

# Gendered Narratives: Stories and Silences in Transitional Justice

Elisabeth Porter<sup>1</sup>

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**Abstract** Stories told about violence, trauma, and loss inform knowledge of post-conflict societies. Stories have a context which is part of the story-teller's life narrative. Reasons for silences are varied. This article affirms the importance of telling and listening to stories and notes the significance of silences within transitional justice's narratives. It does this in three ways. First, it outlines a critical narrative theory of transitional justice which confirms the importance of narrative agency in telling or withholding stories. Relatedly, it affirms the importance of story-telling as a way to explain differentiated gender requirements within transitional justice processes. Second, it examines gendered differences in the ways that women are silenced by shame, choose silence to retain self-respect, use silence as a strategy of survival, or an agential act. Third, it argues that compassionate listening requires gender-sensitive responses that recognize the narrator's sense of self and needs.

**Keywords** Compassionate listening · Gendered narratives · Narrative agency · Silences · Stories in transitional justice

Everyday stories inform knowledge of post-conflict societies. They describe the personal effects of violence, suffering, and loss. The stories men and women tell about dealing with their trauma highlights the human effects of dealing with the past and explain differentiated requirements that are needed for gender-just outcomes in transitional justice processes. The argument developed in this article is a defence of paying attention to everyday lived experiences, so that when the stories situated within life narratives are told and listened to, the particularized needs of women, men, girls, and boys become evident. This article sets out a foundation for confirming the significance of gendered narratives in transitional justice processes.

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✉ Elisabeth Porter  
elisabeth.porter@unisa.edu.au

<sup>1</sup> University of South Australia, Adelaide, Australia

To lay this foundation and develop this argument, this article addresses three main points. First, it outlines a critical narrative theory of transitional justice, one which confirms the importance of narrative agency in telling or withholding stories; both options can be acts of agency. A story is part of a holistic life narrative, a narrative that changes with time and life experiences. Hence, when the voices of women and men are suppressed, silenced, excluded, or ignored, agency is undermined. When space is created for these stories to be told, and they are listened to respectfully, not only is dignity affirmed, but the possibility of a gender-sensitive approach to responding to these stories is enhanced. Second, silence can be debilitatingly repressive or profoundly empowering. Thus, it is prudent to make distinctions between the following: the silence that is a response to subjugation, domination, or shame; self-chosen silence to retain one's self-respect; the silence that is a strategy for survival; and silence as an act of agency. These different versions of silence can reveal crucial gendered differences about the significance of silence. Third, listening to stories that are told about individual versions of trauma and personal experiences of violence requires compassionate responses if these stories are to be given significance in individual, communal, and national narratives on the violent past. Paying attention to stories of gendered narratives thus breathes life into narrow conceptual gender-neutral understandings of transitional justice.

Before expanding on these three points, clarification on the nature of gendered narratives is crucial because it is easy to slip from "gender" to "women". For example, in defending the importance of "gender centrality", authors write that this "requires a commitment to a substantive account of gender equality embracing not only equality of opportunity for women but also equality of outcomes" (Ní Aoláin et al. 2011, p. 14). Attention needs to be given to women as a compensatory measure for past neglect, but ideally, talk of gender should keep the focus on women *and* men. What is potentially transformative in heeding gendered narratives is working to further rights and equality for women *and* men in all aspects of transitional justice. To give due attention to gender requires a comprehensive scrutiny "of the interrelationship between men, masculinity, and the insecurity of women post-transition" (Hamber 2007, p. 387).

However, this paper is not a comprehensive study of men. It focuses on women. Within transitional justice projects, there are obvious conceptual exclusions of women's needs in thinking about new laws and policies, and there are actual absences of women's presence in formulating these projects. The benefits of re-thinking gender dynamics and taking a "gender-relational" approach leads to "broadening and deepening the understanding of gender in peacebuilding" (Myrntinen et al. 2014, p. 5) and in transitional justice. The broadening comes with moving away from equating gender solely with women and girls and the deepening derives from incorporating gender with other intersecting identity markers "such as age, social class, sexuality, disability, ethnic or religious background, marital status, or urban/rural setting" (Myrntinen et al. 2014, p. 5). The importance of "intersectionality" to a gender analysis cannot be overstated, and when taken into consideration, the stories that emerge "will inevitably produce narrative outcomes that are more layered and complicated" (Ní Aoláin and Turner 2007, p. 245). This approach invites nuance and inclusivity in listening to the stories told of complex dynamics in the transitional period. While the theory of narrative agency developed here is gender-inclusive, the application concentrates on women's stories.

## Narrative Gendered Agency in Transitional Justice

The reason for placing a high priority on stories is because stories occur in the local, particular, mundane, and everyday lives of individuals, yet they are rarely discussed in conventional literature on transitional justice. Particularly in ethno-national conflicts, everyday localized memories influence the possibility of coexistence or reconciliation and therefore attention to the way the everyday documents transition “is important to evaluating and calibrating transitional justice responses in such contexts” (Brown 2012, p. 446). In this first section, three points are emphasized: the story-telling process is relational and gives personal meaning, stories reflect narrative agency, and they reflect different gendered experiences.

