

# 'Leaky' bodies, connectivity and embodied transitional justice

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DOI:  
[10.1093/ijtj/ijz003](https://doi.org/10.1093/ijtj/ijz003)

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Document Version  
Peer reviewed version

Citation for published version (Harvard):  
Clark, J 2019, 'Leaky' bodies, connectivity and embodied transitional justice', *International Journal of Transitional Justice*, vol. 13, no. 2, pp. 268–289. <https://doi.org/10.1093/ijtj/ijz003>

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Checked for eligibility: 20/12/2018

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# **‘Leaky’ Bodies, Connectivity and Embodied Transitional Justice**

‘[T]o be one is always to *become with many*’.<sup>1</sup>

## **Introduction**

In her work with a group of mothers in South Africa, Gobodo-Madikizela describes what happened when these women had the opportunity to meet the former police informant responsible for the murder of their sons. Focusing on the women’s bodies, she explains: ‘Themes of an embodied response have emerged from these interviews, and the mothers have described “signs” in the body that triggered feelings of empathy, which led to forgiving the perpetrator’.<sup>2</sup> Locating their bodily sense of *inimba* (the Xhosa word for empathy) in their wombs, these women responded to the former police informant ‘as if he were their own son’.<sup>3</sup>

If this example highlights the importance of bodies, and how they can potentially contribute to inter-personal reconciliation, it is striking that little attention has been given to bodies within the field of transitional justice<sup>4</sup> – except in the sense of what has been *done* to them. Seeking to address this gap, this article focuses specifically on what bodies can *do*. According to Williams and Bendelow, ‘...it would not be too much of an exaggeration to say that the body is both everywhere and nowhere today: an elusive figure if not elusory being

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<sup>1</sup> Donna Haraway (2008), *When Species Meet* (Minneapolis: University of Minneapolis Press, 2008), 4.

<sup>2</sup> Pumla Gobodo-Madikizela, ‘Intersubjectivity and Embodiment: Exploring the Role of the Maternal in the Language of Forgiveness and Reconciliation’, *Signs: Journal of Women in Culture and Society* 36 (2011), 546-547.

<sup>3</sup> *Ibid*, 547.

<sup>4</sup> Theo Hollander and Bani Gill, ‘Every Day the War Continues in my Body: Examining the Marked Body in Postconflict Northern Uganda’, *International Journal of Transitional Justice* 8 (2014), 221.

which roams nomadically across the sociological landscape in search of a home'.<sup>5</sup> This article aims to give the body a 'home' precisely by demonstrating why bodies are relevant to both transitional justice and peace-building more broadly. Emphasizing the significance of 'leaky' bodies', and how this 'leakiness' has the potential to foster a positive awareness of inter-corporeality, it argues that bodies represent important sites of functional connectivity that can bring together communities (and individuals within these communities) fractured by war and armed conflict. Primarily focusing on what it terms grounded functional connectivity, it also introduces the idea of meta functional connectivity. At this meta level, bodies constitute sites of connectivity by foregrounding the broader social environment and the different layered intersections across this environment. Ultimately, the article calls for embodied ways of doing transitional justice that more fully recognize the significance of bodies.

The article is divided into four sections. Primarily a conceptual piece, it also has an empirical component and the first section focuses on fieldwork and methodology. The second and third sections are theoretical, exploring and unpacking the core concepts of connectivity and leakiness. The final section reflects on how, in practice, transitional justice might utilize bodies to foster grounded functional connectivity. It further explores how bodies constitute sites of meta functional connectivity – and how this points to new ecological ways of thinking about and doing transitional justice.

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<sup>5</sup> Simon J. Williams and Gillian A. Bendelow, "'Recalcitrant Bodies'? Children, Cancer and the Transgression of Corporeal Boundaries', *Health: An Interdisciplinary Journal for the Social Study of Health, Illness and Medicine* 4 (2000), 52.

## Empirical Threads

Maria<sup>6</sup> was dressed in bright hues, her red handbag clashing with her fuchsia nails. The colours of the Colombian flag – red, blue and yellow – were braided into her hair. She uses her body as a corporeal mosaic for displaying her pride and identity as an Afro-Colombian woman. After she was raped by FARC guerrillas, she felt ashamed to go out and be seen; her body felt marked. When she had sex, the light needed to be switched off. Over time, and with psychological support, she has learned to love her body and to appreciate its beauty.<sup>7</sup>

Sara's short, cropped hair was dyed a reddish colour. Dressed simply in black jeans and a black t-shirt, what was most striking about her was her dramatic eye make-up. The deep purple eye-shadow and thick false lashes detracted attention from her body. Early in the Bosnian war, she was taken to a camp in the municipality of Zvornik (in north-east Bosnia-Herzegovina) and raped. She was three months pregnant at the time. When asked what had helped her to deal with everything that she had gone through, she immediately pointed to her stomach, recalling the feeling of her unborn child inside her.<sup>8</sup>

It is through my work with men and women who have experienced conflict-related sexual violence that I have become interested in bodies – and how bodies can tell their own stories. If past crimes leave 'corporeal remains',<sup>9</sup> their scars and imperfections may 'tell stories of healing and learning'.<sup>10</sup> Additionally, the clothing that covers these physical structures can

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<sup>6</sup> No real names are used in this article.

<sup>7</sup> Questionnaire pilot, Colombia, 2 March 2018.

<sup>8</sup> Questionnaire application, Bosnia-Herzegovina, 10 September 2018.

<sup>9</sup> Laura Major and Joost Fontein, 'Corporealities of Violence in Southern and Eastern Africa', *Critical African Studies* 7 (2015), 90.

<sup>10</sup> Stephen Buetow and Catharine Wallis, 'The Beauty in Perfect Imperfection', *Journal of Medical Humanities* (2017) (published online at <https://link-springer-com.ezproxie.bham.ac.uk/article/10.1007/s10912-017-9500-2>).

provide valuable insights into an individual's relationship with his/her body.<sup>11</sup> How one views one's body is an integral part of how one views the self; and a person's self-perception can influence – positively or negatively – his/her relationship with other bodies. In short, 'the body predicates, or at least influences, the quality of interaction a person has'.<sup>12</sup> Bodies, thus, need to be understood and situated in a wider relational and social context, and this makes them highly relevant to transitional justice.

