

Research as more than extraction?

Knowledge production and sexual violence in post conflict African societies

Annie Bunting, Allen Kiconco and Joel Quirk (eds)



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CONJUGAL SLAVERY IN WAR

ESCLAVAGE CONJUGAL EN TEMPS DE GUERRE

This book is linked to the Conjugal Slavery in War (CSiW) project (2015-2020), which seeks to document cases of so-called forced marriage in conflict situations, to place this data in historical context, and to effect the international prosecution of crimes against humanity as well as local reparations programs for survivors of violence. With the central participation of community-based organisations in Africa, this project aims to strengthen individual and organisational capacity to prevent violence, and advance understanding of the use of conjugal slavery as a tool of war through evidence-based research. Through archival, qualitative, and legal research the project explores the experiences of men and women who were subject to or participated in enslavement in the conflicts in the Democratic Republic of the Congo, Liberia, Nigeria, Rwanda, Sierra Leone, and Uganda.

Further information regarding the project can be found at: <http://csiw-ectg.org>.

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Social Sciences and Humanities
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Canada

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Introduction

Annie Bunting and Joel Quirk

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Many different methods can be used to collect information. Most people start with the internet. Some even go to libraries. In most cases, the goal is to track down information that has already been collected by other people. However, there are also times when the required information is not available. In such cases, if you want specific kinds of information badly enough, it may become necessary to go out into the world and collect it yourself.

This is what researchers commonly refer to as fieldwork. Travelling to specific locations and asking people questions about their opinions and experiences. ‘[Hanging out](#)’ and observing how and why people behave in different ways. All of this may sound fairly straightforward, but once you delve a little deeper numerous ethical and practical challenges begin to emerge. Careful planning is required in order to ensure that the information which gets collected is as reliable as possible, and that specific findings are not overstated or misrepresented. Further measures are also required to ensure that no one participating in the fieldwork process comes to any harm – either physical or psychological – due to their involvement. This ethical obligation is sometimes portrayed as a version of the Hippocratic oath, where doctors commit to ‘do no harm’.

Many researchers (and journalists) do their best to adhere to this standard. Whenever they go out in the world to collect information, they try to ensure that no harm comes to the people providing them with answers. This can sometimes be a [very challenging task](#). People who have experienced personal distress – violence, loss, displacement – are not always comfortable talking about their experiences, and they can sometimes risk retribution and/or trauma by sharing what they know. This commitment to avoiding harm is undoubtedly important, but is it sufficient in ethical terms?

Ethics and politics cannot be separated

In order to address this question, we need to reflect upon how and why information gets collected, who does the collecting, who provides funding, and what kinds of agendas, audiences and [historical legacies](#) shape how information is packaged and disseminated. Once these issues are placed on the table, it quickly becomes clear that [knowledge about our world tends to be produced and consumed on extremely unequal terms](#). Take, by way of illustration, the key question of who collects information. [UNESCO recently estimated](#) that the ‘Big Five’ – China, the European Union, Japan, the Russian Federation and the United States – accounted for 72% of researchers globally. Europe comprises roughly 11.4% of the global population, yet hosts around 31% of researchers. This can be contrasted with Latin America and South Asia, which host 3.6% and 3.1% of researchers against 8% and 23.3% of the global population. Only 1.1% of researchers are found in Sub-Saharan Africa.

There is a much [larger story behind these numbers](#). Some locations and topics receive a great deal of attention and investment, [such as research into baldness](#). Others get neglected, such as research into malaria. Moreover, European and North American experiences frequently provide the primary benchmarks against which other parts of the world get evaluated, contributing to a recurring tendency to both [catalogue and rank](#) the ‘failures’ of non-European peoples and institutions. This deeply rooted impulse to reduce ‘the rest’ to [an imperfect mirror of ‘the west’](#) has a long and troubling history, which directly connects [scientific knowledge to colonialism and imperialism](#).

Former colonial rulers, such as the French, Portuguese and British, continue to play major roles in producing knowledge about their former colonies,



Women pounding rice in rural Sierra Leone.

contributing to a larger pattern which involves privileged outsiders parachuting into ‘exotic’ locations for short ‘fact-finding’ expeditions. These incursions regularly involve local partners, but the terms of these [partnerships can be extremely one-sided](#). This frequently comes down to the power of the purse. Control over funding plays a decisive role in choose which topics get prioritised, how they get talked about, and the kinds of outputs used to determine whether the partnership is successful.

These political dynamics raise all kinds of ethical challenges, where the longstanding injunction to ‘do no harm’ is revealed to be incomplete, rather than incorrect. To make sense of the issues at stake here, it can be helpful to draw a rough distinction between extraction and collaboration. Whenever mining companies extract resources, they dig into the ground and take away precious minerals to be processed and consumed elsewhere. The profits from mining flow to the companies and their shareholders. Knowledge

extraction has similar features. Researchers go out in the world in search of information, do their best to ensure that no one gets harmed along the way (unlike most [mining companies](#)), and then go home to process their valuable findings for the benefit of their careers. Extraction cannot be dismissed as entirely unethical, since there are times when simply avoiding harm requires tremendous care and sensitivity. But it should nonetheless be regarded as minimum threshold which leaves considerable scope for further improvement and refinement.

Collaboration is easier to talk about than to effectively implement, so would it be a grave mistake to assume that anyone has all the answers. Whenever people and organisations come together around a common purpose or project, we suggest that the following questions are worth taking into account:

- How are overall priorities and plans of action discussed and finalised?

- Who is regarded as an ‘expert’? How is expertise determined?
- Who gets to speak, and on what terms? How much listening is actually taking place?
- How are the benefits associated with the production of knowledge distributed?
- Who holds the purse strings, and how do resources get distributed?
- How does information get packaged, and who has primary responsibility for interpretation?
- Who are the intended audiences? How do their expectations shape outcomes?
- What are the effects of historical legacies, hierarchies, and patterns of privilege?
- Who requires a visa in order to travel? Is the visa required easy to secure?
- When does collaboration get reduced to consultation, instruction or extraction?

This list is far from exhaustive, but it should nonetheless help to illustrate the kinds of ethical and personal questions which need to be foregrounded when thinking about what collaboration might look like. It is also important to recognise, moreover, that these are not the kinds of questions that can be definitively resolved, and thereby put aside. They are instead the kinds of questions that require ongoing self-reflection, *discomfort*, and a willingness to rethink established conventions. Systems of privilege and marginalisation cannot be wished away, so they need to be recognised and interrogated with a view to both changing and challenging the political terms of engagement. While collaboration is usually portrayed as a positive aspiration, *the devil is in the details*. Once *collaboration becomes extraction*, it may become necessary to cut the cord entirely and look elsewhere.

Knowledge production and gender-based violence in African conflicts

The above discussion is linked to a larger agenda, which emerges out of a *collaborative project* focusing upon gender-based violence in African conflicts. The formal title of this project is ‘Conjugal Slavery in War (CSiW): Partnerships for the study of enslavement, marriage and masculinities’. The inclusion of marriage is especially important, because it reflects a specific concern with wartime abductions that feature: 1) women and girls who are forced to marry their captors; and 2) men who are ‘assigned/given a wife’ by commanders, and/or who also endure sexual and gender-based violence.

This combination of violent abduction and marriage has been documented in a series of armed conflicts in different parts of Africa. These include numerous atrocities perpetrated by the *Lords Resistance Army (LRA) in Uganda*, more recent abductions involving *Boko Haram in Nigeria*, and high profile international criminal proceedings involving defendants such as *Charles Taylor* (Special Court for Sierra Leone) and *Dominic Ongwen* (International Criminal Court).

Gender-based violence in Africa is not a topic which should be easy to write about. There are instead many complications and challenges which need to be factored into the equation, including:

- The effects of negative and simplistic portrayals of Africa and Africans, which leave their mark on *how people write about Africa* and collapse many viewpoints into *a single story*.
- The topic of sexual violence in war is closely associated with *sensationalism, voyeurism, and exoticism*, with similar kinds of stories being repeated time and time again.
- Violence tends to be classified differently. Atrocities *perpetrated by government agents*, such as the *police or military*, are frequently overshadowed by atrocities perpetrated by the enemies of the state, such as the LRA or Boko Haram.

- The enduring effects of colonialism and white supremacy, which find expression – amongst other things – in the paternalism associated with the ‘white saviour industrial complex’.

Many other issues could also be added, but this brief snapshot should still be sufficient to illustrate that there are many pitfalls and pre-conceptions which need to be digested.

One way of grappling with some of these issues is to change the terms of the conversation. Patterns of sexual violence in wartime need to be [connected to sexual violence in peacetime](#). Recent events need to be analysed in relation to [the history and legacies of colonial rule in Africa](#). Patterns of sexual violence

“Systems of privilege and marginalisation cannot be wished away, so they need to be recognised and interrogated.”

need to be understood in terms of both women and men, and governments and ‘rebels’. Interventions that are justified in humanitarian and paternalistic terms should not be taken at face value, but [need to be scrutinised](#) for their tensions, exclusions, and violence. The impulse to reduce complex issues to simplistic formulas – such as ‘[buying freedom](#)’ or ‘[rescuing innocents](#)’ – needs to be resisted, since there are times when ‘doing something’ can end up hurting rather than helping.

It is also important to keep in mind, moreover, that these are not the kinds of challenges which

we should expect to resolve once and for all. As recent scholarship on [the afterlives of slavery](#) has repeatedly demonstrated, the weight of history can cast a shadow upon the present which is inescapable, and must therefore be carried. The many different ingredients which define who we are and where we currently stand must be interrogated and acknowledged, rather than set aside.

Who are we?

This is not a straight-forward task, since there are many occasions when ‘we’ primarily refers to ‘people who are like me’. It is therefore important to keep in mind that references to ‘we’, ‘us’ or ‘our’ frequently involve lines being drawn and/or assumptions being made. Depending on context, ‘we’ can mean all kinds of different things. We are activists. We are academics. We are researchers. We are survivors. We are European. We are African. [We are not amused](#). We may all be human, but grand appeals to humanity as a whole are often grounded in [specific viewpoints which end up being attributed to ‘humanity’ more generally](#).

Each ‘we’ draws a line around a different group of people, and leaves others marginalised or on the outside. These lines are not always explicit, but that doesn’t make them unimportant. The need to reflect on who we are and where we stand does not look the same for everyone, but instead directs attention towards the powerful effects of layered identities.

These lines have all kinds of effects upon a project such as CSiW. Building upon five years of funding from the Canadian SSHRC, the [project team includes](#) six community-based partners located in Uganda, Nigeria, Rwanda, Liberia, Sierra Leone and Congo and universities in Canada, South Africa, and the United Kingdom. As with all large projects, different members of the project have different roles and responsibilities. They also occupy very different positions, since the team includes historians of slavery, activists and service providers who work with survivors of conflict violence, graduate students, and other researchers. The most important bond which unites the project team is a

shared concern with understanding and challenging patterns of sexual violence in Africa. However, there are also any number of underlying differences and divisions which must be factored into the equation.

One of the most important issues here is funding. As numerous writers have demonstrated, funders based in the global north play a dominant role in deciding how projects which are located in the global south are organised and implemented. Funding streams play a crucial yet frequently overlooked role in determining which types of issues are targeted for interventions, how these issues get talked about, the types of activities which end up taking place 'on the ground', and the kinds of baseline criteria used to evaluate progress or success. Funding streams can also be linked to policy goals which are ethically dubious, such as [stopping refugees](#) or promoting [homophobia](#).

Further layers also get introduced once higher education enters into the equation. Universities come with their own agendas, systems and languages. These assign a premium to outputs that are geared towards activities and audiences that academics care about, such as peer-reviewed publications written in English, abstract theoretical arguments which primarily interest other academics, and the training of the next generation of academics. Being employed as an academic also comes with all kinds of privileges for tenured faculty (although [tenure is now increasingly rare](#), with the rapid growth of precarious contracts reinforcing larger internal hierarchies). Tenured academics tend to be paid well, have secure platforms from which to speak, and get recognised as distinguished experts.

Research cannot be an extractive industry

These and [other related considerations](#) have far-reaching ramifications for a project such as CSiW, which is concerned with patterns of sexual violence in Africa. And these are the issues the authors in this book explore. Firstly, and most importantly, it

is crucial to reflect upon how and why knowledge gets produced, and for what types of audiences. At the extractive end of the spectrum, there is a scenario where all of the major decisions get made in Global North, there is little or no local input, and the chief outputs are defined in terms of external interests. This has the effect of reducing local partners to '[native informants](#)', whose main contribution is to produce 'raw data' which is subsequently interpreted and disseminated by external experts. The knowledge which is produced helps to advance academic careers, or international policy conversations, but very little comes back to local communities. At the collaborative end of the spectrum, there is a scenario where local interests and experiences play a central role in shaping the design and implementation of specific activities, which in turn generate knowledge which has value to the communities from which it came. This should not mean, however, that local voices are limited to speaking to local concerns, since collaboration ideally means shaping the overall terms of more general conversations and agendas.