### Story-Telling as Relational and Providing Meaning

First, stories are relational and they provide meaning. Stories have plots, themes, and characters and they are communicated to others. Even the stories told by those who have committed gross evils are situated inside a multilayered web of human connections. Unravelling the web exposes threads of harm that may go some way to understanding motivations to harm others or how to redress the damage done. Stories referred to in this article are mainly stories of women who have been harmed. Indeed, story-telling increasingly is used in peace and reconciliation work and in the human rights movement as a way to respect speakers for whom conflict has had a major impact. Collections of stories make up a life narrative. This idea of narrative has found its way into more disciplines that are “concerned not just with story as story but with storeyed forms of knowledge” (Kreiwirth 2005, p. 380), but this focus has not travelled deeply into transitional justice discourse. Narratives are made up of a series of stories that are told within social, cultural, and political contexts. The relational dimension of story-telling comes about because stories are recounted to others in social settings and also because humans have a narrative identity; one that “is shaped by a subjective relationship to one’s whole life story” (Smyth 2008, p. 75) that represents a lived narrative. Identity is relational in the sense that it is influenced by personal perceptions and others’ responses. Accounts of stories about particular people give meaning to what it signifies to suffer war trauma as well as to transform conflict or move from victimhood to survivor. Certainly, a narrator has their own interpretation of their story, whereas the spoken or written word is open for interpretation.

The context in which stories are told is important. Sometimes, a formal truth commission, tribunal, or hearing actually limits the nature of the story told because of prescribed mandates and official legal expectations. Other informal dialogical instances create different dynamics, particularly where there are unequal power relations, or the story-teller is deliberately suppressing parts of the story that are meaningful to them, for all sorts of reasons. Emotions emerge in both the telling and receiving of stories. In writing of narratives of human rights abuses that make us consider lives that are different to our own, emotions involved include “embodied pain, shame, distress, anguish, humiliation, anger, rage, fear, and terror” and thus emotive stories “can activate interest, excitement, precarious enjoyment, shock, distress, and shame” (Schaffer and Smith 2004, pp. 6–7). Despite, or perhaps because of the emotional intensity of story-telling, the story-teller reveals details about the prevailing society and culture. Understanding the critical nature of narratives enables us to see that “narratives

are essential because they are the primary way in which we make sense of the world around us, produce meanings, articulate intentions, and legitimize actions” (Wibben 2011, p. 2). Oral story-telling is influenced by local cultures. Stories are not neutral. Narratives are always contextual and often contested.

Stories are told for a variety of reasons that matter to the story-teller. “The story reveals the meaning of what otherwise would remain an unbearable sequence of sheer happenings” (Arendt 1973, p. 106). As mentioned, these meanings occur within a narrative framework. Arendt, writing of “the darkest times” suggests that often “illumination may well come less from theories and concepts than from the uncertain, flickering, and often weak light” that men and women kindle (1973, p. 9). According to this idea of story-telling, as humans, we give meaning to our actions by showing how and why they are significant to us. In doing so, there is a disclosure of the self. Life stories provide a glimpse into “human agency, motivation, and choice” (Baines 2011, p. 482). Indeed, telling a story helps us recognize how we arrive at each situation, so that some self-clarification occurs. For those people dealing with terrible traumas caused by violent conflict, this meaning-making process is important. That is, “the narrative of ‘who I am’ (or ‘who we are’) and the narrative of ‘how we have gotten here together’ is threaded through by another story, one about ‘what this means’” (Walker 1998, p. 113). In communities where identity is entrenched in religious, ethnic, and cultural norms, people are born into cultures where the dominant narratives define intersecting identities. The stories that inform our narratives are open to interpretation and each retelling to a new audience paves the way for possible new meanings. Spaces need to be opened in transitional justice settings for these stories to be told.

As well as telling of great suffering, stories can indicate the human ability to transcend violence. As an example of this ability, Lederach (2005) draws attention to a group of Somalian women who to sustain the everyday needs of their families, insisted that the marketplace should be a zone of safety and this action led to an expansion of peace. Lederach sees the message of such a story to lie in finding that crucial moment that can transform a lingering conflict, when there is a glimmer of hope, what he calls the “moral imagination” which involves “the inherent risk of stepping into the mystery of the unknown that lies beyond the far too familiar landscape of violence” (Lederach 2005, p. 5). Violence is experienced in personal ways because it affects the body, mind, self-identity, and personhood. The role of public story-telling after such violence thus is significant. It “can allow for victims to ‘take back’ their self-pride, their self-worth, and assume their place as an intrinsic part of the new post-conflict political order” (Simpson 2007, p. 95). The restorative potential of story-telling can be used as a method that permits survivors to “renegotiate their social marginalization and insist on their innocence and social worth” (Baines and Stewart 2011, p. 247). The telling of these stories occurs in different places, sometimes on the grass or mat, under a mango tree, or around the fire or kitchen table, wherever it is culturally accepted to do so.