In developing this argument, I draw on my recent fieldwork in Bosnia-Herzegovina (BiH), Colombia and Uganda (January-April 2018). These field visits were undertaken as part of a five-year mixed methods comparative study – funded by the European Research Council – on resilience in victims/-survivors of conflict-related sexual violence.<sup>13</sup> The ultimate objective is to develop new ways of doing transitional justice that potentially foster resilience. The main purpose of the field visits was to pilot the study questionnaire, which I developed with my two research assistants. The core part of the questionnaire is the 28-item version of the Adult Resilience Measure or ARM. Designed by Michael Ungar and colleagues at the Resilience Research Centre in Canada, the ARM consists of three sub-scales: 'individual capacities, personal relationships with key individuals, and contextual factors that facilitate a sense of belonging'.<sup>14</sup> These sub-scales underscore the fact that the ARM approaches resilience as an ecological concept that looks beyond individual psychologies.<sup>15</sup> In the

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<sup>11</sup> Marika Tiggemann and Catherine Lacey, 'Shopping for Clothes: Body Satisfaction, Appearance Investment and Functions of Clothing among Female Shoppers', *Body Image* 6 (2009), 289.

<sup>12</sup> Hollander and Gill, *supra* n 4 at 230.

<sup>13</sup> Full ethics approval for this research was granted by the Humanities and Social Sciences Ethical Review Committee at the University of Birmingham on 24 February 2017. Ethics approval was also granted by the European Research Council in May 2017.

<sup>14</sup> Research Resilience Centre, *The Research Resilience Centre Adult Resilience Measure (RRC-ARM) – User's Manual* (2016), 20. Available at: <http://www.resilienceresearch.org/files/CYRM/Adult%20-%20CYRM%20Manual.pdf>

<sup>15</sup> According to Ungar, for example, 'In the context of exposure to significant adversity, resilience is both the capacity of individuals to *navigate* their way to the psychological, social, cultural, and physical resources that sustain their well-being, and their capacity individually and collectively to

remainder of the questionnaire, there is a section on demographic information (section A), a Traumatic Events Checklist (section C), a seven-item Centrality of Event Scale<sup>16</sup> (section D) and a final set of questions focused on the present (section E).

The piloting process was a vital exercise for assessing whether research participants could understand the questions, for judging whether anything needed to be added to (or removed from) the questionnaire and for testing the effectiveness of the two-sided visual aid.<sup>17</sup> In total, 32 male and female victims/-survivors of conflict-related sexual violence took part in the piloting of this questionnaire between January and April 2018. Eleven participants (10 women and one man of Bosniak, Serb and Croat ethnicity) were in BiH, 10 were in Colombia (a mixture of mestizo and Afro-Colombian women) and 11 were in northern Uganda (five women and six men of Acholi and Lango ethnicity). The piloting process was also used as an opportunity to seek crucial feedback from all of the research participants on the design of the questionnaire. Some small post-piloting changes were subsequently made and the final version of the questionnaire is now being applied in all three countries, with invaluable assistance from several local organizations which have been trained in how to administer the research tool.

During and after the piloting of each questionnaire, I noted, *inter alia*, whether the respondent became upset, whether s/he requested a break, what (if any) questions s/he asked during the informed consent process and how long each questionnaire application took. As the body emerged as a salient theme in a variety of ways, I also made notes about

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*negotiate* for these resources to be provided and experienced in culturally meaningful ways'. Michael Ungar, 'Resilience across Cultures', *British Journal of Social Work* 38 (2008), 225.

<sup>16</sup> Dorthe Berntsen and David C. Rubin, 'The Centrality of Event Scale: A Measure of Integrating a Trauma into One's Identity and its Relation to Post-Traumatic Stress Disorder Symptoms', *Behaviour, Research and Therapy* 44 (2006), 219-231.

<sup>17</sup> In the ARM, for example, respondents have a choice of five possible answers to each of the 28 items, ranging from 'Not at all' to 'A lot'. To help them to remember the different answer options and to visualize them, one of the two visual aids consists of a laminate showing five different glasses, from empty to full. This has proven to be extremely effective.

how respondents held themselves, how they spoke about their bodies and anything that particularly stood out regarding their appearance (the colours of their clothes, any jewellery that they were wearing, any visible scars or wounds). In addition to drawing on these notes, this article uses material from my current fieldwork in BiH, which involves the application of the aforementioned (amended) questionnaire. The empirical threads are woven into the theoretical and conceptual discussion in order to illustrate or accentuate particular points.

As a note on terminology, Green's work with Mayan widows in rural Guatemala emphasizes that 'These women suffered doubly because they were both victims and survivors of violence'.<sup>18</sup> This article, similarly, uses the terminology of victims/-survivors, to underscore that men and women who have suffered sexual violence may view themselves as victims, survivors or as both (either concurrently or alternately, depending on what is happening in their lives at the time).<sup>19</sup> While the aim is to use a terminology that is as comprehensive as possible, it is also recognized that neither term is unproblematic<sup>20</sup> and that some individuals may not identify themselves as either victims or survivors.

Relatedly, some scholars have cautioned against an over-focus on sexual violence, maintaining that the hyper-visibility given to (women's) experiences of crimes such as rape

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<sup>18</sup> Linda Green, 'Lived Lives and Social Suffering: Problems and Concerns in Medical Anthropology 12 (1998), 4.

<sup>19</sup> Using a 'social navigation' perspective, for example, Utas remarks that there is no neat linear path from being a victim to being a survivor. In his words, 'Social navigation defies linear travels by drawing its strength from haphazard detours in the social topography'. Mats Utas, 'West-African Warscapes: Victimcy, Girlfriending, Soldiering – Tactic Agency in a Young Woman's Social Navigation of the Liberian War Zone', *Anthropological Quarterly* 78 (2005), 426.

<sup>20</sup> Spry, for example, contends that 'Conceptualizations of victim and survivor suggest that something has ultimately been done to a woman...Such discourse objectifies the experience by removing the focus of the action from the woman's body to the perpetrator's. The language of victim or survivor defines the meaning of the assault in relation to his action rather than her experience; she survived it or was a victim of it'. Tami Spry, 'In the Absence of Word and Body: Hegemonic Implications of "Victim" and "Survivor" in Women's Narratives of Sexual Violence', *Women and Language* 13 (1995), 4. The exclusive focus on women, however, and the assumption that perpetrators are always men, necessarily weakens the argument.

can cement and reinforce an image of women as victims.<sup>21</sup> In this regard, it is important to stress that while this article draws on my fieldwork with men and women who have suffered sexual violence (alongside other conflict-related traumas including forced displacement, abduction, loss of loved-ones and deprivation of liberty), the focus is not on victimized bodies but rather, to reiterate, on bodies as corporeal sites of connectivity.

