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## The Perfect Data-Marriage: Transitional Justice Research and Oral History Life Stories

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Transitional Justice Review, Vol.1, Iss.4, 2016, 7-58

## **The Perfect Data-Marriage: Transitional Justice Research and Oral History Life Stories<sup>1</sup>**

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<sup>1</sup> The authors would like to thank the interviewees of the oral history project *Bosnian Memories*, who were willing to share their war experiences online with an unknown audience, the interview team at the Centre for Investigative Reporting in Sarajevo, and the creators of the database at the Human Rights Centre of the University of Sarajevo. They are also grateful for the technical support and patience of speech technologist Arjan van Hessen (University of Twente) and the thoughtful coordination of Peter van der Maas (Erasmus University Rotterdam). They would also like to express their gratitude to the Research Council of the University of Leuven for its financial support to the research project “Mass victimisation and restorative justice in post-conflict situations. Case studies in Bosnia-Herzegovina and Serbia” (2004-2008). The population-based surveys discussed in this article were administered in this context.

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### **Abstract**

There is a growing recognition in transitional justice research of the crucial significance of context-appropriate measures of justice practices and needs, which account for the diversity, locality, and complexity of individuals' experiences of the past. In this perspective, this paper highlights the significance of oral history collections for exploring pluralistic understandings of the personal past and their relation to symbolic justice practices and needs. We argue that their audio-visual dimension and multi-layered nature makes them a unique qualitative data source that can contribute to a more realistic assessment of justice concerns in transitional settings. As tools of social dialogue and inclusive justice, they are also valuable means to promote the mutual acceptance and recognition of suffering and responsibility. We demonstrate how findings based on the analysis of survey data collected in Bosnia-Herzegovina (BiH) can be enriched by the exploration of oral history narratives from a dataset collected in BiH.

### **Introduction**

This paper intends to make a case for closer collaboration between oral history archives about accounts of experiences of war on the one hand and transitional justice research on the other hand. It claims that personal narratives that have been collected by scholars with the intent of being shared can serve as a fruitful complement to the types of data commonly used in quantitative and qualitative transitional justice research.

Oral history accounts generally represent the voices of the underprivileged, who, due to their social status, are less apt to express their views through the production of written and/or official documents. The kind of elicited retrospective personal accounts generated with the methods of oral history typically offer useful insights into the variety of temporal, spatial, cultural, and socio-economic contexts in which people make sense of what they have gone through during a violent conflict. The narrative structure of this kind

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of data illustrates how past and present, personal and collective, and political and socio-economic factors are intertwined and evolve over time. Contrary to the materials that individual scholars collect for their own research on the basis of confidentiality, the data focused on in this article is created with the purpose of being shared and consulted by other scholars. The advent of digital technology in combination with “democratization” and “personalization” of history, have led to the proliferation of many oral history initiatives in the last decades. They run the risk, however, of remaining unnoticed outside a closed circle of committed users, because cross-disciplinary sharing, re-use, or repurposing of data is far from standard practice. Inspired by the opportunities offered by the “digital turn,” we intend to challenge this “compartmentalization” of knowledge. We aim to show that oral history narratives, in their audio-visual dimension and multi-layered nature, constitute a unique qualitative data source that brings to light otherwise marginalized or silenced dimensions of personal experiences and current justice claims. In contrast to traditional empirical approaches used in transitional justice scholarship, whether quantitative measures of present values and beliefs around specific topics or qualitative data elicited about present day concerns, they constitute exceptional channels to explore the significance of personal and family memories in shaping symbolic justice practices and needs. Moreover, as tools of social dialogue and inclusive justice, oral histories are also valuable means to promote the mutual acceptance and recognition of suffering and responsibility.

We illustrate the feasibility of multidisciplinary cooperation by discussing how the exploration of oral history datasets can support transitional justice research on three levels: 1) it can yield valuable insights about localized and marginalized justice practices; 2) it can identify and contribute significantly to the assessment of justice needs and expectations; and 3) when included as the first stage of a mixed-method approach, it can constitute a source of knowledge for the design of more case-specific or locally-specific population-based

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surveys. We demonstrate the value of exploring oral history datasets in transitional justice research on the basis of two key assets: a quantitative population-based survey conducted in Bosnia-Herzegovina in 2007 on opinions about different transitional justice dimensions<sup>2</sup> and the oral history collection ‘Bosnian Memories’ that consists of 100 video-recorded, life-stories with a representative number of inhabitants of Bosnia Herzegovina.<sup>3</sup>

### **Starting Point: The Need to Account for Local Justice Practices and their Significance for the Field of Transitional Justice**

Transitional justice scholarship’s increasing interest in the nexus between justice and locality can be divided into two different but associated domains of focus. One concerns the growing recognition of the particular value of localized and culturally-relevant justice *practices* (e.g. the kinds of truth-telling or reparation initiatives initiated at the grassroots level) as meaningful tools of social restoration for

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<sup>2</sup> This data was collected in 2006 from 855 respondents across Bosnia-Herzegovina using a quota sampling method. This research project explored the attitudes and opinions of Bosnian citizens concerning the process of dealing with the past, with a particular focus on the potential of applying restorative justice approaches in transitional contexts. It was carried out with funds from the Research Council of the University of Leuven (Belgium). For more details see Stephan Parmentier, Marta Valiñas, and Elmar Weitekamp, “How to Repair the Harm after Violent Conflict in Bosnia? Results of a Population-Based Survey,” *Netherlands Quarterly of Human Rights* 27.1 (2009): 27-44; and Stephan Parmentier, Marta Valiñas, and Elmar Weitekamp, “How to Restore Justice in Serbia? A Closer Look at Peoples’ Opinions about Postwar Reconciliation,” in Dawn Rothe and Christopher Mullins, eds., *Crimes of State: Current Perspectives* (Piscataway, NJ: Rutgers University Press, 2010).

<sup>3</sup> See [www.bosnianmemories.org](http://www.bosnianmemories.org). Bosnian Memories was financed by the Dutch Embassy in Sarajevo as a form of transitional justice under the MaTra programme. The archive was the result of a joint effort of the Erasmus Studio (Erasmus University Rotterdam), the Centre for Investigative Reporting in Sarajevo, and the Human Rights Centre of the University of Sarajevo. It consists of 100 video life story interviews with a representative number of inhabitants of Bosnia-Herzegovina interviewed across the country who reflect on three major timeframes: World War II, the period of socialist Yugoslavia, and the war of the 1990s.

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communities recovering from a violent past, which will be discussed below. The other dimension, which will be discussed in the next section, pertains to greater consideration for grassroots-level forms of empirical assessment of justice perceptions and *needs* (i.e. what people expect of transitional justice mechanisms and how they experience them).

The recent attention given to localized and community-based justice practices in transitional justice scholarship and policymaking can be understood within the more general tendency to consider complementary approaches, that is, accounting for judicial and non-judicial mechanisms, to assist post-conflict communities in coming to terms with a violent past. Within this framework, scholarship has increasingly highlighted the limitations of institutionalized top down forms of transitional justice, such as trials and truth commissions, in terms of helping individuals and communities to overcome a violent past. Their criticisms point generally towards their limited value for thick social reconstruction,<sup>4</sup> their potential to re-traumatize victims and to not account for all their acknowledgment needs,<sup>5</sup> or their lack of inclusion of all justice stakeholders.<sup>6</sup> Against the backdrop of such concerns, there is a growing consideration in scholarship for the

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<sup>4</sup> Dinka Corkalo, Dean Ajdukovic, Harvey M. Weinstein, Eric Stover, Dino Djipa, and Miklos Biro, "Neighbors Again? Inter-Community Relations after Ethnic Violence," in Eric Stover and Harvey M. Weinstein, eds., *My Neighbor, My Enemy: Justice and Community in the Aftermath of Mass Atrocity* (Cambridge: Cambridge University Press, 2004).

<sup>5</sup> Hugo van der Merwe, "What Survivors Say about Justice: An Analysis of the TRC Victim Hearings," in Audrey R. Chapman and Hugo van der Merwe, eds., *Truth and Reconciliation in South Africa: Did the TRC Deliver?* (Philadelphia, PA: University of Pennsylvania Press, 2008); Eric Stover, *The Witnesses: War Crimes and the Promise of Justice in The Hague* (Philadelphia, PA: University of Pennsylvania Press, 2005).

<sup>6</sup> Wilhelm Verwoerd, "Towards the Recognition of Our Past Injuries," in Charles Villa-Vicencio and Wilhelm Verwoerd, eds., *Looking Back, Reaching Forward: Reflections on the South African Truth and Reconciliation Commission* (Cape Town: Cape Town University Press, 2000).

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socially restorative potential of non-judicial, localized forms of justice practices in transitional contexts. Various forms of “grassroots” or “from below” justice aiming at truth-recovery, truth-telling, and symbolic reparation, have been highlighted as significant initiatives to help communities recover from past conflict.<sup>7</sup> These perspectives reflect an emerging consensus of the necessity of accounting for the various and nuanced meanings that local communities can attribute to concepts such as redress, justice, reparation and social reconstruction.<sup>8</sup>

Within this paradigmatic shift towards the local in transitional justice scholarship, we draw our attention particularly to the increasing interest in the use of more symbolic forms of justice (as opposed to concrete or material forms) in post-conflict settings. These are understood here as those localized and non-judicial measures that aim at reparation, acknowledgment, and community healing through the recognition of victimization, the establishment of moral accountability and facts, as well as remembrance.<sup>9</sup> Often included within the category

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<sup>7</sup> For example, Laura J. Arriaza and Naomi Roht-Arriaza, “Weaving a Braid of Histories: Local Post-Armed Conflict Initiatives in Guatemala,” in Rosalind Shaw and Lars Waldorf, eds., *Localizing Transitional Justice: Interventions and Priorities after Mass Violence* (Stanford, CA: Stanford University Press, 2010); Anita Isaacs, “Truth and the Challenge of Reconciliation in Guatemala,” in Joanna R. Quinn, ed., *Reconciliation(s): Transitional Justice in Postconflict Societies* (Montreal: McGill-Queen’s University Press, 2009); Joanna R. Quinn, “What of Reconciliation? Traditional Mechanisms of Acknowledgment in Uganda,” in Joanna R. Quinn, ed., *Reconciliation(s): Transitional Justice in Postconflict Societies* (Montreal: McGill-Queen’s University Press, 2009).

<sup>8</sup> Rosalind Shaw, Lars Waldorf, and Pierre Hazan, *Localizing Transitional justice: Interventions and Priorities after Mass Violence* (Stanford, CA: Stanford University Press, 2010).

<sup>9</sup> Kris Brown, “Commemoration as Symbolic Reparation: New Narratives or Spaces of Conflict?” *Human Rights Review* 14.3 (2013): 273-89; Brandon Hamber, *Transforming Societies after Political Violence: Truth, Reconciliation, and Mental Health* (Heidelberg: Springer, 2009).



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of symbolic reparations,<sup>10</sup> such measures of justice can take on various forms and are context-specific. They may include naming a street after the killed, constructing a museum, exhumations and reburials, rituals, religious practices, oral histories, building memorials, apologies, public forums of discussions, erecting headstones, or creating a day of remembrance. While most forms of symbolic justice are implemented by collectives or institutions, some can also be developed through private or individual acts of remembrance. Such measures bear particular significance in divided post-conflict societies as markers of meaning and narratives of the past. They can symbolically acknowledge individuals' suffering<sup>11</sup> and reflect societal recognition of individuals' dignity and restored social status,<sup>12</sup> as well as enact or represent specific memories of the past.<sup>13</sup> There is a growing consensus concerning their potential to promote peacebuilding and social restoration.

