leiby points out that *La Comision de Verdad de El Salvador* (La CVES), or the Truth Commission of El Salvador, did not conduct any gendered analysis. It did share cases of rape, but Leiby found their reporting to be unsatisfactory. The only cases of sexual violence reported were 270 individual cases of rape, of which 99% of the victims were women. This contrasts to the 123 cases of sexual violence Leiby encountered in her primary source research, only 17% of which were rape, and of which only 45% of the victims were women.<sup>114</sup> Thus, the CVES carried out no gendered analysis of the human rights abuses, and its reporting on sexual violence seems to be flawed, as it reported only on rape, and almost exclusively on rape of women. In my own analysis of the Inter-American Commission on Human Rights' 1994 "Report on the Situation of Human Rights in El Salvador," which calls on the government of El Salvador to investigate perpetrators of human rights abuses, I found the details of 66 selected cases of featuring 141 victims, 29 of whom were women. Two of these women were reported as having been raped.<sup>115</sup> However, they conduct no gendered analysis, nor any analysis of sexual violence. Furthermore,

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<sup>113</sup> Paley, *A Dream Compels Us: Voices of Salvadoran Women*, 1999.

<sup>114</sup> Leiby, "The Promise and Perils of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 44.

<sup>115</sup> Inter-American Commission on Human Rights, "Report on the Situation of Human Rights in El Salvador."

in its call for justice for the four American church women, the report does not at all mention that they were raped, when we know they were.<sup>116</sup> This calls into question how many other times this sort of omission was made in the course of this report.

The same lack of gendered analysis is found in the literature. Many sources, if not explicitly focused on gender, do not explicitly mention gender or women when discussing human rights abuses in the Salvadoran Civil War in any way. This is true of the truth commissions. And yet, without this sort of analysis, we cannot fully understand what abuses were truly committed.<sup>117</sup> That there is not more explicit analysis on gender in the current literature on human rights abuses demonstrates a critical gap in our knowledge, and the need for this study.

Sjoberg would argue that the lack of analysis of gender in the current literature is a missed opportunity to fully understand war.<sup>118</sup> Our understanding of war is incomplete without an understanding of gender. By taking a feminist lens in studies of war, we are able to understand why war is conducted the way it is, and how it affects people.<sup>119</sup> Bourgois' analysis agrees with this position, theorizing that violence can only be properly understood in the context of a continuum of four types of violence: political, interpersonal, symbolic, and structural. Direct political violence is targeted physical violence administered by authority and those opposing authority. Structural violence is chronic, entrenched economic oppression and social inequality. Symbolic violence is internalized humiliation derived from sexism, racism, and classism.

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<sup>116</sup> Gómez, *Human Rights in Cuba, El Salvador, and Nicaragua: A Sociological Perspective on Human Rights Abuse*, 152-153.

<sup>117</sup>Phillipe Bourgois, "The Continuum of Violence in War and Peace: Post-Cold War Lessons from El Salvador," in *Violence in War and Peace: an Anthology*, ed. Nancy Shepherd Hughes and Phillipe Bourgois (Oxford: Blackwell, 2004), 425-434.

<sup>118</sup> Sjoberg, *Gendering Global Conflict: Towards a Feminist Theory of War*, 252-253.

<sup>119</sup> Sjoberg, *Gendering Global Conflict: Towards a Feminist Theory of War*.

Everyday violence is at the micro-interactional level and comes in individual lived experiences.<sup>120</sup>

He uses the framework to examine why violence El Salvador has been interpreted the way it has been: as a researcher in El Salvador, he sanitized the violence he saw during the Salvadoran Civil War by putting it in the context of the Cold War. He argues that the violence there can only be understood in taking this more complex view of how all the different forms of violence overlap and affect one another. This is especially relevant in the context of gender. Violence against women is often symbolic violence, and gender could very well affect the type of direct political violence which a woman faced during the war. Less mentioned in this paper are structural violence (women as the primary caretakers for their children faced increasing difficulties),<sup>121</sup> and interpersonal violence (domestic abuse rates increased after the war).<sup>122</sup> Still, it is essential to realize that as women faced each of these types of violence, the human rights abuses committed against them were made all the worse by the overlapping effects of all forms of violence on the continuum. As such, all forms are touched upon in this paper, but the primary source research focuses only on direct political violence.

Aron, Corne, Fursland, and Zelwar show that the acts the state forces committed were in a different context than when such acts are committed an isolated criminal act.<sup>123</sup> Their study of gendered violence is one which focuses almost exclusively on sexual violence, but it is still telling. Women, especially when facing sexual violence, were in a particularly vulnerable position during the civil war. As Aron et al report, “in El Salvador, where the Security Police

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<sup>120</sup> Bourgois, "The Continuum of Violence in War and Peace: Post-Cold War Lessons from El Salvador," 426.

<sup>121</sup> Sjoberg, *Gendering Global Conflict: Towards a Feminist Theory of War*, 255.

<sup>122</sup> Bourgois, "The Continuum of Violence in War and Peace: Post-Cold War Lessons from El Salvador," 432.

<sup>123</sup> Adrienne Aron, Shawn Corne, Anthea Fursland, and Barbara Zelwer, "The gender-specific terror of El Salvador and Guatemala: Post-traumatic stress disorder in Central American refugee women," *Women's Studies International Forum* 14, no. 1-2 (1997): 38.

assign torture methods to detainees largely on the basis of gender, not one of the 10 forms of torture reserved exclusively for men relates to the victim's sexuality, yet forced nudity and rape constitute 2 of the repertoire of 5 techniques applied exclusively to women."<sup>124</sup> Aron et al argue that the trauma that refugee women have experienced must be examined in context of the conflict environment and in the trauma of exile,<sup>125</sup> supporting Bourgois' theory of the continuum of violence. They touch on the case of the American church women as well, arguing that it was shocking only because it was not a part of standard operating procedure to rape Americans. This highlights just how entrenched sexual violence was in this conflict. In a context in which there was little protection of anyone's human rights, it makes sense that there were no additional safeguards for women's human rights.

This is touched on in Sjoberg's work, as well. Her theories make gender more explicit in every level of a conflict. She argues that there are many missing pieces in the way we study war, and gender is one of them.<sup>126</sup> Gender is a social construction, but this does not mean that it is not real. It is something that people live in their daily lives, and which plays out in global politics.<sup>127</sup> She argues for a feminist theorizing of war, explaining that there are multiple feminisms. It is possible to put them in dialogue with one another, and with conceptions of war that have ignored gender.<sup>128</sup> For example, "feminist constructivism focuses on the way that ideas about gender shape and are shaped by global politics", and feminist postculturalism focuses on how the feminine is marginalized by language and dichotomies such as strong/weak/ or public/private,

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<sup>124</sup> Aron et al, "The gender-specific terror of El Salvador and Guatemala: Post-traumatic stress disorder in Central American refugee women," 38.

<sup>125</sup> Aron et al, "The gender-specific terror of El Salvador and Guatemala: Post-traumatic stress disorder in Central American refugee women," 37-47.

<sup>126</sup> Sjoberg, *Gendering Global Conflict: Towards a Feminist Theory of War*, 3.

<sup>127</sup> Sjoberg, *Gendering Global Conflict: Towards a Feminist Theory of War*, 5.

<sup>128</sup> Sjoberg, *Gendering Global Conflict: Towards a Feminist Theory of War*, 5.

and rational/emotional.<sup>129</sup> Conceptions such as these are typically left out of analyses of war, even those focusing directly on women; indeed, I have found that most literature on the Salvadoran Civil War which focuses on women focuses only on sexual violence.

However, there are many more ways in which conflict is gendered. For example, Sjoberg points out that "Studies show that the first to feel the health, economic, and social effects of wars are women and children, who find themselves on the margins of wars and war economies."<sup>130</sup> These claims indeed apply to the Salvadoran case. As Ready points out, the war had devastating effects on healthcare. In the 1980s, the infant mortality rate was high at 60 out of 1000 live births, and the maternal mortality rate at 140-200 out of 100,000 live births, was one of the highest in Latin America.<sup>131</sup> It is more difficult for women to get healthcare during war; the resources are destroyed or put to other uses, and economic downturn makes it cost more.<sup>132</sup> Health is a human right, according to the 25<sup>th</sup> article of the Universal Declaration of Human Rights.<sup>133</sup> This makes the difficulty of women in finding health care yet another human rights abuse against women in this conflict.

Another right stated by the UDHR is the right to return to one's own country, according to Article 13, and the right to a nationality, according to Article 15.<sup>134</sup> These rights were revoked when many were forced to emigrate due to the violence of the war. According to Ready, at first, men made up a higher percentage of the migrants, but by the mid-1980s, more migrants were women.<sup>135</sup> Thus, this was yet one more way in which human rights abuses in this conflict were gendered, although there is little research to suggest exactly why this occurred.

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<sup>129</sup> Sjoberg, *Gendering Global Conflict: Towards a Feminist Theory of War*, 4.

<sup>130</sup> Sjoberg, *Gendering Global Conflict: Towards a Feminist Theory of War*, 255.

<sup>131</sup> Ready, "It's a Hard Life: Women in El Salvador's Economic History," 197.

<sup>132</sup> Sjoberg, *Gendering Global Conflict: Towards a Feminist Theory of War*, 257.

<sup>133</sup> The United Nations. Universal Declaration of Human Rights.

<sup>134</sup> The United Nations. Universal Declaration of Human Rights.

<sup>135</sup> Ready, "It's a Hard Life: Women in El Salvador's Economic History," 196.

Women who remained at home were also put under further stress. Men had often been absent from Salvadoran households, but the war made it more likely that they would never return - many were killed or emigrated permanently.<sup>136</sup> As activist Maria Teresa Tula explained during the war,

More than half the women in El Salvador are single mothers. The fathers have either abandoned their children or they have been killed in the war... That is why we decided to support the women's movement in El Salvador. We have to change the machismo that exists. We don't blame the men personally; we blame the whole system that keeps women down.<sup>137</sup>

Tula's words remind us that in the midst of all this, Salvadoran women were able to create one of the strongest networks of grassroots organizations in Latin America.<sup>138</sup> In her analysis of her work with OXFAM during the War, Thompson argues that not enough attention was paid to gender, especially not in terms of gender inequity. While many blamed the war on skewed distributions of power within El Salvador, gender inequity was not usually taken into account, and many social groups did not believe that they had resources to spare for it.<sup>139</sup> OXFAM and many Salvadoran-based groups later came to understand that the condition of war was a root cause for the need for gender equity – made more apparent when their women colleagues were “in constant danger of being detained, tortured, and killed”.<sup>140</sup> Still, this article and the groups it discusses had no explicit analysis of *how* that threat was gendered. There is no mention of what specific violence women faced, nor why it is that women specifically were targeted.

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<sup>136</sup> Ready, "It's a Hard Life: Women in El Salvador's Economic History," 196.

<sup>137</sup> Tula, *Hear My Testimony*, 183.

<sup>138</sup> Ready, "It's a Hard Life: Women in El Salvador's Economic History," 198.

<sup>139</sup> Martha Thompson, "Gender in Times of War (El Salvador)," in *Gender Works: Oxfam Experience in Policy and Practice*, ed. Fenella Porter et al (Herdon: Stylus Publishing, 1999), 47-57.

<sup>140</sup> Thompson, "Gender in Times of War (El Salvador)", 52.

One author who does pay attention to gender in her analysis of human rights abuses in this conflict is Leiby, whose work has been essential to my own. Her research using the same CU archives on El Salvador demonstrates that wartime sexual violence is continually a grave issue, but there are great difficulties in researching this topic, as methods used by truth commissions often misrepresent these findings.<sup>141</sup> Leiby explains archival research can be difficult due to the way in which these cases are represented, but such primary source research is necessary. In her examination of the archives, Leiby finds that the number of reported cases of sexual violence varies significantly depending on the data source, that men were the targets of sexual violence more than had previously been thought, and that sexual humiliation and torture were common practices of the armed forces during the Salvadoran Civil War.<sup>142</sup> More on Leiby's work will be discussed in the section titled "Previously Recorded Primary Source Information."

