

# The Ethnography of Armed Conflict – Introduction

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## 1 Introduction

Centring the perspectives of those whom the law is meant to serve is crucial if we want to understand whether the laws live up to their spirit. These perspectives are central to this special issue, in which the authors present powerful analyses using original findings generated through research on the ethnography of armed conflict. It is not enough to ask ‘what does the law say?’ in an attempt to resolve an armed conflict or address its devastating aftermath. Nor is it sufficient to assess the impact of laws pertaining to armed conflict by examining whether they have been implemented. Rather, as the authors in this special issue emphasise, legal analysis combined with ethnographic research that sharpens the focus on the daily lived experiences of people explains the law’s shortcomings while highlighting its potential. The authors contend that foregrounding the ‘daily life’ aspect of victims and survivors will contextualise law, decolonise it, and enable it to address structural violence.

A running theme throughout this issue is the idea that political violence, within which armed conflict takes place, does not occur in distinct phases. The complex layers of victimisation do not start with the eruption of armed conflict, nor do they end with a ceasefire. They instead span the pre-, during and post-conflict periods: an idea that is crucial to understanding the structural nature of violence. When understood as varying ‘intensities of conflict’ rather than the absence or presence of conflict, *armed* conflict can only capture a part of the broader and deeper context of political violence.<sup>1</sup> The ethnographic accounts outlined in this special issue’s articles illustrate how experiences of

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<sup>1</sup> Sami Hermez, ‘Ethnographies of Political Violence’, in Pamela J. Stewart and Andrew J. Strathern (eds.), *The Ashgate Research Companion to Anthropology* (Routledge, Abingdon, 2015).

armed conflict are inseparable from experiences of victimisation before and after armed conflict.

Addressing the structural causes of conflict is one of the central tenets of reparative justice (discussed in Brianne McGonigle and Elena Butti's article on Colombia and Tricia Redeker Hepner and Jaymelee Kim's article on Uganda in this issue), and requires a focus on the 'underlying pre- and post-war structural problems'. Reparative justice programmes should, as McGonigle and Butti remind us, ensure that victims are not brought back to the unequal, marginalised and socioeconomically disadvantaged status they held pre-conflict. Rather, the reparative justice offered to them should help remedy the root causes of their victimisation, which necessitates a serious focus on the period before the eruption of armed conflict. In her article on the ethnography of armed conflict in Israel and Palestine, Noura Erakat historicises Israel's shoot-to-kill policy. This is a crucial exercise, she argues, in not only contextualising how this policy has evolved over time, but in situating the Israeli-Palestinian conflict within a settler colonial framework as opposed to a hostilities, or 'defensive force' framework.

Through ethnographic research and legal analysis, the authors in this special issue foreground what Sami Hermez describes as the 'invisibilities of armed conflict'.<sup>2</sup> Violence that is not visible to the 'naked eye and our immediate senses', like the dead or the disappeared.<sup>3</sup> Hepner and Kim present a vivid account of this 'unseen' suffering in Uganda, where they describe the 'entanglements of living and dead in materially grounded, everyday notions of justice'. The ethnographies of violence centre the 'daily life' experiences that are overlooked in legal analyses. For example, as Michelle Lokot argues, the ethnographic accounts from Syrian refugees challenge existing narratives about rape in Syria, as they 'emphasise the importance of recognising everyday gender based violence – not just rape – during conflict.'

Through a case study of the Kachin rebels in Myanmar, Alicia De La Cour Venning's ethnographic research draws on non-state armed groups' perceptions of how and why they engage with international humanitarian law (IHL). Rather than disengage with legal programmes viewed as irrelevant, as in the case of marginal youths in Colombia (McGonigle and Butti), De La Cour Venning points to the strategic use of IHL by marginalised actors – the Kachin rebels – as an empowerment mechanism that aids in building legitimacy in a state-centric legal community. She argues that 'legal scholarship largely fails to ask rebels what motivates them to interact with IHL'. Instead, rebels and other

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<sup>2</sup> *Ibid.*, p. 257.

<sup>3</sup> *Ibid.*