While recognizing this potential, the need to engage justice stakeholders in consultation processes around such practices, in view of promoting local ownership and active agency in these, is often stressed.<sup>14</sup> It is also suggested that such social dialogue must include a public and non-exclusive acknowledgment of suffering and accountability.<sup>15</sup> Such acknowledgment, in its power to account for and address communities' actual justice needs, is thought to constitute a

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<sup>10</sup> Brandon Hamber and Richard Wilson, "Symbolic Closure through Memory, Reparation and Revenge in Post-Conflict Societies," *Journal of Human Rights* 1.1 (2002): 35-53.

<sup>11</sup> Ibid.

<sup>12</sup> Brandon Hamber, "Repairing the Irreparable: Dealing with the Double-Binds of Making Reparations for Crimes of the Past," *Ethnicity and Health* 5.3/4 (2000): 215-26.

<sup>13</sup> Brown, "Commemoration as Symbolic Reparation."

<sup>14</sup> Patricia Lundy and Mark McGovern, "Whose Justice? Rethinking Transitional Justice from the Bottom-Up," *Journal of Law and Society* 35.2 (2008): 265-92.

<sup>15</sup> Joanna R. Quinn, *The Politics of Acknowledgment: Truth Commission in Uganda and Haiti* (Vancouver: University of British Columbia, 2010).

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means through which citizens affected by a conflict can feel they are agents of change.<sup>16</sup> While this body of research is generally critical of tool-kit and standardized justice solutions developed from above, which can be perceived locally as part of a post-conflict agenda imposed on them<sup>17</sup> and reflective of hegemonic scripts of the past, it also cautions against an uncritical praise of informal and community-based initiatives. They can also be the theatre of the reproduction of structural inequalities and of the exclusion of disenfranchised groups<sup>18</sup> or be the object of political or other self-interested instrumentalizations.<sup>19</sup> These claims are partly founded, as symbolic forms of justice can act as sites of contestation and power struggles.<sup>20</sup> As channels of expression of often-conflicting narratives of the past, symbolic forms of justice can mediate the dissemination of collective memories as well as personal ones.

Seen from this perspective, oral histories constitute a form of justice practice that symbolically connects the past to the present and accounts for the localized and diverse nature of needs and priorities

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<sup>16</sup> Trudy Govier, *Taking Wrongs Seriously: Acknowledgment, Reconciliation, and the Politics of Sustainable Peace* (New York: Humanity Books, 2006).

<sup>17</sup> Rosemary Nagy, "Transitional Justice as Global Project: Critical Reflections," *Third World Quarterly* 29.2 (2008): 275-89.

<sup>18</sup> Lars Waldorf, "Mass Justice for Mass Atrocity: Rethinking Local Justice as Transitional Justice," *Temple Law Review* 79.1 (2006): 1-87.

<sup>19</sup> Roger Mac Ginty, *Peacebuilding and Local Resistance: Hybrid Forms of Peace* (Basingstoke: Palgrave Macmillan, 2011).

<sup>20</sup> For example, Christian Braun, "The Srebrenica-Potocari Memorial: Promoting Injustice?" in Susanne Buckley-Zistel and Stephanie Schäfer, eds., *Memorials in Times of Transition* (Cambridge/Antwerp: Intersentia Publishing, 2014); Rajmohan Ramanathapillai, "The Politicizing of Trauma: A Case Study of Sri Lanka," *Peace and Conflict: Journal of Peace Psychology* 12.1 (2006): 1-18; Gina Ross, "The Trauma Vortex in Action Again in the Middle East (2001); available from <http://www.traumainstitute.org/docs/The%20Trauma%20Vortex%20in%20Action%20in%20the%20Middle%20East.pdf>; Elizabeth Strakosch, "Stories of Beginnings and Endings: Settler Colonial Memorials in Australia," in Susanne Buckley-Zistel and Stephanie Schäfer, eds., *Memorials in Times of Transition* (Cambridge/Antwerp: Intersentia Publishing, 2014).

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within post-conflict communities. A handful of community-initiated truth-telling transitional justice initiatives, often described by scholars as constituting forms of oral history, have been developed in Ireland,<sup>21</sup> Guatemala,<sup>22</sup> and South Africa.<sup>23</sup> As alternatives to top-down institutionalized truth-telling mechanisms, such as truth commissions, which tend to exclude certain voices and experiences, these initiatives demonstrate the significance of oral histories in their function for social dialogue promotion, as well as a means of empowerment and of acknowledgment *per se*.

In sum, a lot of research has been directed at the study of local *practices* of justice, focusing on their functions in restoring a community's social fabric after conflict and what they mean for the collectives in whom they have been developed. There also exists a large body of research addressing the various and often conflicting *needs* and interests to consider in specific post-war contexts. As we explain below, these needs assessment studies explore local understandings of justice using various methodologies, either with the aim of surveying people's needs or in order to assess how already implemented transitional justice mechanisms are experienced and whether they meet expectations on the ground.

### **Current Methodologies in Transitional Justice Research Focusing on Justice Needs Assessment**

There is widespread agreement within transitional justice scholarship about the necessity to devise methodologically sound and relevant forms of community consultation in order to develop contextually appropriate justice measures that fit local needs and priorities. Such needs assessments should also account for the diversity of experiences and claims of local justice stakeholders, especially those affected by the

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<sup>21</sup> The Ardoyne Commemoration Project, see Lundy and McGovern 2008.

<sup>22</sup> Arriaza and Roht-Arriaza, "Weaving a Braid of Histories."

<sup>23</sup> Sean Field, "Turning up the Volume: Dialogues about Memory Create Oral Histories," *South African Historical Journal* 60.2 (2008): 175-94.

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conflict representing traditionally marginalized or subaltern voices, when developing and implementing transitional justice processes.<sup>24</sup> Research aiming at the assessment of perceptions of transitional justice at the grassroots has focused on different dimensions of justice using various methodologies, whether quantitative or qualitative in nature. Yet the types of datasets most often exploited in transitional justice research have only addressed these issues in a limited manner, especially concerning symbolic justice needs, and mostly through case studies.

Quantitative, survey-based studies have concerned diverse settings such as South Africa,<sup>25</sup> Rwanda,<sup>26</sup> post-war Yugoslav

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<sup>24</sup> Wendy Lambourne, "Transitional Justice and Peacebuilding after Mass Violence," *The International Journal of Transitional Justice* 3.1 (2009): 28-48.

<sup>25</sup> James L. Gibson, *Overcoming Apartheid: Can Truth Reconcile a Divided Nation?* (New York: Russell Sage Foundation, 2004).

<sup>26</sup> Phuong N. Pham, Harvey M. Weinstein, and Timothy Longman, "Trauma and PTSD Symptoms in Rwanda: Implications for Attitudes toward Justice and Reconciliation," *Journal of the American Medical Association* 292.5 (2004): 602-12.

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countries,<sup>27</sup> Uganda,<sup>28</sup> Central African Republic,<sup>29</sup> Burundi,<sup>30</sup> Liberia,<sup>31</sup> and Cambodia.<sup>32</sup> Their use is often justified by several arguments, such as the wide scope offered in attitude measurement across geographic and socio-economic boundaries, the validity and generalizability of findings by the random selection of samples, the possibility to account for demographic differences, and the influence of various factors on attitudes. Such studies most often highlight that attitudes are influenced by various contextual factors as much related to socio-demographic dimensions (e.g. ethnic group identity, education,

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<sup>27</sup> Parmentier, Valiñas, and Weitekamp 2009; Parmentier, Valiñas, and Weitekamp 2010; Stephan Parmentier, Mina Rauschenbach, and Elmar Weitekamp, “Repairing the Harm of Victims after Violent Conflict: Empirical Findings from Serbia,” *International Review of Victimology* 20.1 (2014): 85-99.

<sup>28</sup> Phuong N. Pham and Patrick Vinck, “Transitioning to Peace: A Population-Based Survey on Attitudes about Social Reconstruction and Justice in Northern Uganda,” Berkeley, CA: Human Rights Centre, 2010, available from: [https://www.law.berkeley.edu/files/HRC/Publications\\_Transitioning-to-Peace\\_12-2010.pdf](https://www.law.berkeley.edu/files/HRC/Publications_Transitioning-to-Peace_12-2010.pdf).

<sup>29</sup> Patrick Vinck and Phuong N. Pham, “Building Peace, Seeking Justice: A Population-Based Survey on Attitudes about Accountability and Social Reconstruction in the Central African Republic,” Berkeley, CA: Human Rights Centre, 2010, available from [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1652997](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1652997).

<sup>30</sup> Cyrus Samii, *Who Wants to Forgive and Forget? Transitional Justice Preferences in Post-War Burundi* (2010), available from [http://www.nyaapor.org/pdfs/samii\\_forgive\\_forget101206.pdf](http://www.nyaapor.org/pdfs/samii_forgive_forget101206.pdf).

<sup>31</sup> Phuong N. Pham, Patrick Vinck, and Tino Kreutzer, “A Population-Based Survey on Attitudes about Security, Dispute Resolution, and Post-Conflict Reconstruction in Liberia,” Berkeley, CA: Human Rights Centre, 2010, available from [https://www.law.berkeley.edu/files/HRC/Publications\\_Talking-Peace\\_06-2011.pdf](https://www.law.berkeley.edu/files/HRC/Publications_Talking-Peace_06-2011.pdf).

<sup>32</sup> Phuong N. Pham, Patrick Vinck, Mychelle Balthazard, and Sokhom Hean, “After the First Trial: A Population-Based Survey on Knowledge and Perceptions of Justice and the Extraordinary Chambers in the Courts of Cambodia,” Berkeley, CA: Human Rights Centre, 2011, available from [https://www.law.berkeley.edu/files/HRC/Publications\\_After-the-First-Trial\\_06-2011.pdf](https://www.law.berkeley.edu/files/HRC/Publications_After-the-First-Trial_06-2011.pdf).

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geography, and historical context) as related to experiential dimensions (e.g. war exposure, trauma, socio-economic needs, and security concerns). Quantitative datasets have many advantages. First and foremost, they involve large sample sizes and a numeric structure to the coding of responses that can be analyzed using statistical techniques, allowing for the replicability and generalizability of findings. Furthermore, they allow for the measuring of concepts and attitudes and the identification of predictive factors influencing these.

Yet they also have several limitations in terms of their explanatory value and their quantitative format. First, they constitute a snapshot that simplifies a social reality and can only provide a limited understanding of its dynamic underpinnings. They cannot account for the fluidity in meanings conferred to a given concept or attitude, which is highly contingent on contextual and temporal factors and interactions with other feelings or beliefs. Second, such research also tends to account for the influence of the most obvious social categorizations,<sup>33</sup> neglecting other meaningful identities that ground local divides or competing justice concerns. Third, they are not always generalizable to whole populations or comparable between social realities when they are carried out within specific sub-groups of the population or within specific locations. Finally, the findings that stem from the analysis of such datasets are often limited in their conclusions about processes and their underlying factors. Such datasets are built around measures that are supposed to operationalize very clearly defined concepts. Thus, their analysis can hardly inform us about ambiguous or nuanced meanings and how these are significantly contingent on particular life experiences or trajectories and meaningful identities attached to these.

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<sup>33</sup> For example, religious or ethno-national divides that were used to justify or promote conflict in the first place. See for example, H.M. Weinstein, L.E. Fletcher, P. Vinck, and P.N. Pham, “Stay the hand of justice: whose priorities take priority?” in *Localizing transitional justice. Interventions and priorities after mass violence*, R. Shaw & L. Waldorf, eds. (Stanford, California: Stanford University Press, 2010), 27-48.