In the spirit of exploring these essential and uncomfortable questions, the authors in this book reflect on power and positionality; relational and participatory research methods; child participatory approaches in research; facilitated film screenings; informed consent and confidentiality; and psychosocial support for participants. Other key themes the contributors discuss include the challenge of researching legal institutions; the ethics and politics of research on sexual and gender-based violence; and the safety and security of researchers themselves. Often not discussed, the security of our NGO research partners is of utmost importance. Most importantly, there is no scenario where power relations and patterns of privilege do not play a fundamental role. 'We' cannot expect to respond to these kinds of challenges in the same ways.

Speaking about violence in Sierra Leone

Allen Kiconco

Snowball sampling, also known as chain referral sampling or [respondent-driven sampling](#), is a common way for researchers to recruit hard to reach populations into qualitative research. The method involves identifying a small number of initial subjects, interviewing them, and then asking them to suggest additional potential participants. The process repeats itself until the sample reaches its desired size. It sounds relatively straight forward but doing it correctly can be surprisingly difficult. The researcher must actively and creatively develop and manage the sample's [initial recruitment, progress and closure](#).

In the case of post-conflict societies, it can also be ethically treacherous. The local population are in most cases hesitant, distrustful and suspicious when it comes to sharing information with non-local researchers. Chain-based sampling methods need to be adapted in culturally and experientially sensitive ways in order to keep the participants safe and the research on ethically solid ground (see Schulz's piece below). One successful example of this is the way I gained access to former female combatants and war-time sexual violence survivors in Sierra Leone.

Starting a snowball after a war

The Sierra Leonean [civil war](#) (1991-2002) saw many different rebel groups capture girls and women and subject them to [sexual violence, forced marriage, and forced labour](#). Some of those captured also took on [active roles](#) within the rebel groups. Once the war ended, these women and (now grown up) girls found it difficult to [reintegrate](#). They faced discrimination and stigma in their communities, and institutional support for reintegration was lacking. It was extremely difficult for them to socially and economically survive in the city and villages. For many the situation has changed little in the intervening years.

I visited Sierra Leone in Autumn 2018 to speak with some of these women. I knew that finding them would be difficult. Seventeen years of recovery and reintegration had already passed. Their history compelled them to keep a low profile. And, even when I found ways to contact them, re-stigmatisation, re-traumatisation and research fatigue would make many of them want to distance themselves from my project.

As a Ugandan woman visiting Sierra Leone for the first time, the success of my project was dependent on managing to recruit an interpreter and transcriber to help with the research. Relying on three interpreters and three transcribers, I conducted interviews in a local language, audiotaped and translated to English.

Research is trust

Success also depended on the development of meaningful rapport and trust between the participants and myself that would inspire them to encourage other women to come forward. Before I left for Sierra Leone, I nursed a feeling that compared to a white western researcher, I would probably have an easier time accessing participants for the study. I believed as an African woman, raised, educated and living in Africa, I would easily blend in and people would look at me and assume I was a Sierra Leonean. Indeed, people often approached and asked me something in Creole. Realising that I did not speak the language, they asked where in Africa I came from and what I was doing in their country.

My identity as a black African woman made my access to these women possible. Because of my accent and physical appearance some people thought I was a Kenyan or Rwandan working with an NGO. I did not mind being presented in this way. But to these women, I introduced myself as a Ugandan re-

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Opposite Page: A research participant showing Allen Kiconco the spot somewhere in the outskirts of Freetown where her commander was killed and buried, as the rebels prepared to take over Freetown on 6 January 1999.



searcher working with a University in South Africa. I relied on this racial and continental connection, solidarity and proximity to access and negotiate my interviews. Throughout my study, I felt the women were my fellow black people and so did not feel a huge break between them and me. And while I would be naive to assume that the relationships I formed with them were ever equal, or that I had become an 'insider', my identity and character as an African woman aided in forming relationships of trust that were essential to achieving the goals of the research.

Relying on my identity, I accessed participants like Jane (not her real name) who are hard to reach in the city. Now 38, Jane had been captured at the age of thirteen and served four years in captivity as a child combatant. I asked her to introduce me and to encourage her friend to participate in the study. The woman agreed. "This is my first interview", she said when we first met.

"You are the very first person, a foreigner, I have explained my story to. Even when the Special Court people contacted me to testify, I refused. This my friend testified but I refused. I refused because I don't want anybody to provoke me, video me or take my picture But when my friend came and said a black lady – not even white – was interested in stories like ours, then I agreed to meet you. But I warned her that 'if this woman wants to video record me, I will not participate.' So you are a lucky person ... because I don't like telling my story."

At the end of the interview, I asked her if she could identify women with similar experiences who might be willing to speak with me. She encouraged three of her former comrades to share their stories as well. She also travelled with me to her home district to help me map her journey with the rebels from her village to Freetown. While we were there she also encouraged other women to participate.

Unlike Jane, Musu wore her past on her sleeve and testified at the Special Court. Captured and gang-

raped by rebels, this 57-year-old woman is now an activist survivor of wartime sexual violence. She also heads the 'War Affected Women Association' – a group of about a hundred former female combatants and sexual violence survivors in one of the resettlement camps in Freetown. She agreed to an interview, and when we were done I asked her if she could encourage other women in the association to take part in the study. Some came forward. But, after learning that most of them had been previously interviewed, I instead relied on this group to establish links and networks outside the camp where I could meet women who had not been previously interviewed.

At the end of the interviews, I asked my participants if they could identify women with similar experiences. Many women encouraged former comrades to share their stories as well. These sorts of chains played out many times over until I had reached my desired sample size. They worked because I was able to develop rapport and trust through my interactions with these women, to the extent that by the end our interviews they were willing to help forward my research.

Aware that asking already interviewed women to 'recruit' others would be against research ethics, I asked them to 'encourage' women in their networks to come forward. In most cases, participants gave multiple referrals. I met all referrals but only those with experiences in line with the aim and objectives of the study were interviewed. At times this aspect of the chain referral proved a problem, particularly in the villages. Although I always explained my selection criteria, some women favoured their closest friends and kin as referrals. In this situation, turning down some women became a daunting experience for them and me. To minimise potential resentment towards the interviewees in the village, I took the time to acknowledge everyone's experience.

The women were not keen on formal consent protocols. But I observed how some of them took advantage of some aspects of oral consent, particularly confidentiality. For example, before I commenced with the interviews, the women in the

resettlement camp rejected my female interpreter and asked her to leave the room: “we want to talk to someone whom we trust” one of them insisted. I sensed that such responses spoke to their larger experience of stigma and security. That rejecting a non-captive Sierra Leonean woman was to conceal/control information about their past history. That the reaction highlighted the friendship, bond and solidarity shared among these women in post-conflict societies. To resolve this dilemma, I asked them to select someone in the camp they trusted to serve as my interpreter.

“I would be naive to assume that the relationships I formed with them were ever equal.”

Outside the resettlement camp, I also carefully handled issues of confidentiality and intimidation. I was particularly concerned with issues of stigmatisation and victimisation by husbands/family/community for participating. So to ensure their security, I asked the women to choose a safe and convenient interview place and time. Women, especially those who wanted anonymity, asked to be interviewed in places far from their homes. In most cases, they preferred the person who made the referral. To facilitate these movements, I gave all the participants money for their transport and compensation for their time.

As an African researcher, I am mindful how difficult it is for people to talk about issues related to sexual violence both in times of peace and conflict. People hardly talk about such taboo subjects within families, let alone to outsiders. So throughout the study, I acknowledged the task of asking these women to talk about their war experiences for the first time. Thus I was concerned with “[o]nce having opened the trauma, they must return to an often demanding and unsympathetic environment, without a support system to help deal with the flood of strong emotions that accompany or follow such discussion” (Bell 2001, 185). To minimise this risk, I asked the women to have someone they trusted in the interview room to offer them some form of psychosocial support during and after the interview. Many chose their elder sisters or friends. Although I left my contact details with them, after two days, I visited the women to find out if the interview had affected them.

Conclusion

Reflecting on my experience in Sierra Leone, my identity as a black African researcher made my access to former female combatants and sexual violence survivors possible. White westerners continue to dominate the study of wartime sexual violence in Africa. So there is an urgent need to address the diversity of experiences with regards to research methods, positionality, ethics, reflexivity and field dilemma for black African researchers. Such researchers with kinship, race and continental connections to their research communities should write about their field experiences. This will balance the debate about identities and how they relate to research methods, participants and knowledge production.

Research, relationships and reciprocity in Northern Uganda

Philipp Schulz

Researchers working on armed conflict and political violence grapple with many challenges over the course of their fieldwork. Among them are questions of [ethics](#), [power](#) and [representation](#), which must be carefully considered if researchers are going to mitigate the effects of enduring systems of power and privilege on their collection and dissemination of information. They need to reflect on how they will produce and represent information, who their audiences will be, and, ultimately, who will end up benefiting from their work.

These challenges are especially acute in [the context of wartime sexual violence](#). Thanks to sustained media coverage and an increase in research, scholars and policy-makers now know that sexual violence is deployed frequently and often strategically in times of conflict. But this familiarity, which is often based in sensationalised and voyeuristic accounts of atrocity, does not necessarily imply a deep understanding of the various issues at stake. For example, many people believe that wartime sexual violence almost exclusively affects women, and remain largely unaware of the extent to which [male-directed gendered violence](#) is prevalent in war zones as well. Such partial knowledge can lead to unhelpful or even dangerous conclusions, and can for instance result in limited (or no) services for sexual violence survivors of all genders.

To help researchers navigate these pitfalls I have drawn together a selection of lessons learned and best practices for conducting research with male survivors of wartime sexual abuse. Many of these come out of my own research experience in Northern Uganda. Such work is never easy. But, with some careful thought and planning, the ethical challenges that arise during fieldwork in this

branch of scholarship can be mitigated, circumvented and addressed.

A relational approach to research

It is often (incorrectly) assumed that, due to stigma, male survivors of sexual violence do not want to talk about their experiences. There is no doubt that all forms of sexual violence can be hard to talk about. But the [prevailing silence](#) surrounding sexual violence against men can be traced at least in part to questions of context and audience. A researcher's main goal, therefore, should be to carefully develop spaces where survivors feel comfortable sharing their experiences. I attempted to do this through my work with the [Refugee Law Project](#) (RLP) in Northern Uganda. In addition to RLP's [sustained engagement](#) with male survivors, [Heleen Touquet's](#) work with the [International Truth and Justice Project](#) gives a further example of how to create these spaces in ethically sensitive ways.

Ethically researching male sexual violence requires the [relational approach](#) as laid out by the late [Lee Ann Fujii](#). This approach emphasises the importance of developing relationships with and between research participants that are guided by a humanist ethos and reflexivity. As such, research is conducted jointly and collaboratively with participants, rather than on them. In Uganda this unfolded primarily in two ways: first, through an institutional collaboration with RLP, to situate my study as part of sustainable collaborations with [groups of male survivors](#); and second, through participatory workshop discussions as primary data collection tools.

The collaboration with RLP made it possible to conduct research with a support group of male sexual violence survivors in Northern Uganda called [Men](#)

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Lake Victoria, Uganda.

of Courage. RLP and the survivors' group have a longstanding relationship with each other. This not only provided physical access to survivors, but more importantly it fostered trust between me as a researcher and the survivors as research participants. At the beginning this was trust by association. Due to their prolonged and sustained engagement with male survivors over a period of over eight years, RLP had already established a high level of mutual trust between the organisation, its staff, and the groups of survivors. My affiliation with them also made it possible to conduct the workshops in the presence of trained and experienced psycho-social service providers. During data collection I worked most closely with a trained counselor and a psychologist. Their expertise was, without a doubt, essential to addressing the ethical considerations – such as potential re-victimisation – that are found in the World Health Organisation's [guidelines for research](#) with vulnerable populations in the context of sexual violence.

The second ingredient of this relational way of doing research was the design of the actual data collection techniques with male survivors. [My engagement with these survivors' groups](#) consisted primarily of four workshop discussions with a total of 46 male survivors, and guided by a [participatory research design](#). Participatory research is intended to equip research participants with as much agency as possible during the research or data collection process. It also seeks to shift the locus of power from the researcher to the researched, and thereby to contribute to a longer-term process of recalibrating power relations. These principles are reflective of the goals and intentions of my study. In seeking to [understand what justice means](#) from the perspectives of male survivors, my study was intended as an exercise in knowledge production which built upon their immediate experiences and perspectives, rather than imposing classifications and languages from the outside.