## Theorizing Connectivity

Connectivity has been discussed in various contexts, including neuropsychology,<sup>22</sup> climate change,<sup>23</sup> spatial ecology,<sup>24</sup> security<sup>25</sup> and media.<sup>26</sup> Notwithstanding the multiple uses of the term, the basic idea of connectivity – as the name suggests – foregrounds inter-connections and the enablement of these inter-connections. Joseph, for example, understands connectivity to mean ‘relationships in which a person’s boundaries are relatively fluid so that persons feel a part of significant others’.<sup>27</sup> Gibson views connectivity as ‘a potential to uncover new and varied ways of becoming and considering how things could be

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<sup>21</sup> See, for example, Wendy S. Hesford, ‘Documenting Violations: Rhetorical Witnessing and the Spectacle of Distant Suffering’, *Biography* 27 (2004), 124; Pascha Bueno-Hansen, ‘Engendering Transitional Justice: Reflections on the Case of Peru’, *Journal of Peacebuilding & Development* 5 (2010), 71; Alison Crosby and M. Brinton Lykes, ‘Mayan Women Survivors Speak: The Gendered Relations of Truth Telling in Postwar Guatemala’, *International Journal of Transitional Justice* 5 (2011), 463; Doris E. Buss, ‘Knowing Women: Translating Patriarchy in International Criminal Law’, *Social & Legal Studies* 23 (2014), 74.

<sup>22</sup> Lisa Holper, Felix Scholkmann and Martin Wolf, ‘Between-Brain Connectivity during Imitation Measured by fNIRS’, *NeuroImage* 63 (2012): 212-222.

<sup>23</sup> Jenny A. Hodgson, Chris D. Thomas, Brendan A. Wintle and Atte Moilanen, ‘Climate Change, Connectivity and Conservation Decision Making: Back to Basics’, *Applied Ecology* 46 (2009): 964-969.

<sup>24</sup> Atte Moilanen and Marko Nieminen, ‘Simple Connectivity Measures in Spatial Ecology’, *Ecology* 83 (2002): 1131-1145.

<sup>25</sup> Catarina Kinnvall and Ted Svensson, eds., *Governing Borders and Security: The Politics of Connectivity and Dispersal* (Abingdon: Routledge, 2015).

<sup>26</sup> Akil N. Awan, Andrew Hoskins and Ben O’Loughlin, *Radicalisation and the Media: Connectivity and Terrorism in the New Media Ecology* (Abingdon: Routledge, 2011).

<sup>27</sup> Suad Joseph, ‘Connectivity and Patriarchy among Urban Working-Class Arab Families in Lebanon’, *Ethos: Journal of the Society for Psychological Anthropology* 21 (1993), 467.



otherwise'.<sup>28</sup> Integral to this emphasis on multiple 'flowing connections',<sup>29</sup> the concepts of boundaries and borders are necessarily challenged and reformulated. This can be illustrated in two key ways.

Firstly, a core part of connectivity entails the dissolution of boundaries between 'us' and 'them'. In this regard, the idea has often been discussed in relation to health and disability. Describing connectivity as entailing 'a radical alternative to the traditional medical and social models of health', Nicholls et al. explore how it 'critiques the way that people are labeled as abnormal and "other" in orthodox medicine, but also the perpetuation of these distinctions in society at large'.<sup>30</sup> Giving the example of a blind man who uses a guide dog to assist him, they point out that '...he is considered to be disabled under the medical model because he has an impairment requiring an adaptive technology'.<sup>31</sup> From a connectivity viewpoint, however, it is the environment that is disabling the man because it is not accessible to his particular needs and requirements.<sup>32</sup> In a similar vein, Shildrick and Price utilize the concept of connectivity to re-think notions around abled and disabled bodies, and to thereby contest 'the fixed dichotomies – of health/illness, able-bodied/disabled, whole/broken, them and us, and so on – that constitute the very ground of our embodied selves'.<sup>33</sup>

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<sup>28</sup> Barbara E. Gibson, 'Disability, Connectivity and Transgressing the Autonomous Body', *Journal of Medical Humanities* 27 (2006), 195.

<sup>29</sup> Ibid.

<sup>30</sup> David A. Nicholls, Wenche S. Bjorbaekmo and Jens Olesen, 'Connectivity: An Emerging Concept for Physiotherapy Practice', *Physiotherapy Theory and Practice: An International Journal of Physical Therapy* 32 (2016), 159.

<sup>31</sup> Ibid, 161.

<sup>32</sup> Ibid.

<sup>33</sup> Margrit Shildrick and Janet Price, 'Breaking the Boundaries of the Broken Body', *Body & Society* 2 (1996), 96. See also Gibson, *supra* n 28 at 193.

Secondly and relatedly, as one of the ultimate examples of connectivity, globalization<sup>34</sup> is quintessentially about the movement and ‘flow’ of people, goods, ideas and cultures across borders. At this macro level, thus, borders have an important ‘connective function’, acting as ‘prime sites for connecting individuals to the world by creating cosmopolitan opportunities through the possibility of cultural encounters and negotiations of difference’.<sup>35</sup> Yet, while borders facilitate de facto connectivity, this is only part of a wider picture. How this connectivity actually operates will depend on the particular vantage point from which we view it. In this regard, James draws attention to ‘the relationship between the increasing interconnection of social relations at a more abstract level...and the confusing, variable pastiche of fragmented practices and counter-practices apparent when viewed at close hand’.<sup>36</sup>

This article is specifically interested in the utility of connectivity for transitional justice as a potential horizontal and vertical bridging device in deeply divided societies. In this regard, James’ distinction between ‘a more abstract level’ and a ‘close hand’ view is highly pertinent. Transitional justice is about addressing – through a combination of judicial and non-judicial means – the legacy of past human rights abuses in order, inter alia, to re-establish the rule of law, deliver justice to victims, establish the truth and contribute to reconciliation.<sup>37</sup> What it sets out to achieve, however, is only part of the story. The other, ‘close hand’ dimension is its actual effects on the ground. While Toms, Ron and Paris emphasize that ‘there is a limited body of literature devoted to the systematic and rigorous investigation of TJ

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<sup>34</sup> Connectivity has been described as registering ‘the social “electricity” of globalization’. Richard Giulianotti and Roland Robertson, ‘Recovering the Social: Globalization, Football and Transnationalism’, *Global Networks: A Journal of Transnational Affairs* 7 (2007), 171.

<sup>35</sup> Anthony Cooper and Chris Rumford, ‘Monumentalising the Border: Bordering through Connectivity’, *Mobilities* 8 (2013), 121.

<sup>36</sup> Paul James, ‘Arguing Globalizations: Propositions towards an Investigation of Global Formation’, *Globalizations* 2 (2005), 199.