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Qualitative methodologies constituted until recently the dominant strategy for empirical research in transitional justice and various forms of data have been employed to understand populations' needs in post-conflict settings. Many of the studies, which focus on how people conceive of and make sense of concepts such as justice, reparation, or reconciliation, or on how they experienced a justice mechanism, draw on interview and/or focus group data. Examples of such studies concern the South African Truth and Reconciliation Commission,<sup>34</sup> perceptions of reconciliation in Northern Ireland,<sup>35</sup> perceptions of justice and reconciliation in Burundi,<sup>36</sup> and perceptions of justice, truth, and reconciliation in Bosnia, Kosovo, and Croatia.<sup>37</sup> A second and broad strand of studies uses ethnographic methods. They generally take the form of case studies with a focus on particular

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<sup>34</sup> Gibson, *Overcoming Apartheid*.

<sup>35</sup> Brandon Hamber and Gráinne Kelly, "Beyond Coexistence: Towards a Working Definition of Reconciliation," in Joanna R. Quinn, ed., *Reconciliation(s): Transitional Justice in Post Conflict Societies* (Montreal: McGill-Queen's University Press, 2009).

<sup>36</sup> Ann Nee and Peter Uvin, "Silence and Dialogue: Burundians' Alternatives to Transitional Justice," in Rosalind Shaw and Lars Waldorf, eds., *Localizing Transitional Justice: Interventions and Priorities after Mass Violence* (Stanford, CA: Stanford University Press, 2010).

<sup>37</sup> Janine Natalya Clark, *International Trials and Reconciliation: Assessing the Impact of the International Criminal Tribunal for the Former Yugoslavia* (New York: Routledge, 2014); Corkalo et al., "Neighbors Again?"

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communities,<sup>38</sup> justice initiatives,<sup>39</sup> or events.<sup>40</sup> Ethnographic methods are generally used in such scholarship to explore the cultural and symbolic significance of specific practices or behaviors. Their advantage resides mainly in the capacity to yield rich testimonies and knowledge about everyday experiences in individuals' natural environment, allowing for an in-depth exploration of context-specific process. Yet in contrast to focus-group methods, which constitute a relatively easy way to probe a group of individuals about specific themes, ethnography is likely to be more time- and resource-consuming.

There is no doubt that the above-mentioned qualitative studies, whether based on interviews or case studies, have significantly contributed to honing a deeper and richer understanding of justice concepts, needs, or mechanisms, and their localized and identity-related specificities. They are generally grounded in phenomenological, participant observation, or ethnographic approaches that are undoubtedly relevant depending on the specific research aims guiding these studies. Yet their findings are most often limited in their potential to account for the interactions between contextual, dynamic, and

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<sup>38</sup> Sverker Finnström, "Reconciliation Grown Bitter? War, Retribution and Ritual Action in Northern Uganda," in Rosalind Shaw and Lars Waldorf, eds., *Localizing Transitional Justice: Interventions and Priorities after Mass Violence* (Stanford, CA: Stanford University Press, 2010); Kimberly Theidon, "Justice in Transition: The Micropolitics of Reconciliation in Postwar Peru," *Journal of Conflict Resolution* 50:3 (2006): 1-25.

<sup>39</sup> Tim Kelsall, "Truth, Lies, Ritual: Preliminary Reflections on the Truth and Reconciliation Commission in Sierra Leone," *Human Rights Quarterly* 27.2 (2005): 361-91; Tim Kelsall, "Politics, Anti-Politics, International Justice: Language and Power in the Special Court for Sierra Leone," *Review of International Studies* 32.4 (2006): 587-602; Lisa J. Laplante and Kimberly Theidon, "Truth with Consequences: Justice and Reparations in Post-Truth Commission Peru," *Human Rights Quarterly* 29.1 (2007): 228-50; and Hugo van der Merwe, "What Survivors Say about Justice: An Analysis of the TRC Victim Hearings," in Audrey Chapman and Hugo van der Merwe, eds., *Truth and Reconciliation in South Africa: Did the TRC Deliver?* (Philadelphia, PA: University of Pennsylvania Press, 2008).

<sup>40</sup> Braun, "The Srebrenica-Potocari Memorial."



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temporal factors. First, they are less appropriate to link understandings of past and present, as well as to analyze the interactions between specific experiences and identities and how these can impact justice needs and claims. Second, these types of qualitative data are often limited in the range of issues they explore and constrained in terms of the representativeness of experiences they entail due to their development through purposive sampling processes. Finally, while some of these studies carry out in-depth explorations of symbolic justice needs accounting for marginalized views, they generally take on the form of case studies, which limits the range of conclusions that can be yielded and their generalizability.

Oral history datasets can be considered as another form of qualitative data. One of their strengths lies in their significant potential to shed light on the localized and often intangible justice needs of those affected by a conflict and the dynamic processes shaping them. Furthermore, they constitute valuable sources of information about localized and community-based justice practices, especially in terms of their personal and experiential meaning for their initiators. Finally, they also constitute a formidable source of information when used as a stepping-stone within a mixed methods design, namely research combining qualitative and quantitative methodologies, which would include the development of a population-based survey in a second stage. This is especially useful when carrying out under-researched phenomena.<sup>41</sup> Such research design can allow for triangulation, i.e. testing the validity of the interpretations yielded through the analysis of oral history data with a more representative sample in a quantitative survey. Furthermore, findings from the analysis of oral history data and the specific hypothesis that can be generated from this first stage of research can be tested within a subsequent survey-based study.

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<sup>41</sup> John W. Creswell and Vicki L. Plano Clark, *Designing and Conducting Mixed Methods Research* (Thousand Oaks, CA: Sage Publications, 2007).

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### **Oral History: Aim, Character, Distinct Practices, and Relation to Transitional Justice**

As shown previously, the most prominent understanding of oral history as a form of transitional justice is the practice of empowering victims of war by providing them with the opportunity to voice their experiences in the form of a spoken dialogue that is documented in a durable form.<sup>42</sup> What we propagate is a broader understanding of oral history's value for transitional justice, which takes into account its potential to shed a unique qualitative light on experiences of war and their past and present meanings, as well as its value as a complementary source of information to quantitative data. The main goal of oral history is to elicit people's personal memory as a basis for historical inquiry on subjects that are absent or underrepresented in written records.<sup>43</sup> The result of this interactive process between interviewer and narrator is a spoken account in which the past is recounted from the perspective of the present. As the interviewer asks questions, depending on his or her rapport with the narrator and the social context of their encounter, particular memories will be triggered and molded into a meaningful coherent narrative. This is obviously not a factual recollection of the past, but a mixture of past and present,

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<sup>42</sup> Ramazan Aras, Douglas Boyd, Mary Marshall Clark, Mehmet Kurt, S. Mohammad Mohaqqueq, Claudia P. González Perez, and Lucine Taminian, *Documenting and Interpreting Conflict through Oral History: A Working Guide* (New York: Center for Oral History, Columbia University, 2013), available from: [http://static1.1.sqspcdn.com/static/f/1448391/25473930/1411501433703/Documenting\\_and\\_Interpreting\\_Conflict\\_Through\\_Oral\\_History.pdf?token=Paeuzk0AgY6O9UW%2FXuoNDGlt94%3D](http://static1.1.sqspcdn.com/static/f/1448391/25473930/1411501433703/Documenting_and_Interpreting_Conflict_Through_Oral_History.pdf?token=Paeuzk0AgY6O9UW%2FXuoNDGlt94%3D); see also: Adrian Grant, "Memorialisation and Justice in Divided Societies," Just News, Human Rights in Northern Ireland, Committee on the Administration of Justice (2015); available from [http://www.caj.org.uk/files/2015/05/08/AprilJN\\_Layout\\_1.pdf](http://www.caj.org.uk/files/2015/05/08/AprilJN_Layout_1.pdf).

<sup>43</sup> Paul Thompson, *The Voice of the Past: Oral History* (Oxford: Oxford University Press, 2009).

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factual truth and wishful thinking, and specific personal memories and more general opinions.<sup>44</sup>

The term “oral history” covers many distinct but related practices. The first is the act of generating data, which can be done either with the goal of creating an archive for the sake of preserving memories, or to collect data that can provide answers to specific research questions. The archival approach is often initiated by archives and research institutes to complement voids in institutional sources, or by non-governmental organizations (NGOs) to give voice to an underrepresented or vulnerable social group. In both contexts, the aim is to enable future listeners to consult these sources. Consequently, the identity of the narrators and details about place and time are made public, sometimes only after a period of closure. A more recent strand of oral history that evolved after the introduction of the internet is “self-generated” oral history. This approach limits the role of the scholar to providing easy-to-use technology such as apps or a website, that enable narrators to have more control of the creation of their own narrative.<sup>45</sup> In contrast, data collected to answer a research question is in most cases confidential and not documented with standards that anticipate possible future re-use by someone else. Just as with qualitative methods in the social sciences, the scholar who creates the source is bound to hide the identity of the interviewees and the

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<sup>44</sup> Alessandro Portelli, “What Makes Oral History Different,” in Robert Perks and Alistair Thomson, eds., *The Oral History Reader* (New York: Routledge, 2006).

<sup>45</sup> Within academia, there is skepticism about considering self-generated testimonies as a genre within oral history. See Nancy Abelmann, Susan Davis, Cara Finnegan, and Peggy Miller, “What is StoryCorps, Anyway?” *Oral History Review* 36.2 (2009): 255-60. See Eric Wiebelhaus-Brahm’s account on how information technology has facilitated the involvement of the Liberian diaspora for the Liberian Truth and Reconciliation Commission through self-generated oral history: Eric Wiebelhaus-Brahm, “Truth Seeking at a Distance: Engaging Diaspora Populations in Transitional Justice,” in John Lennon and Edward Halpin, eds., *Human Rights and Information Communication Technology: Trends and Consequences of Use* (Hershey, PA: Information Science Reference, 2013).

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envisaged outcome of the whole endeavor is an academic publication. This empirical approach is the general practice of some scholars.<sup>46</sup>

The second aspect in which research practices can be diverging concerns the different epistemological values that are attributed to interviews. Social historians, the actual pioneers who introduced the discipline in the 1960s, tend to regard oral sources primarily as necessary to fill the voids in national, regional, and local written archives. Under the influence of the linguistic turn in the 1980s, scholars from literary and cultural studies also developed an interest in spoken memories. Their interest, however, lies not so much in the factual information that is conveyed and cannot be found in the archive, but precisely in those elements that traditional historians regard as problematic: the subjective dimension of the narrative. The challenge for this type of scholar lies in scrutinizing how oral narratives are constructed. Reflexivity and interpreting the multiple layers of meaning that are woven as threads in the narrative lie at the heart of this type of cultural analysis.<sup>47</sup> One of the scholars who laid the theoretical basis for this strand of oral history, Alessandro Portelli, characterizes the added value of subjective accounts by stating that “what is factually wrong, can be psychologically true.”<sup>48</sup> In other words, distortions or omissions may carry valuable information about the meaning of the experience to the narrator.

In sum, one could say that oral history can be practiced and valued in many ways, but is always a process of creating meaning on a continuum of dynamic memory, with the recollection of “facts” on the

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<sup>46</sup> Scagliola and De Jong (2014); Freund (2009). Stef Scagliola and Francisca de Jong, F., “Clio’s Talkative Daughter Goes Digital,” in Rens Bod, Jaap Maat, and Thijs Weststeijn, eds., *The Making of the Humanities: Volume III: The Modern Humanities* (Amsterdam: Amsterdam University Press, 2015), 511-526; Alexander Freund, “Oral History as Process-Generated Data,” *Historical Social Research* 34.1 (2009): 22-48.

