

## Defying the victim-perpetrator binary

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# Defying the Victim-Perpetrator Binary: Female Ex-combatants in Colombia and Guatemala as Complex Political Perpetrators<sup>∞</sup>

Sanne Weber  \*

## INTRODUCTION

Over the last few decades, there has been much attention to the different impacts of conflict on women and their role in conflict and peace, leading to increased attention to gender in the fields of transitional justice (TJ) and peacebuilding. Victims, especially victims of sexual violence, have thus come to be at the centre of TJ and peacebuilding. This however risks obscuring conflict-era experiences that are characterized not only by victimization but also by resilience and agency. It moreover neglects the fact that women are not only victims, but also perpetrators of violence. Notions of victims and perpetrators are often simplified and essentialized, victims being represented as innocent and pure whereas perpetrators are represented as evil and guilty. The reality is more ambiguous. The recognition of the complexity of reality, in which victims may not be entirely innocent, and where perpetrators might also have experienced victimization, is crucial for understanding the underlying structural inequalities that lead certain individuals to become perpetrators of violence.<sup>1</sup> More nuanced stories about conflict experiences can help to diversify ideas about gender roles and norms during and after conflict, challenging stereotypes of women as vulnerable victims that eventually uphold gendered inequality.

This article engages with debates on the victim–perpetrator binary within TJ literature and practice. Recent years have seen discussions about Bouris<sup>2</sup> notion of ‘complex political victims.’ Although an important addition to critical debates about victimhood in TJ, this category is not sufficient to encompass a wider group of actors involved in conflict, who have a crucial role to play in reconciliation: ex-combatants.

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1 Erin K. Baines, ‘Complex Political Perpetrators: Reflections on Dominic Ongwen,’ *Journal of Modern African Studies* 47(2) (2009): 163–191.

2 Erica Bouris, *Complex Political Victims* (Bloomfield: Kumarian Press, 2007).

Baines<sup>3</sup> expansion of the debate by suggesting the term ‘complex political perpetrators’ has received surprisingly little scholarly attention. This article is the first to further unpack this concept, moreover adding a gendered lens to it, as women who commit violence in conflict also often become victims of it.<sup>4</sup>

Based on in-depth interviews and ethnographic and participatory visual research, this article shows how female ex-combatants in Guatemala and Colombia can be understood as complex political perpetrators, many of whom have suffered structural and direct violence prior to or during their membership of armed groups. The status of complex political perpetrators opens up possibilities for a more nuanced understanding of perpetrators’ experiences, including responsibility for actions, victimizing experiences and agency at the same time. This article argues for the adoption of this lens by TJ mechanisms such as truth commissions, to enable a more complex understanding of the past, based on the connection between direct and structural gendered violence. A more inclusive approach to TJ has more potential to foster dialogue, recognition and reconciliation than the commonly used but polarizing victim–perpetrator binary, and will better contribute to the transformation of structural gendered inequality.

The article proceeds by describing theoretical debates on victimhood and gender, introducing the concept of complex political perpetrators. It explains the contexts and methods of the research, to then move on to the analysis of the experiences of female ex-combatants in Guatemala and Colombia. It describes their motivations for joining armed groups, their experiences in both committing and suffering violence and the ways in which victimhood features in women’s narratives about their experiences. In this way, the article shows why considering complex political perpetrators alongside complex political victims can help to recognize and transform structural and gendered inequalities.

### GENDERED VISIONS OF VICTIMS AND PERPETRATORS

Over the last decades, the concept of victimhood has come to take a central place in TJ research and practice, attempting to prioritize survivors’ needs and experiences when designing and implementing TJ processes.<sup>5</sup> There are, however, several problems with this victim-centred approach, starting with the concept of victimhood itself. As several authors have observed,<sup>6</sup> the key element defining a ‘true victim’ is innocence, implying that victims cannot have been actively involved in conflict. Related characteristics of the ‘ideal victim’ are purity and moral superiority.<sup>7</sup> These are often stressed as the principal reasons – not least by survivors’ organizations themselves – why survivors are entitled to justice and reparation. Yet focusing

3 Baines, *supra* n 1.

4 Chris Coulter, ‘Female Fighters in the Sierra Leone War: Challenging the Assumptions?’, *Feminist Review* 88(1) (2008): 54–73.

5 Jemima García-Godos, ‘Victims’ Rights and Distributive Justice: In Search of Actors’, *Human Rights Review* 14(3) (2013): 241–255; Adriana Rudling, ‘I’m Not That Chained-Up Little Person’: Four Paragons of Victimhood in Transitional Justice Discourse’, *Human Rights Quarterly* 41(2) (2019): 421–440.

6 Sharon Lamb, *The Trouble with Blame: Victims, Perpetrators and Responsibility* (Cambridge: Harvard University Press, 1996); Luke Moffett, ‘Reparations for “Guilty Victims”: Navigating Complex Identities of Victim-Perpetrators in Reparation Mechanisms’, *International Journal of Transitional Justice* 10 (2016): 146–167.

7 Bouris, *supra* n 2.

on innocence is problematic, as it suggests passivity, vulnerability and a lack of agency.<sup>8</sup> This risks presenting survivors as helpless, with no responsibility for their own actions, ignoring their multiple experiences and the resistance they often showed.<sup>9</sup> A victimhood focus risks creating a binary between the good, innocent victim and the bad perpetrator.<sup>10</sup> This victim–perpetrator binary erroneously assumes that victims and perpetrators are homogeneous groups.<sup>11</sup> In reality, there tends to be a ‘grey zone’ of people who became perpetrators after suffering crimes, who experienced harms after joining armed groups and became traumatized by violence or who were forced to commit crimes as part of self-defence groups or as child soldiers.<sup>12</sup> This is especially true for protracted conflicts which produce cycles of victimization and revenge, leading to ‘horizontal victimization.’<sup>13</sup> These victim-perpetrators tend to be excluded from TJ mechanisms.

To overcome some of the obstacles presented by a narrow understanding of victimhood, several authors<sup>14</sup> have argued for the recognition of ‘complex political victims,’ referring to victims who did not comply with the ‘ideal victim’ requirements. Complex political victims include victims who supported discourses that led to their own victimization, or who participated in forms of resistance and are therefore not seen as innocent enough. The Extraordinary Chambers in the Courts of Cambodia have embraced the concept, enabling the inclusion of former Khmer Rouge cadres as victims, since they also suffered harms.<sup>15</sup> This enables a more complex discussion about the circumstances in which victimization took place. Nevertheless, the risk of such an approach is to treat victims and perpetrators alike, thus ignoring the differences in their situation and the choices they made. This can be offensive for the ‘real victims.’<sup>16</sup>

Complementing this approach, Baines<sup>17</sup> has coined the term ‘complex political perpetrators,’ specifically in regard to the situation of child soldiers. Having been victims of a crime – child recruitment – their superiors took advantage of their young age and moulded them into committing human rights violations. Their responsibility

8 Kieran McEvoy and Kirsten McConnachie, ‘Victims and Transitional Justice: Voice, Agency and Blame,’ *Social & Legal Studies* 22(4) (2013): 489–513; Mijke De Waardt, ‘Naming and Shaming Victims: The Semantics of Victimhood,’ *International Journal of Transitional Justice* 10 (2016): 1–19.