### **Narrative Agency**

Second, stories express agency.<sup>1</sup> While this sounds obvious, stating it is important because individuals who find themselves in “situations of subordination, oppression, or

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<sup>1</sup> In part two of this article, I show how silence also can be an act of agency.

marginality may find themselves targeted for normative narratives that are already given, coercive, not negotiable, and disadvantaging” (Walker 1998, p. 128). For example, typically, women are assumed to be victims and sexual objects and men combatants and aggressors. Programs to reintegrate former combatants take for granted the need to assist men and boys, not realizing that female former soldiers usually require different disarmament, demobilization, and reintegration programs in order to restart their new lives. Violence reduces the capacity to express moral agency and to make deliberate, meaningful choices. Sometimes, the voice of the narrator falls on deaf ears or is ignored by the one who caused the suffering, so victimization continues. Other times, people are able to relate certain episodes of their story, but are not able to integrate it into a meaningful narrative. This inability to realize a narrative coherence is significant because separate parts of the story might make sense to an individual, but they might not be able to integrate all the disparate parts in a way that is personally satisfying. It is not easy to include stories of trauma into a personal understanding of one’s self. Certainly, these stories contribute to who a person is, but many people need to forget these aspects, in order to move on with life. What this means for gendered narratives is that shifting “the focus from women as victims of war to women as agents of change in transitions” (Reilly 2007, p. 164) disrupts orthodox narratives of women always as victims because many are survivors and active agents. Similarly, seeing men as potential peacebuilders not merely as aggressors, shifts the focus, although often uneasily.

Gender stereotyping influences men considerably in terms of the masculine expectation to engage in combat, violence, aggressive confrontation, or sexual exploitation. Women do much to perpetuate such hegemonic masculinity, particularly in their socialization of militarized or aggressive sons. Men who are willing to support peace rather than violence and who defend women’s rights can play a crucial role in places where an embrace of gender equality goes against cultural norms. Indeed, having male champions of United Nations Security Council Resolution 1325 on women, peace, and security, who as active men publicly advocate for equality, has proved very influential in Nepal (N-Peace Network 2014).<sup>2</sup> Living out stories that break gender moulds counter constricted notions of who is an active agent and thus are powerful antidotes to narrow repressive masculinized and feminized identities. The point of understanding the narratives of transitional justice is to encourage “the development of an ethics of practice equipped to favour the development of stories that redress marginalization and anchor people’s capacity for moral agency” (Cobb 2013, p. 12). This is a notion of agency that relies on reflection, deliberation, and making informed decisions about matters that affect us and reveal the sort of persons we are.

## Gendered Narratives

Third, why is an understanding of gendered narratives important to transitional justice? A simple response is that many of the experiences of war and the post-conflict context differ for men and women. When subjected to the same violence as men, women are affected differently given the pre-existing social, economic, and cultural meanings surrounding gender. Additionally, women are subjected to specific acts of violence

<sup>2</sup> See [www.youtube.com/npeacenetwork](http://www.youtube.com/npeacenetwork).

during conflict, but so too are men in different ways. There are gendered ramifications of conflict like widowhood and poverty, or the transmission of HIV/AIDS through rape, and the “ordinary” forms of suffering like losing a limb to a landmine when searching for food, or being subject to partner abuse when ex-combatants return home to a culture of normalized violence. The relational nature of stories is gendered. Hence, stories about both insecurity and security help to reveal gender-specific, culturally particular ways that violence impacts men and women differently. Certainly, within international relations discourse as well as in UN practice, there is a movement from a sole emphasis on national security, with its concern with territory, sovereignty, borders, and defence, to new ways of looking at human security, with its central concern on individuals in communities. This shift expands the range of activities that fall under the UN remit of assisting to build security through peacebuilding measures (Porter 2007). However, a focus on the individual can “risk masking gender-differentiation in what it means to be secure” (Barnes and Olonisakin 2011, p. 6). If a refugee camp aims to assure people of safety, but the women are too afraid to use the bathrooms at night for fear of sexual assaults, then security is questionable because it has not dealt with specific gender needs. Security is mediated by gender, diversity, and local understandings of security and must be reflected in national security policies. Security is not gender-blind. A concept of “social services justice” recognizes that women and men need gender-specific “resources that respond to their daily needs” (Ní Aoláin et al. 2011, p. 264). Examples for women include the supply of medical kits to test for AIDS, having security patrols at markets where women are selling produce, and setting up clinics where those who have been raped can have counsel for trauma as well as gaining legal advice.