<sup>37</sup> United Nations, Guidance Note of the Secretary-General: United Nations Approach to Transitional Justice (2010), available at: [https://www.un.org/ruleoflaw/files/TJ\\_Guidance\\_Note\\_March\\_2010FINAL.pdf](https://www.un.org/ruleoflaw/files/TJ_Guidance_Note_March_2010FINAL.pdf)

[transitional justice] outcomes',<sup>38</sup> it is also the case that 'locally, "peace" and "justice" do not always look like the "peace" and "justice" drawn up by international donors and peacebuilders...'.<sup>39</sup> What this article seeks to demonstrate, inter alia, is that bodies – as sites of connectivity – can potentially enhance the on-the-ground effects of transitional justice by making it more relevant at the grassroots level, thereby helping to reduce top-down/bottom-up disconnects.<sup>40</sup>

In discussions pertaining to connectivity and land, a distinction is often made between structural connectivity and functional connectivity. According to Galvin,

Structural connectivity describes the extent of fragmentation in the landscape, which includes the distance between patches, sometimes called habitat continuity. Using the patches implies functional connectivity or the behavioral responses of the animals to the landscape structure...A landscape can have structural connectivity but lack functional connectivity. For example, just because a corridor structurally exists does not mean a species can use it to access another patch if that corridor is too narrow or too long.<sup>41</sup>

Transposing these concepts to a transitional justice context, the idea of structural connectivity can be understood as people living together in a community side by side. What this article terms grounded functional connectivity (which is distinct from, but inter-linked with, the concept of meta functional connectivity that is discussed in the final section), however, is something deeper; it is about people showing respect and understanding for

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<sup>38</sup> Oskar N.T. Toms, James Ron and Roland Paris, 'State Level Effects of Transitional Justice: What do we Know?' *International Journal of Transitional Justice* 4 (2010), 336.

<sup>39</sup> Catherine Baker and Jelena Obradović-Wochnik, 'Mapping the Nexus of Transitional Justice and Peacebuilding', *Journal of Intervention and Statebuilding* 10 (2016), 296.

<sup>40</sup> Robins, for example, maintains that 'The prevailing emphasis on legalism in transitional justice, in both scholarship and practice, has led to a "thin" transitional justice that is institutionalized and driven by legal processes that have little relevance for those most affected by violations'. Simon Robins, 'Transitional Justice as an Elite Discourse: Human Rights Practice where the Global Meets the Local in Post-Conflict Nepal', *Critical Asian Studies* 44 (2012), 15.

<sup>41</sup> Kathleen A. Galvin, 'Responses of Pastoralists to Land Fragmentation: Social Capital, Connectivity and Resilience', in *Fragmentation in Semi-Arid and Arid Landscapes: Consequences for Human and Natural Systems*, eds. Kathleen A. Galvin, Robin S. Reid, Roy H. Behnke, Jr. and N. Thompson Hobbs (Dordrecht: Springer, 2008), 370-371.

each other, supporting each other and living together as an actual community rather than simply as atomized individuals. War and armed conflict can leave large tears in the social fabric,<sup>42</sup> and it is within this broader framework of damaged inter-personal relationships that victims/-survivors of sexual violence may be subjected to social stigmatization and insults.<sup>43</sup> It is argued that bodies can potentially contribute to functional connectivity in the sense of addressing these relationship issues.

To develop this argument, the next section introduces and explores the concept of 'leakiness'.<sup>44</sup> As will be discussed, corporeal leakiness has often been viewed in very negative terms – and primarily associated with female bodies. Commenting on this, Philipps, for example, notes that 'Women, in general, menstruate, nurture another body within their own, give birth and lactate; their bodies thus leak, trouble and overflow the boundaries between self and other and are perceived as a source of contagion'.<sup>45</sup> Pivotal to this article is the idea that leakiness and the 'overflowing of boundaries' can be positively theorized as highlighting our inter-corporeality. Leakiness, in other words, is a critical part of functional connectivity.

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<sup>42</sup> Patricia Justino, 'Shared Societies and Armed Conflict: Costs, Inequality and the Benefits of Peace', *IDS Working Papers* 2012 (2012), 7.

<sup>43</sup> See, for example, Jill Trenholm, Pia Olsson, Martha Blomqvist and Beth Maina Ahlberg, 'The Global, the Ethnic and the Gendered War: Women and Rape in Eastern Democratic Republic of Congo', *Gender, Place and Culture: A Journal of Feminist Geography* 23 (2016), 485; Carlo Koos, 'Decay or Resilience? The Long-Term Social Consequences of Conflict-Related Sexual Violence in Sierra Leone', *World Politics* 70 (2018), 199.

<sup>44</sup> Margrit Shildrick, *Leaky Bodies and Boundaries: Feminism, Postmodernism and (Bio)Ethics* (London: Routledge, 1997).

<sup>45</sup> Mary Philipps, 'Re-Writing Corporate Environmentalism: Ecofeminism, Corporeality and the Language of Feeling', *Gender, Work & Organization* 21 (2014), 446.

## Inter-corporeality and Leaky Bodies

In using the term 'intercorporeal existence', Weiss foregrounds the deep connections between bodies.<sup>46</sup> These connections partly result from the 'bodily imperatives' or ethical demands that bodies place on each other.<sup>47</sup> Caring is one example. Not only is one body dependent on the body of another, to a greater or lesser degree, but 'an injury to the body of either the carer or the person cared for impacts significantly on the other's body'.<sup>48</sup> The concept of inter-corporeality can also be understood in a very literal sense, encompassing, inter alia, sexual intercourse, pregnancy and organ transplants. Focusing on biomedical inter-corporeality, Waldby notes that 'To receive and incorporate another's organs or tissues involves a complex modification of the recipient's embodied identity, as the habitual equation between the limits of the body and the contours of the "I" is thrown into question'.<sup>49</sup> More broadly, inter-corporeality has a significant cultural dimension. In her work on disability in Botswana, for example, Livingston emphasizes 'Tswana notions stressing the social permeability of the body and the person'<sup>50</sup> – and the multiples ways in which bodies are connected to each other and to the environment which they share.<sup>51</sup>

If these varied examples bring to the fore different aspects of inter-corporeality, the notion of leakiness further illustrates and enhances the inter-connectedness of bodies. Narrowly defined, corporeal leakiness refers to the physiological leakage of bodily fluids, including menstrual blood and sperm. Understood in this very literal sense, the concept of leakiness

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<sup>46</sup> Gail Weiss, *Body Images: Embodiment as Intercorporeality* (New York: Routledge, 1999), 3.

<sup>47</sup> Ibid, 5.

<sup>48</sup> Jonathan Herring and P.L. Chau, 'My Body, Your Body, Our Bodies', *Medical Law Review* 15 (2007), 48.

<sup>49</sup> Catherine Waldby, 'Biomedicine, Tissue Transfer and Intercorporeality', *Feminist Theory* 3 (2002), 241.