9 McEvoy and McConnachie, *supra* n 8; Ratna Kapur, ‘The Tragedy of Victimization Rhetoric: Resurrecting the “Native” Subject in International/Post-Colonial Feminist Legal Politics,’ *Harvard Human Rights Journal* 15(1) (2002): 1–38.

10 Moffett, *supra* n 6.

11 Tristan Anne Borer, ‘A Taxonomy of Victims and Perpetrators: Human Rights and Reconciliation in South Africa,’ *Human Rights Quarterly* 25(4) (2003): 1088–1116.

12 Tami Amanda Jacoby, ‘A Theory of Victimhood: Politics, Conflict and the Construction of Victim-Based Identity,’ *Millennium: Journal of International Studies* 43(2) (2015): 511–530; Primo Levi, *The Drowned and the Saved* (London: Abacus, 2013); Trudy Govier, ‘War’s Aftermath: The Challenges of Reconciliation,’ in *War: Essays in Political Philosophy*, ed. Larry May (Cambridge: Cambridge University Press, 2008), 229–248.

13 Iván Orozco, ‘La Posguerra Colombiana: Divagaciones Sobre La Venganza, La Justicia y La Reconciliación,’ *Working Paper. Kellogg Institute for International Studies* 306 (2003): 1–75.

14 Bouris, *supra* n 2; Moffett, *supra* n 6.

15 Julie Bernath, ‘“Complex Political Victims” in the Aftermath of Mass Atrocity: Reflections on the Khmer Rouge Tribunal in Cambodia,’ *International Journal of Transitional Justice* 10 (2016): 46–66.

16 *Ibid.*

17 Baines, *supra* n 1.

for their actions is thus mitigated by the circumstances which gave rise to their victim status. This more nuanced view enables a better understanding of how situations of chronic crisis, political violence and mass atrocity lead some people to become perpetrators, turning them into both victim and perpetrator, while also recognizing that others under the same circumstances did not.<sup>18</sup> Using the lens of complex political perpetrators allows for more nuanced understandings of the connections between structural and political violence, recognizing different gradations of responsibility and elements of victimhood within the experiences of perpetrators. This can help avoid polarizing views about victims and perpetrators which by dividing humanity into good and bad eventually justify mass political violence.<sup>19</sup>

The missing piece in discussions on complex political victims and perpetrators is the gendered dimension of these categories. This is surprising, given the abundance of literature on gender-sensitive TJ, which was fuelled by the recognition of systematic and large-scale sexual violence in many conflicts. The 'hyper-attention' to sexual violence however risks obscuring other gender-specific crimes and harms, while women's experiences of agency and resistance or men's experiences of gender-based violence are also often left unaddressed.<sup>20</sup> This sexual violence focus is also common in Latin America, including Colombia, where it is used strategically by the women's movement to put gender on the political agenda.<sup>21</sup> Yet reducing women's wartime experience to being victims of sexual violence does little to transform the inequalities that facilitate gendered violence.<sup>22</sup> Although it has been recognized that women can be important peacemakers, attention to women's – potential – role in peacebuilding has often led to romanticized ideas about their 'superhuman capacity to overcome trauma'<sup>23</sup> and essentialisms about women's inherent peacefulness, associated with their natural caring and nurturing capacities as mothers.<sup>24</sup>

Both gendered victimhood narratives and romanticized accounts of women as peacemakers ignore the possibility that women can be perpetrators of violence, including sexual violence, thus maintaining dichotomies between men as perpetrators and women as victims of conflict violence.<sup>25</sup> These stereotypes are also commonly

18 Ibid.; Bernath, *supra* n 15; Timothy Williams, 'Agency, Responsibility, and Culpability: The Complexity of Roles and Self-Representations of Perpetrators,' *Journal of Perpetrator Research* 2(1) (2018): 39–64.

19 Bouris, *supra* n 2.

20 Kapur, *supra* n 9; Olivera Simić, 'Wartime Rape and Its Shunned Victims,' in *Genocide and Gender in the Twentieth Century: A Comparative Survey*, ed. Amy E. Randall (London: Bloomsbury, 2015), 237–257; Julieta Lemaitre and Kristin Bergtora Sandvik, 'Beyond Sexual Violence in Transitional Justice: Political Insecurity as a Gendered Harm,' *Feminist Legal Studies* 22(3) (2014): 243–261.

21 Lina María Céspedes-Báez, 'Creole Radical Feminist Transitional Justice: An Exploration of Colombian Feminism in the Context of Armed Conflict,' in *Truth, Justice and Reconciliation in Colombia: Transitioning from Violence*, ed. Fabio Andrés Díaz Pabón (Abingdon: Routledge, 2018), 102–118.

22 Laura Sjoberg, *Women as Wartime Rapists: Beyond Sensation and Stereotyping* (New York: New York University Press, 2016).

23 Pascha Bueno-Hansen, *Feminist and Human Rights Struggles in Peru: Decolonizing Transitional Justice* (Urbana: University of Illinois Press, 2015), 99.

24 Cynthia Cockburn, 'The Gendered Dynamics of Armed Conflict and Political Violence,' in *Victims, Perpetrators or Actors? Gender, Armed Conflict, and Political Violence*, ed. Caroline O.N. Moser and Fiona Clark (London: Zed Books, 2001), 13–29; Sjoberg, *supra* n 22.

25 Sjoberg, *supra* n 22.

upheld in Latin America, even though women have had important roles in guerrilla groups and the human rights movement.<sup>26</sup> Female ex-combatants do not fit women's expected roles of either victims or peacemakers. In public and to a large extent academic discourses, they are often regarded in stereotypical ways, as victims of forced recruitment or (sexual) violence within these groups. They are therefore considered as less guilty, having been instrumentalized by violent actors to fulfil their political goals.<sup>27</sup> On the other hand, they are sometimes regarded as deviant or 'freak mistakes,' whose transgression of gender norms which represent women as peaceful, 'beautiful souls' is perceived as particularly shocking.<sup>28</sup> The reality is more complex. Many women who perpetrated violence were at the same time victims of violence.<sup>29</sup> Failing to understand the full array of women's motivations to commit political violence ignores their often conscious decision to become involved in armed groups, and therefore their agency.<sup>30</sup>

The victim-centred policies of TRCs and other TJ mechanisms often lead to their failure to include (female) ex-combatants.<sup>31</sup> This is a lost opportunity to better understand the complexity of their experiences, which would illustrate that female ex-combatants are often also victims, both of direct and structural violence, while their emancipatory experiences could at the same time be a building block for the transformation of gender inequality. In the remainder of this article, I demonstrate how TJ could in many cases create a better understanding of multi-layered gendered experiences of conflict by expanding its victim-centred focus to include female ex-combatants as complex political perpetrators.