Clearly the upheaval of war affects relationships. Some women assume positions of authority while men more typically are away fighting, so when men return, there often is “a post-war backlash against women” (Pankhurst 2008, p. 3). What often happens in a post-conflict state in places where ethno-religious identity is marked is a reassertion of differences as women fall back into identification with men and old stereotypes of traitor, perpetrator, collaborator, spy, and victor return for both men and women. Women who had been abducted into the Lord’s Resistance Army in Uganda note that people “discriminate against them on the basis they were married to LRA commanders, not because they were once fighters that may have committed atrocities”, yet their life stories reveal that by being obedient wives, their basic needs of “food, water, medicine, and shelter were usually met” (Baines 2011, p. 486). In this grey zone, the victim and perpetrator dichotomy is blurred and gendered. “To listen to their stories unearths the complex ways violence undoes social fabric and challenges our humanity” (Baines 2011, p. 490).

In adopting gendered narratives as one possible starting point of an analysis for transitional justice, two changes in intellectual approach may be required. First, the epistemological issue of the knowledge surrounding the framing of lives is significant because “the frames through which we apprehend or, indeed, fail to apprehend the lives of others as lost or injured are politically saturated” (Butler 2009, p. 1). Consequently, there is an epistemological challenge in how gendered lives are summarized and what knowledge supports the framing. As mentioned, typically men are defined as combatants and women as victims of sexual violence. Also, some lives are framed as valuable and others are treated as if they are expendable. Second, the ontological concern is



about the value of life as part of the framing, particularly in terms of who is named and why. Given the extent to which bodily beings are affected by violence and differentially by gendered experiences, to make claims about the need for protection and entitlement to those conditions through which humans might flourish, a revised ontology “implies the rethinking of precariousness, vulnerability, injurability, interdependency, exposure, bodily persistence, desire, work, and the claims of language and social belonging” (Butler 2009, p. 2). A defence of a normative understanding of the recognition of precariousness as a shared state of human life is more than saying we are all vulnerable and death is certain. The point is that we all require adequate welfare to be sustained and to enable our capacities to flourish, but welfare assistance must adapt to all types of diversity, including gender. Giving space to gendered voice attempts to recover the category of human from histories of violence and restore human rights for all citizens. “We humanize what is going on in the world and in ourselves only by speaking of it, and in the course of speaking of it we learn to be human” (Arendt 1973, p. 32).

There are manifold ways that men’s and women’s sense of themselves and the way they choose to be framed can be drastically undermined through the violence of war, ethnic stereotypes, sectarian norms, and myths about the other. However, “because narratives are narratively constituted and narratively damaged, they can be narratively repaired” with “identity-constituting counterstories” (Nelson 2001, p. xii) that challenge the damage of demeaned moral agency by replacing degrading stories with ones that resonate. Counterstories allow a retelling of a story in fresh ways that permit the teller to express agency as someone worthy of respect. Take for example a woman who has borne a child through rape and is ostracized by her community. In telling her counterstory of her surprising affection for the child, she can be restored as a woman of worth, someone capable of caring for her child despite being rejected by her community. As another example, take a combatant who everyone has known simply as an aggressive fighter. In presenting the counterstory about someone who craves education and a changed way of life, this person can tell a different story about himself or herself and demonstrate credible change. This narrative approach views people as active agents who depend on others to contribute to the restoration of their identity. It assists in understanding how gendered identities can resist gendered constraints where forced silence is a form of control. Story-telling thus can be a form of social repair where the story-teller “renegotiates the meanings of her experiences of past violence in order to construct herself as a new subject” (Baines and Stewart 2011, p. 258).

Examples of gendered stories abound. Morris, a former child soldier and commander in the Liberian and Sierra Leonean civil wars, was feeling that “facing the past is too hard” (in Lederach and Lederach 2010, p. 20), so to cope, he built a farm where former boy combatants could grow vegetables and fruit. In working with Jake, a former rebel, Morris uses dance, music, drumming, and theatre to tell the stories of war and displacement. Elsewhere, Christian and Muslim women met to form the Women of Liberia Mass Action for Peace Campaign in 2003. Then President Charles Taylor could not continue to resist the persistent pressure from the women, so despite excluding the women from the peace talks, he met with the rebel facilitators. When war erupted in Monrovia, the women, joining arms, refused to let the male negotiators out until a peace agreement was signed. Leymah Gbowee, lead organizer of the campaign, stressed that “we are all victims. *And we all have a Voice*” (in Lederach and Lederach 2010, p. 30). Maria’s husband “disappeared” from his Colombian coffee farm. Years

later, Maria's brother-in-law discovered his bones on the land. Maria's widowhood is verified and her victimhood established. In reflecting on stories that emerge from deep hurt, "we enter the terrain of the *Unspeakable*, the search for finding ways to name experiences and events that are beyond words and comprehension" (Lederach and Lederach 2010, p. 66). This first section has argued that stories matter in that they materialize relationships, construct meaning, and express agency. Providing space for the stories of gendered narratives within transitional justice illuminates the particular needs that must be met for men and women to move from despair to hope.