In practice this meant that, instead of a guided interview or focus group discussion format, these workshops were more open-ended and thereby less confrontational. The conversation began with a question: 'what does justice mean to you?' Research participants then took the lead in discussing the meanings of justice, their views on it, and their experiences of engaging with (or not being able to engage with) justice mechanisms. My role was confined to that of a facilitator, in line with action research principles, while participants had as much

terminated by participants themselves'. After concluding my study I returned copies of what I produced to both RLP colleagues and the survivor groups.

My experience demonstrates how relational and participatory approaches can be used to actively involve research participants in the production of studies, and to conduct research with local communities, rather than on them. This situates researchers and research participants on more equal terms, a first step in an uncomfortable and longer-

“Participatory research seeks to shift the locus of power from the researcher to the researched, and thereby to contribute to a longer-term process of recalibrating power relations.”

agency as possible over the discussion and over what experiences to share and disclose. No direct questions were posed regarding survivors' experiences of sexual abuse and their specific gendered harms. However, many survivors positioned their perspectives on justice in relation to their prior experience of harm, and thereby reflected upon the violations they had survived. The last workshop discussions also provided a space for group members to discuss the future development of their associations. This was included to make sure that the survivors also benefit and get something out of the gatherings, and it was designed as a process of 'returning to the community something of value, in forms de-

term process of recalibrating power relationships. It is important, however, to acknowledge that unequal power relations will nevertheless persist. This structural factor of research requires constant reflection and engagement. Only when we involve research participants more actively in the process of conducting research, and only when we critically reflect on our own positionalities as individual researchers embedded within unequal power structures – shaped by gendered, socio-economic and racial backgrounds – can we get closer to conducting ethically sensitive research that can be beneficial for all actors involved.

Speak to survivors, but don't forget their advocates

Heather Tasker

Heather Tasker is a PhD candidate in Socio-Legal Studies at York University (Toronto).

In Autumn 2017, the Conjugal Slavery in War collaborative research project distributed an online 'justice survey' to its partners in six conflict affected and post-conflict countries: the Democratic Republic of Congo, Nigeria, Sierra Leone, Liberia, Rwanda, and Uganda. We wanted to learn how community-based organisations (CBOs) in these countries understand and represent the justice needs of survivors of sexual and gender-based violence (SGBV). We wanted to see how they assess different avenues of redress for survivors, and how they decide which policies, processes, and institutions work well, which are not helpful, and why. More abstractly, we wanted to gain a more nuanced and complex understanding of what justice means in post-conflict contexts.

The first time I presented our preliminary findings, someone in the audience asked why we surveyed CBOs rather than ask survivors directly about their conceptions of justice and justice needs. It is an important question. Abstraction from the voices and perspectives of survivors can serve to silence or misrepresent their voices and experiences, as can the [significant stigma](#) that accompanies sexual and gender-based crime. Are we not inadvertently reinforcing these processes by asking representatives of survivors to speak about justice needs?

Perhaps, so it is crucial to be clear about our goals. For better or worse, frontline workers are already tasked with representing survivors in many places, including policy consultations, criminal trials, and service provision meetings. Their access and claims to expertise give their perceptions weight. For this reason, CBO's understandings of justice needs and priorities must also be understood. This is what we set out to study.

Ask yourself: who do I help, who do I harm?

We must be cautious about only ever focusing on the stories of survivors for other reasons as well. The experiences of SGBV survivors are being sought with increasing frequency by researchers, journalists, NGOs, and politicians. In many ways this is a positive development. However we must be careful not to overburden survivors, and it is ethically questionable to contribute to a political climate in

"Women and girls are often an afterthought when stories of war and conflict are crafted."

which stories of sexual violence become [currency](#) to advance careers. Furthermore, in situations where survivors will later testify in court, repeated interviews and documentation may make it more difficult to hold perpetrators [accountable](#).

There are, of course, many circumstances in which valuable and important relationships can be built between researchers and survivors. Likewise, truth telling practices can help survivors to heal while contributing to positive change in communities. But [reflexive feminist methods](#) demand that we put the best interests of participants first. This means always questioning whether asking someone to share their story is really necessary, what alternative sources might be available, and how we can best

understand and draw attention to the experiences and needs of survivors without contributing to further exploitation and possible trauma.

We can demonstrate respect for survivors of SGBV by taking seriously the concerns and priorities of those who support them, often at **great personal risk**. Regions where SGBV occurs frequently and with impunity are also regions where CBOs face threats or **silencing** by governments and militaries. Better understanding the challenges CBOs face with different justice mechanisms allows us to move away from individual experience and instead to analyse systemic and structural barriers to achieving justice. By amplifying the perspective of justice workers, we demonstrate a respect for their expertise which in turn signals a commitment to working collaboratively to address gendered violence.

CBOs working on SGBV are, after all, also waiting for some semblance of justice for the survivors they support. The participants in our justice survey were able to identify important problems with the international criminal justice system, such as the remoteness of proceedings and the lack of contextual specificity, that made that justice more difficult to obtain. They also raised issues within local justice mechanisms, such as corruption and social status, that they saw as protecting perpetrators.

Pieces within a complex landscape

In considering methods and ethics in research, it is important to recognise that academic research and the work of CBOs exist within hierarchical and politically complex environments. CBOs are tasked with navigating a political climate in which funding is tied to a politics of representation that demands certain stories and constructions of gendered violence.

Women and girls are often an afterthought when stories of war and conflict are crafted, and their

inclusion is frequently little more than a way to demonstrate the scale of atrocity **or the dire straits of victims**. In a global context where attention spans are limited, and the 24-hour news cycle dominates, claiming space, funding, and political attention for the needs of survivors is a challenge. Justice workers are political actors both at local and international levels, tasked with drawing attention to the needs of survivors and telling their stories in a way that garners support and ‘buy-in.’ How organisations present the needs of survivors to policy makers, I-NGOs, and international research projects thus tells us more than what survivors need. Their presentation is a window onto the needs and concerns that justice workers think are most important to present to an international audience.

The opportunities arising from such research are two-fold. At one level, we can learn a great deal about complex and nuanced conceptions of justice and unmet justice needs. At a second level, we can learn about the strategic priorities for CBOs as they attempt to navigate international research and advocacy networks in order to draw attention to the people they seek to support.

In reflecting on the ethical implications of the methods we as researchers choose to employ in our work, it becomes apparent that no choice we make is neutral. Nor should it be. The decisions about whom we talk to, when and where, and how we analyse and disseminate these results are all political actions with implications far beyond our individual projects and careers. For these reasons, conversations about methodological concerns are crucial for understanding different perspectives on conducting ethical research. These conversations, like our research itself, must include as many diverse voices as possible.

Too Black for Canada, too white for Congo: re-searching in a (dis)placed body

Jen Katshunga

Jen Katshunga is a writer, storyteller and researcher based in Toronto, Canada. She recently completed her master's degree in development studies at York University.

Adhering to their own time and ways of doing things, my ancestors sent me a poem in a dream at the end of graduate school that disassembled my experiences of (dis)placement, knowledge production and violence within the academy.

Neither here nor there
Yet now and here
Nazali áwa (I am here), Ozali áwa (You are here), Tozali áwa (We are here)
The ancestors whisper
And they cry out – reminding
And they nudge, prompt, provoke
And they ground, stoke
Settle in common and comfort-in-between
This is your (un)belonging, they say
Take hold, go places
Be in the world, be
As the re-searching never dies
In this here and now
Neither here nor there
The re-searching survives
In (dis)placed bodies
By (dis)placed bodies
For (dis)placed bodies

The de-cluttering of institutional violence I experienced during my master's is ongoing. However, I want to situate this piece in 're-searching' my (dis)placement and its relationship to the destructiveness of 'producing' and 'consuming' 'knowledge'. I want to unpack a constant question I ask myself, "Where is my place when/if I am participating in the production and consumption of my own unhumaning?"

When I first asked this question, it caused me to spiral deeper and deeper within interrogations of placelessness and the relevancy of research to (dis)placement.

Two years of my master's was spent striving for lucidity – struggling to *name* what was happening to me and to others I care for – a form of violence in and of itself. By engaging in this praxis and survival of re-searching, I am making sense of my (dis)placed and colonised positionalities and inserting my experiences within research and academia.

A large part of this insertion required me to enter a process of re-searching. I offer a small caveat here: I do not have a clear definition for processes I have undergone and/or am currently experiencing. However, I can elaborate that at this moment, for me, re-searching was and is beyond the reflexive, at times surface level questioning and 'check-box' practices that academics undergo in their methodology courses.

Re-searching considers and reckons with systemic and structural violence, but it also necessitates that we answer where and how care (in all senses of the word) exists.

It is more than probing ethics and positionalities. We have to question care, what and how it can look like, where it is in our work, and how to continue to focalize it in our work, our communities, and for ourselves, especially on a careless earth.

This deep inquisition also disregards all white western Euro-American (this includes Canada which is often disappeared from discourse on 'North America') constructions of 'rationale' and 'order', and requires us to go back whilst moving forward to ask, 'why here, why now?' This question continues to serve as a critical rupture in my relationship with placelessness within the academy.



The Congo River, Kinshasa.

My relationship to (dis)placement: too Black, too white and making space for grey

I am a Black African immigrant cisgender woman with Congolese origins. Defined by a life of transiency and nomadity, a rare constant has been my lengthy residence in the geopolitical space of Canada. This country is heralded for its politeness, 'feminist' prime minister, cold weather and multiculturalism. Only rarely will you find much attention to its historic and contemporary genocide of Indigenous peoples, enslavement of descendants of African peoples, and rampant anti-Black racism.

I am part of the first generation that was born and raised outside of the Democratic Republic of Congo (DRC) within my family. As a result, I *am out of place* in the DRC.

A consequence of this (dis)placement is that I am a visitor in all places. In Canada, I experience overt and implicit anti-Black racism daily. While in Congo, I am labeled *mundele* (white person/foreigner). These experiences concretise why I am too Black for Canada and too white for Congo – why I am foreign in *all* places.

On producing and consuming knowledge

When I was asked to write about overcoming challenges with knowledge production within my own research, I thought it a rather simple task. I was angry and I knew that I could channel that rage to write about my experience with structural inequities, institutional violence and anti-Black racism. The moment for pen to paper arrived and I was aghast – all my fire was gone.

I realised I was not able to write about these obstacles because I did not think that there were any answers. At least none that avoided the need to demolish violent structures. Moreover, I did not feel that I had ‘overcome’ any challenges except for unlearning a lot. I am still sitting in the messiness of that unlearning.

I eventually understood that these ceremonial and informal performances within academia of violence and unhumaning were vestiges of colonisation, anti-Blackness, and enslavement. Still I questioned my place, why here, why now?

The normalisation of knowledge as a commodity to be produced and consumed is inherently capi-

violence within the production and consumption of particular narratives. Much of my work has been against the essentialisation and homogenisation of narratives around Black African girls in the DRC as well as in African and Afro-diasporic contexts. These neo-colonial accounts unambiguously fuel the academic-media-aid complex.

Conditions such as these make me hesitant to disclose that my work is concerned with girlhoods, justice and violence in the DRC. When I am asked about my research, I always make sure to emphasise that it is not on sexual violence – a common colonial and imperialist storyline. Even violence as a standalone topic, especially within the African context, makes me angry and uncomfortable. These single story narratives fo-

“When I am asked about my research, I always make sure to emphasise that it is not on sexual violence – a common colonial and imperialist storyline.”

talist, imperialist and colonial. This regularisation encourages the unhumaning of those deemed marginal figures, flattening us to be orators of trauma and funneling us into ‘cradle’ roles. Academia has regularised this harm.

Marius Kothor, a Black African PhD student at Yale University, discusses the experience of Africans and Afro-Diasporans within the white-dominated African Studies discipline in their recent article ‘[Race and the politics of knowledge production in African Studies](#)’. Kothor posits that the typical erasure of Africans in African Studies maintains the belief that “Africans can be informants and subjects of study but never theorists of their own cultures, analysts of their own politics, or historians of their own pasts.” It also displays the white supremacist

focus on trauma and horror while making African and Afro-diasporic peoples unidimensional.

When I returned from Kinshasa after five exhilarating albeit challenging months working with adolescent street-connected girls, civil society workers, and community stakeholders, and started writing my thesis, I was completely misplaced and unable to articulate all that I had (un)learned. I had to do all of this emotional work whilst conducting the emotional labour of being a Black African woman in the *ivory tower*. In other words, I was figuring things out internally – reckoning and attempting to heal from the multiplicities of violence experienced in Canada and Congo, while charged with the responsibility to heal and help others in Congo and Canada.