<sup>50</sup> Julie Livingstone, 'Insights from an African History of Disability', *Radical History Review* 94 (2006), 113.

<sup>51</sup> Ibid, 120-121.

has often evoked highly negative reactions. In eighteenth-century England and France, for example, any 'leakages' from the male body were viewed with concern and suspicion. As Smith notes, 'Overall, an unbounded male body was not considered normal or healthy, and many flows such as seminal fluxes and urinary incontinence had moral causes attributed to them...'.<sup>52</sup> Such leakiness, in short, challenged societal norms regarding male bodies and how they should 'behave',<sup>53</sup> rendering these bodies potentially subversive. In nineteenth-century Britain, similarly, the condition of spermatorrhea – namely spontaneous and involuntary ejaculation – exposed the tenuous control that some men had over their own bodies, and therefore undermined the performativity of masculinity expected of these bodies.<sup>54</sup> According to Stephens,

...spermatorrhea represents a unique episode in the history of medicine and the male body in which the fear of leakiness and fluidity historically displaced onto the female body comes to be directed at a pathologized white, male, middle-class, and heterosexual body that has traditionally shaped norms about sexuality and corporeality.<sup>55</sup>

If leaky bodies can thus become 'incongruent',<sup>56</sup> by confounding and falling out of sync with societal expectations, the opposite is also true. Moore recounts an occasion when she was teaching a class of university students and her breasts began to leak milk, making her shirt visibly wet. From the perspective of the students, her leaking breasts reinforced the congruity of her body as a mother – and their assumptions about her sexual identity. This apparent congruity, however, concealed a deeper incongruity. Moore, who subsequently (and inadvertently) revealed to her students that she is a lesbian and lives with her girlfriend,

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<sup>52</sup> Lisa Wynne Smith, 'The Body Embarrassed? Rethinking the Leaky Male Body in Eighteenth Century England and France', *Gender & History* 23 (2011), 39.

<sup>53</sup> Ibid.

<sup>54</sup> R.W. Connell, *Masculinities*, 2nd ed. (Cambridge: Polity Press, 2005), 45.

<sup>55</sup> Elizabeth Stephens, 'Pathologizing Leaky Male Bodies: Spermatorrhea in Nineteenth-Century British Medicine and Popular Anatomical Museums', *Journal of the History of Sexuality* 17 (2008), 422.

<sup>56</sup> Lisa Jean Moore, 'Incongruent Bodies: Teaching while Leaking', *Feminist Teacher* 17 (2007), 96.

reflects that 'There is incongruency between my public persona and my personal life, and this incongruency can be revealed when my body (breasts or mouth) leaks'.<sup>57</sup>

It is clear from these examples that 'leakiness' has frequently operated as a heavily gendered concept, reflecting socially-constructed ideas about male and female bodies – and their respective performativities. Only the latter are *expected* to leak.<sup>58</sup> To cite Johnstone, 'Traditionally, women's corporeality has been inscribed as a mode of seepage, as lived liquidity'.<sup>59</sup> The gendering of leakiness has fuelled the negative connotations so often associated with the term. One of the aims of this article is to reconceptualise the idea of leakiness and to foreground its potential utility by underscoring how it can illuminate deep inter-corporeal commonalities and address the issue of sexual violence-related stigma.

As a starting point, it is essential to look beyond a literal interpretation of 'leakiness'. Bodies leak in more complex ways and tell their own corporeal stories.<sup>60</sup> As Adams-Hutcheson notes, 'Trauma is often thought to leave the body over time, but...it remains in the body and stuck to the skin'.<sup>61</sup> Several examples from my own fieldwork illustrate this point. During the piloting of the project questionnaire in Colombia, for example, one particular research participant made a strong impression. Looking much younger than her 28 years, this woman frequently smiled and laughed nervously. At the end of the questionnaire process, she

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<sup>57</sup> Ibid, 102-103.

<sup>58</sup> Kirsty Keywood, 'More than a Woman? Embodiment and Sexual Difference in Medical Law', *Feminist Legal Studies* 8 (2000), 320; Robyn Longhurst, *Bodies: Exploring Fluid Boundaries* (London: Routledge, 2001), 2.

<sup>59</sup> Lynda Johnstone, 'Flexing Femininity: Female Body-Builders Reconfiguring "the Body"', *Gender, Place & Culture: A Journal of Feminist Geography* 3 (1996), 334.

<sup>60</sup> Elizabeth Grosz, *Space, Time and Perversion: Essays on the Politics of Bodies* (London: Routledge, 1995), 31; Brett Smith, 'The State of the Art in Narrative Inquiry: Some Reflections', *Narrative Inquiry* 17 (2007), 395; Green, *supra* n 18, at 5; Pilar Riaño-Alcalá and Erin Baines, 'The Archive in the Witness: Documentation in Settings of Chronic Insecurity', *International Journal of Transitional Justice* 5 (2011), 424.

<sup>61</sup> Gail Adams-Hutcheson, 'Spatialising the Skin: Pushing the Boundaries of Trauma Geographies', *Emotion, Space and Society* 24 (2017), 109.

explained that she had felt anxious because she does not like to think about what happened to her (and specifically the fact that she was raped). As she started to relax, her body language became more open. She spoke about her desire to have children, her failed attempts at *in vitro* fertilization (IVF) and her relationship with her younger sister, whom she regards as a daughter. When she spoke about her sister, who was also raped, her body leaked emotions of love and warmth. Her sibling – who had travelled with her to the research site – was clearly one of the key people in her life and someone whom she wanted to look after and care for.<sup>62</sup>

In Uganda, one of the participants spoke at length about literal, physical leakages. After being abducted by the Lord's Resistance Army (LRA), she was raped and lost a lot of blood. She now has gynaecological problems and obstetric fistula (due to a prolonged and difficult labour). The thematic of blood and bleeding was a recurrent one in her story, but her body also leaked in other ways during the questionnaire process. She repeated several times that her head is constantly 'kicking'; she has constant pain in her head which slows down her thinking and prevents her from doing certain things, like running. While she avoided making eye contact, her body visibly leaked pain and sadness. Revealing that sometimes she bursts into tears because of everything that she went through in the LRA, at the end she expressed her wish for someone to 'press her heart with a warm sponge' (give her counselling).<sup>63</sup>

During the piloting process in BiH, one of the research participants was a woman who, over the years, has given numerous interviews and taken part in various academic studies. As the questionnaire was read out to her, she showed no emotion at all. Nevertheless, her body leaked in more subtle ways. She methodically chewed a piece of gum; she looked disinterested; she kept touching her clothes, as though she was brushing imaginary dandruff from her shoulders; she fidgeted constantly. Once the questionnaire process was completed,

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<sup>62</sup> Questionnaire pilot, Colombia, 1 March 2018.