<sup>47</sup> Scagliola and de Jong 2014; Lynn Abrams, *Oral History Theory* (London: Routledge, 2010).

<sup>48</sup> Portelli, “What Makes Oral History Different?”

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one end and the functional use of “imagination” and “myth” on the other.

It can be argued that the distinct practices described above all have a potential value for transitional justice in several ways. The three fundamental human agents for creating oral history narratives—memory, language, and speech<sup>49</sup>—and the recurrent topics in oral history research—migration, social protest, violent conflict, and cultural heritage—indicate the potentially strong links between oral history and other disciplinary domains.<sup>50</sup> First of all, collections that are open to the public can inspire the designers of transitional justice mechanisms. Even if they deal with a conflict in a different area or period, they have the potential to stir imagination and creativity, as scholars can discern both contrasts and parallels with their own research topic.<sup>51</sup> Data from individual scholars can be deposited in an archive after the termination of a research project in order to be available for re-use. If the research project has been guided right from the start by prevailing ethical principles and legal provisions, it is possible to reconcile the requirements for re-use with the guidelines for the careful handling of data and protection of narrators. The latter includes offering narrators the choice for either full anonymity or for differentiation in access restrictions with the possibility of classification for a period of time.<sup>52</sup> Second, with regard to the appraisal of the informative value of this data, both the “factual” and the “subjective” dimension can be relevant for transitional justice research. Narratives

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<sup>49</sup> For an example of the potential for multidisciplinary analysis, see Franciska De Jong, Arjan van Hessen, Tanja Petrovic, and Stef Scagliola, “Croatian Memories: Speech, Meaning and Emotions in a Collection of Interviews on Experiences of War and Trauma,” in Proceedings of the Ninth International Conference on Language Resources and Evaluation (LREC 2014), 26-31 May 2014, Reykjavik, Iceland, available from <http://doc.utwente.nl/91063/>.

<sup>50</sup> David K. Dunaway and Willa K. Baum, *Oral History: An Interdisciplinary Anthology* (Lanham, MD: AltaMira Press, 1996).

<sup>51</sup> Aras et al., *Documenting and Interpreting Conflict through Oral History*.

<sup>52</sup> Ibid.

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about war can provide details on small-scale incidents of violence or unexpected collaboration across opposing sides that have escaped public attention. However, they can also offer valuable insights on the diversity of styles in coping with adversity and trauma.<sup>53</sup>

Two elements are remarkable when considering the evolution of oral history since its beginning in the late 1960s. The first is the recurrent and increasing interest in experiences of war, and the second is the strong impact of technological progress on its practice and character. What can account for the first, both in the scholarly community and among the public at large, is the intrinsic compelling power of narratives that deal with existential crises in which the normal order of everyday life is disrupted.<sup>54</sup> Contrary to what is generally assumed, only a minority of people who have lived through a violent conflict are affected by trauma in ways that hamper their ability to speak about their extreme experiences. In fact, among interviewees one can observe an “urge to tell,” where telling may be a source of acknowledgment in that sharing their personal experiences proves to themselves and others that it was indeed a genuine experience.<sup>55</sup> This coincides with an “urge to know” on the side of the audience, as if listening to a very personal account about suffering and endurance conveys an experience with a deeper meaning that can lead to some

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<sup>53</sup> These are insights gained from a multidisciplinary workshop based on a sibling collection of Bosnian Memories, Croatian Memories ([www.croatianmemories.org](http://www.croatianmemories.org)) that was held in December 2012 at the Erasmus Studio (Erasmus University Rotterdam). Human rights specialist Kjell Anderson stated that oral history accounts could be used to contextualise or confirm specific information that is collected in a judicial context.

<sup>54</sup> Aristotle introduced the term “catharsis” to refer to the purification of emotions such as pity and fear through art; see David Mamet, *Three Uses of the Knife: On the Nature and Purpose of Drama* (New York: Columbia University Press, 1998).

<sup>55</sup> See Isaacs 2009. The Mexican author Carlos Fuentes claims the urge to tell stories is an attempt to escape mortality, while the Nigerian author Helon Habila claims it as a way to make sense of the world, see <http://www.mydigitalfc.com/2015/urge-tell-stories>.

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kind of catharsis.<sup>56</sup> The agency of oral history is inextricably linked to technological progress with a decisive role for digital technology and the internet for opening up valuable knowledge to many audiences.<sup>57</sup>

The very first generation of oral histories about experiences of war dealt primarily with the First and Second World Wars from a national perspective. Initiatives to cover these experiences were and are strongly bound to national cultures of remembrance with those who risked their lives for the freedom of the nation—war veterans or resistance fighters—as central actors. There are, however, two important archives that deal with victims of war and transgress national borders as they mirror the Nazi-policy of genocide on European Jews and of enslaved labor of men in occupied European territory. The first is the Shoah Visual Archive, the pioneer in the shift from audio to video, consisting of 52,000 life stories of Holocaust survivors in 32 languages, of which only a small part is freely available online.<sup>58</sup> The Forced Labour archive, its successor, was digitally born and consists of 450 video-recorded life-stories with enslaved laborers, which are entirely accessible online after identification and are searchable at the fragment level in multiple languages.<sup>59</sup>

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<sup>56</sup> Susan Sontag, *Regarding the Pain of Others* (New York: Farrar, Straus and Giroux, 2003).

<sup>57</sup> See Aras, *Documenting and Interpreting Conflict Through Oral History*. See also Doug Boyd, ed., “Oral History in the Digital Age,” Special Issue of *The Oral History Review* 40.1 (2013). A good example of how digital technology can facilitate the re-use of qualitative data/oral history is the website [http://voices.iit.edu/david\\_boder](http://voices.iit.edu/david_boder), which offers access to interviews conducted by the American psychologist of Latvian Jewish origin, David P. Boder. Already in 1946, this pioneer in interviewing victims of war travelled to displacement camps all over Europe to collect interviews of 130 internees in nine different languages. In 1948, Boder could share his insights on the impact of extreme suffering on personality through a book. As of 2009, a website offers full online access to all audio-recordings and translated transcripts.

<sup>58</sup> See for a description of the genesis of the Shoah Visual Archive: <http://vhaonline.usc.edu>.

<sup>59</sup> Nicolas Apostolopoulos and Cord Pagenstecher, eds., *Erinnern an Zwangsarbeit. Zeitzeugen-Interviews in der digitalen Welt* (Berlin: Metropol, 2013).

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What these first generation oral histories about war have in common is the long distance in time between experiencing the event and looking back on it. This has an important temporal dimension that influences the character of the sources. In fact, the first generations who were asked to dwell on their experiences had witnessed World War II as adults and started to retire at the beginning of the 1970s. They looked back on an entire life, which in general yields interviews with a specific reflective character, enriched with candid accounts of very personal experiences that probably would not have been shared while still active in professional life or parent of youngsters.<sup>60</sup> Moreover, these memories have had the time to be affected by what has been written and broadcasted about the war during their life course. At present, in 2015, we can observe how the very last generation of these live witnesses is gradually fading away. A parallel development from the 1970s onwards was the emancipation of groups with lower social status, resulting in the interest for the history of “ordinary people.” For the very first time in history, their spoken accounts could be documented and included in an archive with affordable and easy-to-use recording devices.

In observing the second generation of war related oral histories, there is less distance in time between the experience of war and the narration about it. The narrators still have a whole life in front of them. These types of accounts tend to be more event-focused than biographical, and represent experiences as if they are “frozen” in time. In fact, the very same person may provide a quite different account if the interview is conducted a second time after ten or twenty years. Fresher accounts contain less reflexive elements, but have the advantage of a lower risk of failing memory.

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<sup>60</sup> Draaisma claims seniors are affected by spontaneous reminiscences of experiences from their formative period, between fifteen and twenty-five years old, see Douwe Draaisma, *The Nostalgia Factory: Memory, Time and Aging* (New Haven, CT: Yale University Press, 2013).



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This second wave of oral histories evolved around a contingency of factors that not only changed the character of their content but also the form in which they are presented. The collapse of communist regimes in Eastern Europe<sup>61</sup> and authoritarian military juntas in South America<sup>62</sup> in the 1990s unleashed an immense reservoir of silenced experiences of suffering and persecution. The same accounts for the breakdown of the Apartheid system in South Africa,<sup>63</sup> the end of “The Troubles” in Northern Ireland,<sup>64</sup> and the re-occurrence of genocide in Rwanda<sup>65</sup> and the former Yugoslavia.<sup>66</sup>

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<sup>61</sup> While many scholars have studied violent conflicts through oral history, the focus in this section is on oral history initiatives that are (semi-)public and set up as archives. For Eastern Europe: Czech Republic, Memory of Nations, The Institute for the Study of Totalitarian Regimes, <http://www.postbellum.cz/en/memory-of-nations/what-is-memory-of-nations.aspx>; for Russia: Gulag camps memories': <http://www.1917-1991.org>,

<http://www.memorial-nic.org/component/k2/item/401-project-.html#10&Itemid=648>;

European memory of the gulags:

<http://museum.gulagmemories.eu/en/thematique>.

<sup>62</sup> Accessible online: for El Salvador: Museo de la Palabra et la Imagen: <http://museo.com.sv>; for Argentina: [www.memoriaapierta.org.ar](http://www.memoriaapierta.org.ar); for Chile: Museo de la Memoria y los Derechos Humanos: [www.bibliotecamuseodelamemoria.cl](http://www.bibliotecamuseodelamemoria.cl); for Guatemala: Every Memory Matters; <http://granitomen.com>;

for Brazil: <http://cpdoc.fgv.br/acervo/historiaoral/entrevistas>.

<sup>63</sup> For South Africa: TRC website with access to transcripts of hearings: <http://www.justice.gov.za/trc/special/index.htm>; South African History archive; [http://www.saha.org.za/collections/oral\\_history.htm](http://www.saha.org.za/collections/oral_history.htm).

<sup>64</sup> For Northern Ireland: Ulster University: An Crann/The tree: <http://accounts.ulster.ac.uk>.

<sup>65</sup> For Rwanda: Voices of Rwanda; <http://voicesofrwanda.org/tag/oral-history>; Genocide Archive or Rwanda collection:

<http://www.lib.utexas.edu/taro/hrdi/00004/hrdi-00004.html>.

<sup>66</sup> For the former Yugoslavia: Bibliography of oral history sources in the region of former Yugoslavia:

[http://postyugoslavvoices.org/wp-content/uploads/Bibliography-1\\_voorlopige-versie-2.pdf](http://postyugoslavvoices.org/wp-content/uploads/Bibliography-1_voorlopige-versie-2.pdf).

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Western attempts to bring down dictators in Iraq<sup>67</sup> and Libya, and intervene in failed states such as Afghanistan<sup>68</sup> and Somalia,<sup>69</sup> also stirred the interest of scholars in the lived experiences of the people directly affected by the violence.<sup>70</sup> This interest was paralleled by an increasing international sensibility to human rights abuses and attempts to intervene in war zones through UN and North Atlantic Treaty Organization-led international military operations. At the same time, the already mentioned progress in information technology introduced the reproducible digital format, the interactive web, and various forms of social media. The ease and speed with which narratives of war can be created, disseminated, and processed has considerably “blurred” the distinction between professional journalism, activism, and scholarly practices. This has led to closer collaboration between these realms, but also to a much broader use of the term “oral history.” While it initially referred to two interlocutors who create a narrative about a far past through a dialogue, it is now used freely to refer to truth commissions,<sup>71</sup> online clips with testimonies regarding ongoing conflicts,<sup>72</sup> storytelling as a

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<sup>67</sup> For Iraq oral history:

<http://via.library.depaul.edu/cgi/viewcontent.cgi?article=1092&context=jhcl>.