Aron, Corne, Fursland, and Zelwar also focus on gender and women in their study, specifically examining PTSD in women refugees in El Salvador as well as Guatemala. Abuses which these authors cite include rape as a standard operating procedure for women in detention, which is the most prevalently documented form of sexual violence; the rape of women in communities rather than in detention; and the improvised rape of women apart of superiors' commands.<sup>143</sup> Activist Maria Teresa Tula shares her own experience with detainment, as well. When Maria Teresa was captured she was raped by two men, who said: "We can't let women like her just leave. We have to take them and just fuck them." She was told to never tell anyone about the rape. She was psychologically tortured as well, as her torturers said they were going to kill

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<sup>141</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 1.

<sup>142</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 1.

<sup>143</sup> Aron et al, "The gender-specific terror of El Salvador and Guatemala: Post-traumatic stress disorder in Central American refugee women," 38.

her children if she did not cooperate.<sup>144</sup> In Grace Paley's collection of narratives of Salvadoran women active during the war, there are numerous such accounts of women being raped while detained, as well.<sup>145</sup> Tula explained: "I feel deeply ashamed telling people that I was raped during my torture. The reality is that the majority of women who are detained are raped."<sup>146</sup> Amnesty International has been reporting for decades on the risk of rape for women in custody, and Dauer argues that especially for women who are detained for activism, this practice is a way to punish these women for their perceived transgressions of societal norms.<sup>147</sup>

Citing Aron et al and later Leiby, Cohen, Green, and Wood's findings echo the prevalence of sexual violence perpetrated by state forces during the Salvadoran Civil War.<sup>148</sup> They explain that rape is not ubiquitous in war, and that rape is more correlated with analysis at the armed group level than at the country or region level; this suggests that rape is a mechanism of one armed group or another, not something natural to a particular region or country.<sup>149</sup> State forces in general are more likely to commit sexual violence than rebel groups in general.<sup>150</sup> While this may seem counterintuitive because state forces have more resources at their disposal to accomplish their means without resorting to rape, it makes sense when one considers that rebel groups depend more on the support of the populace.<sup>151</sup>

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<sup>144</sup> Tula, *Hear My Testimony*, 134.

<sup>145</sup> Paley, *A Dream Compels Us: Voices of Salvadoran Women*.

<sup>146</sup> Tula, *Hear My Testimony*, 174.

<sup>147</sup> Dauer, "Indivisible or Invisible: Women's Human Rights in the Public and Private Sphere," 70.

<sup>148</sup> Cohen, Green, Hoover; and Wood. "Wartime Sexual Violence: Misconceptions, Implications, and Ways Forward," 2.

<sup>149</sup> Cohen, Green, Hoover; and Wood. "Wartime Sexual Violence: Misconceptions, Implications, and Ways Forward," 2-3.

<sup>150</sup> Cohen, Green, Hoover; and Wood. "Wartime Sexual Violence: Misconceptions, Implications, and Ways Forward," 4.

<sup>151</sup> Cohen, Green, Hoover; and Wood. "Wartime Sexual Violence: Misconceptions, Implications, and Ways Forward," 4.

This certainly makes sense in the case of the FMLN, who Viterna describes as a group seen as righteous, and not radical, in the eyes of the Salvadoran public.<sup>152</sup> She argues their strategic use of gender was one of the strongest tools they had to mitigate public perception of their radicalness.<sup>153</sup> Says Viterna, "The FMLN is an especially useful case for examining the relationship between gender, violence, and radicalization."<sup>154</sup> One-third of the FMLN was made up of women, and they are often highlighted for their restraint in not committing sexual violence, or other violent acts against civilians.<sup>155</sup> It was frequently suggested to young women throughout the war that they join the FMLN to protect themselves against rape.<sup>156</sup> On a sobering note, Viterna reminds us that violence against women is seen as this especially radical thing in the context of war, and yet it is something normalized that happens in high rates, especially in El Salvador, where half of women have reported suffering violence or abuse from a romantic partner. Thus, the controversy is over which men are allowed to harm women, rather than the fact that women are being harmed.<sup>157</sup>

An imperative question arises after reviewing the literature: why is there almost exclusive attention on sexual violence in literature on gendered violence? Sjoberg argues that conflict is gendered in many other ways: for example, we can tell when civilians are being targeted on purpose because there are a higher proportion of women victims; otherwise, male and female civilians would die in equal amounts.<sup>158</sup> A possible explanation for the assumption is that this is indeed the primary abuse that women faced in this conflict, and the primary way in which this conflict's violence was gendered. There is not enough literature on other abuses to confirm this,

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<sup>152</sup> Viterna, "Radical or Righteous? Using Gender to Shape Public Perceptions of Political Violence," 189.

<sup>153</sup> Viterna, "Radical or Righteous? Using Gender to Shape Public Perceptions of Political Violence," 191.

<sup>154</sup> Viterna, "Radical or Righteous? Using Gender to Shape Public Perceptions of Political Violence," 198.

<sup>155</sup> Viterna, "Radical or Righteous? Using Gender to Shape Public Perceptions of Political Violence," 198-199.

<sup>156</sup> Viterna, "Radical or Righteous? Using Gender to Shape Public Perceptions of Political Violence," 203.

<sup>157</sup> Viterna, "Radical or Righteous? Using Gender to Shape Public Perceptions of Political Violence," 197.

<sup>158</sup> Sjoberg, *Gendering Global Conflict: Towards a Feminist Theory of War*, 202.

which is why this study is so needed. However, as will be discussed in the Findings section, there is not enough information even in primary source documents to compare the frequency of different types of human rights abuses committed against women.

It is also possible that the way of thought surrounding gender and war does not tend to see women in complex enough a light to examine anything beyond sexual violence. It is notable that according to Leiby's findings, 29% of victims of sexual violence documented by *Peru's Comision de la Verdad y la Reconciliacion* were men, but that she has no such percentage from *La Comision de Verdad de El Salvador* (La CVES) because this truth commission did not conduct any gendered analysis even in its reporting of rape.<sup>159</sup> We simply do not have the data to know, because analysis of gendered abuses was not conducted even when rape was recorded.

Clearly, rape and sexual violence was a concern of women in this conflict. I am not suggesting that it should not have been, nor that it is not important to research and write about. Rather, I would suggest that examining women in conflict cannot stop there, at sexual violence. If this abuse is given more attention, it is certainly because it is deserving of special attention. But what I want to get at here is this: women are deserving of special attention apart from the attention given to sexual violence. As anecdotal evidence of where this happens in the academy, I would share a story of an encounter of mine with archivist working at the University of Colorado. When I told him my research topic, he told me that Leiby had already researched women in this war, and maybe I should consider researching men instead. In fact, what Leiby had actually researched was sexual violence, and she researched this abuse as it happened to both men and women. But the impression given by researching sexual violence was that Leiby was researching violence against women. In order to pay the sort of attention to women that we

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<sup>159</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 9-10.

should as researchers and as a society, we cannot conflate the terms sexual violence and gendered violence. To do so is to weaken our understanding of sexual violence, other forms of gendered violence, and what the victims of each experience.

In support of this assertion are Cohen, Green, and Wood remind us that rape and sexual violence are not the only form of violence women suffer in war. In their analysis of sexual violence across numerous conflicts in all regions of the world, they say:

The misconception that women are the only victims of sexual violence comes with an equally incorrect corollary: that sexual violence is the main form of violence suffered by women in wartime. It is clear that the types of violence directed against women vary from conflict to conflict.<sup>160</sup>

However, they also remind us that comparisons of the different forms of violence which women suffer are rare, and we have no reliable estimates or numbers in this regard.<sup>161</sup> This supports my own inability to find such information in the literature.

### **PREVIOUSLY RECORDED PRIMARY SOURCE INFORMATION**

Previously, the files of *Tutela Legal*, among others, had been examined for information on sexual violence specifically, although gendered analysis of a broader scope had not been conducted before this present study. Michelle Leiby's findings are essential to the understanding of gendered human rights abuses in the Salvadoran Civil War, and can be summarized as such: The number of reported cases of sexual violence varies significantly depending on the data source; men were the targets of sexual violence more than had previously been thought; and

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<sup>160</sup> Cohen, Green, Hoover; and Wood. "Wartime Sexual Violence: Misconceptions, Implications, and Ways Forward," 7.

<sup>161</sup> Cohen, Green, Hoover; and Wood. "Wartime Sexual Violence: Misconceptions, Implications, and Ways Forward," 7.

sexual humiliation and torture were common practices of the armed forces during these conflicts.<sup>162</sup>

Leiby argues that there are numerous challenges presented in researching wartime sexual violence, which is a very prevalent and real issue.<sup>163</sup> Furthermore, she argues that methods used in researching sexual violence by truth commissions are flawed and often misrepresent what actually happens in these conflicts.<sup>164</sup> To illustrate this point, it is worth noting that the *Comision de la Verdad de El Salvador* did not investigate sexual violence. Rape was considered apolitical, interpersonal violence and did not fall within the scope of the commission, and so the CVES did not investigate motives behind sexual violence, the implicit definition of which was the rape of women.<sup>165</sup>

Leiby's findings on sexual violence, to which my own findings on gendered violence can be compared, are as follows: the rape of women in front of both men and women is something that happened in this conflict, and the sexual humiliation and torture of people detained in state prisons is also something which occurred in this conflict.<sup>166</sup> One percent of all acts of violence recorded were sexual violence, constituting 123 cases.<sup>167</sup> Forty-five percent of victims were women; 53% of victims were men, and 2% of victims' gender was unreported.<sup>168</sup> The types of abuse committed can be broken down as shown in table 1:

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<sup>162</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 1.

<sup>163</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 2-3.

<sup>164</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 3.

<sup>165</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 9-10.

<sup>166</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 12.

<sup>167</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 44.

<sup>168</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 44.

**Table 1**

| Type of abuse suffered    | Sexual humiliation | Sexual torture | Rape and gang rape | Sexual coercion | Sexual mutilation |
|---------------------------|--------------------|----------------|--------------------|-----------------|-------------------|
| Percentage of all victims | 41%                | 18%            | 24%                | 12%             | 4%                |
| Percentage of women       | 27%                | 4%             | 53%                | 11%             | 4%                |
| Percentage of men         | 48%                | 24%            | 10%                | 13%             | 6%                |

It is important to note that no independent confirmation of this data exists yet;<sup>169</sup> and yet it contrasts sharply with what the CVES found on sexual violence: 270 individual cases of rape, making up 3.7% of all violations, where 99% of victims were women and less than 1% men, and 100% of cases of sexual violence were rape.<sup>170</sup> Such sharp differences in the findings support the claim that more gender-cognizant methods of human rights reporting are required, if the findings of sexual violence are any indicator of other abuses.

### **HUMAN RIGHTS REPORTING**

At this point, several instances of human rights reporting have been mentioned: the CVES, the UN Commission, and the Inter-American Commission on Human Rights, as well as *Tutela Legal* and *Socorro Juridico*. Without the primary information of *Tutela Legal*, the findings of these commissions would not have been possible, nor this study, nor Leiby's. Thus, human rights reporting is clearly essential work; it is also for this reason that it is important to question that this reporting is being done in the best way possible.

Bruch points out that Human rights monitoring and reporting, also called fact-finding, has become a commonplace thing in the globalized world, as a practice of both NGOs and IGOs.<sup>171</sup>

<sup>169</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 13.

<sup>170</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 44.

<sup>171</sup> Elizabeth Bruch, "Having the last word: Human rights reporting (re)imagined through critical qualitative methodology," *Qualitative Sociology* 36, no 2 (2013): 210.

However, there has been a lack of transparency and accountability in the practice.<sup>172</sup> Critiques also focus on power inequities; especially when western organizations monitor in nonwestern communities, reinforcing the idea that the west should be in a position of power.<sup>173</sup> While this critique does not necessarily apply to *Tutela Legal* as a Salvadoran organization run by Salvadorans working in El Salvador, it is still important to note that it was an organization of the Catholic Church. Even given the context of Liberation Theology, it is important to note that the Church was traditionally an institution of power, and that Christian conceptions of purity and shame could likely have influenced how willing people were to reporting things like sexual violence, since women, and not their rapists, are often seen as impure after a rape.<sup>174</sup> However, I could find no research on this topic. Burch points out that because the reporting must answer the goals and needs of the organization, it can never be neutral;<sup>175</sup> it's worth mentioning here again that *Socorro Juridico* was closed down for its bias towards the left.