<sup>63</sup> Questionnaire pilot, Uganda, 29 March 2018.



she left quickly and declined the offer of a cup of coffee. Her whole body leaked tiredness and boredom, yet also a visceral pain that perhaps she had never had the opportunity to fully express and articulate. She had told her story many times, including to the author several years earlier, but she often focused on the facts, rather than on her own feelings.<sup>64</sup>

Also in BiH, I recently worked with a male victim/-survivor. Both during and after the questionnaire process, he gave the impression of wanting to ensure that his body would not leak in any way. After he was released from a camp in 1993, where he sustained severe beatings and sexual violence, he turned to alcohol as a way of coping and controlling his emotions. Today, he is heavily dependent on pain-killers; he does not wish for anyone, especially his own family, to see or to 'feel' his pain. He particularly stressed that he does not want his trauma to impact on or to affect his young daughters. While he answered yes to the question about altered body image as a consequence of sexual violence, when asked – at the end – if he could elaborate on this, he said that he did not know how to put his feelings into words. If, as Thurnell-Read argues, 'the ideal male body is viewed as solid and self-contained',<sup>65</sup> the respondent's body conveyed the idea of wanting to live up to this ideal.

Building on this juxtaposition between solidity and leakiness, transitional justice itself often operates in a bounded way; it focuses on clearly delineated time periods, on particular types of crimes, on defined groups of people (mainly victims and perpetrators). This bounded approach is in keeping with legal doctrine, which 'is traditionally built on the assumption that each person is an autonomous adult and the law seeks to protect the interests and rights of each person'.<sup>66</sup> The inherent fluidity and leakiness of bodies, however, underscores their

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<sup>64</sup> Questionnaire pilot, BiH, 2 February 2018.

<sup>65</sup> Thomas Thurnell-Reid, 'Off the Leash and Out of Control: Masculinities and Embodiment in Eastern European Stag Tourism', *Sociology* 45 (2011), 979.

<sup>66</sup> Katherine Fobear, 'Queering Truth Commissions', *Journal of Human Rights Practice* 6 (2014), 60-61.

inter-connectedness within a wider meta system.<sup>67</sup> As Abrahamsson and Simpson highlight, 'the body can never be understood as an essence or as a self-contained entity, independent of an outside with which the body is relationally constituted'.<sup>68</sup> Bodies influence each other and affect each other.<sup>69</sup>

Writing about her life of captivity in the LRA, for example, the former Ugandan child abductee, Evelyn Amony, describes an occasion in 2010 (after she had returned to her family) when she saw a woman who had been injured by a vehicle. Watching the doctor tend to the woman's wounds, Amony was transported back to her own past. In her words, 'I felt pity for her. I was reminded of the bush; nursing wounds for the injured was one of my roles'.<sup>70</sup> The sight of the woman's bodily wounds thereby generated Amony's own embodied emotions towards the stranger.

To use an example from my own ongoing fieldwork in BiH, I recently administered the project questionnaire in the home of a victim/-survivor whom I had previously met in 2015. When asked about the consequences of the sexual violence that she experienced in 1992, she answered no to all of the answer options that were read out to her (including gynaecological problems, broken relationships and loss of trust in others). Once the questionnaire had been completed, I asked her about this particular set of answers. She described the rape as being like a *pečat* or stamp; it stays with her and does not go away. The pain also remains. Yet, she also stressed that she wants to move on and not to think

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<sup>67</sup> Rosalyn Diprose, *Corporeal Generosity: On Giving With Nietzsche, Merleau-Ponty and Levinas* (New York: State University of New York Press, 2002), 90; Margrit Shildrick, 'Some Reflections on the Socio-Cultural and Bioscientific Limits of Bodily Integrity', *Body & Society* 16 (2010), 12.

<sup>68</sup> Sebastian Abrahamsson and Paul Simpson, 'The Limits of the Body: Boundaries, Capacities, Thresholds', *Social & Cultural Geography* 12 (2011), 332.

<sup>69</sup> Alyson Patsavas, 'Recovering a Cripistemology of Pain: Leaky Bodies, Connective Tissue and Feeling Discourse', *Journal of Literary and Disability Studies* 8 (2014), 214.

<sup>70</sup> Evelyn Amony, *I am Evelyn Amony: Reclaiming My Life from the Lord's Resistance Army*, edited with an introduction by Erin Baines (Madison, WI: University of Wisconsin Press, 2015), 140.

about the rape. What helps her in this regard, she underlined, is the knowledge that other women (she did not mention men) suffered far more than she did. She gave the example of women who were detained in camps for several months and women who were successively raped by four or five different men. What she herself went through was 'hell', but she knows that many women were forced to endure far worse; she included in this category her youngest sister, who was just 15 years when she was raped.<sup>71</sup>

Ultimately, the leakiness of bodies and the diverse ways in which they affect each other bring out elemental inter-connections that transcend ethnicity, race, class or religion. In societies that have experienced war and armed conflict, making people aware of what they have in common in a deep corporeal sense – such as pain and emotion – is an important aspect of transitional justice and peace-building. Regarding the truth commission process in Peru (2001-2003), Laplante and Theidon argue that 'the hearings helped reveal that victim-survivors were not alone in their stories, but instead figured as part of a collective experience of suffering and survival'.<sup>72</sup> Bodies can crucially help to build on such dynamics, by encouraging a corporeal sense of collective experience that potentially offers a new basis for thinking and talking about reconciliation.

Relatedly, the connectivity that exists between bodies, through their leakiness, is important for challenging 'corporeal scapegoating'<sup>73</sup> or the 'othering' of certain bodies – and in particular bodies that have been sexually violated. These bodies may be viewed by others – including family and/or community members – as stained, disgraced and culpable. One research participant in BiH, who was raped in 1995 towards the end of the Bosnian war, recently disclosed that her own mother blames her for what happened, telling her that she

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<sup>71</sup> Questionnaire application, BiH, 27 September 2018.

<sup>72</sup> Linda J. Laplante and Kimberly Theidon, 'Truth with Consequences: Justice and Reparations in Post-Truth Commission Peru', *Human Rights Quarterly* 29 (2007), 239.