African Diasporic women scholars and Black Africans from the global south were incredibly valuable in grounding my concerns across and through race, sexuality, gender, class, etc. Of particular assistance was Yolande Bouka's piece 'Researching violence in Africa as a Black woman: notes from Rwanda'. While her research experiences were the closest to mine – she is a Black African diasporic woman of Togolese origins conducting research in Rwanda – I still felt like my encounters – Black African diasporic woman of Congolese origins conducting research in Congo – were not captured adequately, if at all, by what I found in the literature. This is a result of the construct of knowledge and how it is produced and consumed – importantly what is viewed as factual, relevant and useful.

Consequently, when I am asked questions like 'how can we make academia and knowledge production equitable and ethical'? I think we are asking the wrong questions. We should instead ask *why* academia and knowledge production are inequitable and unethical? *Why* are my respondents' knowledge and even my own not considered knowledge? *Why* is my (dis)placement not regarded as significant to the work I do?

Being out of place has influenced how I move in the academy – how, why and which questions I ask, and what methods and praxis I use.

I deeply care for the people I work with. There is a care in my work that is unacademic. My (dis)placement excludes me from the mainstream 'centre'. But for me, the margin is my centre and the 'centre' is marginal.

African and Afro-diasporic people critically working on issues affecting African and Afro-diasporic communities are actively engaging in what I call 'ancestral care work' – the spiritual relationship between you, your ancestors, the work you do, and your purpose. I am constantly moving to the vibration of other people who are also moving in non-linear ancient

and contemporary patterns. Our ancestors communicate with each other and that is the positionality we work from, whether we are cognisant of it or not. Engaging in ancestral care work is antithetical to the manufactured and consumable 'knowledge' necessitated by the academy because it rejects coloniality *et al.* and is rooted in care.

Importantly, (dis)placement is grounded in this work – why we are in, out, in-between, and beyond. Why we find home and place in sites of homelessness and placelessness that details so many of our lives. When trivial questions like 'overcoming challenges' becomes the crux of critical thinking we cannot and will not move beyond the current climate. To do so puts these challenges within a vacuum and disconnects them from larger local and global structures of power. Interrogating knowledge production and consumption has allowed me to recognise that (dis)placement was and is a viable space to operate from.

I am here. You are here. We are here.

I am still thinking through and healing from what I experienced. I am still worrying with (dis)placement and (de)constructing what re-searching and research can look and be like.

What writing this piece has shown me is that (dis)placement is the authentication of memory. It corroborates our histories, contemporalities, and guides the imaginations, present and futurities of African and Afro-diasporic ancestral care work.

Although, I do not have answers now (and may never) I will not remain hushed. So much of the academy reckons on our silences.

Presently, I find solace in the words gifted from my ancestors. Although the re-searching survives in, for and by (dis)placed bodies – *Nazali áwa (I am here)*, *Ozali áwa (You are here)*, *Tozali áwa (We are here)*.

Researching the inner workings of the International Criminal Court

Hannah Baumeister

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Many people have strong opinions about the International Criminal Court (ICC). According to its supporters, who are less numerous now than previously, the ICC is an essential tool for ending impunity, since it provides a unique mechanism for prosecuting massive violations of human rights when governments are unable or unwilling to intervene. According to a growing number of critics, the ICC is costly and overly bureaucratic, and its prosecutions are selective and increasingly unsuccessful. Despite many differences, both supporters and critics are united around one central point: the public and official face of the ICC is only part of a much larger story. Most of the political and legal action takes place off stage, and can therefore be difficult to access and analyse.

The inner workings of the ICC present a number of methodological and ethical challenges for researchers. In this piece, I reflect upon my own experiences researching the ICC, which focused upon the legal and political pathways which resulted in the ICC criminalising wartime rape and forced marriage in times of armed conflict. I was especially interested in understanding the kinds of roles different states, organisations and individuals played in moving the ICC in specific directions, and what motivated them to do so. This meant analysing both official records of ICC negotiations and using semi-structured interviews with individuals who participated in these negotiations.

The official record of the ICC negotiations in the Preparatory Committee (1996 to 1998) and Preparatory Commission (1998 to 2002) includes United Nations documents, advocacy papers written by non-governmental organisations (NGOs), commentaries and recommendations. Many of

these are publicly and easily available online, for example through the ICC Legal Tools database, UN databases such as the Official Document System of the United Nations and the United Nations Dag Hammarskjöld Library, and the website of the Coalition for the International Criminal Court. However, the official record focuses on the participation and contributions of states and does not record which NGOs participated in the ICC negotiations. It also does not specify which individuals within state and non-state delegations played key roles and why. Instead, states and organisations are portrayed as speaking with one voice, which does not do justice to the contributions of specific individuals and ignores disagreements within delegations. This already indicates that the official record documents outcomes, but not what brought them about.

But official documents are not simply incomplete. They can also be misleading, since they perpetuate stereotypes of international law as the realm of states – of states as unified actors, and of international law as an obscure process which takes place behind closed doors. Any attempt to set the picture straight needs to include the people who were behind those closed doors, or at least nearby. However, the idea of legal research that is informed by theory and includes empirical research is still met with scepticism by some legal scholars. They argue that doctrinal approaches are “important for the vitality of the legal system and of greater social value than much esoteric interdisciplinary legal scholarship”.

Using empirics to research the law

While I aim to make a case for empirical socio-legal research, it is important to remember that even that will only straighten the picture to some extent rather than tell the whole story. The interviews I conduct-

ed for my PhD research were limited by the incomplete information about the actors who participated in the ICC negotiations. Still, I sampled members of state and non-state delegations on the basis of analysing official documents. Additionally, research participants suggested other names who could also contribute. While this countered the incomplete record, it still did not shed much light on questions of individual contributions beyond those of the interviewees. Too much time had passed since the negotiations took place. Memory had faded and personal records had been passed on or destroyed.

I addressed the incomplete information about the motivation of individuals, state delegations and NGOs to become involved and their understanding of wartime rape and forced marriage by sharing a list of general themes, rather than questions, with the research participants before the interviews. Together with the semi-structured nature of the interviews, this gave me greater flexibility and the interviewees the opportunity to add what they saw as relevant for the research area and that might not have been included in the official record. For example, the interviews highlighted that Colombia became involved in the ICC negotiations of wartime rape and forced marriage because it was aware that it might be investigated by the ICC in the future. Therefore, it had an interest in shaping the definitions of crimes its citizens might be accused of – something I did not know going in to the interviews. The interviews also explained that the Colombian delegation's understanding of wartime rape was informed by Colombia's national criminal law at that time and the crime of 'carnal access', which included rape. Even though there was no definition, rape was understood as penetration by the penis. Lastly, the interviews emphasised that English was the official language of the ICC negotiations. However, only a minority of the Colombian delegates spoke English. Therefore, some of their proposals had to be introduced by one of the delegation's advisors.

Additionally, the interviews highlighted that previous women's rights and international justice work

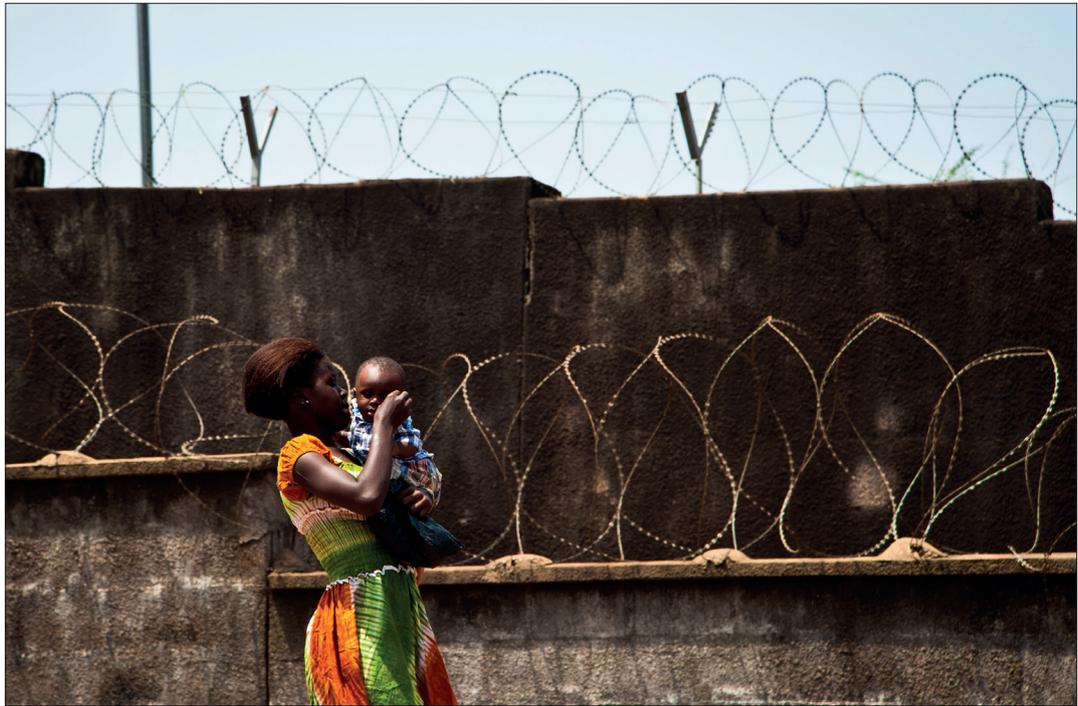
at the [Vienna](#) and [Beijing](#) conferences or at the ad hoc tribunals for the [former Yugoslavia](#) and [Rwanda](#) had motivated individual women's rights activists and women's organisations to become involved in the ICC negotiations on wartime rape and forced marriage as part of the [Women's Caucus](#). One research participant stressed that female survivors of war violence were also involved in the ICC negotiations as members of NGOs as well as through grassroots organisations that worked with them and asked them for feedback on proposals that an NGO wanted to put forward. The interviews indicated that, while the Women's Caucus generally worked in a democratic and cooperative fashion, some members advanced themselves as leaders and considerably shaped the Caucus' position.

The above indicates that interviews, like any mode of knowledge production, are subjective. The researcher's and research participant's backgrounds impact the research projects, processes, approaches and outcomes and we have to reflect upon them. Consequently, every research project only tells one of many stories and it has to be presented accordingly.

Working with the record of the ICC negotiations highlighted that it is not neutral and objective. Arguably, it was influenced by state-centric traditions of international law-making and focuses on outcomes rather than processes. It tells one of many stories of the ICC negotiations. Any research project that aims to establish an alternative, more comprehensive account of law-making processes needs to be deliberately designed to include empirical research. However, researchers have to be aware that even empirical research is unlikely to give the complete answer. It has to be acknowledged that the information constructed in empirical research is also constructed for a particular purpose and influenced by the researcher and research participants. It hopefully fills in some blanks, but it will still not be the complete story.

Incompatible interests

The interviews I conducted, for example, revealed that the ICC definitions of rape and forced marriage



In front of the United Nations Special Court for Sierra Leone in Freetown.

are a result of actors' incompatible mandates that pulled them into different directions. The Women's Caucus, for example, aimed to advance women's rights whereas the Arab bloc wanted to maintain male privileges. The International Committee of the Red Cross aimed to preserve international laws while the Arab bloc wanted to protect their national norms and rules. To develop definitions of crimes that everybody could agree on, they had to meet somewhere in the middle. This led to definitions of crimes that are partly progressive and regressive and reflect international as well as national laws.

In addition to actor's incompatible mandates, divergent or non-existent precedents influenced the ICC definitions of rape and forced marriage. While a majority of delegations supported a rape definition using the term 'invasion', a minority of delegations stressed that most national rape definitions use the concept of 'penetration'. The Women's Caucus and Costa Rica mediated between the two sides and developed a definition using both terms. Their proposal went beyond national rape definitions like that

of Colombia and combined the [Akayesu](#) and [Furundžija](#) definitions – in Akayesu, the ICTR defined rape as an act of invasion and in Furundžija, the ICTY defined rape as an act of penetration. This shows that the wording of the ICC definition of rape is simply the greatest common denominator found between actors who sought to define rape as an act of invasion or penetration.

Comparing rape to forced marriage, rape had already been widely discussed before the ICC negotiation and various precedents existed. Forced marriage, in contrast, only began to appear on the international agenda at this time. Supported by the [Final Report](#) of the Special Rapporteur on the Situation of Systematic Rape, Sexual Slavery and Slavery-Like Practices during Armed Conflict, the consensus in the international community was that forced marriage was a form of sexual slavery. Keeping the need for unanimity in mind, this left no space for dissenting voices and consequently no space to develop a more progressive definition.

The above comments on the effects of divergent or non-existing precedents on the ICC definitions of rape and forced marriage indicate the influence of the differences in standing between states and NGOs. Non-state actors like the Women's Caucus, for example, presented problems and solutions to state delegations and influenced their interests and actions this way. They were successful when an issue was already well-established, like the crime of rape at the time of the ICC negotiations. The Women's Caucus could build on this solid base and raise issues regarding the definition of rape. Rather than sticking to their initial proposals and including rape as constituting other crimes like an outrage upon personal dignity, for example, states followed the caucus and listed rape in the Rome Statute as a separate offense as well as possibly constituting other crimes.