## CONTEXT AND METHODOLOGY

Latin America's guerrilla groups offer interesting cases to study the experiences of female ex-combatants in contexts of protracted conflicts characterized by structural violence and injustice. This research focuses on two such groups in Guatemala and Colombia: the *Unidad Revolucionaria Nacional Guatemalteca* (Guatemalan National Revolutionary Unity, URNG) and the *Fuerzas Armadas Revolucionarias de Colombia* (Revolutionary Armed Forces of Colombia, FARC). Both guerrilla groups had women among their ranks, who performed similar tasks to men in terms of everyday activities and combat actions, creating an image of gender equality which is common among Latin American guerrilla groups, even though women rarely made it to leadership positions.<sup>32</sup>

26 Elizabeth Jelin, *State Repression and the Labors of Memory* (Minneapolis: University of Minnesota Press, 2003).

27 Megan MacKenzie, 'Securitization and Desecuritization: Female Soldiers and the Reconstruction of Women in Post-Conflict Sierra Leone,' *Security Studies* 18(2) (2009): 241–261; Alexis Leanna Henshaw, 'Where Women Rebel,' *International Feminist Journal of Politics* 18(1) (2016): 39–60.

28 Laura Sjoberg and Caron E. Gentry, *Mothers, Monsters, Whores: Women's Violence in Global Politics* (London: Zed Books, 2007).

29 Coulter, *supra* n 4.

30 Sjoberg and Gentry, *supra* n 28.

31 Luisa Maria Dietrich Ortega, 'Transitional Justice and Female Ex-Combatants: Lessons Learned from International Experience,' in *Disarming the Past: Transitional Justice and Ex-Combatants*, ed. Ana Cutter Patel, Pablo De Greiff and Lars Waldorf (New York: Social Science Research Council, 2009), 158–188.

32 Luisa María Dietrich Ortega, 'La "Compañera Política": Mujeres Militantes y Espacios de "Agencia" En Insurgencias Latinoamericanas,' *Colombia Internacional* 80 (2014): 83–133.

Guatemala experienced a decades-long internal armed conflict, sparked by the creation of four different guerrilla groups in the 1970s, which eventually united in the URNG in 1982, fighting for a more equal and just society. At its peak in the early 1980s, the URNG allegedly numbered between 6,000 and 8,000 armed combatants, many of whom were of indigenous background.<sup>33</sup> In response to guerrilla activity, the army unleashed a bloody counterinsurgency campaign, which included acts of genocide between 1981 and 1983. Peace was finally signed in December 1996, leading to the URNG's demobilization. Although no clear data exists on the number of female ex-combatants, according to a 1997 European Union survey, women composed 15 percent of the URNG's combatants and 25 percent of political cadres.<sup>34</sup> The UN-sponsored truth commission identified the state to be responsible for 93 percent of human rights violations, compared to 3 percent guerrilla responsibility. The Guatemalan government has never officially recognized these findings or apologized for its responsibility for the large-scale human rights violations. In contrast, the state, military and economic elites have adopted a strategy of portraying individuals protesting against social inequality as communists and terrorists.<sup>35</sup> This has led to a stigma attached to guerrilla membership, which many of the participants in this research have experienced.

Although the FARC originated for roughly similar reasons as the URNG – the struggle against inequality – there are also clear differences, particularly in relation to the forms and amount of violence committed. The Marxist-oriented FARC were formed officially in 1966. The group was active in rural areas to defend peasants from landowners and the state. At its height, the FARC consisted of approximately 18,000 combatants, making it the largest ever guerrilla movement in Latin America, with the highest number of female combatants, comprising approximately 30 percent of its membership – although women never made it to top leadership positions. After the conflict, just over 10,000 guerrillas demobilized collectively in July 2017.<sup>36</sup>

Colombia's conflict was longer-lasting and more complex than Guatemala's. In addition to several armed guerrilla groups, of which the FARC were the strongest, in the 1980s and 1990s large landowners created self-defence groups to protect their property. These evolved into brutal paramilitary groups which eventually united in the United Self-Defence Forces of Colombia – the AUC. Towards the end of the 1990s the AUC were responsible for 40 percent of all massacres, and almost 80 percent of other human rights violations.<sup>37</sup> Another added layer of complexity was the global drugs trade, participation in which enabled all armed groups to increase and

33 Susanne Jonas, *Of Centaurs and Doves: Guatemala's Peace Process* (Boulder: Westview Press, 2000).

34 Ilja A. Luciak, *After the Revolution: Gender and Democracy in El Salvador, Nicaragua, and Guatemala* (Baltimore: Johns Hopkins University Press, 2001).

35 Roddy Brett, 'Peace without Social Reconciliation? Understanding the Trial of Generals Ríos Montt and Rodríguez Sánchez in the Wake of Guatemala's Genocide,' *Journal of Genocide Research* 18(2–3) (2016): 285–303.

36 Jessica Trisko Darden, Alexis Henshaw and Ora Szekely, *Insurgent Women: Female Combatants in Civil Wars* (Washington: Georgetown University Press, 2019); Natalia Herrera and Douglas Porch, 'Like Going to a Fiesta' – The Role of Female Fighters in Colombia's FARC-EP, *Small Wars & Insurgencies* 19(4) (2008): 609–634.

37 Nazih Richani, *Systems of Violence: The Political Economy of War and Peace in Colombia* (Albany: State University of New York Press, 2002).

professionalize considerably.<sup>38</sup> This turned most of the country into a battlefield, enabling all armed actors to present themselves as victims of – structural – injustices by other groups.<sup>39</sup>

At the same time, these armed groups were not homogeneous. The FARC, for instance, were particularly strong in the south of the country, whereas they never managed to gain the same strength in the Caribbean Coast.<sup>40</sup> The Caribbean Bloc, although home to a disproportionately high number of the FARC's ideologues and top commanders, was militarily among the weakest of the seven FARC blocs. Most of the bloc retreated into Venezuela when military offensives intensified in the early 2000s, where they were mainly involved in the drugs and arms trade, and provisioned the more militarily active blocs.<sup>41</sup> Participants in my research formed part of this bloc, meaning that their experience was different from that of ex-FARC members of more militarily active blocs.

Colombia witnessed several failed peace negotiations in the last decades. However, after four years of negotiations the Santos administration eventually achieved a comprehensive peace agreement with the FARC. After defeat by a narrow margin in the October 2016 plebiscite, the agreement was renegotiated and finally signed in November 2016. This defeat was partly due to the aversion against the FARC among large groups of the population. Having originated with strong ideological motives, the FARC gradually resorted to kidnapping as a means to finance their struggle, while increasingly using indiscriminate violence against civilians. Guerrilla groups, especially the FARC, were responsible for 81 percent of terrorist attacks, 50.5 percent of kidnappings, 17.3 percent of massacres and 16.8 percent of assassinations.<sup>42</sup> As a result, a 2017 opinion poll revealed that 77 percent of Colombians held a negative perception of the FARC.<sup>43</sup> The shares of the FARC and the URNG in conflict violence are therefore not easily comparable, although the Caribbean Bloc was less involved in violence than others. In spite of this and other differences between these two guerrilla movements, this article will show many common themes in the experiences of their female members, thus showing the applicability of the complex political perpetrator lens to both contexts.

38 Silvia Mantilla, 'Conflicto y Paz En Colombia En Tiempos de Globalización,' in *Paz Paso a Paso: Una Mirada Desde Los Estudios de Paz a Los Conflictos Colombianos*, ed. Adam Baird and José Fernando Serrano (Bogotá: Editorial Pontificia Universidad Javeriana, 2011), 217–240.