## Silence and Silencing

So far, the emphasis has been on finding and expressing voice. In this section, silence is examined. Four distinctions are drawn: the silence caused by repression or shame; self-chosen silence to retain self-respect; the silence a community adopts as a strategy of survival; and silence as agency. The argument is that depending on motivation, silence may be a source of oppression, empowerment, pragmatism, or agency.

### Silenced by Repression or Shame

Many women who have suffered sexual violence stay silent, fearful in discussing their shame. As stated, story-telling is a culturally familiar tool, particularly where oral traditions are strong, and it seems to provide a special space for women who have experienced violations to express their feelings. Nancy Apiyo (2012), working in Uganda, explains how crucial story-telling is in her justice and reconciliation project on gender justice. To overcome fear of sharing personal stories of harmed bodies, a body-mapping exercise was conducted, whereby violated women marked a drawing of a woman's body in the places where they were physically, psychologically, or spiritually hurt during conflict. This approach identifies the sources of pain, opening a space for story-telling, where discussions began on being subjected to forced marriages with older men, rapes, beatings, sexual crimes violated against them, difficult child labours, and giving birth to children who they raise without support. Other women told of the trauma in returning home as former combatants or after being displaced by war. One Ugandan woman expressed her desire for monetary reparations lucidly when she suggested that the government should pay her for the "time that was wasted that led to our being illiterate" (in Apiyo 2012, np). Listening to what people say about feeling insecure and what makes them experience safety gives insight into different ways that transitional justice should respond differently to gendered insecurities.

Other examples of silence take varied cultural forms. Traumatized women in Bosnia and Herzegovina say that "traumatic experiences often cause the survivor to question their view of reality, robbing them of their sense of integrity and wholeness and leading to the loss of self-esteem" (Kleck 2006, p. 345). Further, the force of memories often torments traumatized victims, particularly when emotions of shame or guilt are overwhelming. The narrative becomes stuck in the past. Both guilt and shame can immobilize, trapping victims. However sometimes, shame promotes change. Rose Marie Mukanwiza, a Tutsi from Rwanda, lost her husband, five children, mother, father, six brothers, three sisters, and all their children in the 1994 genocide. When she was



59 years old, she told the story how a man called Gabuka had raped her. This man wrote to her from prison in 2007 asking for forgiveness and she testified at his *gacaca* trial. She said: “I’m a living shame, but I know the cause of my shame is *theirs*, the *rapists*, and I would like to see him *to make him really think about what he did*” (in Totten and Ubaldo 2011, p. 32). This story provides added weight to the importance of providing space for survivors of violence to tell their story if they choose to do so, and be heard as a crucial step in the long process of healing traumatic wounds.

Truth commissions are a significant space for victims to be both story-tellers and witnesses because “making stories of our lives is what we humans *do*” (Phelps 2004, p. 55). For many, there is a restorative power of truth-telling in that “when the work of knowing and telling the story has come to an end, the trauma then belongs to the past, the survivor can face the work of building a future” (Minow 1998, p. 67). However, this restoration does not always happen. There are varieties of truths and different versions of the one declared truth. Repression of truth or shame of telling the truth can prevent shattered selves from being restored. Gender-aware truth processes are an obvious example of paying due attention to different needs and types of trauma experienced by women and men. These processes avoid viewing women solely as victims, or men solely as perpetrators of abuse, but consider men’s and women’s experiences as fighters, survivors, perpetrators, victims, community leaders, or household managers. Releasing “such stories may require a different kind of truth process than a national commission” (Pankhurst 2008, p. 12). Informal story-telling allows the teller to self-direct the flow which is important when shame is present. Truth commissions in Peru, Sierra Leone, and Timor Leste “accorded unprecedented visibility to violence against women and gave dignity to women’s perspectives” (Dal Secco 2008, p. 67).<sup>3</sup> Yet while a truth commission’s attention to sexual violence is crucial, sole attention to this abuse reproduces the dominant perception of women as sexual beings and neglects the sexual violence that some men suffer. Inclusive commissions give space to marginalized voices. The point here is not to delve deeply into the outcomes of these commissions, but to note valuable practices of “gender-sensitive truth-telling and evidence-giving processes” (Dal Secco 2008, p. 72). Other helpful contributions include availability of gender experts to provide special assistance to shamed victims, ensure witness protection, appropriate statement-taking procedures, women interviewers, special women’s-only hearings, and lobbying for prosecutions. Truth commissions have made significant advances “in terms of securing accountability for gender-based violence” in Guatemala, Peru, and South Africa, and gender was “explicitly incorporated into commission mandates” in Haiti, Sierra Leone, and Timor-Leste (Bell and O’Rourke 2007, p. 28).