<sup>68</sup> For Afghanistan from a military perspective: United States veterans <http://www.usip.org/publications/oral-histories-provincial-reconstruction-teams-in-iraq-and-afghanistan>. In 2011 a project was set up to record testimonies of ordinary citizens of Kabul: <http://www.seedsofpeace.org/?p=2603>.

<sup>69</sup> The United Nations Development Programme (UNDP) created Somali Voices: <http://www.undp.org>.

<sup>70</sup> See for example Mark Kukis, *Voices from Iraq: A People's History, 2003-2009* (New York: Columbia University Press, 2011).

<sup>71</sup> Monica Eileen Patterson, “The Ethical Murk of Using Testimonies in Oral Historical Research in South Africa,” in Anna Sheftel and Stacey Zembrzycki, eds., *Oral History Off the Record: Toward an Ethnography or Practice* (New York: Palgrave, 2013).

<sup>72</sup> The Syria Oral History Project has created a database and provides clips on Youtube with translated passages from interviews with Syrian refugees illustrated by an artist: <https://www.youtube.com/watch?v=ODpWfY0q6wg>.

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reconciliation activity,<sup>73</sup> and uploading testimonies on human rights abuses in secrecy to an online database.<sup>74</sup> A noteworthy distinction within the second generation of oral histories about war is between initiatives taken up in the post-conflict society itself, where lingering tensions and potential scores to settle remain, and those initiated in countries in which diasporic communities of refugees can safely voice their experiences.<sup>75</sup> Interviewees who speak about more recent events not only run the risk of reliving their trauma, but also of revealing incriminating evidence that could lead to retaliation. In post-conflict zones, this calls for extreme care in the process of selecting, informing, and keeping contact with narrators and in the subsequent handling of the data.<sup>76</sup>

The database Bosnian Memories is a clear example of second-generation oral history. It was created eighteen years after the end of hostilities, but in a post-conflict society that is still deeply divided. This created a number of ethical challenges that in our view can partly be solved by well-designed protocols and secure information and

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<sup>73</sup> A reconciliation project between Armenian and Turkish youth has yielded an archive and a book with interviews turned into essays: Layla Neyzi and Hranoush Kharatyan Araquely, *Speak to One Another; Personal Memory of the Past in Turkey and Armenia* (DVV International, 2010), available from: [http://www.raoulwallenberg.net/wp-content/files\\_mf/1296744849ebookspeakingtoneanother.pdf](http://www.raoulwallenberg.net/wp-content/files_mf/1296744849ebookspeakingtoneanother.pdf).

<sup>74</sup> The Chechnya Memory Project offers ordinary citizens of Chechnya the opportunity to safely document their everyday experiences and remain anonymous; <http://today.uconn.edu/2013/07/war-crimes-in-chechnya-are-subject-of-human-rights-memory-project>.

<sup>75</sup> An extensive oral history project on experiences of refugees is Montreal Life Stories in Canada (<http://www.lifestoriesmontreal.ca/en/about-the-project>). In the United Kingdom the Museum of London has an extensive collection of interviews with migrants; <http://www.museumoflondon.org.uk/collections-research/about-collections/life-stories-oral-history>. In the Netherlands a collection of 200 interviews with refugees has been set up: <http://www.ongekendbijzonder.nl/english>.

<sup>76</sup> Aras et al., *Documenting and Interpreting Conflict through Oral History*.

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communication technology functionalities. The most important concern is the safety of the people involved. If narrators convey information that might put them at risk, but is crucial for the documentation of a phenomenon, the database should be administered in a way that allows for the classification of (parts) of the interview. The curators of *Bosnian Memories* had to take down an interview from the collection that was published online because one of the narrators who had incriminated a person in his interview received threats. While voicing his war memories had been a rewarding experience, he could only safely do so assuming that the accused was held in custody in The Hague by the International Tribunal for the Former Yugoslavia (ICTY). This situation changed drastically when the accused was unexpectedly acquitted for lack of evidence, returned to Bosnia, and started to threaten the interviewee.<sup>77</sup>

Another indication of the perceived need for safety measures was the decision of the director of the Centre for Investigative Reporting to omit the names on the webpage of the project of the two interviewers who conducted all of the 100 interviews. Their involvement in a project that includes perspectives on the war from both the Muslim and Bosnian-Serb sides was considered to put them at risk.<sup>78</sup> From an academic point of view, this choice caused a methodological problem as rich social context—knowledge about the background of the interviewer, on his or her relation to the interviewees, and on how these were recruited—is a primary condition

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<sup>77</sup> The management decided to classify this interview, but in the online catalogue of the central research data archive DANS (Dutch Archive for the preservation of Digital Research Data), an anonymous description of the interview can be found: <https://easy.dans.knaw.nl/ui/datasets/id/easy-dataset:42082>.

<sup>78</sup> To secure a balanced sample of interviews, the two interviewers, one with a Muslim and the other with a Bosnian-Serb background, each reached out to their own communities. The proportion of each ethnic group in the database was determined by a census held in 1991. As fears had been expressed at the Centre for Investigative Reporting (<https://www.cin.ba/en>) that mentioning the names of the interviewers might provoke aggression among extremist circles, their names are not mentioned on the website.

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for the re-use of qualitative data.<sup>79</sup> This can partly be alleviated by providing researchers with the opportunity to identify themselves to the curators of the project and to agree to certain conditions, in order to get access to more contextual information in a password-protected environment. This option is, however, dependent on the degree of trust existing between the NGO that is conducting the project and the scholars who are expected to comply with the conditions for access.

Bosnian Memories<sup>80</sup> explored this possibility by granting one of the authors of this paper, transitional justice scholar Mina Rauschenbach, access to more background variables of the narrators and to a report of an in-depth interview carried out with one of the interviewers about their strategy and approach. In our view, this approach is feasible and safe, provided that access protocols are sound and the option of differentiated access has been clearly conveyed to the narrators. One could envision that, if further elaborated, such an approach to interview data might motivate individual scholars to deposit their data after the end of a research project on the basis of strict conditions for sharing and re-use. In the future, when privacy may no longer be an obstacle for public access once all the people involved are deceased, the tremendous historical value of the rich qualitative data collected over the last seventy-five years may be realized.<sup>81</sup> There is, however, a caveat to this protection of data, as the

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<sup>79</sup> See Sarah Erwin, "Qualitative Secondary Data Analysis: Ethics, Epistemology and Context," *Progress in Development Studies* 13:4 (2013): 295-306. For an extensive resource on good practices in reuse of qualitative data, see the website of one of the leading institutions in this field, Qualidata in the UK: <https://www.ukdataservice.ac.uk/use-data/guides/methods-software/qualitative-reuse>.

<sup>80</sup> This dataset comprises interviews that have been fully transcribed, translated to English, and subtitled, which offers the opportunity for non-local scholars to get access to primary sources on a recent conflict without the mediation of an interpreter.

<sup>81</sup> For a critical discussion of new opportunities for access to oral history on the internet and the durability of arrangements for consent see Sherna Berger Gluck,

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Brendon Hughes-case with an Irish Republican Army oral history project has shown, when it concerns information that could be relevant to solve a case of murder. The promise of classification of an interview with a former member of a para-military until after his death was overruled by a judge who considered the interest of a daughter who wanted to know whether the interview contained clues on the liquidation of her mother of greater weight.<sup>82</sup>

A legal issue that is quite different in oral history, compared to a social science approach, is the principle of “shared authority.” This term was coined by the American scholar Michael Frisch in 1990.<sup>83</sup> In general, social scientists regard interviews they have conducted as the result of their personal scholarly effort. Given the principle of confidentiality, there is no logic in considering granting the respondent a form of copyright or co-authorship. In the oral history realm, however, and specifically in the case of the creation of archival oral history collections, the principle of giving voice to a person or group often implies attributing them a form of authorship by explicitly mentioning their names. The interviewees of *Bosnian Memories* have nearly all agreed to make their interviews publicly available online. This implies that they should be given credit for their share in the creation of the source. Consequently, their identity, as shown in the interview examples included in this paper, is part of the information that goes with the interview.

In sum, when looking at the landscape of oral history in digital form about war and conflict, it appears that the timespan between the event and the narrative about the event is becoming increasingly shorter. At the same time, the impact of information technology has led to reducing the disciplinary boundaries between the humanities and

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“Reflecting on the Quantum Leap: The Promises and Perils of Oral History on the Web,” *The Oral History Review* 41:2 (2014): 244-56.

<sup>82</sup> John A. Neuenschwander, *A Guide to Oral History and the Law* (Oxford: Oxford University Press, 2009).

<sup>83</sup> Michael H. Frisch, *A Shared Authority: Essays on the Craft and Meaning of Oral and Public History* (Albany, NY: SUNY Press, 1990).

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social sciences and enriching the ways in which scholars can annotate and analyze their data and publish their research outcome.<sup>84</sup> The digital turn has also led to a stronger involvement of the narrators in the creation of sources. How this development is to the benefit of transitional justice is illustrated with concrete examples in the next section.

### **Added Value of Oral History Datasets for Transitional Justice: Concrete Illustration with Bosnian-Herzegovina Survey and Oral History Datasets**

We have argued that oral history datasets can contribute significantly to the development of the field of transitional justice at two levels of data exploration. A first level reflects the recognition that such datasets constitute remarkable sources of information about informal and localized justice *practices*, whether community-based or individually-motivated, and what they mean in relation to the past and the present for the individuals involved. As second level to consider is that their study can significantly contribute to gaining a more in-depth understanding of localized justice *needs* and their grounding in specific war experiences and roles. Taking Bosnia-Herzegovina (BiH) as a case study to illustrate these claims, we describe how the exploration of oral history data collected in this same post-conflict setting can refine our understanding of such justice practices and needs, especially in terms of their localized meanings and underpinnings. The examples from the oral histories will be analyzed against the backdrop of findings based on an in-depth analysis of population-based survey data collected in BiH in 2006 and focusing on support for symbolic justice measures. The analysis of the Bosnian survey dataset provided significant evidence at the grassroots level of the perceived value of non-judicial forms of justice related to accountability, reparation and truth, and

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<sup>84</sup> Scagliola and de Jong 2014.

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their perceived linkages to the potential for reconciliation.<sup>85</sup> More specifically, these findings show strong interrelationships between support for establishing moral accountability and acknowledgment of suffering through memorials and individualized validation. In addition, support for these two forms of non-judicial justice is significantly related to support for the potential in promoting reconciliation of different societal agents, such as the media, politicians, NGOs, and schools. Yet further exploration of these data hint at the complexity of justice needs in BiH and their grounding in specific linkages between conflict-related beliefs, war experiences, and identity concerns. While they definitely highlight findings that are noteworthy, they are also limited in their interpretation, as we will demonstrate below, in that they only constitute a general indication of the influence of social-psychological processes and their grounding in personal experiences of conflict.

We focus on one line of findings that is particularly relevant in this respect. It concerns the support for symbolic forms of transitional justice related to truth and reparation in general, and aiming to acknowledge in particular the suffering of victims and their association to specific conflict experiences and forms of victimization. More specifically, we explore these associations<sup>86</sup> in relation to support (or lack thereof) for measures aiming to acknowledge victims in a collective way, such as building a memorial in honor of those who

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<sup>85</sup> Mina Rauschenbach, Stephan Parmentier, and Elmar Weitekamp, "The Value of Acknowledgment for Social Restoration through Non-Judicial Measures of Transitional Justice: Empirical Findings from Bosnia-Herzegovina," unpublished paper, on file with authors.