#### IV. METHODOLOGY

##### PRIMARY SOURCE INFORMATION

As explained, primary source information on human rights abuses will be drawn from the archives of the *Oficina de Tutela Legal Del Arzobispado*'s papers, which was selected over *Socorro Jurídico* as the source considered the more reliable of the two.<sup>176</sup> The Norlin Library Archives at the University of Colorado, Boulder, contain 34 boxes of photocopies of these records. The collection's accompanying documentation describes it as such:

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<sup>172</sup> Bruch, "Having the Last Word: Human Rights Reporting (Re)Imagined through Critical Qualitative Methodology," 209.

<sup>173</sup> Bruch, "Having the Last Word: Human Rights Reporting (Re)Imagined through Critical Qualitative Methodology," 210.

<sup>174</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 19.

<sup>175</sup> Bruch, "Having the Last Word: Human Rights Reporting (Re)Imagined through Critical Qualitative Methodology," 215.

<sup>176</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 11.

Case files in Spanish documenting killings, extrajudicial executions, disappearances, torture, and other human rights abuses in El Salvador 1975-1993. The case files contain biographical information about the victim including date and place of the event, who is held responsible, and a detailed description of the circumstances surrounding the report.<sup>177</sup>

The goal of this study is telling the stories found in these case files, to the best of my ability, with the information I have been given through the filters of time, place, culture, language, and memory, in such a way that highlights gendered human rights abuses in this conflict.

Because the information in these files is so sensitive, I was not able to replicate one to include as an example. But it is still helpful to explain how the files are laid out: It is a form to be filled out, with biographical information at the top in a fill-in-the-blank format: Name, date of birth, sex, profession, captors, place of capture, etc. At the end of the form, are blank lines where the human rights worker filling out the form typed the narrative of the reporter of the abuse. Typically, these narratives describe how the person was taken, although they also sometimes describe a few details of detainment (as brief as: she was tortured psychologically), and sometimes tell that the friend or family member reporting the case has asked about the victim at various locations with no luck in finding her. While the collection's description describes numerous human rights abuses detailed in these files, most typically, only a victim's abduction is described. The implications of this are discussed in the Findings section of this paper.

Because this project was under a narrow time restriction, it was necessary to limit the search to a specific time frame. Therefore, the study focuses on the early years of the conflict, from 1980 to 1983. The United Nations divides the conflict into four periods, each one corresponding to a political shift in the country. 1980-1982 is the period which saw the greatest number of deaths and human rights abuses, according to the UN, and is marked by the

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<sup>177</sup>*Oficina de Tutela Legal Del Arzobispado*. Norlin Library Archives at the University of Colorado, Boulder. 1997.

institutionalization of violence.<sup>178</sup> In this period, violence against the civilian population became systematic, the death squads organized formally, and the FMLN was founded formally and began its operations.<sup>179</sup> This marks this period as the most appropriate for this study. However, the number of cases recorded by *Tutela Legal* increased each year, as well as the percentage of women victims. Thus, I extended my research to include one more year, 1983. Although this does not conform to the UN's characterization, by including the files from 1983, it was possible to examine a wider variety of cases, and a period of the conflict with a higher percentage of women victims. This includes boxes 1-6 of the collection, containing 793 files of abuses occurring between 1980 and 1983, numbered 1-1336 (as many files are missing).

### **SELECTING THE CASES**

The boxes of the Tutela Legal collection containing files from the years 1981 – 1983 contain 793 files, 98 of which are files on women. This study will aim to compare 50 men's files and 50 women's. Thus, in order to examine 50 of each of these files, I will pull every other file with a woman's name on it (51% of the 98 files), and every 13th file with a man's name on it (7.1% of the 695 files) in order to pull 50 files of each. With only 100 files selected of over one thousand available, the findings of this study are not statistically significant. They are a small sample of files which constitute only a small sample of victims; the data found in this study cannot be extrapolated to the conflict as a whole. Instead, the purpose of examining these files is to examine what information it is possible to examine in the given time constraints.

### **EXAMINING THE FILES**

In order to compare the files, pertinent information was recorded from each one. The information recorded from each file is as follows: the file information (box, folder, and file

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<sup>178</sup> UN Security Council, "Report of the UN Truth Commission on El Salvador," 27.

<sup>179</sup> UN Security Council, "Report of the UN Truth Commission on El Salvador," 27.

number); the date of the report; the date of the event; the status of the victim (free, disappeared, etc.); the victim's name, sex, age, occupation, place of work, civil status, and residence; where the event occurred; who witnessed it; who perpetrated the event; and the person who reported the event, along with this person's relation to the victim, age, and occupation. Next, the narrative description of each event was translated to English and recorded. Any specific mentions of human rights abuse while the victim is detained were recorded, with special care being taken to look for signs of sexual violence. Leiby provides details on words to look for, such as *molestar* (to bother) or *aprovechar* (to take advantage of).<sup>180</sup> The data has been coded in several ways: whether the victim was taken in public or private; if it were family members, friends, acquaintances, or strangers who acted as witnesses; if the abductors gave a reason for the abduction, and if so, if the declarant claimed the allegation to be fraudulent; and, what sort of allegation was made against the victim, if any. Next, the data was organized so that it could be compared when sorted along categories such as the occupation of the victim, if they were released later or not, and of course the type of abuse, as just a few examples of ways this information will be sorted.

As the goal of this study is gendered analysis, I compare the women's cases to the men's cases. I also take examples from certain women's cases to highlight their stories. This way, it was possible to examine not only the patterns present among women victims of these human rights abuses, but how these patterns might be similar or different to patterns found among the male victims. While a comparison of the men's files amongst each other will not be explicitly discussed, the patterns found in their cases are still given due attention, in reference to the female victims. This is fitting with one of the study's goals: increasing the presence of women's

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<sup>180</sup> Leiby, "The Promise and Perils of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 41.

narratives in accounts of war. The primary source research of this examines the testimonies given by the loved ones of those who faced abuses in this conflict because while academic theorizing is essential to our understanding of historical events, it is also essential to listen to the lived experiences of those who lived them. This will be the focus of this study's primary research.

### **A NOTE ON RANDOM SELECTION**

It is notable that some files contain less information than others. When I came across a file which did not contain sufficient information to be analyzed, I moved to the file of the same gender immediately after it in line. Sufficient information was defined as a file with a narrative section containing at least three full lines of information related to the abuse against the victim, as well as complete or very near complete biographical information in the file. In the case that the following file also did not contain much information, the originally selected file was examined.

It is important to bring up that this use of only the files with sufficient information may seem to diminish the randomness of the study. However, it is important to note that these files would never have given a true random sample to begin with. Not every person who was victimized was able to have their story recorded. The most disenfranchised would not have had the opportunity to travel to San Salvador to report the abuses. When an abuse was reported, sometimes more of it was witnessed than other times. Some people have better memories than others, and all memory is subjective to some extent. A true randomization is not possible in this study. Rather, it serves the purpose of the study best to glean the most information possible from the files.

### **A NOTE ON ERROR**

Although every file was counted, not every file has been or will be examined in depth. This means that it should be taken into account that in this manual research, it has been very possible for me to make mistakes in counting the files and in translation. For example, sometimes a victim's file is repeated several files later, and while counting close to 800 files, there was not time during this short study to record every name and check for duplicates. I found two such cases, and it can be assumed that there are more which I did not find.

It should also be noted that many of the files contain grammatical errors and confusing syntax. This is in addition to a safe assumption that people do not remember all that happened, as many of the reports are made years after the original event, and human error as commonly present in eyewitness testimony and the recollection of traumatic events. Additionally, all recording is done through the filter of a non-native Spanish speaker reading the files.

However, this does not diminish the overarching trends of the study. The findings are meant to give an idea of a subjective topic – human rights abuses and gender – and of course cannot be considered airtight.

### **CHALLENGES IN DATA ANALYSIS**

There are several challenges present in analyzing this data. The first challenge is that much of the information, while recorded under the same headings, is written in different terms. For a very basic example, all files ask for a location of abduction. However, some files say that the victim was taken from her house of residence, and others from her home. While these terms are clearly comparable to a reader, they are different words and therefore get sorted differently by the computer. It has therefore been necessary to code the data. For example, I've recorded whether the victim was taken at home or in public; the relationship of the witness to the victim as

relative, friend, or acquaintance; and the motive of the abduction and whether or not the motive seems founded (although the abuse would have been illegal in any case, sometimes people did not seem to fit the charges of which they were accused). Some of these categorizations were more difficult. Is a coworker witness a friend or an acquaintance? (I chose acquaintance.) In coding the data, I tried my best to stay true to the deeper meaning of the present information.

The victims were also classified as being detained, disappeared, or free. This leads to discussion of the next challenge, which is possibly the most difficult to confront: the lack of information on what happened to many victims once they were detained. When a victim was disappeared, it is not known what happened to them once they were taken. This makes it impossible to know what sort of abuses they faced beyond kidnapping and denial of habeas corpus. It is also possible that the victims were freed after the time of the report; if the report was not updated, then it would never be known that the case no longer constituted a disappearance.

Overall, then, this study has had to focus on the information present, while recognizing that there is much more that we simply do not know.

## **V. FINDINGS**

### **GENDER DISTRIBUTION OF VICTIMS**

Of the 793 files present in the collection from 1980 to 1983, 98 of these files are cases of women who faced human rights abuses. Thus, approximately 12.35% of the victims of human rights abuses recorded were women. This indicates that although the state and paramilitary forces targeted men disproportionately, they also targeted women in significant numbers, even during these initial years of the war.

This percentage remained relatively consistent from box to box, but when broken down by year, a different pattern emerges. The gender distribution of victims over time is shown in

Table 2. Only 26 of the 793 files included from these years are from 1980; this constitutes a little over 3% of the total. However, it is still notable that only one of these 26 files is that of a woman – only 3.8%. In 1981, 7, or 7.9%, of the 89 victims were women. In 1982, 30 of the 245 victims were women, constituting 12.2%. In the final year examined, 1983, 60 cases of human rights abuses were recorded against women, making up 13.9% of the 433 cases recorded.

**Table 2**

| Year                        | 1980 | 1981 | 1982  | 1983  | Total |
|-----------------------------|------|------|-------|-------|-------|
| Number of cases recorded    | 26   | 89   | 245   | 433   | 793   |
| Number of women             | 1    | 7    | 30    | 60    | 98    |
| Percentage of women victims | 3.8% | 7.9% | 12.2% | 13.9% | 12.4% |

Following this pattern, it is shown that both the number of cases increases each year, as well as the number and percentage of female victims. This could potentially mean two things. A first possibility is that as the sample size increased, there was a more accurate distribution of female victims. Alternatively, it is also possible that as the war progressed, the number of women being targeted did indeed increase. There is no such mention of the gender of victims in the truth commissions or literature to support either theory.

Even so, these numbers are likely fairly dependable. The reports of detained persons were made by their loved ones, which takes away the possibility of bias in reporters seeking victims to report. Someone is probably not more or less likely to report their loved one as missing due to the gender of the missing person; this reduces the possibility that skewed numbers of men or women were reported.

## WOMEN'S NARRATIVES

When laid out in a single excel file, the one hundred cases examined are presented neatly. The data feels more manageable when analyzed; it would be easy to conclude that we had a clear understanding of the victim's experiences after this analysis. It is important to mention, then, that by no means can truly claim to understand what happened to the people in these files. Forgetting the real people behind the numbers is not possible to do while looking at the physical files. For this reason, I start the Findings section by sharing the details from two individual cases.

Each time a place of residence is recorded, it is a reminder of the home this person lived in, sometimes with an exact address given. Each time a witness' name is taken down, it is a reminder of how many terrible things so many people saw during the course of this conflict. Whenever someone's occupation or civil status is recorded it is a reminder that this information is on very real people, with dreams and plans. Some of them were probably hard workers; some of them were probably lazy. Some of them were in love. Some of them were in school. Some of them lived in crushing poverty. Probably none of them hoped to one day be illegally abducted by armed forces of their own government.

It is difficult to know which women's narratives to choose from in looking at deeper analysis, as they all deserve attention. The narratives chosen to be shared here were chosen because they were among those which explained further human rights abuses besides abduction or made particular mention of violence. All twelve such narratives can be found in Appendix 2.