What happens to the voices of the women who do speak and “importantly, what happens to the thousands of others who will never have a chance to access a court or a truth commission” (Rubio-Marin 2006, p. 21), yet their lives are massively disrupted by conflict? This question is highly relevant given the common finding that the stories women tell “reveal how women bear the brunt of the consequences of violent actions that target ‘their’ men (brothers, sons, brothers)” (Rubio-Marin 2006, p. 21). Typically, women speak in response to the ill-treatment of others. They keep silent as to their own shame. “Many victims are literally unable to articulate the harms they have experienced

<sup>3</sup> See Porter (2012) for a discussion of gender-inclusivity in transitional justice in Timor-Leste.

to the audience” (Ní Aoláin et al. 2011, p. 183). Writing on the South African Truth and Reconciliation Commission (TRC), poetic terms can be used to describe the “witnessing dance” where both victim and perpetrator speak to each other and also bear witness to the stories they bring. Where remorseful perpetrators are present at a truth commission, “victims find their voice to speak the unspeakable” and perpetrators can then “confront the consequences of their actions in public” (Gobodo-Madikizela 2008, p. 176). This witnessing dance can only happen when the perpetrator is penitent and if the victim is willing to face their abuser. Through the process, it is possible for victims to reclaim a sense of humanity and the perpetrator to regain some rehumanizing.

### Self-Chosen Silence

To understand the significance of gendered narratives as presented in truth commissions, it is useful to grasp something about withholding truth, that is, deliberate, intentional silence. Telling one’s story or withholding one’s story can both be acts of empowerment (Porter 2015). A stark example of this was found in the South African TRC. When women failed to testify about themselves, telling stories about their fathers, brothers, sons, uncles, and nephews, special hearings for women were instituted. In these hearings: “it was easier to keep silent. Female Premiers, Ministers, business women—kept silent. Some of them had been tortured, some of them raped. One of them gave birth in jail in front of a horde of laughing, jeering wardens. All of them are formidable women. Yet they did not come forward. They did not speak” (Krog 2001, p. 205). These high profile women did not want to be reminded of the shame of their past or threaten their public positions. How should these narratives be interpreted? The South African TRC did not appreciate the dangers to women of testifying in public, because “it read the absence of women’s testimony of direct harm as silence caused by reticence, proprietary, or lack of education about rights” (Ross 2010, p. 75). For many, it was a deliberate act of empowerment. The motivations not to speak are varied. Some women thought that by speaking they would betray their fellow comrades in armed struggle, some did not want to expose their own humiliation in being violated, and others felt that in being silent they were being true to themselves despite resisting solidarity with others’ harms.

These various reasons are understandable because “telling of pain is an act of intimacy” (Ross 2003, p. 6). To be a witness to emotive testimonies is to acknowledge suffering through attentive listening. While the accounts give voice to pain through words, gestures, and emotional expressions, intentional silence has specifically gendered connotations for the women referred to above. “Silence should not be mistaken as having nothing to say” (Baines and Stewart 2011, 249). The way to recognize women’s deliberate silence in truth commissions as a meaningful act of agency is to delve into “the cadences of silences, the gaps between the fragile words, in order to hear what it is that women say” (Ross 2003, p. 50). There can be honour in silence. Pursuing the question “of how, by whom, against whom, and in what context is this sexual violence taking place”? (Hayner 2011, p. 88) leads to a fuller picture of gendered narratives, why women more typically are violated, but what forms of othering occur when men are abused. Silence often is misinterpreted. Support by gender experts in truth-telling contexts of narratives of violence is crucial to understand the motives behind self-chosen silence.

In other contexts, women's deliberate silence indicates a fear for personal safety if one spoke the truth. Survivors of gender-based violence during and after the Independence War of Bangladesh were reluctant to speak of their humiliation, but "the enduring reality of war and survival after the war was articulated not only in women's uttered words, but also in those pregnant pauses during the conversations" (D'Costa 2006, p. 148). Wise judgement is needed in knowing how to respond with attentive care. There are other instances where men choose silence. Cobb describes her conversations with Hussein, who fled the violence of 1991 in Somalia, only to find himself on a sinking boat swimming in shark-infested waters, alongside fellow Somalians who did not make it to shore. He explained to Cobb that within the Somalian diaspora, few people talk about the violence experienced or the trauma that resulted. When she asked why, "he explained that they were ashamed and fearful" (in Cobb 2013, p. 169) and this was his first time of discussing it. With some, shame arose through realizing a failure to challenge the impunity of perpetrators, with others there were contested accusations of complicity in participating in the violence, and others experienced guilt in surviving.

### **Silence as a Strategy for Survival**

Sometimes, silence is the cultural norm, appropriate for men and women. Writing from a Northern Irish context, Seamus Heaney (1975) wrote his famous poem: "whatever you say, say nothing." In local communities in Bosnia and Herzegovina, silence can be understood pragmatically, simply as a strategy for coexistence, which "refers to the culturally acquired knowledge of how to live with difference" (Eastmond and Selimovic 2012, p. 508). In listening to informal conversations, both speaking and being silent can be seen as conscious acts. This type of silence is an awareness of the need to keep the peace. A teacher from Foča, who had been rebuilding social trust in the community, "contended that the possibility of acknowledging the pain of the other is dependent on keeping the silence on central contentious issues" (in Eastmond and Selimovic 2012, p. 514). Silence thereby may promote civility. These consensual silences avoid the issues that are personally painful and potentially socially disruptive. Interestingly, silence can be a crucial part of both courtesy and agency. Yet in relation to war-rape, and telling the stories of horrible violations of dignity, public silence might be broken through other forms like fiction, film, or plays (Björkdahl and Selimovic 2014, p. 212).