<sup>86</sup> These findings stem from Crosstabs and Chi-Square analyses carried out with the SPSS software package. Prior to these analyses we transformed the data in such a way as to compare response patterns between the following groups of respondents: 1) those who support both forms of acknowledgment, 2) those who support individual acknowledgment but not collective acknowledgment, and 3) those who support collective acknowledgment but not individual acknowledgment. These three groups of respondents were compared on various characteristics listed in footnote 87, below.



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suffered, or in a more individualized manner, such as acknowledging an individual's suffering.<sup>87</sup> The underlying hypothesis was that support for these forms of acknowledgment, since they take on a different nature in their target (collective or individual), may be attached to different profiles of experiences of the past and identities.

Our findings provide indications supporting the assumption that respondents who support forms of symbolic justice acknowledging victims' suffering through memorials or acknowledging individual suffering may share some common conflict experiences and beliefs. However, differential support for one of these two dimensions of acknowledgment could also be contingent upon particular elements of the conflict trajectory. Even though many respondents support both these forms of symbolic justice (N=299, 35%), a sizeable percentage only supports memorials (N=157, 18.4%), individual acknowledgment (N=98, 11.5%), or neither form of acknowledgment (N=301, 35.2%). When exploring the specific characteristics of the respondents who support memorials only, less severe forms of victimization and suffering tend to be reported. This group of respondents is indeed more likely to report low levels of physical suffering, whether during or after the conflict, and low levels of material suffering after the conflict. This group also is less likely to know those who victimized them, and less likely to have been subjected to a life-threatening incident. As for support for individual acknowledgment only, their response profile suggests a very different picture in terms of their reported experience of the conflict. The elements of conflict experience that characterize this group indicates that they are more likely to have been displaced and to have returned,

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<sup>87</sup> We analysed the impact of the following factors of participants' characteristics: 1) the group to which those who victimized them belong to, 2) the experience of displacement (left or never left) and its outcome (left and returned or left and never returned), 3) the forms of victimization experienced, 4) their role in the conflict (supplier, military/police, paramilitary, other armed forces, no active participation), as well as 5) the ethno-national identity of the participant.

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to have been the target of an attempted murder, as well as to be Catholic. Moreover, when examining the response patterns specific to respondents who support neither of these forms of symbolic justice, one can observe that they are less likely to be Muslim and more likely to be Orthodox, as well as less likely to have been victimized by official military and police forces or paramilitaries. Moreover, they constitute a category of respondents who are less likely to have suffered forced displacement, torture, or loss of income during the conflict. Yet they report higher levels of material and physical suffering after the war, compared to other respondents.

These findings are of significant value because they shed light on the impact of specific experiences in a conflict in shaping the nature of individuals' current claims for acknowledgment through symbolic forms of justice. They clearly indicate that individuals may be more likely to support only individualized or only collective means of acknowledgment through symbolic justice depending on what they experienced in the past in terms of suffering and victimization, as well as how they perceive their situation in the present. These findings hint at the significance of personal experiences, and their embedding within specific social contexts and identities for grounding justice concerns. Yet they also indicate associations and tendencies that can only be explored in a limited manner as a function of the correlates measured in the survey. Moreover, they do not allow for the exploration of nuanced understandings of justice in relation to different experiences of the past, or of the relative impact of identity concerns and the war context. Such quantitative data cannot, for example, be explored further in terms of how symbolic justice needs are shaped differently by the various stages in an individual trajectory during the conflict (e.g. detention in a camp and then displacement) and after it (e.g. refugee then returnee, family still missing).

Another element of influence that can only be minimally assessed concerns the dimension of locality. Locality involves the impact of those geographical settings where events that are recounted were experienced, as well as the location where the respondent is

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situated in the present. Moreover, we conceive the notion of locality not only in geographical terms, but also as englobing the present social-psychological and structural reality in which respondents account for their past experiences, as well as the past contexts refer to when expressing their current specific justice needs as well as their expectations for the future. This social reality may concern their affiliation and identification with a given community, social category and identity, as well as their perceived position within such a present and past context. We argue that understanding the role of such elements of self and social identification is of crucial importance in a context like BiH, where ethno-national divides often intersect with other significant identity markers related to pre-war (e.g. urban vs. rural) and war experiences (e.g. veteran, victim, and refugee). The various identifications are played out to constitute a complex social reality, in which various collectives struggle to gain recognition for their justice and acknowledgment needs and for the visibility of their personal war experiences.

This is where the value of oral history comes in. We argue that the exploration of personal memories of ordinary citizens within oral histories can significantly contribute to gain a more in-depth understanding of justice needs and practices and their localized, dynamic, and structural drivers. Oral histories constitute an invaluable source of information about justice needs and practices that is unique compared to other qualitative data sources. More specifically, its uniqueness lies in the range of individual experiences and expectations it can account for, as well as its potential in terms of analyzing identity-related and localized needs and their linkages between past and present. It constitutes a unique data source to explore the diverse and nuanced understandings of justice in a post-conflict context and their specific linkages to particular conflict experiences, identities, and beliefs. This will be illustrated below with concrete examples stemming from the Bosnia Memories dataset. These examples are extracted from three interviews stemming from individuals who describe different

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trajectories of conflict and distinct positions in relation to symbolic justice needs and practices and that can be related to specific identity concerns and localized meanings.

*Example 1: Muhamed Skergic, a Bosnian Man, Refugee in Germany During the Conflict*

A first example suggests how justice needs are more complex and nuanced than proposed in the often-dominant contention that “thick” forms of social reconstruction are dependent on mutual acknowledgment processes and the promotion of reconciliatory beliefs between ethno-national communities.<sup>88</sup> The interviewee is a Bosnian man who was a refugee in Germany during the conflict and who describes why his voice was and still is marginalized within a hegemonic matrix of narratives of the conflict that goes beyond ethnic divides. He positions himself from the beginning of the interview as a tolerant and a-political individual:

That’s when I realized that some relations were starting to deteriorate. And a little among people, good friends who were other nationalities, but believe it or not I personally never felt any differences and I never made difference between people, I never felt the need to. I just wasn't raised that way, I was not directed in a way to make difference between people, instead I always knew I had friends, I don't know, Marko, Dragan, Huso, Husein, Omer, Ibrahim and that Savo, and so on. Simply friends with whom I sat, worked together, made programs and so on.<sup>89</sup>

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<sup>88</sup> See for example Weinstein et al. (2010). Harvey M. Weinstein, Laurel E. Fletcher, Patrick Vinck, and Phuong N. Pham, “Stay the Hand of Justice: Whose Priorities Take Priority?” in Rosalind Shaw and Lars Waldorf, eds., *Localizing Transitional Justice: Interventions and Priorities after Mass Violence* (Stanford, CA: Stanford University Press, 2010).

<sup>89</sup> [www.bosnianmemories.org](http://www.bosnianmemories.org), <http://bit.ly/1PTmwXf> - 05:47-06:23. A bitly is a URL shortening service, intended to facilitate referencing to long links.

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He explains how a narrative and an attached identity with which he could not identify were imposed on him at the onset of the conflict:

I didn't want to nor have I ever been in politics, I was employed in agriculture. So I felt when these national groups started getting profit of this Yugoslavia's, Yugoslavia's map of public opinion configuration. So they started calling this Serbian, they started calling this Croatian, and they started calling this Bosniaks or Muslims. In the beginning Muslims, later they called it Bosniaks. (...) In that moment I saw that something is terribly changing on the social scene, something that caused a mild earthquake inside of me.<sup>90</sup>

Yet throughout his discourse he relates instances of intolerance to historical intra-community conflicts (among Muslims from the region where he lives), rather than to inter-community divides (between ethno-national groups). He is particularly explicit about the local dynamics of such tensions, explaining how people from the same region, who were originally fighting together against the Belgrade-supported Yugoslav army, turned gradually against each other and were involved in what he calls an "Inter-Muslim war." This excerpt clearly shows the localized dynamics involved in whether some decided to support the "Autonomists"<sup>91</sup> and others supported the army of the Republic of Bosnia-Herzegovina (5. Corpus)<sup>92</sup>:

And when it was wartime there were many people on both sides who actually didn't want a conflict. There were commandants and officers on both sides who said: 'Shoot as much as you can, but the least you can

<sup>90</sup> [www.bosnianmemories.org](http://www.bosnianmemories.org), <http://bit.ly/1PTmwXf> - 14:30-15:37.

<sup>91</sup> The Autonomist group was a secessionist group involving Bosnian Muslims and Croats from the municipality of Velika Kladusa.

<sup>92</sup> The Bosnian translator has chosen the term "5. Corpus" to refer to a military unit, a more regular equivalent in English would be "Fifth Corps."

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or not at all at the opponent.’ Who joined what army, to be honest, had I lived in let’s say Krupa, Buzim or Bihac, I would probably had joined, got mobilized into 5. Corpus. No one asked where one will be when there was this separation from the first lines from this area... When they withdrew, they stayed, many of them stayed friends. From hill to hill, frontline to frontline they yelled to each other, communicated, talked. And many of them didn’t want this conflict, but the command in charge from their centers, helped by the people who weren’t from this area, I repeat for me this is very important. Because if I were to go to, for example any part of Bosnia and there were two sides in conflict, I wouldn’t be able to feel it on the same level as people who were born there. I would admit to them that they know better and that they love each other more than I can love them. The same happened here. Inter-Muslim war broke out that had its stages progress, setbacks and a bit of everything else.”<sup>93</sup>

Positioning himself specifically as an inhabitant of Velika Kladusa, he feels personally concerned and supports the fact that people from Krajina do not want to be imposed the new identity of “Bosniak” that corresponds to the nationalist stance taken by the other side (i.e. those from Sarajevo, the Army of Bosnia Herzegovina):

At least, least 50,000 in angry Krajina, on the territory of Autonomy, doesn’t want to declare themselves as Bosniaks, but instead as Muslims. Because name Bosniak was given in Sarajevo without asking Krajina’s people and without... For example, no one has ever asked me, they just declared me as Bosniak. I write a Muslim, and they force me among the others. So whether I write that I am a Gypsy, Greek, Bulgarian,

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<sup>93</sup> [www.bosnianmemories.org](http://www.bosnianmemories.org), <http://bit.ly/1PTmwXf> - 34:23- 35:54.

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or Russian, anyone, I am among the others. This hurt me and I will never write that I am a Bosniak. I will and I do write that I am Bosnian, by confession Islam, or I can accept to be a Croat or anything else. But not Bosniak, exactly because this is the mentality that made this separation, transferred it and forced it, and this is the opinion of a huge part of people on this area, they just won't declare themselves as Bosniaks. They stay Muslims, and imagine this, if a term Muslim is expelled from Bosnia, what does that mean for those who argued they were going to create this or that, whoever since the Islam declaration argued to do that or hat. How do these two go together?<sup>94</sup>

Yet when he recalls his experience as a refugee in Germany trying to collect medicine for people in BiH, he describes how these tensions are reproduced outside the country and expresses his disbelief about the strength of these divides:

I collected medicines, I knew many nurses, doctors, colleagues who studied and so on, and I collected maybe two, three square meters of medicine. Medicines were attractive, good, I was supposed to send them to Autonomy, of course I wanted to send them there. And for a month, two, three, the circumstances were such that there was no way to send them, no way. You just couldn't send them. Then I saw that our colleagues were gathering there on the other side for 5. Corpus. Gathering for Buzim, the municipality that gave the best resistance and so on. Then I said: 'Gentlemen, here are my medicines, you can send them.' They were surprised that I was just giving them my medicines. So I said: 'For God's sake,

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<sup>94</sup> [www.bosnianmemories.org](http://www.bosnianmemories.org), <http://bit.ly/1PTmwXf> - 42:27-43:41.