**905**

**May 31, 1983, in the afternoon**

**Recorded June 2, 1983**

**Age: 27**

**Occupation: Maid (unemployed)**

**Residence: Soyapango, San Salvador department**

**Taken from a shopping center by plainclothes agents with a friend as a witnesses**

**Abuse: psychological torture**

**Last reported status: free (as marked on case file)**

While she was headed to her house, to then leave to work, and moving along the sidewalk headed to the ANTEL in Ahuachapan, a few plainclothes agents got out of a Jeep in which they were driving. They proceeded to tie her up violently by the arms and bandage her eyes. They put her inside of the car they were driving, taking her towards Rio Paz; but, afterwards, the agents returned, and they took her to the Central Barracks of the National Police in San Salvador, where they kept her for 19 days undergoing investigation. They tortured her psychologically. Afterwards, she was transferred to the Women's prison in Ilopango, where they maintain her in the capacity of a political culprit.<sup>181</sup>

The information is conveyed in such a straightforward manner: “They tortured her psychologically.” The case is interesting: there is information of what happened to her during detention, but rape or other forms of sexual violence are not mentioned. This is somewhat ominous, as activists’ testimony describes the majority of women who were detained being raped.<sup>182</sup> The circumstances of her release are also not mentioned, nor under what basis she was being held as a political culprit.

One realization which struck me as I read the files was that I always picture men abductors as I read these narratives. Gender of the abductors is never specified, so we cannot know for sure. And while there is much literature on women in the FMLN, I have not found any such literature on women in the armed forces of the state or the death squads. This could lead us to believe that there were not women in large numbers in these forces, but of course we cannot be sure when no clear confirmation of this exists.

**1259****Name: “Francesca”****December 20, 1983 5:45 PM****December 21, 1983****Age: 19****Occupation: Baker****Residence: Cuscatancingo****Taken in public by the National Guard with family members as witnesses****Abuse: they took her in a violent form**


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<sup>181</sup> *Oficina de Tutela Legal Del Arzobispado*. File number 905, June 2, 1983.

<sup>182</sup> Tula, *Hear My Testimony*.

**Last reported status: free**

At the already mentioned time, Francesca headed with her life partner [name removed] to distribute French bread to the *colonias* surrounding Cuscatancingo, when they intercepted him first, a block ahead of Doris. [There were] various soldiers of the Army combined with agents of the National Guard, all properly uniformed. At this hour they abductors kept them tied up by their thumbs. Others, dressed in plainclothes and heavily armed, took the abductees in a violent form. In this way they were turned in by the uniformed agents, who took them to an unknown destination afterwards in an old pick-up vehicle. It is unknown that date from which they took them.

*[Later observation]: She was found in the Hacienda Police and was set free on the day of May 9 1983, at 5:00 in the afternoon.*

*Supposedly, they detained her for her familial relationship with a young man recruited by the guerrilla: [name removed].*

This victim was abducted along with her partner. The National Guard knew where to find her during the day while she was working; the amount of information collected by the armed forces on these victims is chilling.

This is one of the few files where an additional, handwritten note at the end of the file allows us to know that edits were made to it after the initial report. This highlights, then, a lack of such information in other files, and still-missing knowledge in this one. As will be discussed later, there is a critical lack of information in these files of human rights abuses beyond abduction. The file was updated to say when she was set free and why she was abducted, but nothing of her detainment was recorded. Thus, even when a victim was not disappeared, there is not sufficient information in the primary source documents to know what happened to her in many cases.

After reading 100 cases like the ones above, I was able to compare certain facts present in the files. The files examined were recorded between May 4, 1982 (the year of *Tutela*'s conception) and June 8, 1986. The events occurred between February 9, 1980, and December 28, 1983. (For context, these dates are marked on the timeline included in the Appendix 1 of this paper.)

### AGE DISTRIBUTION

The age distribution of victims is shown in Table 3. The ages of the victims whose cases were recorded range from 15 to 72. Twenty-three percent of the victims were between the ages of 15 and 19; 44% were between the ages of 20 and 29; 10% were between the ages of 30 and 39; and 17% of the victims were between the ages of 40 and 49, and 6% were over the age of 50. The average age of the victims was 28.5. Ten percent of the victims were minors under the age of 18. Women on average were younger than men. The highest percentage of victims were in their twenties, and this is true of both genders, although this percentage was slightly higher for men than for women, whereas women had a higher percentage of teenage victims. Twice as many women were minors of age than men.

**Table 3**

| Age category | Minors under 18 (15-17) | 15-19 | 20-29 | 30-39 | 40-49 | 50-72 <sup>183</sup> | Average |
|--------------|-------------------------|-------|-------|-------|-------|----------------------|---------|
| Women        | 14%                     | 26%   | 40%   | 22%   | 10%   | 2%                   | 27.2    |
| Men          | 6%                      | 20%   | 48%   | 12%   | 10%   | 10%                  | 29.8    |
| Total        | 10%                     | 23%   | 44%   | 10%   | 17%   | 6%                   | 28.5    |

Table 4 compares these findings to the age distribution of the total population of El Salvador as reported by the United Nations, taking the average between 1980 and 1983. The percentages for each gender are shown as a total of the counted population (ages 15-74 only), and of the total population (all ages).

As Table 4 demonstrates, there were often a higher percentage of young women among the victims in the files examined than there were in the general population during this time. For example, while only 18.7% of the general population of women was 15-19, and only 28.7% of from ages 20-29, the victims were 26% 15-19 and 40% 20-29. Starting at ages 30-39, the

<sup>183</sup> I have cut off the count at 72 because this was the oldest age recorded. When examining UN data, it was only possible to examine in sets of five years, so this data ends at 74.

percentage of victims in each category begins to resemble the percentage of the total population more closely.

The distribution looks slightly different for men, but still is skewed towards the young. While the number of male victims from ages 15-19 is comparable to the percentage of the general male population of that age (20% compared to 19.7%), the number of men from ages 20-29 is notably higher in the case files than in the general population (48% compared to only 28.5%). Those older than 29 make up 51.7% of the general population of men between the ages of 15 and 74, but only 32% of the male victims in the case files.

These differences are notable because they are skewed towards young people, and for women, the average age is even younger. It makes sense that young people would be targeted more, as Kampwirth notes that they were more likely to be involved in popular movements or to enlist as guerrilleros.<sup>184</sup> There is complexity here. Young adults are certainly not as vulnerable as children or as the elderly – youth is indeed equated with strength. And yet, young adults are in a shifting time in their lives, and are vulnerable in that they are generally not yet afforded the same respect as their elders. Luciak mentions that the average age of the demobilized woman combatant was 27 years old, which suggests that they started the war in their teens.<sup>185</sup> It would be useful to examine the age distribution of victims across more years of the study, in order to see if it got steadily older, or if more and more young people joined the struggle and were then targeted.

**Table 4**<sup>186</sup>

| <b>Age category</b>      | <b>15-19</b>              | <b>20-29</b>              | <b>30-39</b>              | <b>40-49</b>              | <b>50-74</b>              |
|--------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| <b>Women, percent of</b> | <b>18.7%</b><br>(compared | <b>28.7%</b><br>(compared | <b>19.7%</b><br>(compared | <b>14.6%</b><br>(compared | <b>18.2%</b><br>(compared |

<sup>184</sup> Kampwirth, *Women & Guerrilla Movements : Nicaragua, El Salvador, Chiapas, Cuba*, 65.

<sup>185</sup> Luciak, *After the Revolution: Gender and Democracy in El Salvador, Nicaragua, and Guatemala*, 73.

<sup>186</sup> United Nations, Department of Economic and Social Affairs, Population Division (2015). *World Population Prospects: The 2015 Revision*, custom data acquired via website.

| <b>counted population</b>                                 | to 26% in files)                           | to 40% in files)                           | to 22% in files)                           | to 10% in files)                           | to 2% in files)                            |
|---|--|--|--|--|--|
| Women, percent of total population                        | 10.6%                                      | 16.2%                                      | 11.1%                                      | 8.23%                                      | 10.3%                                      |
| <b>Men, percent of counted population</b>                 | <b>19.7%</b><br>(compared to 20% in files) | <b>28.5%</b><br>(compared to 48% in files) | <b>19.3%</b><br>(compared to 12% in files) | <b>15.1%</b><br>(compared to 10% in files) | <b>17.3%</b><br>(compared to 10% in files) |
| Men, percent of total population                          | 10.7%                                      | 15.4%                                      | 10.5%                                      | 8.2%                                       | 9.4%                                       |
| <b>Total percent of counted population</b> <sup>187</sup> | <b>11.5%</b><br>(compared to 23% in files) | <b>28.9%</b><br>(compared to 44% in files) | <b>19.5%</b><br>(compared to 10% in files) | <b>14.8%</b><br>(compared to 17% in files) | <b>17.8%</b><br>(compared to 6% in files)  |
| Total percent of total population                         | 6.4%                                       | 16.0%                                      | 10.8%                                      | 8.2%                                       | 9.8%                                       |

## OCCUPATION

The victims' professions were recorded as well. Out of the 17 professions recorded, the most common among them was cleaning and domestic work (17%), agriculture (15%), small business (9%). These percentages would of course be different if half the victims analyzed were not women, since 36% of women worked in domestic work and 28% were students, making up 64% of their total. Women represented a total of only ten professions. Men were spread out over 15 professions, with the most common being agricultural work (26%), laborers (16%), and various forms of small business people (12%). A full list of occupations can be found in Appendix 3.

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<sup>187</sup> Because data is rounded to the thousands, there are differences between the sum of both genders given by the data source and the totals when the men and the women's numbers given are added. To keep percentages consistent, I have used the totals that come from adding the totals of men and women, rather than the totals provided by the data source. The difference between the two is minimal – a few thousand people.

There is a common image of students being targeted during this war and many other similar wars due to their roles as activists and intellectuals, whereas laborers, in the common narrative, were targeted due to their roles in unions. It is interesting then to see that laborers and agriculturalists were more commonly men, and students were more commonly women (though both groups had members of both genders). This shows a gendered difference in profession, although without the additional information on why each victim was targeted, we cannot know how their occupations affected them. We can see that women were limited to fewer professions, and this may be because they were overall more limited in Salvadoran society, another example of how women were marginalized. But it is possible that this caused some of these women to join the burgeoning popular struggle in El Salvador, leading to them being targeted by state forces. There is an intriguing picture of the working class being targeted, without sufficient information to concretely prove why.

### **ABDUCTIONS AND MOTIVES**

After examining the victims' basic biographical information we can turn to analysis of their captures and the other abuses recorded against them. It is pertinent at this time to remember that under the Law for the Defense and Guarantee of Public Order, "political offense" was given so broad a definition that these people's arrests could likely all be argued as somehow legal. So too is the case with their detainment without grounds and their denial of representation. However, as a signer to the Universal Declaration of Human Rights, the government of El Salvador and the governing junta defied international law in these actions, which clearly violate Articles 8, 9, 10, and 11.

It is important to note there is usually no discernable motive in the information provided to *Tutela*; only 41% of cases suggested a motive for the victim's abduction in the information

provided in the file, such as: she was a guerrillera, he was hiding weapons in the house, she distributed leftist propaganda,. This missing information means that it is more difficult for us to glean broader patterns of who was being targeted, or why. It means that we do not know how the government determined who they were going to abduct, and this means that we do not know who was targeted because they presented a threat to the state, and who was targeted to create a general sense of fear among the populace. The number of cases which provided a motive for the victim's abduction remains consistent when controlled for gender (it was true of 40% of men and 42% of women).

Not all of the declarants specifically mention that they believed the reason I recorded for the abduction was the reason their loved one was taken. For example, file 508 simply mentions that the victim was a member of COANDES, a prominent union;<sup>188</sup> that the declarant found this information relevant enough to include in the description of the abduction suggests that she thought it had something to do with her loved one's detainment. Other cases are more explicit: one woman was abducted specifically for being a guerrillera, and was later let free in a sort of POW swap.<sup>189</sup> This suggests she was indeed a guerrillera.