39 Orozco, *supra* n 13.

40 Fernán E. González González, *Poder y Violencia En Colombia* (Bogotá: Odecofi-Cinep, 2014).

41 Alexander L. Fattal, *Guerrilla Marketing: Counterinsurgency and Capitalism in Colombia* (Chicago: University of Chicago Press, 2018); Centro Nacional De Memoria Histórica, *Guerrilla y Población Civil: Trayectoria de Las FARC 1949–2013*, Centro Nacional de Memoria Histórica (Bogotá: Centro Nacional de Memoria Histórica, 2014).

42 Sergio Triana E. and Leah Grace, 'El Rol de La Justicia Transicional En El Proceso de Paz Con Las FARC-EP En Colombia (2015),' in *Excombatientes y Acuerdo de Paz Con Las FARC-EP En Colombia: Balance de La Etapa Temprana*, ed. Erin McFee and Angelika Rettberg (Bogotá: Ediciones Uniandes, 2019), 43–68.

43 Enzo Nussio and Rafael Camilo Quishpe, 'La Fuerza Centrifuga Del Posconflicto: Las FARC-EP, Entre La Unidad y La Desintegración,' in *Excombatientes y Acuerdo de Paz Con Las FARC-EP En Colombia: Balance de La Etapa Temprana*, ed. Erin McFee and Angelika Rettberg (Bogotá: Ediciones Uniandes, 2019), 163–187.



In order to understand female ex-combatants' experiences, I made visits to Guatemala in June–July 2018 and March and November 2019, and undertook in-depth interviews and focus groups with 23 participants in different parts of the country. I used a semi-structured interview guide, focusing on the stages of participants' lives before, during and after their time as *guerrilleras*. This enabled participants to talk freely about their lives and the importance of guerrilla membership to them. Guerrilla membership is still a sensitive topic in Guatemala, making the building of relationships of trust essential. I recruited participants based on relationships established during five years of working and living in Guatemala years before this research. These initial contacts enabled me to identify and invite other participants. I continued to build trust through repeated fieldwork trips, where I held various workshops in which my research results were discussed and complemented, and through ongoing communication. Participants included women of indigenous and *mestiza* ethnic origin. Most participants are identified with pseudonyms, except for Maya and Sandra, who preferred using their real names to disrupt the stigma around guerrilla membership. I respect this decision, since doing otherwise would fail to take the participants and their political goals and agency seriously.<sup>44</sup>

In Colombia, this methodological approach was adapted to better respond to and understand the different moment in the reintegration process that participants were experiencing. Whereas in Guatemala conflict and demobilization had ended over 20 years ago, in Colombia reincorporation was in full swing at the time of the research, which was undertaken in two rounds of fieldwork in May 2019 and from August to November 2019. Therefore, an ethnographic approach was used to understand the everyday lived experiences and gendered dynamics of this process in one of the collective reincorporation zones in the Caribbean Coast. I established contact via social media, and agreed on a longer-term research trip in an initial field trip in 2019. Since FARC ex-combatants expressed their fatigue with interviews, participant observation and numerous informal conversations were combined with participatory visual research – the co-production of two short videos with former ex-combatants. One of these videos, composed of short interviews with – mostly female – inhabitants of the reincorporation zone, specifically addressed gender issues, inquiring into the gendered dynamics of guerrilla membership and the reincorporation process.

My prolonged visit in the reincorporation zone helped to build trust with the participants, which eventually enabled me to conduct semi-structured interviews with 15 ex-combatants and five community members, using a similar interview schedule as the one used in Guatemala. Six men and 15 women were interviewed, mostly of *mestizo* background but also including four indigenous persons. An additional 13 interviews and many more informal conversations were undertaken with stakeholders in the wider reincorporation and peace process, in Bogotá, Cali, Valledupar and Santa Marta. This article will mostly draw upon the interviews and informal conversations with female ex-combatants, who are identified with pseudonyms.

44 Elisabeth Jean Wood, 'The Ethical Challenges of Field Research in Conflict Zones,' *Qualitative Sociology* 29(3) (2006): 373–386.

These interviews, as well as the ethnographic data (mainly from Colombia, written up as field notes), were analysed thematically. A grounded theory approach was used for analysis. This means that the process of analysing the data started while being in the field, enabling the adaptation of the field research to complement gaps or clarify specific themes that gradually became evident. This enables the research to better capture complexity.<sup>45</sup> As this research forms part of two different but related projects, one of which was extended with several small grants, it has gone through various rounds of human subjects review with the Ethics Committee of the University of Birmingham, which approved it on 30 May 2018, 28 February 2019, 2 April 2019 and 12 December 2019.

### FEMALE EX-COMBATANTS AS COMPLEX POLITICAL PERPETRATORS

The interviewed ex-combatants all belonged to armed groups, and therefore, regardless of their individual responsibility for the actual commission of violence, they all share the ranks of those seen as perpetrators in conflict. This is also reflected by the stigma that women in Guatemala feel, and the societal rejection that the FARC experienced in the defeat of the peace deal in the plebiscite and in the disappointing results of their first election campaign as a political party in 2018.<sup>46</sup> Nevertheless, rather than only looking at perpetrators' responsibility for the violence committed, and thus excluding them from traditionally victim-centred TJ mechanisms such as truth commissions, it is important to also gain an understanding of the violence they might have suffered, as well as the reasons that led them to become active in armed groups. This is especially important for female ex-combatants, who are easily seen as either victims or monsters, whereas their experiences frequently include both victimhood and agency. In the remainder of this article, I argue why a complex political perpetrator approach could be an adequate way to include female ex-combatants more fully in TJ mechanisms. I first explore women's motivations for guerrilla membership, often connected to experiences of structural violence, to then look at different forms of violence they have experienced and how they incorporate this in their narratives.

#### Women's Motivations for Joining Armed Groups

A first step towards understanding female ex-combatants as complex political perpetrators is determining in what circumstances women joined armed groups. In Guatemala, women had diverse motivations. Many of them witnessed or experienced poverty and inequality. Some indigenous women were unable to finish school, being forced to work as domestic servants at young ages. This led some to join processes of organizing and consciousness raising in relation to social justice, through church, community or student groups. *Mestiza* women were often active in the student movement. These social justice initiatives were a thorn in the side of the political and economic elites in Guatemala and as a result their members became targets of

45 Kathy Charmaz, 'The Grounded Theory Method: An Explication and Interpretation,' in *Contemporary Field Research: A Collection of Readings*, ed. R.M. Emerson (Boston: Little, Brown and Company, 1983), 109–126.

46 Nussio and Quishpe, *supra* n 43.

repression.<sup>47</sup> Gradually repression became more intense and space for non-violent participation reduced. This led many women to join the guerrilla movement as the only option left to both make a change to society and protect their own and their family's safety. Others joined through their connections with family or friends who were already guerrilla members. Sonia said that after finishing secondary school in exile:

my condition of revolutionary summoned me to join the struggle. [...] It was a feeling of going out and contributing; it was the way we saw that we could make a change.<sup>48</sup>

For others, joining the guerrilla movement was not such a conscious decision. Several women experienced repression from close by, through the deaths of family members or friends, sometimes followed by exile, through massacres, or threats and even torture and sexual violence against themselves, as was the case of Sandra. After massacres in their villages, Verónica and Mónica joined groups of displaced population called *Comunidades de Población en Resistencia* (Communities of Population in Resistance or CPR), who lived as nomads in the mountains and jungle for years. There was close contact between CPR and the guerrilla groups. These women joined the guerrilla movement since they had nothing to lose, whereas the URNG offered them the opportunity to learn to read and write and acquire other capacities such as medical skills. Joining moreover offered an opportunity to resist and take revenge for the violence suffered. Often, reasons such as prior organization, repression and violence and family connections coexisted.<sup>49</sup> Rather than being victims of forced recruitment, as the stereotype goes, these women showed agency by joining guerrilla groups, resisting the structural violence they faced, which at the same time left some of them with little option but to join.