<sup>73</sup> Angela Hope, 'The Body: A Review and a Theoretical Perspective', in *Handbook of Gender, Work and Organization*, eds. Emma L. Jeanes, David Knights and Patricia Yancey Martin (Chichester: John Wiley & Sons Ltd., 2011), 131.

would not have been raped if she had made herself look less attractive. Her mother has also stressed that it would be easier for her if her daughter had been killed rather than raped. Becoming upset, the respondent maintained that her family now look at her differently – ‘as though I am less worthy’.<sup>74</sup> During the piloting of the questionnaire in BiH, a Bosniak research participant described some of the problems that she has had with several local Bosnian Croat women. One woman, she recalled, had accused her of having willingly ‘slept’ with the (Bosnian Croat) soldier who raped her in 1993.<sup>75</sup>

Transitional justice processes have given little attention to addressing issues of stigma. In his work in Nepal, for example, Robins accentuates some of the problems faced by women whose husbands have disappeared. These women are often ‘perceived as having an ambiguous connection to the family...’, which, inter alia, can result in significant stigmatization, ‘such that women are treated as servants, denied food, and considered with suspicion’.<sup>76</sup> However, while there has been some transitional justice work in Nepal,<sup>77</sup> Robins points out that relevant agencies within the country have not acknowledged the impacts of disappearances – including the stigmatization of wives.<sup>78</sup>

Transitional justice, it is argued, has an important – if largely under-explored – role to play in tackling stigma.<sup>79</sup> One way in which it can do so is precisely by positively utilizing the leakiness of bodies. In this regard, the example of menstrual activism offers a pertinent illustration. If menstruation ‘others’ female bodies as ‘messy, unruly things’,<sup>80</sup> this explains

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<sup>74</sup> Questionnaire application, BiH, 26 September 2018.

<sup>75</sup> Questionnaire pilot, BiH, 26 January 2018.

<sup>76</sup> Robins, *supra* n 40 at 19.

<sup>77</sup> See for example, Yvette Selim, *Transitional Justice in Nepal: Interests, Victims and Agency* (London: Routledge, 2018).

<sup>78</sup> Robins, *supra* n 40 at 20.

<sup>79</sup> XXXXX (2017), 207-2011.

why some women make considerable efforts to conceal the fact that they are menstruating. To cite Johnston-Robledo and Chrisler, 'Menstrual hygiene products (e.g., tampons, pads) are designed to absorb fluid and odors, not to be visible through one's clothes, to be small enough to carry unobtrusively in one's purse, and to be discretely discarded in a bathroom container...'.<sup>81</sup>

Challenging the boundaries between what is public and private, menstrual activism seeks to tackle some of the taboos and prejudices associated with menstruation by re-positioning the notion of leakiness within a broader context of connectivity. Bobel, for example, emphasizes that feminine hygiene products can be detrimental to women's health,<sup>82</sup> to the environment and thus to other bodies. She notes, *inter alia*, that 'Not only does the production process generate contaminated wastewater, but also tampon applicators wash up on beaches and pads and tampons and their packaging clog landfills, sewers, and water treatment plants'.<sup>83</sup> In other words, menstrual activism indirectly demonstrates how leaky bodies can reveal important inter-corporealities that potentially counter the othering and stigmatization of these same bodies.

If (leaky) bodies, thus, are integral to the process of re-building and repairing damaged human relationships, this necessarily makes them highly relevant to transitional justice. The final section explores possible ways of doing embodied transitional justice that operationalize

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<sup>80</sup> Chris Bobel and Elizabeth A. Kissling, 'Menstruation Matters: Introduction to Representations of the Menstrual Cycle', *Women's Studies* 40 (2011), 123. This 'othering', in turn, can result in discrimination. See Ela Przybylo and Breanne Fahs, 'Feels and Flows: On the Realness of Menstrual Pain and Crippling Menstrual Chronicity', *Feminist Formations* 30 (2018), 213.

<sup>81</sup> Ingrid Johnston-Robledo and Joan C. Chrisler, 'The Menstrual Mark: Menstruation as Social Stigma', *Sex Roles* 68 (2013), 11.

<sup>82</sup> One example is 'dioxin pollution, a consequence of the chlorine-bleaching process used in the manufacture of pads and tampons. Dioxin has been linked not only to cancer, but also to liver and skin damage and, potentially, reproductive health...'. Chris Bobel, 'From Convenience to Hazard: A Short History of the Emergence of the Menstrual Activism Movement, 1971–1992', *Health Care for Women International* 29 (2008), 749.

<sup>83</sup> Chris Bobel, "'Our Revolution Has Style": Contemporary Menstrual Product Activists "Doing Feminism" in the Third Wave', *Sex Roles* 54 (2006), 334.

grounded functional connectivity – and thereby foster ‘the ability of one individual to regain empathy for another’.<sup>84</sup> This is followed by a discussion of meta functional connectivity and what it can contribute to embodied transitional justice.

## **Functional Connectivity and Embodied Transitional Justice**

Describing the body as constituting our ‘anchorage in the world’, the French philosopher Merleau-Ponty underlined that ‘...I am not in front of my body; I am in it or rather I am it’.<sup>85</sup> The concept of embodiment thus collapses the Cartesian dualism between mind and body<sup>86</sup> – a distinction which feminist writers have consistently problematized as reinforcing the subordination of women.<sup>87</sup> In so doing, it foregrounds the relationship between bodies and lived experience. Fundamentally, ‘We experience by way of our (sentient) embodiment’.<sup>88</sup> Drawing on Bourdieu’s concept of habitus,<sup>89</sup> for example, Butler examines how hate speech can become an embodied experience by penetrating the body. As the offensive words are uttered, they ‘enter the limbs, craft the gesture, bend the spine’.<sup>90</sup> Once inside the body, they thus ‘live and thrive in and as the flesh of the addressee’.<sup>91</sup> In her work on the suffragettes, Parkins utilizes the idea of ‘embodied protest’. Accenting, in particular, the practice of hunger

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<sup>84</sup> Jodi Halpern and Harvey M. Weinstein, ‘Rehumanizing the Other and Reconciliation’, *Human Rights Quarterly* 26 (2004), 567.

<sup>85</sup> Maurice Merleau-Ponty, *Phenomenology of Perception*, translated by Colin Smith (London: Routledge and Kegan Paul Ltd., 1962), 144, 150.

<sup>86</sup> Thomas J. Csordas, ‘Embodiment as a Paradigm for Anthropology’, *Ethos: Journal of the Society for Psychological Anthropology* 18 (1990), 36.

<sup>87</sup> See, for example, Shildrick, *supra* n 44 at 167.

<sup>88</sup> Nick Crossley, ‘Merleau-Ponty, the Elusive Body and Carnal Sociology’, *Body & Society* 1 (1995), 48.

<sup>89</sup> According to Bourdieu, habitus – itself an embodied concept – ‘[i]s a socialized body. A structured body, a body which has incorporated the immanent structures of the world or of a particular sector of that world – a field – and which structures the perception of that world as well as action in that world’. Pierre Bourdieu, *Practical Reason: On the Theory of Action* (Cambridge: Polity Press, 1998), 81.