However, in only six of these cases, or 14.6% of those cases for which a motive of abduction was mentioned, was there any mention that the motive might be founded, that is, she really was a guerrilla or he really did distribute propaganda. This is not to say their abduction was justified, only to highlight that in the remainder of the cases, there was no reason whatsoever given for why the person might be taken. In some cases, the declarant mentioned that they had no clue why their loved one would have been abducted, or that they were accused of being leftist and that this was not true. For example, the victim of file number 956 was accused of being a

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<sup>188</sup> *Oficina de Tutela Legal Del Arzobispado*. File number 508, November 12, 1982.

<sup>189</sup> *Oficina de Tutela Legal Del Arzobispado*. File number 852B, June 2, 1983.

part of the ERP, or the Revolutionary Army of the People, but said that she had nothing to do with the organization. Nevertheless, she was forced to sign various papers saying she did.<sup>190</sup> Of the six files with at least some confirmation of a reason for abduction only one was a man. This means that less than 1% of men seemed to have a founded accusation of their motive of abduction, compared to 23.8% of women. This suggests quite a disparity, although it is important to note that twenty and twenty-one cases for men and women respectively for which a motive was provided are not enough to be statistically significant. Still, this suggests that either men were abducted more arbitrarily, or that women victims were simply more likely to be reported as actually having done what they were accused of.<sup>191</sup>

When motives were explained, there were a few common trends, and the full data for the accusations listed can be found in Appendix 4. When both genders are examined, 10% of all victims were said to have committed political crimes; 6% were said to be guerrilleros; 4% were said to be unionists and 4% were said to be subversive in some way. It was specified for 4% of male victims that it was unknown why they were taken. Among women, 8% were accused of political crimes, 8% of being guerrilleras, only 2% of being unionists and 6% for general subversive activity. If they describe any sort of political involvement or guerrilla activity, I coded this as a having suggested a motive for the abduction. If there was anything in the file to confirm this – such as the event of a POW swap —I coded it as having some sort of basis. When the declarant directly said that they had nothing to do with the charges given, I coded it as unfounded.

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<sup>190</sup> *Oficina de Tutela Legal Del Arzobispado*. File number 956, February 2, 1984.

<sup>191</sup> This is not to suggest that we know for sure that 85% of people were abducted arbitrarily or for fabricated motives, but merely that we do not know why most of these people were taken because it was not explained in the testimony given; many of the declarants did not know why.

Unfortunately, most files describe nothing more than the victim being taken and there is often not enough detail in the files to point to a specific accusation. Sometimes there is, such as in file 121: “The [victim’s] father, upon asking for the reason of her detention, was told by the official that his daughter ‘healed subversives.’” However, some are not as explicit; it maybe mentions that the victim belonged to a union, as discussed earlier.

Interestingly, 8% of the women’s files examined involved women who were abducted because of their relation to someone else, such as a family member or tenant. This was not true for any of the men whose cases were examined. This is interesting to note as it does seem to confirm stereotypes mentioned earlier in this paper: women are important in war because of their relationship with men. And as the saying goes, stereotypes exist for a reason. Sometimes, women were indeed targeted because of how they were important to men. This is indeed fitting with the broader theories of Sjoberg and Viterna that rape in war is such an insult not because it is an unusual thing to happen to a woman, but rather because it is the wrong men who have control over these women.<sup>192 193</sup> That gender stereotypes are confirmed here does not make the abuses these women faced any less of a human rights abuse; in fact it shows an additional vulnerability that women had which men, according to these reports, did not. Furthermore, 92% of women were abducted not because of their relationship to a man, but because they were themselves targets of political violence. Violence can be seen as gendered here because women had the additional experience of being targeted not only because of who they were, but because of who they knew.

Twelve percent of men were taken for political crimes, 6% for union activity, 4% for being a guerrillero, and only 2% for general subversive activity. What is notable about the men,

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<sup>192</sup> Sjoberg, *Gendering Global Conflict: Towards a Feminist Theory of War*, 221-223.

<sup>193</sup> Viterna, “Radical or Righteous? Using Gender to Shape Public Perceptions of Political Violence,” 197.

then, is that 6% were taken for common crime and 4% for possession of weapons, resulting in only men being taken for these two crimes. This shows additional differentiation between genders in the reasons they were targeted. Men were more likely to exhibit or be accused of this typically violent or criminal behavior than women were. Common gender stereotypes relating to machismo, where men are violent and women are saintly,<sup>194</sup> show up in human rights abuses just as they would in typical Latin American culture.

It is also essential to examine from where the victims were abducted, and who the witnesses to the event were. Forty-one percent of all victims were taken from their homes; this is true for 40% of women and 44% of men, making the data relatively comparable across genders. Fifty percent of all victims were taken in public, and this number remains the same for both men and women. Many were said to be taken right off the street with very few details, but some of the most common places where people were taken in public include bus stops, and either leaving work or close to work. Full data on locations of abductions can be found in Appendix 4.

It was most common for the witnesses of the abductions to be family members of the victims. This was true for 24% of all victims: 20% of women and 28% of men. However, 22% of cases had no witnesses listed (for an additional 4%, the witnesses were unknown or unidentified). Twelve percent of witnesses were neighbors and 12% acquaintances of the victim (such as a coworker), 9% were strangers, and 4% were friends. In 4% of cases, the abduction was witnessed by both family and neighbors. Only 20% of women had family members as witnesses, compared to 28% of men. Women were more likely to have neighbors as witnesses (as 16% did) than strangers or acquaintances (each of which made up 12% of witnesses). Men were more likely to have acquaintances as witnesses (12%) than strangers or neighbors (8%

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<sup>194</sup> Evelyn Stevens, "Machismo and Marianismo." *Society* 10, no 6 (1973): 61.

each). Only 4% of women had no witnesses, compared to 8% of men. Full data on witnesses can be found in Appendix 6.

Some of the more interesting findings here are only 20% of women had family members as witnesses, compared to 28% of men, and a higher percentage of men were abducted from home than women (44% compared to 40%). Traditional stereotypes would put women mainly in the home, spending the day with their family, so it is unexpected that fewer women would be taken from home with their families as witnesses. It is possible that women did not spend as much time at home as was expected – but it is also possible that among all Salvadoran women, the women who were more likely to be out of the home and in public were also women who were more likely to be targeted by the government.

With the exception of one man who was killed on site, the one abuse which all victims had in common was their abduction – 75% percent of victims had no additional abuse recorded. A full list of abductors can be found in Appendix 7. What is most notable about the abductors listed is that 67% of the victims were taken by uniformed agents of state forces, the most common being the National Police and the Army. This is interesting to note in the context of the Salvadoran Civil War with its infamous death squads. Twenty-four percent were taken by people in plainclothes – and it is important to note that many uniformed abductors were accompanied by agents in plainclothes, as well. This shows the prevalence of activity of death squads in their plainclothes, and also solidifies the connection between the death squads and the uniformed, official government forces. The government acted publicly, in the capacity of the state, and with impunity. For 8% of victims it was unknown who took them, and 5% of victims had no one listed as their abductor. These numbers remain relatively consistent across genders; 64% of women were taken by uniformed agents of the state, and 20% by plainclothes agents, with 8% of

abductors unknown and 8% not listed. Men were abducted 60% of the time by uniformed agents and 26% of the time by plainclothes agents, with 2% of abductors unlisted and 8% unknown.

It is also interesting to examine those who reported these abuses to *Tutela Legal*. The average age of those who gave the information is 45.2, about 59% higher than the age of the victims. Seventy-one percent of the reporters were women; 70% of the women victim's cases were reported by women and 72% of the men's, marking a relatively consistent proportion.

Examining those who reported the case presents an interesting picture of men as those involved in conflict and women as those who are left behind to grieve. It is a common refrain that stereotypes have their origin in truth. However, were we to apply this stereotype as a broad truth, we would ignore completely the stories of the woman who was victimized or the men who sought justice for their loved ones – as 29% of those who reported these cases were. And even in recognizing that women were more likely to be these grieving declarants, we must recognize that they were not passive but active in their grief, seeking justice for their loved ones. In order to bring about fuller pictures of those involved in conflict, gendered analysis is essential.

### **REPORTED HUMAN RIGHTS ABUSES**

It is important to note that while some files were clearly updated (with a handwritten note added at the bottom of the declarant's testimony, or a handwritten "free" designation on the outside of the file), there is no way to know if every file was in fact updated once more relevant information was learned. Categorizing and analyzing the abuses which the victims faced presents a challenge, firstly because there is no way to tell which files were updated. Furthermore, some files are updated to say that a victim was freed, without mention as to what happened to the victim while detained.

The last-updated status of the victims by percentage is shown in Table 5.

**Table 5**

| Status      | Free | Disappeared | Last reported as detained | Confirmed dead |
|-------------|------|-------------|---------------------------|----------------|
| All victims | 36%  | 36%         | 25%                       | 3%             |
| Women       | 44%  | 32%         | 24%                       | 0%             |
| Men         | 28%  | 40%         | 26%                       | 6%             |

It is first notable that the only victims who were confirmed dead were men, though only three of them were. Women were much more likely to be found free than men, whereas men were more likely to be disappeared, and those who were last reported as detained were relatively equal between men and women. Although the focus of this paper is women, it is vital to understanding gendered violence to understand that men were more likely to be victims of human rights abuses and more likely to be killed than women did. Women were more marginalized in Salvadoran society overall, but this is not to say that gendered violence did not sometimes have particularly adverse effects on men.

Only 18% of the files mentioned any other type of abuse other than abduction, most of which happened during the abduction rather than during detainment. In the narrative of one victim, a woman present at the time was “assaulted” – suggesting possible sexual violence, though this is not made clear. Abuses which are made clear are shown in Table 6.<sup>195</sup>

**Table 6**

| Human Rights Abuse | Confirmed killed | Tortured | Hooded | Beaten | Forced to sign confession | Total <sup>196</sup> |
|--------------------|------------------|----------|--------|--------|---------------------------|----------------------|
| Female victims     | 0                | 4        | 3      | 3      | 2                         | 10                   |
| Male victims       | 3                | 2        | 0      | 5      | 0                         | 8                    |

<sup>195</sup> Some narratives include abuses against others than the victims; for example, in some cases friends of the victims were hit during the abduction, or tortured during detainment. These cases were not included because they fall outside of the sample of victims. In a full study of all files, they would need to be included.

<sup>196</sup> Totals are lower than the number of abuses recorded because some victims suffered multiple abuses.

Three people were confirmed to be killed, all of whom were men, and one victim's corpse was mutilated with a pickaxe after he was shot. Eight were reported as having been beaten. Three of them were women, and five were men. These are the abuses beyond abduction, death, and disappearance for which more male victims than female were recorded.

Six victims were confirmed to be tortured in some form. Four of them were women, and one was a man. Of the three people who were reported as having been hooded, all were women. Two were forced to sign a confession, and both were women. The number of abuses documented against women overall was higher, and a higher number of women suffered these abuses than men.

More men were reported disappeared than women, we are likely missing more information about men than women since there was no possibility of updating these files. However, it is notable that four of the people for whom additional abuses were recorded were disappeared. Two were men and two were women. Since many of these abuses happened during abduction and not detainment, whether a victim was disappeared or not is not the only determinant of whether additional abuses against her or him were (or could be) recorded.

### **THE INFORMATION WE DO NOT HAVE**

While there is interesting information to be learned from this analysis, perhaps the most important insight to be gleaned is what is not included in these files. As mentioned previously, there are pieces of information missing for many files – in particular, why the victim was taken, where she was taken after her abduction, and what happened to her while she was there. As was mentioned in the methodology, files with fewer than three lines were not read for the purpose of this study. Regardless, even many files with sufficient detail to analyze did not contain details on

why the person was taken, or what happened to him or her after abduction. For example, a typical file includes information as such:

A neighbor of the abductee advised her relatives that she had been taken by soldiers properly uniformed in olive green, well-known in Perulapia. He only said that he had seen the abduction, without greater details, and that the abductee had been taken aboard a vehicle, a green truck, by her abductors, towards a destination unknown to date. On the fifth of the month, the abductee lost her personal identity documents; as such, at the time of her abduction, she was undocumented.<sup>197</sup>

When the victim's destination is unknown, it is no wonder that there are not greater details on what happened to her after detainment. For those who were disappeared, we will simply never know what happened. But what is to be done in the case of a file such as the following?