There are similarities and differences between women's experiences in Colombia and Guatemala. In Colombia, structural violence and gendered inequalities also led some women to join the FARC. Luz's mother died when she was three, after which she was raised by an aunt who treated her badly. Having no opportunities to study, at 17 she decided to join the FARC. Being unable to study was also decisive for María, an indigenous woman who joined the FARC aged 11. Her poor parents could only afford for one of their children to study: María's brother. The FARC seemed to offer her the opportunity to study, and although she did not receive a formal education, during over 20 years in the FARC she became a nurse there. Others' experiences were characterized by generalized and conflict violence. Andrea's father was killed in one of the violent family feuds common to indigenous communities in La Guajira after the marijuana boom of the 1970s and 1980s. Others, like Gloria and Cristina, got caught up with armed groups involuntarily. Gloria was held and

47 Beatriz Manz, 'The Transformation of La Esperanza, an Ixcán Village,' in *Harvest of Violence: The Maya Indians and the Guatemalan Crisis*, ed. Robert M. Carmack (Norman: University of Oklahoma Press, 1988), 70–89, at 1.

48 Personal interview, Sonia, Guatemala City, 2 July 2018.

49 Wenche Hauge, 'Group Identity – A Neglected Asset: Determinants of Social and Political Participation among Female Ex-Fighters in Guatemala,' *Conflict, Security & Development* 8(3) (2008): 295–316.

detained by the National Liberation Army (ELN) while travelling to school, and when released she decided to join the FARC, who offered her protection from the ELN. Cristina bought some things for a family friend, unaware that he was a member of the FARC. When paramilitary groups started threatening her family, she had no other option but to join, thinking in vain that she could leave when the threats had passed.

These last experiences show the more coercive conditions of guerrilla membership in Colombia compared to Guatemala. Nevertheless, in both countries women joined at young ages; those who joined aged 18 or older are rare. Their young age means that they were easily influenced and 'moulded,' as Baines<sup>50</sup> puts it, into the ways of thinking and the behaviour of the armed groups they joined. Moreover, the conditions in which they decided to join armed groups were characterized by contexts of structural and direct violence, and gendered inequality which left young women few opportunities to develop themselves. Many women therefore did not see many other options than joining a guerrilla group. This makes it hard to distinguish forced from voluntary recruitment,<sup>51</sup> and evidences the mitigating circumstances that characterize complex political perpetrators according to Baines. These are important experiences to analyse for TJ, as they shed light on the structures of (gendered) inequality that underlie the creation of victims and perpetrators, whose identification can enable their transformation. At the same time, joining these groups was an empowering experience for many women, as I have explained in more detail elsewhere<sup>52</sup> and will touch upon in the next section. This agency is often lost in gendered victimhood and perpetrator narratives, while it can be important for deconstructing and transforming stereotypes of femininity.<sup>53</sup> The complex political perpetrator lens could aid such transformation.

### Violence Experienced by Female Ex-combatants

During their time as guerrilla members, many women experienced different types of violence. Some women lost family members or romantic partners, some of whom were also guerrilla members. These losses naturally imply emotional impacts that many women still feel and have rarely received support for, as psychosocial reparations tend to be reserved for victims of conflict. Several women, especially in Colombia, also suffered physical violence during conflict. A more complex form of violence is that committed by guerrillas against their own comrades, including gender-based and sexual violence.

This gendered violence within guerrilla groups is a sensitive topic. In Guatemala, talking about it is generally considered taboo, leading to quite heated discussions and divided opinions in the research workshops. Some participants admit that violence

50 Baines, *supra* n 1.

51 Myriam Denov and Alexandra Ricard-Guay, 'Girl Soldiers: Towards a Gendered Understanding of Wartime Recruitment, Participation, and Demobilisation,' *Gender and Development* 21(3) (2013): 473–488.

52 Sanne Weber, 'From Gender-Blind to Gender-Transformative Reintegration: Women's Experiences with Social Reintegration in Guatemala,' *International Feminist Journal of Politics* (2020). DOI: 10.1080/14616742.2020.1768879.

53 Jelin, *supra* n 26.

against women took place within the guerrilla movement, including harassment, sexual violence and forced abortions. Juana explained that when *guerrilleras* tried to denounced violence by their partners, they received threats. They therefore preferred to stay silent. She herself separated from a previous partner because of controlling behaviour.<sup>54</sup> Verónica and Evelyn received orders to abort their pregnancies for not having asked permission to become pregnant – orders both of them disobeyed, but had hardly ever talked about prior to research participation. Documents based on female ex-combatants' stories also suggest that specific forms of gendered violence and harassment, often of a sexual nature, co-existed with more positive experiences.<sup>55</sup> Other participants recognize that stories about gender-based violence exist but insist they never experienced them, while yet others simply deny the veracity of such stories. According to Maya this denial among many participants might be 'because it's very hard and there is this idea that if you talk, it's a betrayal of the guerrilla movement and the spilled blood.'<sup>56</sup> Discussing the harms perpetrated by the URNG, including on their own members, would further damage the image of the guerrilla movement, already stigmatized, to which many women still feel loyalty. Furthermore, for most women having been *guerrilleras* was an emancipatory process, complicating the decision to talk about negative experiences.

For many, recognizing that women were at the receiving end of gendered violence would undermine the memories of gender equality attached to their guerrilla membership. Women in Colombia and Guatemala do not tire of stressing this perceived gender equality, which for them was evident in the sharing of everyday tasks like cooking and laundry between men and women, and in both men and women carrying guns and participating in combat. Guerrilla membership offered women opportunities to study and develop themselves, to contribute to the transformation of society or to take revenge for the violence suffered; opportunities that young women did not have otherwise. Elizabeth, for example, became an international URNG representative in her early 20s, whereas Ana became captain. The ex-FARC participants include a female commander too. Women stress that support tasks such as radio operator, although considered more 'feminine,' were actually crucial to guerrilla operation. Guerrilla membership therefore offered an emancipatory experience for many.

Nevertheless, guerrilla leadership in both contexts was almost exclusively male. Sonia explained that women were expected to be tough and 'masculine' in order to withstand the persisting *machismo* and show their equal worth.<sup>57</sup> Prominent female ex-combatants have admitted *machismo* in the former FARC too.<sup>58</sup> This is common to many armed groups, where women were not included on an equal basis but as

54 Author's field notes, 30 November 2019.

55 See for example Rosalinda Hernández Alarcón, Andrea Carrillo Samayoa, Jacqueline Torres Urizar, Ana López Molina, Ligia Z. Peláez Aldana, *Memorias Rebeldes Contra El Olvido: Paasantzila Txumb'al Ti' Sotzeb' Al K'u'l* (Guatemala: AVANCSO, 2008); Fundación Guillermo Toriello, *Compañeras Mujeres En Revolución: Nuestras Voces* (Guatemala City: Serviprensa, 2020).