It is important to stress that there are misuses of silence and stories. Sometimes NGOs can demand stories as a form of exchange for aid and authenticity is lost. Ideology can obscure a narrator's meaning. Misinterpretations abound. The same story will assume a different meaning for those oppressed compared with those who were or remain the oppressors. Further, there is a "prior narrative of violence and causality" which often is constructed by the international community (Ní Aoláin 2009, p. 1060). There can be "conformist 'master narratives' of the past" such as those in El Salvador, Chile, and Argentina, where a state view can "restigmatize victims" (Simpson 2007, p. 89). In these situations, victims need to be offered opportunities to counter untruths that continue to dehumanize. In all circumstances, there are devious forms of silencing that distort agency, where the speaker is framed falsely in terms of the conflict. When the person doing this misframing is in a powerful position, such as in most gendered relationships, those who speak are not validated and this disrespectful dismissal happens frequently for women. Women may keep quiet to avoid being humiliated.

Without the equality of status as listener and speaker, gendered power blocks dialogue. Mutual recognition as equals is important when giving voice to those who have been silenced or have needed to keep silent to stay safe. Intrinsic to the strength of truth-telling is listening, when those unaccustomed to being in a listening role step back from their dominant positions to hear the story. The strength does not lie in a new power relationship, but in the restoration of dignity that comes from being listened to and having one's story acknowledged.

### Silence as Agency

In some transitional justice contexts, silence is an agentive act. This action goes beyond the self-chosen silence referred to earlier, which was applied mainly to truth commissions. Silence as agency is an interesting idea because it is too easy to jump to the conclusion that silence is always negative or a mark of suppression. Thomson writes on the everyday resistance by Rwandans of their sense of imposed reconciliation by state forces to create a Rwanda for Rwandans. In doing so, she consciously privileges individual agency in the way she writes that poor peasant Rwandans can “whisper the truth to the power of the post-genocide government” (2011, p. 440). The point is not to elaborate on what they are whispering, but to acknowledge the potential of resistance to the state. Thomson conceptualises “everyday acts of resistance as any subtle, indirect, and non-confrontational act that makes daily life more sustainable” (2011, p. 446). She contrasts a “survivor” woman who through being raped contracted AIDs and lost her socio-economic support network so her form of resistance was to try to avoid *gacaca*, with a returnee woman who gained a position as an official and insisted on lawful participation at the trials. She suggests that other examples that men and women engage in include staying on the sidelines to avoid trouble with local authorities, “irreverent compliance” or “withdrawn muteness” which embodies “purposeful and strategic moments of silence” (2011, p. 453) to protect self-dignity or meagre resources.

Despite being limited by circumscribed social roles, individuals “exercise agency, in which negotiating, manoeuvring, and muddling through are all essential aspects of individual efforts to resist” (Thomson 2013, p 131). There are always risks in this type of resistance, such as losing access to social benefits or being a social outcast. Writing on Rwandan women, Burnet (2012) analyses the silences surrounding victimhood, particularly the cost in contradicting state-sanctioned narratives. Burnet's concept of “amplified silence” refers to an “intense public silence” of excluded experiences of violence that fall outside of the regime's sanctioned political discourse (2012, pp. 111–112). This type of silence reflects a fear of being ostracised or imprisoned for speaking openly about a sort of experience that differs to the official narrative, but it is a silence that is a deliberate act of agency. To conclude this second section, four types of silence were examined; silence through shame, deliberate silence, pragmatic silence, and silence as an active form of agency.

### Compassionate Listening to Gendered Narratives

An important aspect to the argument of this article lies in stressing the significance of listening to the gendered dimension to stories told during transitional justice processes

in order to respond with empathetic compassion. This position does not assume a feminine essentialist inclination toward empathy, despite significant anecdotal and empirical evidence of women's empathetic activities in peacebuilding where many women are "bridge builders and voices from the middle ground" (Anderlini 2007, p. 86). For example, Terry Greenblatt, former director of the Israeli women's peace organization Bat Shalom, told the UN Security Council that "even when we are women whose very existence and narrative contradicts each other, we will talk—we will not shoot" (in Anderlini 2007, p. 89). Women were quick to show compassion in the South African TRC and empathy was a crucial quality of forgiveness that helped to attain collective signs of hope (Gobodo-Madikizela 2005). Empathy is a virtue of care, and in transitional societies, it assists a movement toward securing rights and justice because it responds directly to suffering in the context of telling stories. Women and men have the capability to express empathy.