Four agents, dressed in plainclothes, and heavily armed, arrived at the Izalco movie theater, the place where they found the abductee, and they approached her (she was with two companions). One of the agents hit one of the other girls with his gun, but the other agent told him that it wasn't her that they were looking for, but the other, signaling towards Angelina.<sup>198</sup>

They took her out of the theater and they put her into a Volkswagen double-cabin pickup truck, light blue in color, taking her towards an unknown location. Another young man who was found in that place said that the agents were identified as members of the National Police.<sup>199</sup>

Just from reading the file, we would assume that Angelina was disappeared. But her case file has been marked as "*libre*," free. The case file was clearly updated as more information was learned. Why, then, was the only information worth updating that she had been freed? Why was the case file not updated to mention where she had been taken, to confirm that the National Police was responsible, or to say what had happened to Angelina while she was detained?

Several files that end with, "her destination is unknown to date," or something similar, nevertheless have a tiny *libre* marked on the outside of these case files. We know that at least

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<sup>197</sup> *Oficina de Tutela Legal Del Arzobispado*. File number 851, September 23, 1983.

<sup>198</sup> Name has been changed.

<sup>199</sup> *Oficina de Tutela Legal Del Arzobispado*. File number 340, November 18, 1982.

36% of the 100 victims whose cases were examined, and 44% of women, were free at the time the report was being made. Why, then, did these files not include information on what happened to the victims while they were detained, since they were no longer detained and presumably free to report what happened to them?

Again, the files provide blank space for a narrative of the human rights abuse, which typically becomes just a narrative of the abduction. The information missing here is that information which could tell us just how violence was gendered in this conflict. When we do not know what happened to a victim after detainment, we do not know which abuses took place, but by looking at victims' testimony in other sources, we can posit that other abuses likely occurred. Without knowing which human rights abuses occurred, we have no way of knowing how they were gendered.

These questions are not easily answered by looking at the files themselves, nor by consulting the literature, which is lacking when it comes to a description of Tutela's methods. There is a kind of compounded double-unknowing – we do not know much about most victims, and we do not know why this information was not recorded for us to know. It is possible that it was too dangerous to return to the office to update this information. It is also possible that reporting every abuse which occurred was not consistent with the declarants' goals in making the reports; it could be that their only goal was to get their loved one back in many cases, and there was no need to recount the many traumatic events which occurred in order for this to happen.

This makes it difficult to conduct a true gendered analysis with the given information. Only ten out of fifty women's files mentioned any abuse other than abduction. But women were more likely to have suffered torture, being hooded, and being forced to sign confessions. A higher number of women faced these abuses which were less likely to be recorded (abuses other

than abduction and detainment, and disappearance and death). As shown previously in Table 6, more women than men were reported as being tortured, hooded, threatened, and beaten. But with all the absence of information in the files, we cannot know that these numbers are accurate.

### NO SEXUAL VIOLENCE

Perhaps the most blatantly missing information in these files comes in the form of the absence of sexual violence in the 100 cases examined. We must remember Tula's testimony that almost all women who were detained were raped, and the similar accounts found in the testimonies collected by Paley.<sup>200 201</sup> As was mentioned in the literature review, most of the research on gendered violence in this conflict focuses on sexual violence, to the point where there is almost a conflation of the terms. But not a single case of sexual violence was recorded in the 100 files examined.

It is important to look back at Leiby's work in attempting to answer this question. We know from Leiby's analysis that some of these files do contain sexual violence, but only in a very small percentage; she found 123 cases in the files in *Tutela Legal* and *Socorro Juridico* she examined.<sup>202</sup> Because sexual violence made up only 1% of the violence reported in all the files Leiby examined, it is not surprising that none of these cases would have been found in these 100 files.

That there was so little sexual violence reported in these cases highlights the need for better data collection of very sensitive topics where victims have undergone great trauma and face great shame.<sup>203</sup> Leiby notes that "in societies where patriarchal norms are particularly

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<sup>200</sup> Tula, *Hear My Testimony*, 174.

<sup>201</sup> Paley, *A Dream Compels Us: Voices of Salvadoran Women*.

<sup>202</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 44.

<sup>203</sup> Aron et al, "The gender-specific terror of El Salvador and Guatemala: Post-traumatic stress disorder in Central American refugee women," 38-44.

strong, survivors may be disinclined to report sexual offenses because they feel ashamed or fear being blamed, stigmatized and isolated from their communities” in explaining the great cost to victims of reporting the sexual violence committed against them, also noting that even in the United States, it is estimated that only 26-36% of sexually motivated crimes are reported to police.<sup>204</sup> It is not difficult to venture, then, that in the context of Civil-War El Salvador, there would be too much fear retribution from the state coupled with the stigma and shame of sexual violence for these victims to report the crimes against them.

### **COMPLEXITY IN HUMAN RIGHTS ABUSES**

Overall, the data suggests a need for more complexity in looking at human rights abuses. Leiby makes it clear that sexual violence was underreported.<sup>205</sup> In her words, "Accurately capturing the historical record is no small feat."<sup>206</sup> This is even truer in conflict situations.<sup>207</sup> What is not highlighted so much in Leiby's analysis is that the format of the files themselves limits the information available. She does mention a hierarchy of human rights abuses: "Recording only a single violation rather than the set of violations serves no analytical purpose in the studies in the uses and causes of violence, and inevitably results in the loss of valuable data regarding the repertoires of violence."<sup>208</sup> But, her paper does not make it explicit just how little is contained in each file. This is true in the way that the files were not updated beyond the information immediately known by the declarant upon the victim's abduction. However, I would

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<sup>204</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 20.

<sup>205</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 37-38.

<sup>206</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 44.

<sup>207</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 45-46.

<sup>208</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 41.

suggest that this is not just due to the hierarchy of human rights abuses; the information not known by the declarant was simply not sought.

This is one possible explanation for why there is so little sexual violence found in the cases examined: it was simply never reported. In reading the testimonies of Tula and the women interviewed by Paley, we know that many of them did indeed face sexual violence. The reader may here recall Maria Teresa Tula explaining that she was deeply ashamed of having been raped during her detention, and that it was the hardest part of the experience for her to speak about.<sup>209</sup> Because this is consistent with the great shame which surrounds rape in Latin American and many cultures, Leiby gives the caveat that we should always treat statistics on rape and sexual abuse with caution rather than assume they represent the facts accurately.<sup>210</sup> She discusses multiple accounts of women feeling great shame and stigmatization after being raped by their governments in the civil wars in El Salvador and Peru; many did not want to tell anyone what happened to them because of the stigma, and many were disowned by their families when they did share.<sup>211</sup> It is not difficult to imagine, then, that many of the women whose files I examined were raped while in detention and did not report this.

The instances of PTSD described by Aron et al could also have an effect here.<sup>212</sup> In Paley's collection of testimony, Lydia, a former union organizer who moved to the United States wrote the following after describing the many cases of rape, torture, and sexual violence she saw while she and her compañeras were detained: "When a woman survives these experiences... she is left completely traumatized. Many would commit suicide, except for their religious beliefs..."

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<sup>209</sup> Tula, *Hear My Testimony*, 174.

<sup>210</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 19.

<sup>211</sup> Leiby, "The Promise and Peril of Primary Documents: Documenting Wartime Sexual Violence in El Salvador and Peru," 20.

<sup>212</sup> Aron et al, "The gender-specific terror of El Salvador and Guatemala: Post-traumatic stress disorder in Central American refugee women."

Anything that sparks a memory of what they've been through can cause a nervous breakdown."<sup>213</sup> In light of this, it is not hard to imagine that women would not want to report what had happened to them to human rights workers or even to family members; it may simply be asking too much of the victims to ask that these case files be updated with complete information.

And yet, the high instances of PTSD also shed light on another difficulty this paper faces: the need to know how these human rights abuses affected women after the war. This information is not present in these files, either, although we know from Aron et al's study that these abuses were intended to have long-lasting effects on their victims, and they did. State terrorism in El Salvador was a form of psychological warfare, in Aron et al's estimation, designed to thwart a population's capacity for independent action.<sup>214</sup> This is part of the power of symbolic violence.<sup>215</sup>

With the lack of updated information in the files of *Tutela*, there is a certain juxtaposition of freedom and captivity. Once a victim was freed, the abuse was over. It was recorded that they were abducted, and maybe beaten, but very little else was ever included. But how are we to learn of what happened to these women, when part of the power of what was done to them is that it is difficult to speak about?

Daisi, an activist interviewed by Paley, said that it was difficult for her to speak of the abuses she faced while detained. But when she did, she learned that she was not alone, and it became easier for her.<sup>216</sup> I do not believe that my role as a researcher is to set out to change the norms of a culture not my own. But I do believe that if a person faces a human rights abuse

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<sup>213</sup> Paley, *A Dream Compels Us: Voices of Salvadoran Women*, 47.

<sup>214</sup> Aron et al, "The gender-specific terror of El Salvador and Guatemala: Post-traumatic stress disorder in Central American refugee women," 41-42.

<sup>215</sup> Bourgois, "The Continuum of Violence in War and Peace: Post-Cold War Lessons from El Salvador," 427.

<sup>216</sup> Paley, *A Dream Compels Us: Voices of Salvadoran Women*, 53.

which is difficult to speak about, such as rape, she or he should be able to tell someone about it, and deserves justice as well.

## **VI. CONCLUSION**

### **WHAT WE KNOW AND WHAT WE NEED TO KNOW**

We can learn from the literature that women, as an already marginalized population, deserve special attention when they face human rights abuses in war. This attention is not always paid, and when it is, the focus is commonly on only sexual violence and not the other human rights abuses which women face.

Looking at the findings presented, and keeping in mind the critical holes in the data, what we know as a result of this primary source research can be summarized as follows: women were targeted political victims in this war, comprising about 12.4% of the total number of victims. And, while it is vital to pay attention to sexual violence in this conflict and others, this study shows that women faced human rights abuses other than sexual violence in this war. These abuses include physical torture, psychological torture, beatings, threats, forced confessions, and of course abduction and detainment.

Thirty years after these events occurred, this sort of information can only come from archival sources or interviews with people who lived these experiences, which highlights the importance of this research. But an unexpected finding of this study is the discovery of critical gaps of human rights reporting in this war. Archival research provides us with important data human rights abuses in a unique way, as it is created during the war, in the context of the war. But archival research in this paper has demonstrated an additional, unexpected method of understanding conflict: it shows us how human rights reporting can be improved on. By understating this conflict better, we are also shown important implications for the future of

human rights reporting. The CVES and the UN report both relied on information from *Tutela*, and neither of these reports contained gendered analysis.

A major finding of this study, then, is the need to support human rights organizations so that they can collect the needed information for justice to be found. While *Tutela*'s work was crucial, it is important to have a fuller view of human rights abuses beyond the abduction and detainment which *Tutela* had the capacity to record. When there is more support for safe and effective human rights reporting, we can systematically collect information in a multipurpose way. It can serve to return missing loved ones in the present, and can in the future be used in research and truth commissions in order to address the abuses which occurred.

### **CONNECTING THE PAST TO THE PRESENT**

It is perhaps easy to think of this conflict as something of distance. The cases in the files happened over thirty years ago. The end of the war was negotiated before my birth. What I have of this conflict are not even the records of what happened to people, but copies of these records. After conducting this research, I have cuts on my cuticles from pulling out folder after folder, and not much else of a physical connection to what were very tragic events. But hours of time with my hands and thoughts immersed in these files were enough to set my heart racing late at night, and brought on a new sort of panic attack I had never experienced before.

It is difficult to take people's tragedies and fit them into boxes in an excel spreadsheet. It's difficult to know that I benefit from doing so; I get grades and credit hours and maybe even Latin Honors from doing so. It's difficult to know that all of this happened thirty years ago and there's nothing I can do to stop it from having happened. And when it's hard to find the information I need, it is difficult to stop and remember that we are lucky to have this information at all. For every file I pull out, I think of the process that had to happen for it to go in there – the

people who risked their lives to get that information there. I learned the weight of this danger through this study in learning that people (in the findings of this study, this means women) were targeted just because of who they knew. We have these files because of the people who undertook great personal risk to create them. In order to honor these risks taken to create these files and what can be learned from them, and the suffering experienced in this war, I believe it is essential to discuss the present, including amnesty laws, and the need for more thorough and gender-cognizant human rights reporting.