The Women's Caucus was also successful in 'teaching' the Costa Rican delegation to advocate for a definition of rape using the term 'invasion' rather than 'penetration', as it initially advocated. In comparison, the caucus was less successful in influencing states' interests and actions when an issue was not already well-established. Here, it is important to remember that, in the end, it was states who decided. For example, the caucus proposed to directly mention forced marriage as a form of enslavement and sexual slavery but the proposals were not adopted by state actors. Here, the (Supplementary) [Slavery Convention](#), the report of the UN Special Rap-

porteur on the Situation of Systematic Rape, Sexual Slavery and Slavery-Like Practices during Armed Conflict, and the [Foča indictment](#) appeared to have been more influential than the caucus. Since the mere direct inclusion of sexual slavery was already new, interviewees suggested that delegates wanted to err on the side of caution in defining the crime so that they would not jeopardise their gains and potentially even the whole ICC project. Therefore, they refrained from more progressive definitions that could have explicitly included forced marriage and relied on established international rules like the (Supplementary) [Slavery Convention](#) in defining sexual slavery.

And finally, as the internal dynamics within the Women's Caucus and its reception by other actors in the ICC negotiations shows, the interviews suggested that the work in coalitions impacted the ICC definitions of rape and forced marriage. While the work in coalitions enabled some actors to participate in the negotiations more actively, it also silenced conservative but also progressive voices.

So, my research tells the story that the ICC definitions of rape and forced marriage are the way they are and could not have been different because of actors' incompatible mandates, divergent and non-existing precedents, the dynamics between state and non-state actors, and the work in coalitions.

Links between conflict-related violence and peace time practices in Sierra Leone

Rosaline McCarthy

Rosaline McCarthy is an educator, researcher, trainer, facilitator, gender and human rights specialist. She is lead researcher for the [Conjugal Slavery in War project](#) (Women's Forum, Sierra Leone).

Conflict-related sexual violence (CRSV) refers to violent actions taken by armed personnel against women, girls, men, and boys during times of war. CRSV can take [many forms](#), and includes rape, forced marriage, sexual slavery, forced pregnancy, and other acts of similar gravity. Before the mid-1990s there was hardly any data available on the magnitude of this violence and its consequences. The [wars](#) in Bosnia and Rwanda in the 1990s drew the attention of human rights groups, civil society groups, policy makers and the social sciences to CRSV. In 2007, the Coalition for Women's Human Rights in Conflict Situations, Women's Forum (Sierra Leone) and others issued the [Nairobi Declaration on Women's and Girls' Rights to a Remedy and Reparations](#). In 2009, Rights and Democracy in Montreal, Canada commissioned research on the application of the principles of the Nairobi Declaration in Sierra Leone. This was an attempt to find out how the government was addressing the issue of reparations for victims of sexual violence during the war.

More recently, in 2017, the justice committee of the CSIW Project conducted online research on justice mechanisms for victims. The aim of this post is to review linkages between CRSV and peace-time practices through reviewing applicable legal provisions and sharing frontline experiences from Women's Forum Sierra Leone (WFSL). WFSL conducts research and works to promote and apply national, regional, and international law and policy on gendered violence to support victims of gender and sexual violence in Sierra Leone.

Threats to women's human rights and gender inequality

In 1993, the International Conference on Human Rights recognised that women's rights were hu-

man rights and that violence against women was an abuse of women's human rights. Human rights activists made the connection between CRSV, violations of women's human rights, and perpetuation of gender inequality, and called on states to protect and uphold the rights of women and girls, including in times of conflict. During Sierra Leone's war, women's human rights were violated. [Physicians for Human Rights](#) stated in 2002 that over 250,000 women and girls suffered violations. Only 3,602, however, registered with the Reparations Directorate and benefited from reparations after peace was secured. Many survivors did not register and did not benefit.

Research conducted in 2013 in partnership with the [Conjugal Slavery in War](#) (CSiW) project showed that reasons for not registering included shame, stigma, not knowing about the directorate, and logistical barriers such as travel time and cost. Even after the war, domestic violence and rape continue, even with the passage of the three Gender Justice Laws (2007) and the Sexual Offences Law (2012). The [Protocol to The African Charter on Human and Peoples' Right on the Rights of Women in Africa](#) (adopted in Maputo in 2003 and ratified by Sierra Leone in 2015) highlights discrimination against women and the negative impacts of poverty as contributing to ongoing violence. It focuses on women's protection during and post-conflict reconstruction; calls for rebuilding infrastructure; and the provision of basic services that take into account gender-sensitive programming (Art.11,para.5).

Reframing gendered violence in the peace and security dialogue

UN Security Council Resolution 1325 (2000) was the first resolution to draw attention to the viola-

tions against women during wars. It called for sex specific data and research on the gender dimensions of peace and security. Its advocacy was built around prevention of violence, protection of women from violence, punishing perpetrators, and enhancing women's participation in peace building. The eight subsequent resolutions on [women, peace and security](#) each reaffirm the UN's commitment to combat CRSV. In 2010, the UN appointed a Special Rapporteur on Violence Against Women (VAW). The special rapporteur gathers information on VAW from governments, treaty bodies, and specialised agencies, and makes recommendations to eliminate all forms of VAW at all levels of government.

Many countries, including Sierra Leone, have developed national action plans (NAPS) on the resolution. With support from Global Network of Women Peace Builders (GNWP), GNWP Sierra Leone, of which WFSL is a member, has been monitoring the implementation of the NAP through the use of desk research, consultations, focus group discussions and key informant interviews. Indicators used for monitoring include the number of reported cases of VAW, the number prosecuted, and the degree of women's representation in key decision-making positions in the security sector and public service. In 2015 the UN commissioned a study to identify key implementation gaps in the UNSCR 1325 NAPS. A key gap identified was the limited participation of women in peace and security including conflict prevention and protection of women's rights during conflict. The report called for accelerated action to achieve women's leadership in peace and security, help victims overcome their trauma and the scars of war, and enhance their ability to access and control resources.

The issue of women's leadership in decision-making at all levels is a key concern to women in Sierra Leone. We have been lobbying and advocating for the 30% quota (affirmative action) to be granted to us in line with international declarations but to no avail. We are hoping that when the women's position is reflected in the pending review of the 1991 constitution of Sierra Leone this affirm-

ative action will become a reality. Other avenues being explored to accelerate the advancement of women in leadership include the Gender Equality and Women's Empowerment (GEWE) policy, which has been drafted and awaiting adoption by cabinet. Women's Forum has also been engaged in monitoring the progress made in the implementation of the UNSCRs 1325 and 1820. This involvement has given us insights into the situation on the ground and provides an opportunity for independent civil society perspective through documenting information /data evidence and analysis of the women 'peace and security sector'.

The impact of CRSV on individuals, families, communities, and countries remains a major concern of WFSL. This is why we maintain links with the victims. WFSL talks directly to women and are able to get first-hand information from them. What we have found in this work is a shift from CRSV as a tool of war during active combat to broader and more entrenched issues like poor relationships between armed forces, former rebels and civilians; breakdown of law and order; and post-traumatic stress disorder experienced by victims. Poverty and social exclusion are also serious problems experienced by survivors, and these can lead to further vulnerability to violence. These are all factors that contribute to a continuum of violence from war to peace time: although fighting has ended, violence, suffering, and social challenges continue.

To address this, we must develop a more inclusive understanding of the roots and causes of sexual and gender-based violence in conflict, post-conflict, and peacetime; to include male victims as survivors; and consider the experiences and motivations of perpetrators of sexual violence in conflict and not merely that of survivors. This means taking seriously the fact that [women too](#) have been perpetrators of violence. Sexual and gender-based violence are complex and deeply rooted social problems, and exploring these questions helps to undercut victim-perpetrator dichotomies to instead focus on the complex relationships and impacts of conflict and gender.

Creating space for writing alternative histories through peoples' tribunals

Annie Bunting and Izevbuwa Kehinde Ikhimiukor

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The first peoples' tribunal, the International War Crimes Tribunals – otherwise referred to as the Bertrand Russell Tribunal or Stockholm Tribunal – was established in 1967 with a defined mandate to address the United States' complicity in the Vietnam war. They were an innovation intended to address the accountability gap that existed due to the failure or unwillingness of states to discharge their obligation to investigate and prosecute crimes committed within their territories and those carried out by its nationals outside its geographical boundaries. The idea was to not wait for the state.

The Bertrand Russell Tribunal became the inspiration for successive peoples' tribunals, addressing victims of civil, political and socio-economic rights generally, or specifically directed at women victims known as a women's court or tribunal. The first women's court, the [International Tribunal on Crimes against Women](#), held in Belgium in March 1976 addressed everything from torture and rape to pornography and forced sterilisation. In 1979, the Italian jurist Lelio Basso established the [Permanent Peoples' Tribunal](#) modelled after the Russell Tribunals. It has held 47 sessions to date across the globe on issues ranging from human rights in Asia to the 2003 war in Iraq. Other examples of specific women's tribunals include: the [Women's International War Crimes Tribunal](#) for the Trial of Japan's Military Sexual Slavery 2000, otherwise known as the Tokyo Women's Tribunal; the [Guatemalan Courts of Conscience 2010](#); and the [Women's Court Sarajevo in 2015](#). Are peoples' tribunals a meaningful alternative space for survivors of sexual violence in conflict to speak about their experiences of violence and reparation needs? Maybe.

Form and Process

Peoples' tribunals have an array of goals. They seek to dislodge years of state silences over gross violations of human rights, censure or denounce perpetrators of such violations, and/or substitute (in)action of the state in the name of the people. The form and structure of peoples' tribunals that have been established have, to a great degree, been dependent on mimicking the majesty of courts. The Tokyo Women's Tribunal, for instance, was convened to attribute symbolic responsibility for Japanese war crimes committed in the Asia Pacific during the second world war and was framed as a continuation of the International Military Tribunal for the Far East (IMTFE). The tribunal adopted legal and formalistic trappings to complete the effect. The proceedings, language used, and description of parties bore close resemblance to formal legal proceedings.

The Women's Court in Sarajevo was less formalistic and legalistic in nature. In addition to the testimonies of female survivors from across the region, expert testimonies provided additional context and insight. Drama, poetry, and street performance from women were also featured. A third, hybrid form incorporates elements of both, as adopted by the Iran Peoples' Tribunal in the form of a two-stage process. The first stage was modeled after a truth and reconciliation commission and provided space for witnesses to tell their stories outside the confines of legal proceedings. The second stage, however, was more formal in structure because it entailed the making of summations on legal issues under international law.

Peoples' tribunals, generally or whether addressing issues specific to women, often share a common



Formerly abducted women weaving country cloth in the outskirts of Freetown.

set of criticisms directed at them. Chief amongst these is the question of legitimacy. As civil society initiatives, they lack the legal status conferred by either national or international law. Consequently, the decisions, judgments or recommendations are symbolic and cannot be enforced. These are the same criticisms often levelled at international human rights 'soft law'. Yet despite the limits on its status as an institution, peoples' tribunals from the very beginning have all applied relevant national and international law to the issues within the scope of the respective tribunal's mandate. Paradoxically, another criticism is that the tribunals are too legalistic and liberal. They reproduce the very pitfalls of trials that survivors' organisations seek to address, a criticism we take seriously here.

Peoples' tribunals as a mechanism for knowledge production

The premise that peoples' tribunals can serve as a tool for knowledge production is at the heart of

their function. But what form does that knowledge take? Are they open to the same critique of conventional legal processes and mechanisms, in that they are essentially western and liberal centred? Are they sufficiently localised? In response to some of the above questions, it is apt to draw attention to some specific examples of peoples' tribunals.

The women's courts that have emerged in Tokyo, Sarajevo and Guatemala have had significant input from local, national and regional human rights organisations. They have at time been forced to convene far away from the venue of the commission of the crimes, particularly when the states involved are hostile to the tribunal process. This has not taken away from the local ownership of the process.

Since a key feature of peoples' tribunals is the receipt of testimonies from direct victims or their relatives, they receive a trove of oral and documentary evidence from witnesses. In certain cases, the pro-

ceedings and participation of victims and witnesses break decades of silence on crimes, as in the case of the Iranian Peoples' Tribunal. They can also draw attention or generate awareness on crimes that are already known, but have for too long remained in the shadow such as the case of the so called 'comfort women' (military sexual slavery) that took place in Asia during the second world war.

Several commentators in their work lend credence to the knowledge production role of peoples' tribunals. [Craig Borowiak](#) (2008), in alluding to the strength of peoples' tribunals, emphasises their knowledge production role. He notes that their "strength is not their capacity to unearth new evidence (although they do this also), but rather their ability to collect and present evidence (much of which is already public) in an unofficial display of public judgment".