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are medicines not intended for children and old people and wounded and sick. Wherever they end up these medicines should help someone.' (...) Some accepted this with delight, some couldn't believe it, they thought that I had some other reason that had nothing to do with reality and so on. This was surprising for me. And when I got home I was surprised by the way of leading a war that so obviously carried in itself a complex of Krajina's mentality that has changed throughout history and that landed on higher civilization level.<sup>95</sup>

These concerns are not only revealed in his accounts about the past, but they also shape his current justice needs and practices, the way he situates himself in relation to the interview situation as well as his expectations for the future:

When the war was over, then all the people, Serbs, Croats, Bosniaks received benefits for their participation, for their wounds, for fallen soldier families' rights, they all had their rights except for the members of Autonomous province West Bosnia. Among others I filed a lawsuit together with my colleague, doctor Sabljanovic, we filed to the federal constitutional court, because it is injustice. My witnesses were Croatian commanders from other areas, because we had the right to engage friends of the Court, who spoke so nicely and said: 'We as Croats fought in blood with Bosniaks, with Serbs. Serbs... Bosniaks with Bosniaks, Serbs with Serbs, everyone among each other, and we all have things.'<sup>96</sup>

Against the backdrop of his past experience, he positions himself in the present as an authoritative agent of social change

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<sup>95</sup> [www.bosnianmemories.org](http://www.bosnianmemories.org), <http://bit.ly/1PTmwXf> - 38:07-39:32.

<sup>96</sup> [www.bosnianmemories.org](http://www.bosnianmemories.org), <http://bit.ly/1PTmwXf> - 44:09-44:51.



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describing his participation in the interview as motivated by the duty to tell and disseminate the truth, which he relates explicitly to his identity and his values, as well as his current objective for life:

I accepted for the same reason I accepted to hold lectures across entire Bosnia about intercultural upbringing. I accepted because I believe that an intellectual is obligated to give his contribution to the truth, to reality and if he can change something in any way. Human, human, scientific, positive. Just for that reason because I can no longer go to working action if they still existed, but from my memory and from what I have read I have to tell something that I hope the generations of nowadays and well-intended people could use.<sup>97</sup>

*Example 2: Jovanka Pejić, a Bosnian Serb Woman, Left Her Hometown (Now in the Federation of Bosnia-Herzegovina) and Left for Republika Srpska*

A second example shows how symbolic justice needs are highly dependent on localized and socially meaningful reference points and contingent upon how the respondent situates him/herself in relation to these. It concerns the narratives of a Bosnian Serb woman who was a combatant on the front line during the conflict, who used to live in Ilidza (now located in the Federation of Bosnia-Herzegovina) and who left for Republika Srpska (RS) during the conflict and never returned to her hometown.

She positions herself from the beginning as born from a family that had been living in the same municipality for several centuries and is now living there no more:

Born... in municipality Ilijas that belonged to city Sarajevo before the war. At the time my parents were situated in municipality Ilidza and my husband's

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<sup>97</sup> [www.bosnianmemories.org](http://www.bosnianmemories.org), <http://bit.ly/1PTmwXf> - 53:29-54:07.

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ancestors were from there as well... None from my ancestors lives in Ilidza anymore, we all moved out.<sup>98</sup>

Across the interview, her narratives reveal the significance of this local point of reference in shaping her need to express the truth as she experienced it:

I have to mention and go back to the eighties that are connected to Ilidza, time when everyone in Ilidza was Serbian. We didn't know what was happening to us then, but in eighties they [the Authority] simply started taking our land and making buildings. (...) They took the entire Sokolovic Kolonija and people from Sandzak came to live there. (...) Later, when the war began we realized what actually happened. To all Pejic families, locals from Ilidza, Miledrazi, Jokic, Dzini, Janjic, then also Bosiljic, Tosic, I would be sorry if I missed a family, but there are many, so maybe I shouldn't count them all, their land was taken. Simply, new buildings were made and in these buildings only one or two flats belonged to Serbs. All the rest were Bosniaks.<sup>99</sup>

She continues this account by referring to her status as a local from Ilidza to defend the veracity and validity of the facts that she just mentioned:

I was born in Ilidza and I will never say that Butmir was Serbian. We knew this, locals in Butmir and locals in Ilidza and locals in Stup. Croats were in Stup and we called it Little Rome. In Butmir our neighbors were Muslim. We knew this, but Ilidza was Serbian.<sup>100</sup>

From the onset of the interview and in addition to the significance of locality, that is "being from Ilidza" for this respondent,

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<sup>98</sup> [www.bosnianmemories.org](http://www.bosnianmemories.org), <http://bit.ly/1XoPi6l> - 00:11-00:53.

<sup>99</sup> [www.bosnianmemories.org](http://www.bosnianmemories.org), <http://bit.ly/1XoPi6l> - 16:48-18:15.

<sup>100</sup> [www.bosnianmemories.org](http://www.bosnianmemories.org), <http://bit.ly/1XoPi6l> - 18:15-18:42.

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another strong and recurrent point of reference that shapes her discourse is the familial traumas suffered during the Second World War. In this excerpt, she mentions the execution of her grandfather and his brothers, her need to keep this memory alive in collective memory and its commemoration in a Church in Ilidza. She then relates this memory to the killing in the 1990s conflicts of descendants of one of her grandfather's brothers in Ilidza:

The day after, down there in Ilijas near the Mosque, together with another 30 Serbs they lined them up in a colon, dug a hole in front of it and killed them one by one. As my grandfather was the tallest, he was the first in the colon, and his brother the shortest, so Despot was the last. (...) These are my memories that my father and mother told me, grandmother too, while they were alive and I put it on paper so I wouldn't forget something from the story I heard from them. Despot and Miroslav are written in this board in front of the Church in Ilijas, but there are no other information. It's all been erased. Another thing I have to say connected to this family is that in this war too, in 1992, standing on their home door defending their houses and properties they died in one day.<sup>101</sup>

Another example of how locality and identity concerns are interwoven and drive this individual's preferences of justice relates to when she talks about her decision to exhume the body of her son, who died in the conflicts and to bring him to RS as she was going there and leaving Ilidza for good:

Once we became aware of it, it lasted two, three months of this agony that I could not believe, in order to see we had to leave. Now the biggest problem was my son. Now I will go to Republic Srpska, leave him

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<sup>101</sup> [www.bosnianmemories.org](http://www.bosnianmemories.org), <http://bit.ly/1XoPi6l> - 07:13-09:51.

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there. (...) And now I say, what if I had left Bojan there. And so I said, if I am going to carry him from Ildza, I, my son and thousands of other people, 958 graves were transferred, then we will carry them somewhere to what is a military cemetery. (...) We put this coffin in a second coffin and carried it to Sokolac. And I think this was the biggest genocide, if you can call it that, but it is not mentioned by anyone and it's not talked about.<sup>102</sup>

She ends the interview by emphasizing the local nature of the truth she is portraying and stating her hope that the facts expressed in her account will remain somehow in the collective memory, while doubting whether this will happen in reality:

Well I just want it to be written somewhere, that it's known. I would like it if there were a Bosniak sitting here with us, I simply wish, I would like and I doubt it will happen that the truth comes out one day that it's all admitted and said that it was a civil war where all three, all three nations got hurt. All three nations. Some more, some less, that depends... But that the truth is... I am talking about this area, I know how it was here. I know it all started from Sjekovac, which is for example never mentioned in Sjekovac... But it was all somewhere aside. Has it happened, hasn't it, and then we ask ourselves who started the war. It doesn't matter who started it, the war happened, let's start from the first things that happened. What happened and how it happened... There, that's the reason I agreed. All that I have said is the truth, I stand behind everything.<sup>103</sup>

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<sup>102</sup> [www.bosnianmemories.org](http://www.bosnianmemories.org), <http://bit.ly/1XoPi6l> - 01:13:54-01:18:11.

<sup>103</sup> [www.bosnianmemories.org](http://www.bosnianmemories.org), <http://bit.ly/1XoPi6l> - 01:52:31-01:54:27.

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In addition to revealing the localized nature of her justice concerns related to the truth about the war, this woman's narrative gives us a first insight into the linkages between symbolic justice practices and their localized meanings in the past. This is especially the case in her account of the exhumation of her son's body, which acts as a central element of symbolic justice from her perspective. It embodies her sense of injustice and lack of hope as she is forced to leave her hometown, her familial past, and roots, and never come back.

The next and third example allows us to add more insight into these processes by giving a more detailed illustration of how respondents make sense of their experience and situate their current justice claims with regard to a past and current distinct social reality and its hegemonic framework.

*Example 3: Faruk Sabovic, a Bosnian Man, Commander of a Unit of the Army of BiH*

The interviewee, a man from Tuzla who was a commander of a unit of the army of BiH during the conflict, declares himself from the onset of the interview as Yugoslav, but having realized that he was Muslim and religiously affiliated to Islam in 1992. His interview is structured around two main points of reference, which are his positioning as a tolerant individual from Tuzla who had friends from all nationalities, and his role in the conflict as a commander of a unit constituted of friends and mixed nationalities whom he was responsible for. As we demonstrate below, both narrative positions, being tolerant and having the duty to protect, not only color his accounts of past events in the conflict and how he situates himself in relationship to this context, but also shape his current justice claims. Positioning himself as a tolerant Tuzlan, he describes a specific instance during the conflict where his friendship with a person "from the other side" conflicted with his duty as a commander to combat the enemy in order to attain the military objective of freeing an occupied territory:

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The White Eagles were led by my friend, which was the aggressors' army. I was laying 15 meters away in the bushes, there was shooting and I saw him, I could have killed him however I wanted... And I could have shot him, but I didn't. But I whistled this special sound. And I respect this, it was a battle up there, we were in woods. I respect that. We were freeing the occupied territory, and they were freeing it from us. He was on the other side. I don't have anything against him, I don't hold grudges. We sat down and had a coffee. He stood straight and watched through binoculars and I whistled that sound that we used to make when we called each other out to go on Slatine, a real slow sound... that is our sound, the sound of us friends. So I whistled like that and crouched down.<sup>104</sup>

He then continues by referring to an instance where they met after the conflict and sat down for a coffee like the two old friends they have always been. He juxtaposes this example of inter-ethnic contact and loyalty to a friend with his attitude towards two individuals from his town who in his opinion have been involved in harm-doing during the conflict. This example shows well that his sense of justice and moral inclusion is steered by his will to fight violators whatever their ethnic affiliation.

And when I was in Bjeljina, and he works in one shop his wife works in the other, that's when I met his wife, and I went in front of his store with his wife and whistled. And he got out and said that there are only three man he thinks about when he hears that. And we sat down, at that time I loved to drink. And so we talked a lot. He was uncomfortable when he get into town. But he came of course. I talk to him, about

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<sup>104</sup> [www.bosnianmemories.org](http://www.bosnianmemories.org), <http://bit.ly/1RejOi> - 01:06:24-01:07:52.