One reason to write this paper is to remember the victims of these atrocities. And one deep seated anxiety arising from the process of writing this paper which brought me heart palpitations, sleepless nights, and a panic attack was the fact that there is nothing I can do about what happened to these people. It already happened.

It was difficult for me too, then, to realize that no one was ever prosecuted for these crimes. *Tutela's* records were useful in creating truth commissions, and many believed this process of truth telling to be justice enough.<sup>217</sup> But due to amnesty laws, no one was ever tried for these crimes. Says retired general Mauricio Vargas, "We chose peace over justice."<sup>218</sup>

More than twenty years after the El Mozote massacre, *Tutela Legal* helped the relatives of the victims file a suit at the Inter-American Court of Justice. The court ordered El Salvador's government to investigate the killings, punish the killers, and compensate the victims' families. Then-president Mauricio Funes admitted the state's responsibility, and a little bit of aid money was sent to El Mozote. And that was all that ever happened. Lawyers said that the actions only opened old wounds, especially since the government was antagonistic towards investigators.<sup>219</sup>

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<sup>217</sup> Digging for justice: Human Rights in El Salvador. *The Economist* 418 (2016): 26.

<sup>218</sup> Digging for Justice: Human Rights in El Salvador, 26.

<sup>219</sup> Digging for Justice: Human Rights in El Salvador, 27-28.

Fears of destroying a fragile justice system by indicating people in power, including ex-guerrilla President Salvador Sánchez Ceren have prevented action even while the Supreme Court has called amnesty laws into question in the past months.<sup>220</sup> And as mentioned earlier, *Tutela Legal* has been shuttered; some fear it was indeed because people had begun to discuss repealing amnesty laws.<sup>221</sup> Furthermore, many argue that El Salvador's focus today needs to be on addressing gang violence, as homicide rates have once again skyrocketed in the current state of gang warfare.<sup>222</sup> Gangs like Mara Salvatrucha 13 and Barrio 18 were founded in Los Angeles by those who fled the violence in El Salvador during the civil war. Many gang members, having never secured residency or citizenship, were deported by the U.S. government, and gang violence is now rampant in El Salvador.<sup>223</sup> It is now the most violent peacetime country in the world.<sup>224</sup>

### **AVENUES FOR FUTURE WORK**

There is much to be learned from this study for work which could be done in the future. The first implication is the need for more gender-cognizant human rights reporting. Conflict is present today as it was in the 1980's, even if it is not as systematic or widespread in El Salvador. In many places in the world, there are human rights abuses being committed and thus a need for human rights reporting.

What we can do, then, is build off of the efforts of organizations like *Tutela* and its contemporaries. We can seek to improve upon the practices of human rights reporting. We must have methodology and praxis which will include all human rights abuses, and not stop at abduction when it is possible to not do so. We must create safe spaces for victims and their loved

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<sup>220</sup> Digging for Justice: Human Rights in El Salvador, 26.

<sup>221</sup> Wilkinson, "Catholic Church in El Salvador shuts down rights and legal office."

<sup>222</sup> Digging for Justice: Human Rights in El Salvador, 28.

<sup>223</sup> Ana Arana, "How the street gangs took Central America," *Foreign Affairs* 84, no 3 (2005): 98-110.

<sup>224</sup> Vice News. "El Salvador's Already Horrific Murder Rate Is Getting Much Worse." March 3, 2015.

ones to report these abuses. And we must pay special attention to women and other marginalized populations in this reporting.

More support for human rights organizations and more protection for their employees and work will lead to more complete human rights reporting. This way, it will be possible for these organizations to create fuller records of what happens during conflicts, and to pay special attention to marginalized populations such as women. This will make it more possible for truth commissions and United Nations reports to conduct gendered analysis, as well.

We can also see based on this paper where avenues for future research would be. Limitations of this study come from the time constraint and the resulting inability to examine more than 100 files. Leiby's study examined all the files, focusing only on sexual violence. This study examined very few files, focusing on all human rights abuses. A full study of this type, then, would examine all of the files while focusing on all human rights abuses. It is also clear that it is imperative to study data on gendered human rights abuses and sexual violence in conflict where it exists – but it is also imperative that such data is made available in the future. And finally, in keeping with a need for more gender-cognizant human rights reporting, it would be invaluable to do similar studies with other conflicts in order to build on our knowledge of gender and human rights reporting, and to strengthen the practice in the future.

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**APPENDIX 1**  
**Timeline of events**

- La Matanza* – January 1932
- Socorro Juridico Cristiano* founded – 1975
- Jimmy Carter becomes President of the United States – January 1977
- Hundreds of protestors killed in San Salvador – February 1977
- Carlos Humberto Romero becomes President of El Salvador – July 1977
- “Law for the Defense and Guarantee of Public Order” passed – 1977
- Romero ousted by the *Junta Revolucionaria de Gobierno* – October 1979
- FMLN amalgamated – 1980
- More peaceful protesters killed in San Salvador – January 1980
- First case included in this study occurred – February 1980**
- Archbishop Oscar Romero assassinated – March 1980
- Dozens gunned down at Romero’s funeral – March 1980
- Murder of American church women – December 1980
- Decree Law 507 Passed – December 1980
- FMLN launches first full-scale attack on government – January 1981
- Ronald Reagan becomes president of United States – January 1981
- El Mozote Massacre – December 1981
- Tutela Legal created to replace *Socorro Juridico* – 1982
- First report included in this study made – May 1982**
- Last case included in this study occurred – December 1983**
- Jose Napoleon Duarte becomes President of El Salvador – June 1986
- Last report included in this study made – June 1986**
- Alfredo Cristiani becomes President of El Salvador – June 1989
- FMLN’s “Final Offensive” launched – November 1989
- Murder of Jesuit priests and their housekeepers – November 1989
- Preliminary peace agreement between the FMLN and the Salvadoran government – December 1991
- Chapultepec Peace Agreement signed – January 1992
- Truth Commission of El Salvador begins – July 1992
- FMLN recognized by Salvadoran government as a political party – December 1992
- Truth Commission of El Salvador ends – March 1993
- Salvadoran government adopts a blanket amnesty law – March 1993
- Copies of *Tutela Legal*’s files gifted to the University of Colorado - 1997
- Amnesty law declared a violation of international law – December 1999

**APPENDIX 2****Full Text: Selected Case Files' narratives**

The victims' names, where mentioned in the narratives included in the files, have been changed.

**108****Name: "Rafaela"****February 8, 1981, 10:30 PM****Recorded June 16, 1983****Age: 23****Occupation: Commercial Secretary****Residence: San Salvador****Taken from home by the National Police with family and neighbors as witnesses****Abuse: hooded, beaten, threatened with death****Last reported status: free**

At the previously mentioned time, various already-mentioned agents stormed inside, throwing open the door of the victim's house. Immediately upon hearing this, the victim's mother (who is reporting this), got up and directed herself towards the door. Upon opening it, she realized that there were various heavily armed elements with police uniforms, and some of them were wearing masks on their faces. They asked the declarant about Rafaela, her daughter; in those moments the victim tried to leave and they turned themselves violently towards her. They took her by the hand and told her, "You are the Commander Lidia." Then, they proceeded to make her walk, and in this form she was taken to the destination and address of Zone 1 of the National Police of the colony Zacamil. Finding Rafaela in this situation, the agents tied her hands up and proceeded to beat her, and told her to tell them what the names of her compañeros were. (She was found with her eyes bandaged.) Then, they told her that nothing would happen to her if she collaborated, and that in the same way three days before, they had attacked the command of the police and the barracks of the same zone. Then they continued beating her body, and upon seeing that she didn't say anything, they proceeded to put a hood on her, and told her that if she wasn't going to tell the truth, they were going to kill her. Then, taking off her hood, they told her the crimes of which she had been charged. After January 9<sup>th</sup> of the same year, she was taken to the destination of the central barracks of the National Police of this city. Finding herself in this place, the interrogators continued and told her at this time that the elements of the police who in the church in which she worked had done propaganda so that the leftist organizations could "take the churches." Later, as the police had maintained this, she was sent to the Penal Center for Women, and processed pursuant to Decree Law 507 and the order of Military Judge of Instruction. She remained there for a year and five days, having been set free February 22 of 1982. She was set free at the petition of her family to the Ministries of the Government.

**273****Name: "Doris"****August 25, 1982, 4:30 – 5:00 PM****Recorded August 28, 1982****Age: 27****Occupation: Secretary (unemployed)****Residence: San Salvador****Taken from home by the National Police with a neighbor as a witnesses**

**Abuse: Presumably, torture****Last reported status: free**

The abductee was in her house of residence when the police arrived, and took the young Doris and her brother. The police took over the house of the abductee and stayed there until Wednesday, when the police that remained there said that the abductee wasn't there anymore, and that she didn't live there. Today, the 27<sup>th</sup> of August, the International Red Cross advised them [presumably the family] that the abductee was in Cell no. 18 along with her brother; of the girl, nothing is known. The domestic worker who worked with them also disappeared along with her child of 8 months, and nothing is known of her.

Note: Cell no. 18, which was found in the central barracks of the National Police, was a place destined for people who were going to be tortured.

**340****Name: "Angelina"****November 17, 1982, 10:30 AM****Recorded November 18, 1982****Age: 19****Occupation: Student****Residence: San Salvador****Taken from a movie theater by armed plainclothes agents with friends as a witnesses****Abuse: They hit her friend but it doesn't mention if they hit her.****Last reported status: free (as marked on case file)**

Four agents, dressed in plainclothes, and heavily armed, arrived at the Izalco movie theater, the place where they found the abductee, and they approached her (she was with two companions).

One of the agents hit one of the other girls with his gun, but the other agent told him that it wasn't her that they were looking for, but the other, signaling towards Angelina.

They took her out of the theater and they put her into a Volkswagen double-cabin pickup truck, light blue in color, taking her towards an unknown location. Another young man who was found in that place said that the agents were identified as members of the National Police.

**852.2****Name: "Cecilia"****May 31, 1983, in the afternoon****Recorded June 2, 1983****Age: 27****Occupation: Maid (unemployed)****Residence: Soyapango, San Salvador department****Taken from a shopping center by plainclothes agents with a friend as a witnesses****Abuse: was cruelly tortured in the National Police****Last reported status: free**

A friend of the abductee advised her mother that some plainclothes agents had abducted her daughter in the Metrocentro, telling her that her daughter was found with a friend and her daughter of 7 years, and that she could see that the agents were inside a vehicle of the friend of Cecilia, and that these agents proceeded to take the three of them away to an unknown destination. It's unknown to date the location of Cecilia and her daughter [name removed] the Aguinada, 7 years old, a first grade student in elementary school.

But, a noticed appeared in the newspaper "El Mundo" of June 1 of this year which informs of a man named [name removed] who was hanged in the prisons of the National Police, and according to what the mother of Cecilia was informed, it was with him that her daughter was walking with in the Metrocentro, and with whom they were abducted. Ms. Cecilia, "Comandate Galia," was cruelly tortured in the National Police. Later, for a while, she was referred to the judge and sent to the Women's Prison. Afterwards she was set free in a prisoner swap.

**905**

**May 31, 1983, in the afternoon**

**Recorded June 2, 1983**

**Age: 27**

**Occupation: Maid (unemployed)**

**Residence: Soyapango, San Salvador department**

**Taken from a shopping center by plainclothes agents with a friend as a witnesses**

**Abuse: psychological torture**

**Last reported status: free (as marked on case file)**

While she was headed to her house, to then leave to work, and moving along the sidewalk headed to the ANTEL in Ahuachapan, a few plainclothes agents got out of a Jeep in which they were driving. They proceeded to tie her up violently by the arms and bandage her eyes. They put her inside of the car they were driving, taking her towards Rio Paz; but, afterwards, the agents returned and they took her to the Central Barracks of the National Police in San Salvador, where they kept her for 19 days undergoing investigation. They tortured her psychologically. Afterwards, she was transferred to the Women's prison in Ilopango, where they maintain her in the capacity of a political culprit.