56 Personal interview, Maya, Guatemala City, 29 June 2018.

57 Personal interview, supra n 48.

58 Fernando Millán Cruz, *Con Ojos de Mujer: Relatos En Medio de La Guerra* (Bogotá: Penguin Random House Grupo Editorial, 2019).

'male equivalents.'<sup>59</sup> Rather than reflecting gender equality, this led to a certain 'de-gendering of women' and a 'sameness' in which both men and women performed an image of masculinity.<sup>60</sup> Research in Colombia confirms how this 'uniformization' went hand in hand with the interiorization of a discourse of equality.<sup>61</sup> In Guatemala this is evident from claims that suffering gendered violence or abuse 'depended on one's character,' and that as a woman 'one had to make oneself be respected.'<sup>62</sup> These statements suggest a desire to represent female guerrillas as tough and strong women, as agents of their own lives rather than victims.

Similar discourses are evident in Colombia. Here, sexual violence by the FARC against their own members is a more frequently discussed, though not less sensitive, issue. The FARC is historically known for having strictly regulated the sexual life of its members through forced contraception and abortion. Sexual violence of women and girls, even by FARC commanders, has been documented, although its degree and nature are debated.<sup>63</sup> Corporation 'Rosa Blanca,' formed by women who claim to have been forcibly recruited as minors and suffered sexual violence within the group, has publicly denounced these abuses.<sup>64</sup> Rosa Blanca is however not uncontroversial, and several civil society interviewees suggested that the organization is either trained or financed by right-wing politicians to delegitimize the FARC and the TJ process.<sup>65</sup>

The ex-combatants themselves reject the idea that women suffered sexual violence. Although because of its sensitivity I decided not to probe into this topic, both men and women repeatedly claimed that sexual violence did not take place in the FARC and that those who committed it were punished. Although formally the FARC's statutes indeed prohibited and sanctioned rape,<sup>66</sup> when asking participants whether they had witnessed such punishments for rape, nobody could testify to this. The FARC's best-known female political leader has repeatedly denied that women

59 Victoria Bernal, 'From Warriors to Wives: Contradictions of Liberation and Development in Eritrea,' *Northeast African Studies* 8(3) (2001): 129–154.

60 Gabriela Gonzales Vaillant, Michael Kimmel, Farshad Malekhamadi, Juhi Tyagi, 'The Gender of Resistance: A Case Study Approach to Thinking about Gender in Violent Resistance Movements,' in *Gender, Agency and Political Violence*, ed. Laura J. Shepherd and Linda Åhäll (Basingstoke: Palgrave Macmillan, 2012), 75.

61 Yuly Andrea Mejía Jerez and Priscyll Anctil Avoine, 'Corporalidades y Subjetividades Sexuales: El Caso de Las Mujeres Excombatientes de Las Guerrillas Colombianas,' *Prospectiva* 23 (2017): 97–122.

62 Personal interviews, Mónica and Clara, ex-combatant community close to Guatemala City, both on 30 June 2018.

63 Herrera and Porch, supra n 36; Centro Nacional de Memoria Histórica, *La Guerra Inscrita En El Cuerpo: Informe Nacional de Violencia Sexual En El Conflicto Armado* (Bogotá: Centro Nacional de Memoria Histórica, 2017); Francisco Gutiérrez Sanín and Francy Carranza Franco, 'Organizing Women for Combat: The Experience of the FARC in the Colombian War,' *Journal of Agrarian Change* 17(4) (2017): 770–778.

64 Julia Zulver and Sanne Weber, 'Colombian Court Recognises Victims of Sexual Violence within Ranks of the FARC,' *OpenDemocracy*, 2020, <https://www.opendemocracy.net/en/democraciaabierta/corte-colombiana-reconoce-a-victimas-de-violencia-sexual-dentro-de-las-filas-de-las-farc-en/> (accessed 1 November 2020).

65 Personal interview, anonymous member of corporation of ex-combatants who demobilized in the 1990s, Bogota, 23 August 2019, and personal interview, anonymous member of an international lawyers' association, Bogota, 23 August 2019.

66 Herrera and Porch, supra n 36.

suffered sexual violence, while those reincorporating suggest that it would have been impossible since women carried guns and would not have let themselves become victims.<sup>67</sup> Andrea felt strongly about this:

They have told us that we were raped and what not, but who can believe that? I spent 20 years in the FARC and nobody ever touched me without my consent, without me wanting to. Everyone was respectful and I feel offended by that, because it really didn't happen.<sup>68</sup>

(Forced) abortions were also generally denied. But Ana, the sister of an ex-combatant, told me that her sister had repeatedly undergone forced abortions, like other women in the reincorporation zone. She said that these women do not talk about it to outsiders, for fear of the media picking up on the issue and further damaging the image of the FARC.<sup>69</sup> Presumably this was also to avoid additional societal stigmas for being perceived as promiscuous and loose women.<sup>70</sup> It is therefore hard to know whether and to what extent women experienced violence.

As other research has also suggested,<sup>71</sup> these comments, like those of their Guatemalan counterparts, illustrate women's attempts to protect their self-perceptions as strong and independent women who showed agency by becoming guerrillas. One of the female political leaders of the FARC admitted to me in an informal conversation that women do not want to be stereotyped as victims, and that instead as a political party they prioritize showing women's 'real stories,' explaining that they did not join as a last resort but because of their desire to resist state policies. Indeed, many of the women I interviewed had performed a variety of different functions within the FARC, and the reincorporation zone included a few strong and well-respected female leaders, even though the majority of the leadership continues to be male. The issue here is that the dichotomy between victim and perpetrator, related to notions of vulnerability and guilt, suggests that agency and victimhood are a zero-sum game. This is far removed from reality, as at least some female ex-combatants have more diverse experiences. It is important to create space and recognition for the fact that dual experiences of agency and victimhood are possible, and that one does not diminish the other. This will reduce the pressure on female ex-combatants to remain silent about their victimizing experiences in their desire to maintain their narratives about agency and autonomy. Talking about the violence they might have experienced will enable them to receive support, either emotional or physical, as according to Ana many women have difficulties getting pregnant as a result of the abortions they endured, whereas Andrea indicated the need for psychosocial support, which is currently not available in the reincorporation process.

67 Zulver and Weber, *supra* n 64.

68 Personal interview, Andrea, reincorporation zone in Caribbean Coast, Colombia, 5 November 2019.

69 Author's field notes, 25 September 2019.

70 Trisko Darden, Henshaw and Szekely, *supra* n 36.

71 Maria Eriksson Baaz and Maria Stern, 'Fearless Fighters and Submissive Wives: Negotiating Identity among Women Soldiers in the Congo (DRC),' *Armed Forces & Society* 39(4) (2012): 711–739; Lina M. Céspedes-Báez, 'A (Feminist) Farewell to Arms: The Impact of the Peace Process with the FARC-EP on Colombian Feminism,' *Cornell International Law Journal* 52(1) (2019): 39–64.