Further, [Simm and Byrnes](#) (2014) identified two outcomes of peoples' tribunals which seemingly confirm their knowledge production function. These are the ability of peoples' tribunals to engage in memorialisation, and to complement historical records from objects, personal effects, documents and oral evidence presented by participants before such proceedings. In relation to the Tokyo Women's Tribunal, the authors pointing to the fact that documents from the tribunal form part of the collection of the [Women's Active Museum on War and](#)

[Peace](#) in Tokyo and are accessible for use by members of the public.

Peoples' tribunals also provide a significant space for victims and witnesses to tell their story, which results in an acknowledgment of the wrong done to them and a documentation of the events for historical and record purposes. The significance of this space free from the strictures and confines of regular court proceedings cannot be overstated.

Even where a mechanism exists to address violations, the often strict rules of procedure and participation prevent many victims from participating in the legal process. Those who are included are made to tell their story within legally acceptable rules of procedure and evidence. The case of the former Yugoslavia is a typical example. Despite the establishment of the International Criminal Tribunal for the former Yugoslavia and national prosecutions in states making up the former Yugoslavia, the conveners of the Women's Court in Sarajevo chose to establish a peoples' tribunal with significant participation from victims across the former Yugoslavia.

Given the limited number of prosecutions at both national and international level for various crimes, it is safe to say that peoples' tribunals will remain a fixture in our legal and political landscape for the foreseeable future and an important space for gender justice.

Listening to the stories of Boko Haram's wives

Umar Ahmad Umar

My name is Umar Ahmad Umar. I work with the [Development Research and Project Center \(dRPC\)](#) in Nigeria, an intermediary non-profit established to strengthen the capacity within civil society organisations and government agencies to work together for inclusive development. The dRPC was founded in 1994 in Kano State, northern Nigeria. Our work focuses on public health; girls' education; gender-based violence; and faith and development. Policy and participatory research are central to all dRPC's projects.

Most recently, the dRPC has conducted research on: child marriage in West Africa ([Ford Foundation 2013](#)); the capacity of civil society organisations in Nigeria; radicalisation, counter radicalisation and deradicalisation in the northeast Nigeria; and the implementation of Sharia in northern Nigeria.

The dRPC is one of the 10 organisations and institutions partnering with the Conjugal Slavery in War (CSiW) project. In this project, we document cases of forced marriage in conflict situations in northeast Nigeria. The dRPC is also tracking initiatives that seek redress for victims of Boko Haram (BH) through either international prosecution or local reparations programmes. In its work for the CSiW project, dRPC has interviewed numerous survivors of forced marriage and rape at the hands of BH insurgents. Our qualitative research approach has allowed us to document the experiences of respondents during captivity in great depth.

Access has been a key challenge in conducting this research. Gaining access to formal settlements/camps for internally displaced persons (IDPs), where most IDPs reside, is difficult due to heavy security presence, suspicion of researchers, and ongoing insurgency in the region. Security officials are,

in most cases, very hostile to researchers, as they have been known to [indict the guards](#) for sexually exploiting women and girls displaced by the conflict. In conducting research we adhere to ethical research protocols informed by a do no harm policy. This means that we must obtain ethical approvals from IDP camp managers. Even when approval is granted, we are constrained in interviewing child survivors of force marriages only when an official, camp community leader, or guardian is present.

What are some of the emotional challenges for participants in your research?

Perhaps a more significant challenge faced is the unwillingness of many survivors to recount their stories for the purposes of the project's research inquiry. Global interest in the story of abduction has resulted in girls telling their stories on numerous occasions, very often in a disconnected way as result of post-traumatic stress disorder (PTSD). We addressed this challenge by training our young female researchers to be empathetic, create a safe environment, and encourage participants to recount their story as if they were speaking to a friend. We also give survivors the option to opt out of the process at any point if they do not want to continue with the interviews.

Can you tell us about your preliminary results?

Guided by the aforementioned ethical considerations and methodology, original stories were collected by field researchers regarding masculinity, enslavement and forced marriages at times of war from 50 people (44 females, 6 males). Those interviewed included previously abducted women, IDPs, widows, vigilante members, and community leaders who have firsthand experience of the issues

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relating to the research questions. The summary of the research findings are:

- **More nuanced picture of experiences of women (and men) in captivity:** Our interviews report that the majority of girls were abducted during invasion of small towns and villages by the insurgents; some of them were taken either directly from their homes in the presence of their families while others were taken in-transit while trying to escape to other towns or when they were sent on errands.
- **Roles of women in BH camps:** Women assume a lot of roles both within and outside the rebel camps, ranging from taking care of household chores to engaging in procreation. They also can take on the role of combatants, performing infiltrative roles such as spying or being a suicide bomber. It is suggested that the presence of women in the camps serves as a morale booster to the rebels as well as allows for procreation, which was important to them so that their progeny can continue with their cause.
- **Resistance by the women:** While instilling fear ensured cooperation and obedience among some of the girls, others expressed resistance to the advances of the rebels. For some of them, resistance was evident immediately following marriage; while for others they would only try to escape after gaining the trust of their husbands and when the rebels had let their guard down.
- **Post-conflict relations with forced husbands:** Despite documented reports of rescued girls requesting reunion with their militant husbands, none of the girls we interviewed had existing post-conflict relations with forced husbands. Rather, the girls we interviewed despised their husbands and wanted nothing to do with them.

- **Stigma on return:** Survivors of abduction and sexual violence by BH have often faced stigmatisation upon returning to family. For those that return with children born of militant fathers, their offspring are often rejected by family and close relatives. Our findings, however, did not show this. Respondents reported they currently do not face any form of stigma from family, relatives or fellow cohabitants in the camps. This may be because the girls were resident in camps hence surrounded by people with similar experiences.

The research findings will be packaged into the Nigeria Country Report on Conjugal Slavery in War, which will be used to engage relevant stakeholders on the need to address the plight of people affected by BH in northeast Nigeria.

Your work with religious and traditional leaders is also ground-breaking. Can you share some of your work in this area?

dRPC conducts a lot of advocacy work because we believe that advocacy will bring about policy change. Although this project is aimed at providing researchers, academics and students with data on the victims of sexual violence in conflict situations, we included some activities that discussed policy issues. One key activity conducted is the 'Consultative meeting on the religious stance on stigmatization of victims of sexual violence and children born out of war'. A communiqué was issued at the end of the consultative meetings by the 22 participants, including religious leaders from both the Islamic and Christian faiths drawn from the Adamawa, Borno, Kano, Kaduna, Niger, Plateau states in Nigeria as well as Egypt.

How to film stories of male rape in Uganda

Otim Patrick

Researchers are increasingly using audio-visual equipment in order to document and disseminate their research findings. Film can undoubtedly be a powerful tool for communication. However, there are also a number of ethical and practical issues which need to be addressed when it comes to how audio-visual content is collected and disseminated. There is one principle above all others which must take centre stage: local communities and survivors must have a voice in how their stories are told.

This article reflects upon how the [Refugee Law Project](#) (RLP) deploys [video advocacy](#) within local communities. Much of this work has focused on male survivors of conflict related sexual violence (CRSV). These survivors have different backgrounds. Some come from northern Uganda, where communities of people affected by the conflict between Joseph Kony's Lord's Resistance Army (LRA) and the government of Uganda (1986-2006) are living in internally displaced persons camps. Others are refugees who have entered Uganda in order to escape wars in neighbouring countries, such as South Sudan, Democratic Republic of Congo (DRC), Rwanda, Burundi, Somalia and Eritrea. Both internally displaced persons and refugees are forced migrants, and have endured many hardships.

It is not easy for anyone to talk about sexual violence. Filming men talking about sexual violence can be especially challenging. RLP has produced three videos on this topic 'They Slept with Me', which is the story of one survivor, 'Men Can Be Raped Too' which was scripted, filmed and acted by members of a unique support group 'Men of Hope', and 'Gender Against Men'.

These films are designed to challenge stigma and silence, creating a platform for survivors and their

communities to be able to both speak about and, hopefully, heal from their experiences. Male survivors of sexual violence typically face shame and embarrassment, contributing to self-isolation, rejection, low self-esteem and, in the worst cases, suicide. Making a film about these experiences is tremendously challenging for all kinds of reasons. Filmmakers cannot extract individual stories of suffering and trauma and then run away to make their films, never to be heard of again.

Video advocacy and social therapy

Building trust during location visits is paramount when filming personal stories involving extreme trauma. From the very beginning, it is important to ensure that one of the crew members is a member of the local community. This not only helps to bridge the language gap in translation, but also the community feels part of the project once they realise they are not isolated – that one of their own is part of the team and can identify with the issue at hand. Contacts are furthermore shared in confidentiality or secrecy at the initial stage, a precaution that is crucial for CRSV survivors, and the community leader is later cautiously brought into the project at a later stage.

The first or many meetings must be convened without any filming equipment. It may involve the protagonist and perhaps somebody else that they trust, depending on the level of confidentiality of the survivor's story. This stage is simply to explain the purpose of the project and its anticipated benefits to both the participants of the film and the community. Cultural gestures must never be undermined or bypassed, for they are commonly and naturally expected from the community. Building trust is likely to take a long period of frequent engagement, involving months of back and forth visits and preparation.

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A mural in Kampala, Uganda.

Survivors who share their experiences can be extremely vulnerable, and the process of opening up can bring out many difficult and negative feelings. This can be partially addressed by ensuring counsellors are within reach to help process issues as they arise. In some circumstances, it may also be necessary to call upon and/or refer to partners who are able to offer services and support. There may even be a need for medical rehabilitation. All of these protective measures need to be in place before even contemplating pressing the record button.

RLP tries to combine video advocacy with social therapy. The most important component of this overall process is the formation of survivor groups that can offer psychosocial support and peer-to-peer counselling between members. These survivor groups can play an important role in healing both individuals and communities. They can also give survivors the confidence to openly share their stories, both on film and in person.

Nothing which gets revealed can be shared without consent. Signing a piece of paper which confirms consent is not always sufficient or effective, since

these forms can be misconstrued as involving an exchange for monetary gain. RLP therefore prefers to employ on-camera consent. The local team member communicates details of the intended activity to the person whose story is being recorded, who then confirms or amends the proposed plan, and an audio-visual consent is recorded on camera before engaging in actual filming. These recordings which confirm consent are separately edited and archived. There are also some exceptional occasions when both on-camera and paper consent are combined. For a situation that requires either filming or a film screening involving a large crowd, community leadership plays a key role in securing collective permission. Community leaders can personally mobilise and introduce the purpose of a particular project, and can also open space for members of the community to share their opinions and views.

All of the videos which RLP produces go through a two-part validation process. For example, when producing *'They Slept with Me'*, the main protagonists was shown an advanced cut of the film in order to ensure that his testimony was captured correctly. This also provided an opportunity to

check for any private content which did not need to be shared with the public. Once the film had been privately validated, the community then engaged in a facilitated public screening. This screening ensured a second level of validation, since community members could affirm or challenge the content of the film. Such facilitated film screenings provide a great platform for uncovering additional developments and issues, and for ensuring that community members are invested in both the issues raised and final version of the film. When community members identify specific issues, it can be necessary to re-edit sections or change titles. Small changes in specific scenes can dramatically change the overall flow of the entire film. The film cannot be final without validation.

Producing films which feature personal stories of suffering and trauma can also be challenging for the production team. Filmmakers must walk with survivors through their most traumatic experiences. These stories can trigger strong emotions and secondary trauma for filmmakers, creating an emotional and psychological burden. The production team tends to be emotionally drained by the time the filming process is complete. The postproduction

editing process can be similarly challenging, since it frequently involves frame by frame editing of highly confronting material. It is therefore essential to recognise that filmmakers also need safety nets and counselling in order to protect their mental health.

The politics of video advocacy

Films about sexual violence are not always politically popular. People and organisations who have felt threatened by RLP films have sought to frustrate their distribution, and to deny permission/permits to hold public screenings. There have even been threats against the safety and security of the organisers, filmmakers, and participants in the films.

This backlash is a testament to the power of video advocacy to document abuses around male survivors and to advocate for corrective action. As we celebrate this innovation and appreciate the use of technology in contributing to research and activism, more work is still required in order to ensure that the same tools can be used as primary evidence before the courts of law in order to hold perpetrators accountable for their past behaviour.

Do child soldiers always want to be saved?

Sylvie Bodineau

Sylvie Bodineau is SSHRC Banting Postdoctoral Fellow at York University (Toronto).

I am both an anthropologist and a practitioner of humanitarian child protection, currently researching the way humanitarian child protection addresses the recruitment and use of children by armed forces and armed groups. I spent nearly twenty years in the field before returning to university to 'think my profession' from a critical point of view. This position puts me right in the middle of the tension between academic know-it-alls and humanitarian do-gooders. It also allows me, I hope, to have a different, more nuanced, and informed insight regarding humanitarian action.