**956**

**Name: "Linda"**

**June 1, 1983, 3:00 PM**

**Recorded August 30, 1983**

**Age: 45**

**Occupation: Nurse**

**Residence: Ahuachapan**

**Taken in public by plainclothes agents with no witness listed**

**Abuse: beaten, threatened with death, signed papers without being informed of their contents**

**Last reported status: free (marked on case file)**

At the time mentioned before, various already-mentioned elements showed up and went inside her house of residence. Upon going inside, they said, 'Who is Linda?' So she answered, "I am." They proceeded with her abduction, telling her, "You're coming with us." In this way, she was taken tied up by her fingers, and upon walking with her for 50 meters to where they had left a vehicle that they drove, after about a kilometer she was bandaged on the eyes. She was laid face-down, with all the weapons of the plainclothes elements placed on her back. Afterwards she was taken to the basements of the National Police of the city of San Miguel. In the basement, she was obligated to say that she was a part of the ERP [revolutionary army of the people], and that nothing was going to happen to her. In this way she was beaten, and they told her that if she did

not accept being a part of the ERP, they were going to kill her. She said that she had nothing to do with that organization, and that she had friends that knew her (since she was *resadora* [unclear what this means, but it could be something like prayerful]). Afterwards after the 3rd of January of the current year she was moved with destination of the center of San Salvador, to the National Police, of the body of Security in San Miguel. She signed various papers without knowing their contents. The 19th day of this same year, she was transferred with destination of the penal center of the Women's Prison. She is found there being processed according to Law 507 at the order of the Military Judge of Instruction.

**957**

**“Beatriz Gonzalez”**

**May 11, 1983 11:30 AM**

**Recorded August 29, 1983**

**Age: 35**

**Occupation: Teacher**

**Residence: San Miguel**

**Taken from home by armed plainclothes agents of the National Police with family members as witnesses**

**Abuse: Hit her on the head and rendered her unconscious**

**Last reported status: Detained**

In the moment in which she was found with various students of the school outside of it, a vehicle with panels, polarized glass, and blue in color stopped in front of them, out of which got out an agent in plainclothes who tied her by the arms. Mrs. Gonzales asked two of the students who were found with her to help her and not to let them take her away. At the same time, she said to the guy who had tied her up that she was Beatriz Gonzalez, since it appeared that they had called her by a name that was not hers. The students grabbed the abductee by the other arm, winking at the other person, so that another person got out of the trunk of the car, and threatened the students with a machine gun that he carried. The students backed off and the agents proceeded to put her in the vehicle that they drove. In the moment when they put her in, they hit the abductee on the head, rendering her unconscious. They proceeded to take her to a location unknown to the date. In the different bodies of security in which she has been asked for, they don't given any information on her.

**1058**

**November 5, 1983 11:45 PM**

**Recorded April 7, 1984**

**Age: 21**

**Occupation: Student**

**Residence: Soyapango, San Salvador department**

**Taken from home by the National Police with family members as witnesses**

**Abuse: Psychological torture; forced to sign something while blindfolded**

**Last reported status: detained**

She was abducted by various agents of the National Police dressed in olive green and two in plainclothes, armed; in total 20 soldiers of the army or the National Police. The crimes were that she was in a house of cover, and for a few days would be in that zone, but afterwards she went to go to Guazapa (Cerror). She had signed the declarations with her eyes bandaged. After

psychological torture, she was sent directly to the penal center of Ilopango, where she can be found by the order of the Military Judge of Instruction, and is being processed under Law 50.

**1103**

**Name: "Maria"**

**July 17, 1983 7:30 PM**

**Recorded October 20, 1983**

**Age: 15**

**Occupation: Laborer**

**Residence: La Paz**

**Taken from home by uniformed and masked soldiers with family members as witnesses**

**Abuse: Robbed, and her father was beaten.**

**Last reported status: disappeared**

Four soldiers uniformed in olive green arrived at the house and went inside, violently saying, "If there are men, hands up, and if there are women, face down." They went to the room where they found the father of the abductee sleeping, and they threw him to the floor and stomped on him, bloodying his nose with the blows they gave him. Afterwards, they headed for "Maria", asking for her documents, which they took away. The same soldiers took money from the people in the house, taking a total of 960 colones. Finally, they took the abductee to a place unknown to date.

**1113**

**April 23, 1983, during the day**

**Recorded April 28, 1983**

**Age: 37**

**Occupation: Clothes vendor**

**Residence: San Salvador**

**Taken from home by the National Police with an acquaintance from the market for a witness**

**Abuse: they killed her partner in front of her**

**Last reported status: free**

At the expressed time, various agents of the National Police made themselves present at the house of residence. The elements already mentioned in dubious circumstances started to kill the life partner of the person cited above. But, the declarant presumes that it could be that in the house where the abductee lives, there is a very brave dog, and when the uniformed National Police agents arrived then killed him and proceeded to shoot him. But, this is not contested by sight, only by a lady who says it as such. But nevertheless, the declarant has already made a declaration to the National Police about the cited case. When the National Police arrived at the house of residence of the abductee, the gentleman who now is their victim was resisting the abduction, and for that reason they responded with fire, proportioning his life and taking his life in that moment; that is to say, they killed him. The man was named [name removed], 45 years old, single, laborer and resident of this place. (To date, it is unknown in which newspaper they published such news.)

In the same way, they abducted the young tenant of the name [name removed], of general facts unknown, since the declarant doesn't know him personally. But nevertheless, he was captured in the same day on his way to the School of the Blind, when he was riding on a blue Volkswagen microbus with the license plate 28125 p. Additionally, this gentleman was taken before they

captured and killed as mentioned above. His burial place is unknown (this appeared in the *Prensa Grafica* on April 26 of the present year), giving a distinct aspect to the news. In the same way, the location of the older sons of the above mentioned persons is unknown.

*[Handwritten file note]: On the day of Thursday[4]/28/83, the grandmother of the two abducted persons was informed that her children of her daughter were abducted, and were found in the Juvenile Prison, them being: [name removed], 11 years old; [name removed], 5 years old; and [name removed], 7 years old. All three of them were already returned to their grandmother, [name removed], the day of Tuesday the May 3<sup>rd</sup> of the same year.*

**1195**

**Name: "Malena"**

**November 12, 1983 12:00 PM**

**Recorded August 12 1984**

**Age: 34**

**Occupation: Domestic Worker**

**Residence: Usulután**

**Taken in the street by plainclothes agents with no witnesses listed**

**Abuse: they covered her with a sack and stood on her**

**Last reported status: disappeared**

The declarant says that her sister-in-law Malena left her house of residence at 6 in the morning, with [name removed], 13 years of age, student, single, of the same residence as her mother, on the 12 of November of the past year to do some shopping, and when she was heading home with everything she bought they were abducted by four men dressed in plainclothes and heavily armed, who upon seeing threw away everything they had bought, took their documents, and pushed them into a white pick-up, some people say that when they put them into the said vehicle they covered them with a sack and stood on them, taking them to a destination unknown to date.

**1259**

**Name: "Francesca"**

**December 20, 1983 5:45 PM**

**December 21, 1983**

**Age: 19**

**Occupation: Baker**

**Residence: Cuscatancingo**

**Taken in public by the National Guard with family members as witnesses**

**Abuse: they took her in a violent form**

**Last reported status: free**

At the already mentioned time, Francesca headed with her life partner [name removed] to distribute French bread to the colonias surrounding Cuscatancingo, when they were intercepted him first a block ahead of Francesca. [There were] various soldiers of the Army combined with agents of the National Guard, all properly uniformed. At this hour they abductors kept them tied up by their thumbs. Others dressed in plainclothes and heavily armed took the abductees in a violent form, since this way they were turned in by the Uniformed agents, who took them afterwards in an old pick-up vehicle, to an unknown destination. It is unknown that date from which they took them.

*[Later observation]: She was found in the Hacienda Police and was set free on the day of May 9 1983, at 5:00 in the afternoon.*

*Supposedly, they detained her for her familial relationship with a young man recruited by the guerrilla: [name removed].*

### **APPENDIX 3**

#### **Full List of Victims' Occupations**

##### **Women's Professions:**

02% baker  
02% nurse  
04% agriculture  
04% tailors  
06% teacher  
08% laborers  
08% secretaries  
08% small businessperson  
28% student  
36% domestic work

##### **Men's Professions**

02% government work  
02% military  
02% secretaries  
02% unemployed  
04% baker  
04% domestic work  
04% electricians  
04% students  
04% teachers  
04% watchmen  
08% mechanics  
08% motorist  
12% small business people  
16% obreros  
26% agriculture

##### **Overall Occupations:**

01% government employee  
01% military  
01% no occupation  
02% electricians  
02% students  
02% tailors  
02% watchmen  
03% bakers  
03% mechanics  
03% teachers  
04% motorists  
05% secretaries  
09% obreros

09% small business people  
14% students  
15% agriculture  
17% cleaning and domestic work

## **APPENDIX 4**

### **Full List of Motives of Abductions**

#### **Motive of abduction:**

10% Political crimes  
 06% Guerrilleros  
 04% Unionist  
 04% Subversive  
 04% Specified as unknown  
 04% Because of a relation to someone else  
 03% Common crime  
 02% Possession of weapons  
 01% Safehouse  
 01% Refugee  
 01% Politically important  
 01% Activist

#### **Motive for women:**

08% Political Crimes  
 08% Guerrilleras  
 08% Because of a relation to someone else (this is all of the victims taken for this reason)  
 06% Subversive activity  
 06% Specified as unknown  
 02% Unionist  
 02% Safe House  
 02% Activist

#### **Motive for men:**

12% Political Crimes  
 06% Unionist  
 06% Common Crime (this is all the victims taken for this reason)  
 04% Possession of weapons (this is all the victims taken for this reason)  
 04% Guerrilleros  
 02% Subversive activity  
 02% Specified as unknown  
 02% Refugee  
 02% Politically Important

**APPENDIX 5**  
**Full List of Locations of Abductions****Place of abduction:**

41% Home  
50% In public  
07% Unlisted  
01% Home of a relative  
01% Unknown  
Public:  
05% Bus stop  
04% At work  
03% Close to home  
03% Leaving work-

**Place of abduction women:**

40% Home  
50% In public  
10% Not Listed  
Public:  
06% At work  
04% Close to home  
04% Bus stop  
04% - Leaving work

**Place of abduction men:**

50% Public  
44% Home  
04% Not listed  
02% Home of a Relative  
02% Unknown  
Public:  
06% Bus Stop  
02% Leaving work  
02% Close to work

**APPENDIX 6**  
**Full List of Victims' Witnesses****Witnesses:**

24% Family members  
22% Unlisted  
12% Other Acquaintances  
12% Neighbors  
09% Strangers  
04% Listed as Unknown  
04% Friends

**Witnesses women:**

22% Not listed  
20% Family members  
16% Neighbors  
14% Strangers  
12% Acquaintance  
06% Both family and neighbors  
04% No Witness  
04% Friends  
02% Unknown

**Witnesses men:**

28% Family members  
28% Family  
22% Data not listed  
12% Acquaintances  
08% No Witnesses  
08% Neighbors  
06% Unknown  
04% Unknown  
04% Strangers  
04% Friends  
04% Family and neighbors

**APPENDIX 7****Full List of Abductors****Abductors**

24% plainclothes  
 23% national police (including 9% combined with plainclothes)  
 19% army (including 2% combined with plainclothes)  
 08% unknown  
 07% civil defense (including 1% combined with plainclothes)  
 05% not listed  
 04% plainclothes and unspecified uniforms  
 04% national guard  
 03% unspecified uniforms  
 03% hacienda police  
 02% army and civil defense  
 02% armed forces

**Abductors Women**

28% National Police  
 22% Army (including 2% combined with plainclothes and 2% combined with Civil  
 Defense)  
 20% Plainclothes  
 08% Unknown  
 08% Not listed  
 04% Unspecified uniformed  
 04% National Guard  
 04% Hacienda Police  
 02% Civil Defense

**Abductors Men**

26% Plainclothes  
 22% Army (including 2% combined with plainclothes and 2% combined with Civil  
 Defense)  
 18% National Police  
 12% Civil Defense  
 08% Unknown  
 04% National Guard  
 02% Unspecified uniform, with plainclothes  
 02% Not listed  
 02% Hacienda Police