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where he went and so. But the other two guys I don't want in my life, those two criminals. If they are accountable, where there are, how they are, I don't care about any of that. I wish they were held responsible. But there is everything written in the camp survivors notes. My cousins told me about it, they were in Luka, Brcko, Batkovici. And that's when I decided that those two men don't have a place in my life. They're forgotten... God forbid that I come in some sort of conflict, any sort of conflict or conversation with them. But I think that if they have at least some morals or something that they probably went somewhere abroad and that they will not come back to the place where they were born, not after they did what they did for they left.<sup>105</sup>

Further in his discourse, he relates his stance about holding violators accountable for their crimes no matter their nationality to the importance he gives to the mutual and inclusive acknowledgment of victims. More specifically, he describes how, as the president of a veterans' organization, he is striving to emphasize the importance of acknowledging different instances of victimization and all victims no matter which nationality or whether they are accepted officially as victims:

I am president of the Soldiers organization, the veterans from Tuzla Canton which counts 34,000 members, war veterans and I was born in this town. And then we sat down and said: 'Genocide happened in Srebrenica, we will go to the memorial, we'll go to the laying of the wreath, we'll pray Al-Fatiha, we'll also go to Brcko, we'll go to other places.' That mother who lost her son, he got killed in that fight in Brckanka

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<sup>105</sup> [www.bosnianmemories.org](http://www.bosnianmemories.org), <http://bit.ly/1ReqjOi> - 01:07:52-01:09:36.

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Malta [a street in Tuzla]. And who has the right to forbid a mother, sister, wife or a child to come to the place of death. No one. And if we want Bosnia and Herzegovina, if we want it, then we have to send an official letter and notify the media too. To call them to commemorate together the victims in Brčanska Malta, the children that died in Kapija, the youth that died in Kapija and let's leave the politic out of this story. And every day we are ready to welcome a parent of those who died in Brčanska Malta and give him a place to spend a night. And we expect them to have the same attitude toward a mother that goes to Bijeljina. So that is a life that I have been dreaming of for the last 44 years of my life.<sup>106</sup>

He goes on to explain that he is strongly criticized for taking such a stance within his community. He opposes these criticisms, justifying his actions as his duty to tell the truth and act in conformity with his values of justice:

Well, certain people criticized me, asked questions like: 'How can you do it, why did you do it?' And then I explained why I did this. You know, there are people who think that this shouldn't be allowed, that it shouldn't be allowed, but I still claim the opposite. I claim that only the truth can get these people on the right path, only truth and nothing else. The truth about every place and everything that has happened and where it happened, we should all speak the truth. Everyone should say the truth and deal with it.<sup>107</sup>

His narratives about his role as a commander of a unit also reveal linkages between how he makes sense of his positioning in the conflict and his justice practices in the present. From the onset, when

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<sup>106</sup> [www.bosnianmemories.org](http://www.bosnianmemories.org), <http://bit.ly/1RejOi> - 46:27-48:05.

<sup>107</sup> [www.bosnianmemories.org](http://www.bosnianmemories.org), <http://bit.ly/1RejOi> - 48:05-48:41.



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describing how he joined this unit, he stresses the localized nature of its structure and the fact that his fellow combatants were all united by friendship and the will to protect their community and not by a common ethno-national affiliation:

And when I went back we grouped, we were an independent group, this independent group, that independent group. Nine of us who were friends went in together. And that's when lines, units, troops were formed in neighbourhoods. And so there was a troop from Slatina, a troop from Krojčica. There was Becarevac troop, and other troops and battalions were formed, and the 3. Tuzla's brigade was formed on the day my best friend Nurudin Dino Hasic was killed.<sup>108</sup>

Later in his discourse, he gives a detailed description of his unit, highlighting its heterogeneity and mixed nature:

In my Unit there weren't any foreigners, but I can describe the structure of the Unit in short. There were 109 people, 21 Orthodox, 17 Catholic, 11 Roma and the rest were Muslim. I am proud that I led these people. I am proud of it, more than proud.<sup>109</sup>

Nearing the end of the interview, he explicitly relates his decision to account for his experience of the conflict and for his expectations for the present and future to his personal justice practices. As a veteran, his discourse denounces particularly the political instrumentalization of justice claims and its impact on hampering the acknowledgment of suffering and truth about harm doing in all communities:

I agreed and I will always agree to talk about this, about war years because I want a better future for my child. For all the children in Bosnia and Herzegovina. I want

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<sup>108</sup> [www.bosnianmemories.org](http://www.bosnianmemories.org), <http://bit.ly/1ReqjOi> - 13:52-14:32.

<sup>109</sup> [www.bosnianmemories.org](http://www.bosnianmemories.org), <http://bit.ly/1ReqjOi> - 43:19-43:47.

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the truth to be known, the real truth... I don't need anyone to protect my interest or that he in interest of me as a Muslim, or as they now say Bosniak, protects my national interest. Or that he protects the national interest of Orthodox, or Catholics. They have been protecting us that way for twenty years now, and the people have no progress. And when they need to win people over before the elections they bring out the veterans, their soldiers, and when they win they forget about them for another four years, they cut the pensions, they lie and cheat or try to scare people, scared of war and then the people say they will represent us. The truth should be known and I am willing to go to Pale and sit and talk to the other side... I wish that people would talk, for the people to talk, but the ordinary people. Not some hatred filled people, but ordinary people who could say: 'Come on people, come on, let's have at least some of the life that we used to have back.' And I will always come out to say the truth, and that is my reason for remembering this period.<sup>110</sup>

These three examples constitute a rough illustration of how the analyses of oral histories can contribute to revealing the complexity and nuances in symbolic justice practices and needs, and their linkages to particular and personal understandings of the past. These narratives bring to light various individual initiatives of symbolic justice that are reflective of particular experiences and claims, as well as of the narrator's positioning in relation to these. The first example reveals how a given positioning from the onset of the interview (tolerance) and the narrator's perceived experience of a past event and its structural context (having a marginalized understanding of the conflict that is inclusive of all Bosnian Muslims and rejecting the Bosniak

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<sup>110</sup> [www.bosnianmemories.org](http://www.bosnianmemories.org), <http://bit.ly/1ReqjOi> - 01:09:40-01:12:20.

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identity) can be related to current justice practices (working with friends from different ethno-national groups to obtain the same rights to benefits for all veterans). The second example illustrates how symbolic justice practices and needs are grounded in localized and socially meaningful reference points, as well as the narrator's particular self-positioning. This account of the exhumation of the interviewee's son's body and his reburial in RS symbolizes her permanent displacement from her hometown of Ilidza (situated in Federation of Bosnia and Herzegovina) to RS, and the fact that she did not identify herself with this town anymore despite her family's historical roots there. The third example shows how an individual's present claims for justice (wanting all crimes and all victims' suffering to be acknowledged irrespective of the ethno-national group to which they belong) can be related to particular past stances in the hierarchical matrix and their attached experiences. This is reflected in his explicit positioning as a minority voice with respect to hegemonic understandings of the past propagated in his community, despite having had an authoritative status as a commander of an army unit. It also shows how he opposes his vision of morality and justice to the dominant perspectives imposed on him within his community. He attributes his current interest in having the violations committed by members of his own community acknowledged to his "counter-normative morality" in the conflict (saving the life of his friend from the enemy side) and at present (maintaining contact with him after the war).

In addition to what these narratives can reveal in terms of justice practices and needs, they also clearly demonstrate the significance of oral histories, as a source of empowerment and voice, in allowing the expression of an individual personal truth or as a form of memorialization *per se*. This is illustrated by the Bosnian interviewee who explicitly relates his personal account to his duty of telling his truth about the divides among Muslims during the conflict and publicly denouncing their unjust consequences for present justice claims. This type of engagement in doing justice, as shown in examples 2 and 3, can

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also imply mentioning the names and actions of other people, either in an attempt to put those who were victimized or acted heroically in the collective spotlight, or to highlight and denounce wrongful or harmful behaviors that have not been acknowledged. This supports the contention that oral history datasets can be considered as a symbolic form of justice in their own right, allowing silenced, marginalized, or subaltern narratives of the past to be propagated against the backdrop of hegemonic interpretations of the past.<sup>111</sup> Beholders of suppressed experiences often have little to no access to socio-political spaces of acknowledgment, as well as those institutions promoting it.<sup>112</sup> They may thus resort to private forms of expression of memory to obtain such acknowledgment<sup>113</sup> and oral histories constitute a significant channel where personal memories can be diffused and actively managed.

Finally, since they are based on three interviews, we emphasize the fact that these examples only give us a flavor of the variety and complexity of forms of symbolic justice that are possible or needed, as well as the role of past and current positioning and experiences. Yet we argue that the total number of interviews available in such a dataset and the range of experiences covered allow for the identification of patterns in linkages between past experiences and current justice claims and, consequently, allow for the possibility to highlight profiles of trajectories based on comparisons between interviews. This, in turn, can lead to certain hypotheses or provide more in-depth information about the meanings afforded to particular experiences and attached justice concerns. These qualitative findings can then be used to develop a quantitative population-wide survey in order to verify the generalizability of various justice concerns and the specific role of

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<sup>111</sup> Joanna Bornat and Hanna Diamond, "Women's History and Oral History: Developments and Debates," *Women's History Review* 16.1 (2007): 19-39.

<sup>112</sup> T.G. Ashplant, Graham Dawson, and Michael Roper, eds., *The Politics of War Memory and Commemoration* (London: Routledge, 2000).

<sup>113</sup> Jay Winter and Emmanuel Sivan, eds., *War and Remembrance in the Twentieth Century* (Cambridge: Cambridge University Press, 1999).

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attitudinal, structural, or behavioral factors that can be measured through quantitative methodologies.

### **Conclusions**

This article demonstrates the significance of oral history datasets, both as truth-telling and memorialization measures of transitional justice in themselves, and as sources of information on local, informal, and marginalized justice practices and needs. More specifically, it argues that datasets can support transitional justice research in three ways. First, they are a valuable way to study localized and marginalized justice practices and their meaning for those who initiate them. Second, they constitute a significant tool for assessing justice needs and expectations, especially in their localized, dynamic, and temporal features. Finally, they can be a source of analysis within the exploration stage in a mixed-method approach in which the (qualitative) analysis of oral history data serves as a basis for the elaboration of a (quantitative) population-wide survey.

When considering the evolution of the field of oral history, it seems as if our conception of the past is coming increasingly closer to the present. This development converges with the interest of transitional justice in localized understandings of practices and needs of symbolic justice. On a meta-level, one could state that the disciplinary boundaries between traditional oral history and humanitarian law have blurred, due to the processes of globalization, of democratization of access and distribution of knowledge, of internationalization of the human rights ideology, and of progress in information technology. We argue that this potential for collaboration has largely escaped the interest of transitional justice scholars to date, but that this resource should be exploited further as it connects to the current prioritization in data policy for open source and re-use of data. Today, technology is capable of delivering solutions for monitoring the diversity in access to the data.

In view of the role that oral history datasets and qualitative life story interviews can play for transitional justice research, we suggest

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that scholars from both fields move towards collaborating at the intersection of their respective disciplines. Such collaboration will contribute significantly to hone transitional justice scholarship's understanding of the multidimensional and dynamic nature of justice needs and practices. It will also allow the information and communication technology field to make oral history data archives more easily accessible and exploitable for researchers. With this view in mind, certain issues should be given particular attention within transitional justice scholarship. There are many rich collections of oral history, some of which were created relatively recently, but awareness of their existence is still lacking among transitional justice scholars. Initiatives to expand the communication between both disciplines must be encouraged, given the potential of oral history datasets for preliminary research, re-use of data, or as a basis for creating transitional justice surveys. Such intersecting collaborations would also allow and promote the possibilities for transitional justice scholars to deposit their data with strict access conditions for re-use at a trusted digital archive. In view of these archival objectives, transitional justice scholars should be sensitized to the necessity of documenting their projects with extensive context information and including the possibility for re-use and differentiated access in the consent forms given to their respondents. Last, but not least, the perfect marriage between oral history and transitional justice surveys could be further consolidated by including, whenever possible, invitations for a life story interview as part of quantitative questionnaires.

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