From my position as a practitioner/researcher, I have deployed the approach used in the field of [anthropology of human rights practice](#) to research this topic in two different ways. First, I [explored documents produced by humanitarian child protection actors](#) operating in the Democratic Republic of the Congo between 1996 and 2012. My goal was to analyse the ways child soldiers were portrayed and how this portrayal had influenced the design and implementation of humanitarian programmes aiming to protect them. This research revealed the way in which assumptions about morality can end up consecrating 'the child' as uniquely and universally vulnerable, thereby triggering a humanitarian imperative to save the children.

Additional layers are invested in the category of 'child soldier,' which connects innocence with barbarism to create something that is morally intolerable. This transforms potentially violent children into victims to protect, and directs our attention to their suffering instead of their responsibility. Such portrayals, even when created for good reasons, are often at odds with local understandings of the phenomenon. They contradict the high level of agency and decision-making capacity that these children have demonstrated. As a result, the programmes

designed solely on the idea of victimhood are, at least in part, ineffective in supporting these children's return to civilian life.

As part of this research agenda, I went to a small town in western DRC between 2013 and 2015 to examine a programme supporting the reintegration of former child soldiers. My goal was to establish, at least partially, a collaborative process of knowledge production that would reflect the lived, collective history of this programme. I worked closely with the NGO that had implemented it between 2007 and 2011, discussing the methods that I would use and asking them to help me identify the participants. We met at places chosen by my interlocutors, where I asked them to talk about their experiences of the conflict and the programme in the way they wanted. Only when they were done did I propose some additional questions. Once the first round of interviews was complete, I held focus groups where I introduced new questions (building on the individual interviews) for discussion. Finally, I presented the primary results of my research back to the interlocutors in order to check the accuracy of my understanding and to elicit comments and further discussions.

The legacies of war in former child soldiers

Even if they expressed suffering, their varied narratives highlighted their agency by detailing the many reasons why they enlisted in armed groups, why they remained in them, and also why they escaped from them. These narratives were a world away from the stories of victimhood and redemption that can be found in numerous [autobiographies of former child soldiers](#) published in the Western world.

For example, one young woman, who was married to a civilian and the mother of two children at the time of our encounter, spoke of the difficulties she



Inside an interim care center in the DRC.

experiencing in daily civilian life. She regretted that “her military spirit had been taken away from her during the demobilization process”. Abducted by an armed group at a time when she didn’t feel comfortable at home with her mother-in-law, she was trained as a radio operator and married to her military trainer.

Despite the fact that her military husband abandoned her shortly after the birth of her first child, she felt the harsh living conditions of the front line were better than what she had experienced as a civilian. Within the armed group, at least, she was well respected and recognised for her role as a radio operator and fighter. In contrast to this, she was sad with the state of her civilian conjugal life. Her husband constantly blamed her for being an ex-soldier. She also felt that the reintegration programme, which had not sufficiently trained her to generate her own income and be more independent, had not lived up to its promises.

Other interlocutors also recounted the ways they navigated and contested intervention programmes. Some, for example, while describing their military experience as empowering, expressed the feeling of having missed opportunities compared to their civilian peers. This was a loss that the reintegration programmes were unable to fill, and they complained that demobilisation without any compensation was putting them at the bottom of social order. Comparing their fate to the adult soldiers who received some ‘benefits’ at the moment of demobilisation, some of them had violently claimed what they considered their due as ex-combatants by taking social workers hostage and/or looting the NGO property and premises.

In contrast, the narratives of interveners (NGO founders, social workers, foster families, vocational trainers) revealed a common conviction that the demobilisation and reintegration of child soldiers was necessary for the DRC to return to a civilian social order at the end of the conflict. They were

aware that programmes had been applied inconsistently, something they attributed to a lack of resources, and said that they had persevered with their work despite episodes of violence from the children in the hopes of eventually establishing a strong relationship with them.

This research was completed several years ago. Looking back, my choice to focus on personal experiences within a reintegration programme rather than on life stories of suffering and redemption, and my tactical decision to use a non-directive interview

format, opened up space for different perspectives on child soldiering and humanitarian child protection. More particularly, this research confirms that understandings about child soldiering, tightly linked to contexts, have a strong influence on the interventions aiming to protect children. It highlights the fact that humanitarian intervention is much more than a way to offer reparations to victims. It also establishes a space of transaction, not only of benefits and services, but also of status, recognition, dignity – all aspects that should be better considered by both researchers and humanitarian practitioners.

Selling stories of war in Sierra Leone

Sayra van den Berg

Between 2016 and 2019 I conducted over two years of fieldwork in Sierra Leone on the relationship between the Truth and Reconciliation Commission (TRC) and the ex-combatant community. My work examines ex-combatants' experiences of the TRC and draws a more complex picture than the binary labels of 'perpetrator' and 'victim' allow. Ex-combatants are frequent objects of research, so much so that many are now seeking to capitalise on their background by commercialising their research participation.

With exposure comes expectation

When I first met Alusine, he was hesitant to be interviewed. He said that he was "tired of white people coming and asking about our experiences and our needs". He was not alone in his research and intervention fatigue. Sierra Leone is a popular place for conducting studies of ex-combatants, as well as for peace and conflict research more generally. Many ex-combatants I met had prior experience as research subjects. Some had been tapped several times, which is unsurprising given that researchers frequently share contacts.

Engaging the same participants over and over again naturally impacts their interview expectations, a situation exacerbated by the high number of development interventions in Sierra Leone. Such interventions often mirror research practices and are experienced similarly by participants, though their purposes differ. It's important to acknowledge the compound effect of these different factors, and researchers should consider the level of aggregate exposure when selecting cases and populations.

Prominent within research ethics is the question of [respondent compensation](#). The debate is one of [extraction versus influence](#). Engagement with respondents, especially marginalised groups, without compensation is considered extractive. Yet there is

also a need to avoid influencing respondent answers through the promise of payment for participation. A common 'solution' is to provide compensation for time/transportation/meals, and only after an interview is completed. This practice is seen to circumvent the risk that payment affects participation while acknowledging that some degree of compensation is necessary to address power imbalances and the extractive character of research.

However, this 'loophole solution' is of little practical use among a population with such frequent research exposure as ex-combatants in Sierra Leone. Pretending that prior research experience does not impact current expectations is naive, and the viability of this practice needs reconsideration.

In my work I sought to clarify, before each interview, that respondents would receive compensation for their time, transportation costs, and a meal. I also explained that compensation for all respondents was equal. It was not determined by the 'quality' of their experiences or participation, and that they were entitled to this compensation even if they withdrew their consent, partially or completely, in the future.

Setting clear ground rules for researcher participation is always important, but failing to do so in Sierra Leone is almost guaranteed to create problems. This is because many ex-combatants have begun to commercialise their conflict identities as quasi-professional research participants and assistants.

The professional subject

I first met Mohamed in 2016, when I interviewed him about his experiences as a former child soldier. He began working with me to interview other ex-combatants. After nearly six months in Freetown together, he said:

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Freetown, Sierra Leone.

“I know this research game. I’ve been doing this for a long time, sharing my story and helping people like you find what you’re looking for. For me it’s a win-win, my community respects me because I help them by bringing the researchers who pay them to talk, and I know what the researchers want to hear, so I teach people what to say when the researchers come.”

This is obviously problematic, and it highlights the dangers of relying on particular gatekeepers. The ability to commercialise and abuse experiences understood to be valuable is a powerful yet unintended consequence of frequent research exposure and compensation.

Other ex-combatants with whom I spoke also felt a sense of being used and then discarded once the research was over. Jonathan, who has also successfully utilised his ex-combatant past to earn a sporadic living as a research assistant, said:

“I wish they (researchers) would let me know what comes from our work together, many of them leave and I don’t hear from them again. Many of the people I help them find also ask about what happened to their stories, but I have nothing to share with them.”

Jonathan has worked with several researchers and contributed to many well-cited academic works. His contributions have generally gone unacknowledged, and he laments the lack of follow up contact with these researchers. Authentic and committed partnerships with those who contribute to knowledge production on the ground is fundamental to dismantling the extractive character of research. Researchers must also make local dissemination of research findings a priority, at the very least to local partners.

An interview with Thomas, a former member of the Revolutionary United Front, highlights another pitfall of this commercialisation – the valuation of

particular experiences based on previous research experience(s). Thomas testified against Charles Taylor, the former Liberian president, in the Special Court for Sierra Leone (SCSL), and had been interviewed about this experience by researchers and journalists in the past. He was handsomely compensated for this, and therefore understood his particular experiences to be of significant value.

Thomas spoke plainly about this at our first meeting. “I want to clarify the issue of my payment”, he said. “I have talked to many people like you already, and I know my story is special. It is worth a lot of money. You are lucky to meet with me, and I will tell you my story if you pay me \$300.” This interaction highlights the [significant variation in respondent compensation practices](#), the expectations that such variable compensation can create among respondents, and the uncomfortable situations that arise as a result. More open conversations among researchers around levels of compensation could help establish fair, consistent, and sustainable practices.

While the commercialisation of conflict identities brings with it some dangers, it also creates opportunities for participants to benefit from, and reframe, conflict experiences around which significant stigma persists. Continued research participa-

tion, despite the commercialisation, thus also has its positive sides. It brings material benefit through compensation, at times status, and the opportunity to contextualise these experiences as holding positive value to others. As Jonathan said:

“I am happy for this work. I did bad things during the war. You would not believe some of them, but I know God will forgive me. I am glad that my rebel story can be told...that people want to know it, that I can be more than only a bad man.”

The commercialisation of conflict experiences in Sierra Leone highlights the need to recognise that knowledge production does not take place in isolation. Exposure has created expectations and has engendered an industry of research participation. At the same time, knowledge production generally remains extractive. Researchers should thus rethink their engagement practices, but they should do so with a degree of humility and self-awareness. Greater accommodation of this commercialisation in respondent engagement practices and prioritising local follow up and dissemination practices could greatly contribute towards less extractive and more collaborative partnerships.

The names of all ex-combatants in this piece have been changed to protect their identities.

Sexual slavery, forced marriage, and conjugal slavery: collecting the voices of the victims

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It is disturbing to note that the perpetrators and victims who testified in the [Charles Taylor trial](#) before the [Special Court for Sierra Leone](#) all used the word “marriage” to describe what are really imposed sexual relations.¹ It is therefore based on the words of the victims and former perpetrators that the prosecutor’s office and then the judges built their notion of “forced marriage” initially,² and that of “conjugal slavery” at a later stage.³

In this context, the voices of the victims are particularly important as they provide a factual basis for developing new international crimes. For this reason, I have been working to identify the voices of the victims that served to qualify the crime of forced marriage/sexual slavery in those cases handled by the [International Criminal Court](#) (ICC). My goal has been to better understand the logic of how crimes are defined. This testimony-gathering exercise, however, has not been without a number of challenges, which I will try to highlight.

Methodologically, my study has focused on four ICC cases related to the crimes of forced marriage/sexual slavery: three in the [Democratic Republic of Congo](#) (DRC)⁴ and one in [Uganda](#).⁵ The testimonies of the victims were collected both at the confirmation hearing stage and at the trial stage. The testimonies came both from witnesses of the prosecutors and from victims authorised to participate in the proceedings pursuant to Article 89 and following of the ICC Rules of Procedure and Evidence.⁶

Problems faced in seeking the voices of the victims included: 1) the limited number of cases relating to such crimes; 2) the increased number of redacted testimonies across trials; 3) the prosecutor’s intermediary role in accessing the testimonies of victims

at the key stage of confirmation of charges; 4) the impact of the prosecution’s strategy on the testimony; 5) the use and misuse of the terms “marriage” and “wife” by the prosecution; and finally 6) the death of the witness and the consequences of trauma on the testimony.

1. Limited sampling

Of the 42 persons accused or implicated by the ICC, only five are or were prosecuted for sexual slavery/forced marriage.⁷ Of those five accused persons, two were acquitted. M. Ngudjolo Chui was acquitted of all charges and G. Katanga of sexual slavery charges. Of the three remaining accused, G. Ntaganda and D. Ongwen are on trial and Al-Hasan is still awaiting a confirmation hearing.⁸ This means that the sample is relatively limited.