Furthermore, recognizing and dealing with the gendered violence committed within armed groups is paradoxically crucial to enable the continuation of the agency of female ex-combatants that they themselves highlight. Dealing with the gender inequality and *machismo* that was present in armed groups could help prevent the continuation of such *machismos* in the political parties into which armed groups often convert. Failing to question and therefore upholding practices of *machismo* and gender inequality leads to the maintenance of harmful and oppressive masculinities, as is evident in armed institutions in other contexts.<sup>72</sup> In Guatemala, this prevented women from becoming meaningful participants in the URNG political party,<sup>73</sup> thus eventually undoing the agency and equality that female ex-combatants experienced in the movement previously. The adoption of a complex political perpetrator approach by truth commissions and other TJ mechanisms would enable these mechanisms to uncover the complexities in the experiences of female ex-combatants. Recognizing and addressing these dual experiences of agency and victimization challenge persistent views of women as only victims of violence. Ex-combatants' experiences of agency and emancipation can provide examples for patriarchal societies, while their experiences of victimization and machismo can help transform their own social and political movements. This approach can furthermore help increase understanding between survivors and ex-combatants based on shared victimizing experiences. Its risk is however to lose sight of the balance between responsibility for violence and being a victim of it, as is apparent from how ex-combatants themselves sometimes use victimhood narratives.

### Reconciling Victimhood with Perpetratorhood

In spite of the reluctance to admit to gendered victimhood, there is scope for victimhood narratives that are not related to sexual violence. This is especially true among the ex-FARC participants. This victimhood narrative presents FARC ex-combatants as victims of the state, both because of their deception by the state with a peace agreement that according to them is not being implemented, but also, prior to that, as victims of the structural violence and state terror that left them no other option but to take up arms and fight against an unjust state. On many occasions both men and women insisted that they should not be seen as the 'bad guys' since, on the contrary, it was the state that was responsible for initiating and committing violence in the countryside. The FARC thus present themselves as 'victims of the moral collapse of society,' whose violence was a reaction against the injustice suffered.<sup>74</sup> Participants' attempts to present themselves as victims is unsurprising, as perpetrators try to maintain a positive self-image while coming to terms with their past actions.<sup>75</sup> According to them, they are Colombians like everyone else, victims first and foremost. This might be part of the FARC's strategy to improve relationships with society. The leadership of the collective reincorporation zone aims to increase

72 David Duriesmith and Georgina Holmes, 'The Masculine Logic of DDR and SSR in the Rwanda Defence Force,' *Security Dialogue* 50(4) (2019): 361–379.

73 Luciak, *supra* n 34.

74 Bouris, *supra* n 1; Orozco, *supra* n 13.

75 Williams, *supra* n 18.



their communication with and support for the surrounding communities, to show their desire to improve living conditions for all Colombians. The gender committee is implementing a project with this goal, supported by the national-level political party. Nevertheless, the FARC's unidimensional representation as only victims seems unlikely to be successful for achieving reconciliation. Although as explained before, many FARC ex-combatants indeed experienced structural violence with particular gendered dynamics, this attempt to equate victims of the FARC with the FARC as victims is unfair given the large responsibility of the FARC for the conflict-era violence. As is apparent in contexts such as Cambodia,<sup>76</sup> the inclusion of perpetrators as complex political victims in TJ mechanisms can be harmful for victims who in the same circumstances did not join armed groups. This is even more problematic when those 'complex political victims' do not recognize their responsibility for violence.

TJ mechanisms can avoid the risks involved in including perpetrators and victims on equal terms by adopting a complex political perpetrator lens, which allows for the recognition of the victimizing experiences that ex-combatants stress, while at the same time recognizing their responsibility for violence. As Orozco argues,<sup>77</sup> to achieve reconciliation it is important that both those responsible for violence and the society recognize that those committing violence in response to having suffered violence – complex political perpetrators – are simultaneously victims and perpetrators. This does however require perpetrators to recognize not only their innocence, but also their guilt. This is where the FARC's position becomes more problematic. Although at the national level, the FARC party have asked forgiveness for some of their major crimes, many of the individual ex-combatants interviewed see no need for this. Judy for example said:

I have heard on the news that they have asked forgiveness in all of our names, but personally, I don't think we should ask forgiveness because you know that we were in a war, and that [violence] was done by both sides.<sup>78</sup>

Likewise, María believed that:

in terms of reconciliation with the victims, we have a team working on that. The government will need to pay the victims for what they suffered, because in the end all of that came from the government.<sup>79</sup>

Yet not recognizing responsibility for their crimes and the harms done will eventually make it hard for the FARC to gain the societal and community acceptance they long for, as society will not accept them as morally equal to the 'real victims.'<sup>80</sup> A complex political perpetrator lens might help foster such acceptance, by both recognizing that the FARC was responsible for violence and also accepting the structural societal conditions which provoked this. This more nuanced and humble position might therefore be beneficial for

76 Bernath, *supra* n 15.

77 Orozco, *supra* n 13.

78 Personal interview, Judy, reincorporation zone in Caribbean Coast, Colombia, 2 November 2019.

79 Personal interview, María, reincorporation zone in Caribbean Coast, Colombia, 8 October 2019.

80 Orozco, *supra* n 13.

ex-combatants too, to increase opportunities for reconciliation, which would in turn reduce stigma and possibly even violence against them.

Guatemalan female ex-combatants do not present themselves as victims in the same way, even though most participants have in fact lost family members to state repression. They do however tend to diminish and justify the violence committed by the URNG. Most women see their URNG membership as the only alternative left to fight for social justice in a context where all civic spaces for participation had been closed down. Although for many participants carrying a weapon and knowing how to use it was a symbol of equality and emancipation and a defensive instrument as a last resort in an unjust and violent context, they all stressed that they had no intention to actually use it as a tool of violence. Alicia, who joined the URNG at a very young age, described her anguish when after training she was sent to combat: 'what immediately went through my head was: I can't kill anyone. I might have come to fight, but I didn't come to kill.'<sup>81</sup> Haydee, who joined the guerrilla movement towards the end of the conflict, had a similar view about the use of violence:

in my mind I wasn't able to kill anyone. To defend myself, yes. I was always curious to know what firing a gun was like, but I didn't want to kill.<sup>82</sup>

This shows how, even 20 years after peace was signed, female ex-combatants still carefully manage their image, trying to prevent being seen as perpetrators, instead presenting an image of agency and emancipation.

Among the Guatemalan participants, Maya is most outspoken about the need to recognize the complexity of the violence committed and suffered by members of the guerrilla movement:

There was very reproachable behaviour, unjustifiable from my point of view, which unfortunately I only learnt about afterwards. [...] There is this case for which a guerrilla was condemned, the Aguacate massacre, but there are other incidents, including internal executions that were very shocking and brutal and that in my opinion should be dealt with by judicial processes.<sup>83</sup>

As part of this more complex understanding of the dual experiences of victim-perpetrators, Maya stresses the importance of the Molina Theissen case. This case deals with the 1981 forced disappearance of a teenage boy who was captured by the army as revenge for the escape from detention of his sister Emma Molina Theissen, a member of the revolutionary movement. While in detention, Emma suffered sexual violence. This was the first case in Guatemala in which a former member of the revolutionary movement recognized in court that she had suffered sexual violence, a crime for which four senior military officers were sentenced.<sup>84</sup> Guatemala's justice

81 Personal interview, Alicia, Guatemala City, 10 March 2019.

82 Personal interview, Haydee, Guatemala City, 1 July 2018.

83 Personal interview, *supra* n 56.

84 Jo-Marie Burt and Paulo Estrada, 'The Molina Theissen Judgment, Part I: Overview of the Court's Findings,' *International Justice Monitor*, 2018, <https://www.ijmonitor.org/2018/08/the-molina-theissen-judgment-part-i-overview-of-the-courts-findings/> (accessed 1 November 2020).

system thus recognized that sexual violence is a crime which deserves justice and reparation, even when it is committed against militants within revolutionary groups, who cannot be seen as innocent or 'ideal victims.' This provides an example of how female ex-combatants can be included in TJ mechanisms as complex political perpetrators, who joined armed groups for a variety of reasons, including the desire to contribute to a more just society, and in the process committed violence – directly or indirectly – but also suffered violence, both directly and through the loss of family members and loved ones.