Empathy is connected with open listening. "Empathetic cooperation" is a "method for managing, working with, respecting, and surpassing rigid standpoints, positions, and issues without snuffing out difference" (Sylvester 2002, p. 244). The process of "active listening, predicated on empathetic listening, establishes a potentially affirmative role for the bystander" (Kashyap 2009, p. 456). A story to highlight this process arises from Berak, a small village in Croatia that suffered extreme trauma during the 1991–1995 fighting. Between 1996 and 1998, displaced persons, mainly Croats, began to return with the belief that the mainly Serbs who had stayed in the village would inform them of the location of the bodies of those who had been killed. The Serb silence was steadfast. A multi-ethnic Peace Team from the Centre for Peace, Non-Violence and Human Rights in Osijek conducted a listening project. This project provided a space for people to express their feelings about who was or was not visiting or talking with each other and it opened a dialogue on the remaining problem, "the issue of missing persons and post-war justice" (Bloch 2005, p. 658). Consequently, both Serbs and Croats engaged in the efforts to find the missing bodies. This engagement fulfils "empathetic repair" (Gobodo-Madikizela 2008, p. 335), an idea that indicates the possibilities that can arise when there is an openness to dialogue with former enemies. Practitioners of transitional justice are reminded that "providing survivors of violence a space to tell each other stories may be just as important as pursuing formal justice goals" because the story can be "the act through which people work through social tensions, misperceptions, discrimination, and injustice" (Baines and Stewart 2011, p. 260).

The capacity to empathize does not come easily. For many victims of violence, understandably, there is an avalanche of anger. Anger "is a reasonable type of emotion to have in a world where it is reasonable to care deeply about things that can be damaged by others" (Nussbaum 2004, pp. 13–14). There may be moral worth in anger, but compassion "helps limit or temper anger so that it does not turn into the lust for vengeance" (Ure 2008, p. 294). The argument in this article is that listening to stories told in post-conflict societies is fundamental to appreciating what counts as major injury that requires punishment, forgiveness, or reparation. Meaningful engagements require listening, hearing, and connecting with others at critical points. Empathy and compassion assist understanding gender particularity. With empathy, there is an attempt to identify with the emotions a person is feeling. However, "in order to move beyond empathy, we must also address claims for justice and equality" (Porter 2006, p. 108) in

order to respond to differentiated needs, of which gender is a critical factor. Herein lies the crucial difference between empathy and compassion. Compassion *requires* a response. To avoid disrespectful paternalism, something that often occurs in gender relations, a compassionate person feels the pain of another, tries to imaginatively identify with what the person is enduring, and crucially, responds to the particular suffering. In transitional justice contexts, such responses embrace gender-just equality laws, employment provisions, health care, security, and opportunities for public and civic engagement within the new polity.

Reparations are one form of compassionate response. “Reparations become an expression of recognition to the victims as human beings and as equal citizens in the new political order” (Rubio-Marín 2006, p. 25). The pattern expressed by many researchers is that women victims “express preference for services to meet their basic needs and those of their family members” (Rubio-Marín 2006, p. 29). This might not always be an altruistic motive because it might be a gendered sign of poverty or lack of knowledge about rights and entitlements. However, “the harms-based extension of the notion of victim (which takes it beyond that of the right holder) has great potential for engendering reparations” (Rubio-Marín 2006, p. 31). The need to listen carefully to stories told and to respond with compassion to gendered narratives is critical. Such a response to the lived experiences of gendered narratives highlights the abstract universality that accepts the dignity of all human beings; the abstract particularity that is necessary to differentiate for example, women’s rights as human rights; and the concrete universality where rights are embodied in actual experiences (Baxi 1999, p. 126). There are many obstacles faced in accessing these rights and services in a transitional justice context. An innovative ways to overcome such obstacles for women is to link the delivery of services to women with access to assistance for children and healthcare. Another is to ensure an equitable distribution of resources to women and men.

The article has made three central points. First, it established the importance of story-telling in transitional justice processes as a contextual expression of meaning, a demonstration of narrative agency, and a way to understand the gendered nature of stories told within life narratives. This understanding is heightened when attention is given to ways in which gender identity intersects with other identity markers of age, class, region, or educational level. The narrative theory being proposed here is one that grounds a relational identity with the meaning-making that occurs through telling stories that signify all sorts of differences. Narratives are made up of multiple, intersecting, overlapping stories, some which are told, others are suppressed, or deliberately not expressed. Integrating narratives into transitional justice processes provides deep insight into gendered differences. Second, in examining the significance of silence, the article distinguishes between the silence of repression or shame, self-chosen silence to retain one’s sense of self-respect, silence as a communal strategy of survival, and silence as a reflective, deliberate act of agency. Third, the article emphasizes the importance of listening to stories in order to respond practically and appropriately with compassion. Men and women sometimes require different responses to realize human rights and justice. Compassionate listening to stories of women and men further the likelihood of a gender-inclusive, transformative transitional justice.



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