Number of persons accused in the ICC: 42

Number of persons accused of forced marriage/conjugal slavery: 5

Number of ongoing trials concerning these crimes: 2

Number of persons acquitted of these crimes: 2

Number of persons found guilty for these crimes: 0

It should be noted, however, that the lack of convictions relating to crimes of forced marriage/sexual slavery does not mean that the words of the victims are not true or real. The charges for sexual slavery were not dismissed in the Katanga and Ngudjolo cases because the testimony of the victims lacked credibility. Rather, they were dismissed because the prosecutor could not prove command responsibility and therefore the connection between the crime

committed by subordinates and the commander's action or failure to act.⁹

2. Differentiated access to the testimonies of victims across trials

The second problem regards accessing the testimonies of the victims of sexual violence and how it is treated differently across chambers and cases. Indeed, Articles 64-7 and 68 of the ICC statute allow judges to order, for security reasons or to protect witnesses and victims of sexual crimes, that cases be heard on camera and that sensitive information be redacted from transcripts. It is hard to understand, however, why protection measures make access to the testimonies of victims so different across trials. In the Ongwen case the testimonies of vic-

themselves, or their view of the crime and the violence they suffered. They are repeated, selected, and summarised, first by the prosecutor and then by the judge. The researcher thus only gets bits of the victim's words. Those that the prosecutor or the judges decided to disclose to support the prosecution's strategy or the confirmation of charges decision.

So, because the prosecutor decided to prosecute G. Katanga, M. Nudjolo and B. Ntaganda for sexual slavery, the prosecutor's account is more focused on detailing the physical evidence of the crime of sexual slavery than that of "forced marriage", although some victims, such as P-249 and P-132, did report events that also relate to "forced marriage".¹³

"The lack of convictions relating to crimes of forced marriage/sexual slavery does not mean that the words of the victims are not true or real."

tims of sexual violence are all accessible.¹⁰ They are partially accessible in the Katanga case¹¹ and entirely redacted in the Ntaganda case.¹² The difficulty in accessing the testimonies of the victims in certain trials affects the analysis and understanding of the final outcome.

3. The intermediary voice of the prosecutor and judge at the confirmation hearing stage

In certain cases, the prosecution decided not to call any witness to the stand at the confirmation stage, as provided for under article 61(5) of the ICC Statute. The difficulty with this is that the story of the crime of sexual violence is told through an intermediary, namely the ICC prosecutor. His or her words do not reflect the victim's voice, how they express

Consequently, the statute's rules enable the prosecution to decide whether or not witnesses will be called to testify at this stage of the proceedings, even though they were not heard during the key stage of determining the charges.

4. When the prosecution's strategy affects the testimony

Article 53(1) of the statute provides the prosecutor with discretion to proceed and to decide on what charges to proceed. The prosecutor is therefore free to select different charges for apparently similar acts.

Both in the Katanga case and in the Ongwen case, women were victims of the same acts: they were abducted, raped, given or taken as "wives". They were controlled and watched in their every move, were

forced to carry out domestic chores, and had now power over their sexuality or maternity. Nevertheless, the prosecution decided in the first case to prosecute for “sexual slavery” and, in the second case, for “forced marriage as another inhumane act”.

In the decision on the confirmation of charges against D. Ongwen, the judges upheld the element of exclusivity “imposed on the victim” as well as the social stigma resulting from being married with an LRA rebel to maintain the charge of “forced marriage”.¹⁴ Yet, one of the female victims testified at the Ongwen trial that she had been raped by several men and given successively to different husbands.¹⁵ Unfortunately, since the prosecution seeks to prove different crimes, testimonies do not provide a full picture of the events. The questions asked aim at highlighting elements of *actus reus* that are relevant to the crime of sexual slavery or forced marriage, as it has been defined in the confirmation of charges decision.

Finally, it is common for the prosecution to use the terms “given as wives” or to combine “forced marriage” and “sexual slavery” in the same sentence. This lack of legal clarity is problematic for the researcher as the dividing line between sexual slavery and forced marriage is very thin and, it should be stressed, somewhat artificial.

5. The death of witnesses, victims of sexual violence and how trauma and the passage of time impact on the testimony

Trauma, resilience mechanisms and the passage of time affects testimonies of sexual violence in various ways, and inevitably result in the defence questioning the credibility of the witness. And while the Rules of Procedure and Evidence do not require that evidence of crimes of sexual violence be corroborated, the testimony of witnesses may still vary due to the elapsed time between when the original statement was given to investigators and the hearing date.¹⁶

This is how the credibility of P-132, in the Katanga case, was challenged by the defence. The court noted, however, that some of the inconsistencies were due to the fact that, when she was interviewed by the investigator, she was afraid to tell the whole truth for fear of being rejected by her community.¹⁷ The court finally held that despite the difficulties P-132 encountered in recalling tragic events, her testimony’s coherence contributed to her credibility. The court stated, however, that it would only rely on “those parts of the (...) testimony whose credibility (...) cast no doubt”.¹⁸

Finally, there have also been instances where witnesses, victims of sexual violence, died before being able to testify at the trial. In such cases we cannot access the testimonies of the victims.¹⁹ Neither can we access testimonies during cross-examination, which can sometimes bring a different light or reveal new information. While the testimonies of deceased sources may be admissible, it will be up to the chamber to determine their probative value.²⁰

Conclusion

It is a challenging task to collect the voices of the victims during ICC hearings in order to understand the facts, the crimes, how victims perceive the tragic events they experienced, what those events mean to them, and how other actors perceive their life experiences. What is available is fragmented, biased, and at times redacted. Court proceedings furthermore have no monopoly on the truth. And when it comes time to redress and rehabilitate the victims, their families and communities, a good psychological, social and ethnological understanding of the environment is required.

Notes

1. Témoin Alimamy Bobson Sesay, ancien rebelle, Transcrit du 18 avril 2008, pp. 8006-8007, SCSL, Prosecutor v. Charles Taylor, Trial Chamber. Témoin TF1-189, Transcrit du 17 septembre 2008, pp. 16518, SCSL, Prosecutor v. Charles Taylor, Trial Chamber.
2. SLSC, Affaire AFRC, Prosecutor v. Alex Tamba Brima, Brima Bazzi Kamara, Santigie Borbor Kanu, Appeal Chamber, Judgment, 22 février 2008, para 195-196.
3. SLSC, Prosecutor v. Charles Taylor, Trial Chamber II, Judgment, 18 May 2012, para 425-430.
4. CPI, Le Procureur c. Thomas Lubanga Dyilo, ICC-01/04-01/06, CPI, Le Procureur c. Bosco Ntaganda, ICC-01/04-02/06, CPI, Le Procureur c. Germain Katanga, ICC-01/04-01/07.
5. CPI, Le Procureur c. Dominic Ongwen, ICC-02/04-01/15.
6. Cour pénale internationale, Règlement de procédure et de preuve, CPI, La Haye, 2013.
7. Il s'agit de D. Ongwen, de B. Ntaganda, de G. Katanga, de M. Ngudjolo et de Al-Hassan, un malien de Tombouctou.
8. Au moment de mettre sous presse. Voir Le Procureur c. Al-Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud, ICC-01/12-01/18, Fiche d'information sur l'affaire, Mise à jour en mai 2019, <https://www.icc-cpi.int/CaseInformation-Sheets/al-hassanFra.pdf>
9. D'ailleurs, la Chambre de première instance II dans son jugement du 7 mars 2014 contre G. Katanga a déclaré : « Pour la Chambre, le fait qu'une allégation ne soit, selon elle, pas prouvée au-delà de tout doute raisonnable n'implique pas pour autant qu'elle mette en cause l'existence même du fait allégué. Cela signifie seulement qu'elle estime, au vu du standard de preuve, ne pas disposer de suffisamment de preuves fiables pour se prononcer sur la véracité du fait ainsi allégué. Dès lors, déclarer qu'un accusé n'est pas coupable ne veut pas nécessairement dire que la Chambre constate son innocence. Une telle décision démontre simplement que les preuves présentées au soutien de la culpabilité ne lui ont pas permis de se forger une conviction « au-delà de tout doute raisonnable ». Le Procureur c. Germain Katanga, Chambre de première instance II, Jugement rendu en application de l'art. 74 du Statut, 7 mars 2014, ICC-01/04-01/07, para. 69 [Katanga, Jugement]. Voir également, Le Procureur c. M. Ngudjolo, Chambre de première instance II, Jugement rendu en application de l'art. 74 du Statut, 18 décembre 2012, ICC-01/04-02/12, para. 36. Sur la responsabilité indirecte, voir le para 110 du jugement.
10. Aussi bien au stade de la décision de confirmation des charges que de la phase du jugement.
11. La Cour a entendu 3 témoins victimes : P-132, P-249 et P-353. Katanga, Jugement, supra note 9, p. 401 et suivantes. En juin 2018, seul le témoignage de P-249 était accessible. Voir Transcrit 135 du 4 mai 2010, Le Procureur c. G. Katanga, Chambre de première instance II, ICC-01/04-01/07-T-135-Red-ENG WT 04-05-2010 [Katanga, Procès]. Toutefois, depuis cette date, les Transcrits de P-132 et de P-353 sont accessibles mais avec des sections expurgées pour des questions de sécurité. Ce qui nous empêche de connaître les faits concernant le mariage forcé vécu par P-132 lorsqu'elle a quitté le camp de Yuda. Il en est de même avec le témoignage de P-249, les parties du témoignage relatives à ce qu'elle a vécu dans le camp et à la naissance de son enfant sont expurgées. Voir Transcrit 135 du 4 mai 2010 aux pp. 57-59, Katanga, Procès, ICC-01/04-01/07-T-135-Red-ENG WT 04-05-2010. Au niveau de l'audience de confirmation des charges, aucun Transcrit concernant le témoignage des victimes d'esclavage sexuel n'est disponible pour l'affaire Katanga & Ngudjolo.
12. Dans l'affaire Natganda, toutes les parties du témoignage des victimes, témoins de la poursuite, relatives aux crimes de violence sexuelle ont été systématiquement expurgées des Transcrits. La seule information dont nous disposons c'est l'interprétation qu'en ont faite la Poursuite et la Cour dans la décision de confirmation des charges.
13. Voir le témoin P-249, Transcrit 43 du 4 juillet 2008 aux pp. 18 et 19, Le Procureur c. Germain Katanga et Mathieu Ngudjolo Chui, Chambre préliminaire I, ICC-01/04-01/07-T-43-FRA ET WT-04-07-2008 [Katanga & Ngudjolo Chui, Audience de confirmation des charges]. Pour le témoin P-132, lire Transcrit 140 du 12 mai 2010 à la p. 18, Katanga, Procès, ICC-01/04-01/07-T-140-Red-FRA WT 12-05-2010.

14. Le Procureur c. D. Ongwen, ICC-02/04-01/15, Chambre préliminaire II, Décision relative à la confirmation des charges contre Dominic Ongwen, 23 mars 2016, para. 93.
15. Tel est le cas du témoin 352 : Transcrit 67 du 1er mai 2017 aux pp. 44, 45 et 49, Le Procureur c. D. Ongwen, Chambre d'instance IX, ICC-02/04-01/15-T-67-Red2-ENG WT 01-05-2017.
16. L'attaque de Bogoro (Ituri, RDC) a eu lieu en février 2003, le premier recueil de preuves a eu lieu en 2006 et la victime a témoigné en Cour en mai 2010. C'est pire pour les témoins du procès Ongwen car les faits concernent la période du 1er juillet 2002 au 31 décembre 2005, et le procès est toujours en cours en 2019, soit 14 ans après les faits.
17. Katanga, Jugement, supra note 9, para 204.
18. Ibid, para 212.
19. C'est notamment le cas de P-0022 dans l'affaire Ntaganda.
20. Le Procureur c. G. Katanga & M. Ngudjolo Chui, Chambre préliminaire I, ICC-01/04-01/07, Décision relative à la confirmation des charges, 30 septembre 2008, para 109 et 116.

Sexual violence presents all kinds of challenges for researchers. Many survivors are reluctant to share their experiences because of the lasting effects of trauma and stigma. Researchers sometime parachute into ‘exotic’ locations, extract valuable information, and then return home to build their careers. It can also be tempting to simplify and sensationalise sexual violence, especially when it takes place in African countries which struggle to escape the effects of colonial fetishes of ‘darkness’ popularised by Joseph Conrad and many others.

This collection attempts to chart a different path. Research methods cannot be divorced from research ethics. Our contributors draw upon applied examples from Uganda, Sierra Leone, Congo, and Nigeria in order to reflect upon the challenges involved in asking questions and conducting fieldwork, interacting with communities and brokers, and the layered effects of privilege and position. Whenever knowledge about sexual violence gets produced we need to inquire about the story behind its collection and dissemination. How is knowledge produced? Who benefits? Who pays? Who speaks? To what kinds of audience?

Editors

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“Research as more than extraction?” is a timely and accessible intervention about the ethics and responsibilities associated with doing collaborative research in conflict-associated societies. These conversations are even more crucial when scholars and practitioners are engaged in research on sexual violence. This edited collection goes beyond the how-tos of doing research in such settings. It zooms in on the experiences and reflections of a diverse pool of scholars to demonstrate to the reader how knowledge can be cultivated as if people matter.”

—Dr Yolande Bouka, Queen’s University