It is worth pointing out that the Molina Theissen case took place over 20 years after the end of the armed conflict, and moreover dealt with sexual violence committed by the state and not by members of armed groups against their own peers. As an interviewee pointed out, cases of sexual violence against female ex-combatants often only come to light 10 or more years after peace has been signed,<sup>85</sup> when fear of further stigmatization has diminished or women have become disillusioned with their former comrades and are less reluctant to hang out their dirty laundry. The adoption of a complex political perpetrator lens by TJ mechanisms such as truth commissions could help speed up this process. In the case of Guatemala, where ex-combatants' stories were largely excluded from Guatemala's truth commissions,<sup>86</sup> this would have enabled the country to reflect on the structural (gendered) violence that led many young women to join the guerrilla movement, where they experienced incidents of emancipation that could in turn provide examples for other women. It would also have enabled these women to receive support for the violence they suffered. These nuanced and complex insights, especially if accompanied by a media and public education strategy to change societal attitudes, could have fostered understanding between different groups that were affected by conflict. Instead, silence about female ex-combatants led to their continued stigmatization and the persistence of polarizing victim–perpetrator binaries that have done little to promote reconciliation.

A sign that attitudes are shifting is the recent judgment of the Colombian Constitutional Court which recognized that a former female FARC member who was forcibly recruited and suffered forced contraception and abortion should be included in the Victims' Registry to receive reparation.<sup>87</sup> This shows that the Court indeed recognizes that women can be victims and perpetrators at the same time. The case was brought to the Court by an international women's organization. During several interviews, it became apparent that many of Colombia's well-known women's organizations were not necessarily against such cases, but that their commitment was with the conflict's victims and not with its perpetrators.<sup>88</sup> This evidences the persistence of victim–perpetrator binaries among women's organizations, which eventually

85 Personal interview, anonymous member of a Colombian women's legal organisation, Bogota, 12 November 2019.

86 Anita Isaacs, 'Truth and the Challenge of Reconciliation in Guatemala,' in *Reconciliation(s): Transitional Justice in Postconflict Societies*, ed. Joanna R Quinn (Montréal: McGill-Queen's University Press, 2009), 116–146.

87 Zulver and Weber, *supra* n 64.

88 Personal interview with anonymous member of a Colombian women's organisation, Bogota, 21 May 2019.

prevents the creation of a deeper and more nuanced gendered understanding of the dynamics that lead women to become part of armed groups while simultaneously being victims of them. This is a lost opportunity, as connecting civilian and ex-combatant women can enable both groups to benefit from their respective war-time gains and experiences.<sup>89</sup> Connecting them does not mean equating their experiences – it simply means building relationships. This is something one of the interviewed women's organizations was aware of: 'At one point we will need to build bridges with the reincorporated women too, because they have had an interesting experience during the negotiation process.'<sup>90</sup> A stronger connection with women's organizations as new allies can make it easier for female ex-combatants to challenge the *machista* behaviour of their former comrades. The FARC are currently participating in the Colombian Truth Commission, and the Commission has also maintained meetings with Corporation 'Rosa Blanca.' This offers an excellent opportunity for the Commission to go beyond its victim focus and indeed establish a more complex and comprehensive account of the past, which explores the role of gender inequality in creating both victims and perpetrators of gendered violence, sometimes in the same people. Truth commissions should incorporate this in their outreach strategies and their work with civil society organizations, in order to foster societal understanding about the complex political perpetrator position. This can help ex-combatants to come forward to tell their stories, so that society can understand and learn and so they can receive support and acceptance without fearing increased stigmatization.

### CONCLUSIONS

This article has engaged with the debate on the problematic victim–perpetrator binary that is characteristic of TJ. This binary is not only problematic for survivors, who are expected to perform the elements of the vulnerable and helpless 'ideal victim,' but also for those who are not normally considered to be on the 'victim side': members of armed groups, whose experiences TJ tends to ignore. Female ex-combatants have often either been ignored or have been treated as victims of sexual violence or forced recruitment, without recognizing their agency. In this article, I have argued how these limitations can be overcome by adding the complex political perpetrator lens to TJ through analysing the experiences of female ex-combatants in Colombia and Guatemala. As members of armed groups, female ex-combatants are of course perpetrators, yet at the same time many of them are victims of structural gendered violence and in many cases also of direct – gender-based – violence. These experiences often led them to join armed groups, searching for a better life and a more just society, thus showing how structural violence can incite agency and victimization at the same time. Complex political perpetratorhood captures the coexistence of these different aspects.

The recognition of ex-combatants' victimizing experiences should however be coupled with the recognition of the harm done by them, including the *machismo* and violence that women suffered. The victim–perpetrator binary currently makes it hard

89 Zoe Marks, 'Gender, Social Networks and Conflict Processes,' *Feminists@Law* 9(1) (2019): 1–33, <https://journals.kent.ac.uk/index.php/feministsatlaw/article/view/743> (accessed 1 November 2020).

90 Personal interview, *supra* n 88.

for female ex-combatants to admit having suffered gendered or sexual violence, especially at the hands of their own comrades. Instead, they attempt to maintain an image of emancipation, agency and gender equality. Yet, as I have showed in this article, agency and victimization are not a zero-sum game. The complex political perpetrator lens recognizes this, enabling female ex-combatants to come forward and talk about victimizing experiences, while upholding their stories of gendered agency. Addressing gendered violence in armed groups offers an opportunity to transform the gendered inequality within these groups as they turn into political actors, thus enabling women to continue this agency in the postconflict situation. TJ mechanisms' adoption of this lens, together with accompanying societal outreach and communication campaigns, could help foster understanding between groups and prevent ex-combatants' stigmatization.

In this nuanced representation of their position, the violence that ex-combatants committed should of course not be glorified. As Baines suggests, it should rather be a starting point for discussions about how structural violence, including gendered inequalities, often led women to join armed groups and commit direct violence. Only by addressing such structural violence can renewed cycles of gendered violence be prevented in the long run. Nevertheless, this also suggests that the complex political perpetrator lens cannot be applied across all contexts, but is especially pertinent to protracted conflicts and contexts where structural inequalities have blurred lines between victims and perpetrators. In contexts of more vertical victimization the concept might be less appropriate. Yet since gendered inequality persists in most conflict – and in fact non-conflict – areas around the world, complex political perpetratorhood can still be a useful analytical device to analyse the possible co-existence of women's simultaneous victimization and responsibility for violence, thus taking seriously both their agency and traumas, as well as structural gendered inequalities that can be transformed on the basis of their recognition.