<sup>90</sup> Judith Butler, *Excitable Speech. A Politics of the Performative* (London: Routledge, 1997), 141.

<sup>91</sup> *Ibid.*

strikes, she argues that ‘...suffragettes like [Mary] Leigh<sup>92</sup> expressed their protest exclusively through their bodies. Such protest insisted on the suffragettes’ status as *embodied* political subjects: they framed their hunger strike in political terms and understood their bodies as a powerful means of dissent’.<sup>93</sup>

If our experiences are thus quintessentially embodied, and if bodies are repositories of stories and memories,<sup>94</sup> a key question is how can this be better reflected within transitional justice processes? One way of doing embodied transitional justice is to allow greater space for the articulation of embodied narratives. Writing about South Africa’s truth and reconciliation commission (TRC) during the 1990s, for example, Cole describes how one witness – Nomande Calata – ‘broke into a loud wail during her testimony’.<sup>95</sup> This powerful sound, she argues, which transcended language, ‘indicates the degree to which embodied expression was central to the TRC process...’<sup>96</sup> Similarly, in her work with women who testified at the Tokyo Women’s Tribunal in December 2000, Yang remarks on ‘the variety and richness (yet separateness) of verbal as well as nonverbal expressions in the testimony of former comfort women – facial and bodily expressions such as sighs and tears – as well as signs of alarm, thrill, and laughter’.<sup>97</sup> These examples underscore the importance of allowing and encouraging bodies to tell their own stories in a variety of different ways and

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<sup>92</sup> In 1909, Leigh – who hailed from Birmingham – became the first suffragette to be forcibly fed. June Purvis, ‘The Prison Experiences of the Suffragettes in Edwardian Britain’, *Women’s History Review* 4 (1995), 122.

<sup>93</sup> Wendy Parkins, ‘Protesting like a Girl: Embodiment, Dissent and Feminist Agency’, *Feminist Theory* 1 (2000), 70.

<sup>94</sup> Adrian Parr, *Deleuze and Memorial Culture: Desire, Singular Memory, and the Politics of Trauma* (Edinburgh University Press: Edinburgh, 2008), 1.

<sup>95</sup> Catherine M. Cole, ‘Performance, Transitional Justice and the Law: South Africa’s Truth and Reconciliation Commission’, *Theatre Journal* 59 (2009), 178.

<sup>96</sup> *Ibid.*

<sup>97</sup> Hyunah Yang, ‘Finding the “Map of Memory”: Testimony of the Japanese Military Sexual Slavery Survivors’, *Positions* 16 (2008), 90.

forms, including through sounds, movement/dance, drama and mime.<sup>98</sup> As Cixous argues, 'Each time we translate what we are in the process of thinking, it necessarily passes through our bodies'.<sup>99</sup>

A second way of bringing bodies into transitional justice is to broaden the focus beyond simply what is done to bodies and how they suffer. If more attention is given to bodies in the sense of what they do and how they interconnect, this not only 'normalizes' sexually violated bodies but also, by extension, creates a space for the narration of more complex stories that extend beyond victimization. Theidon, for example, talks about a woman with whom she worked in Peru. Although Señora Prudencia had been held down by five armed soldiers and raped, she spoke about more than just her own victimization; 'When we listen to what she foregrounds in her story, we hear pride in how hard she fought defending herself and her daughters'.<sup>100</sup> Making a similar point, Crosby and Lykes underline that asking women to speak only about sexual violence is a reductionist approach that misses other important dimensions of their lives, including 'their stories of resistance and struggle, their stories of endurance within the violence and hardship of everyday life'.<sup>101</sup>

The more time that I spend in BiH, one of my growing frustrations is that women<sup>102</sup> who were raped during the war are overwhelmingly portrayed – within the media, the civil society

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<sup>98</sup> M. Brinton Lykes and Alison Crosby, 'Creativity as an Intervention Strategy with Mayan Women in Guatemala', *Intervention* 12 (2014): 30-42.

<sup>99</sup> Hélène Cixous, 'Conversation with Susan Sellers, in *Writing Differences, Readings from the Seminar of Helene Cixous*, ed. Susan Sellers (Milton Keynes: Open University Press, 1988), 151-152.

<sup>100</sup> Kimberly Theidon, 'Gender in Transition: Common Sense, Women and War', *Journal of Human Rights* 6 (2007), 468.

<sup>101</sup> Crosby and Lykes, *supra* n 21 at 476.

<sup>102</sup> To reiterate, Bosnian men who suffered conflict-related sexual violence during the 1990s are habitually overlooked.



sector, etc. – simply as victims in need of help.<sup>103</sup> The heavy emphasis on their problems, moreover – which in many cases are general problems (for example, economic insecurity) that are not specific to this particular group – can contribute to entrenching women in a perpetual victim role, thereby further circumscribing the stories that they tell.<sup>104</sup> If the body is ‘a primary location for exploring identity’,<sup>105</sup> thinking about it in functionalist as opposed to simply victimological terms is crucial for fostering more nuanced ways of speaking and reflecting about victims that do not make their bodily traumas pre-determinative of their identities.<sup>106</sup> In this regard, Hesford notes the words of one of the two Bosniak women who feature in 1996 the film *Calling the Ghosts*; “‘It bothers me when someone says raped women... [R]aped women – that hurts a person, to be marked as a raped woman, as if you had no other characteristic, as if that were your sole identity’”.<sup>107</sup>

A third way of incorporating embodiment into transitional justice, linked to the previous point, is to emphasize the power of bodies; how they endure, withstand, resist. When victims/survivors of sexual violence choose not to speak about their experiences, for example, this can itself be viewed as a form of resistance. Highlighting this, Theidon asks: ‘What if part of recovery is taking back some sense of the private, of the intimate sphere that was violated?’<sup>108</sup> In BiH, a questionnaire respondent recently explained that while she has very little money to live on each month, she is not interested in seeking civilian victim of war status (which would entitle her to a monthly social payment). She stressed that she does not

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<sup>103</sup> XXXXX (2018).

<sup>104</sup> Crosby and Lykes, *supra* n 21 at 476.

<sup>105</sup> Liz Newbery, ‘Will Any/Body Carry that Canoe? A Geography of the Body, Ability and Gender’, *Canadian Journal of Environmental Education* 8 (2003), 209.

<sup>106</sup> Fiona C. Ross, ‘An Acknowledged Failure: Women, Voice, Violence and the South African Truth and Reconciliation Commission’, in *Localizing Transitional Justice: Interventions and Priorities after Mass Violence*, eds. Rosalind Shaw and Lars Waldorf, with Pierre Hazan (Stanford, CA: Stanford University Press, 2010), 76.

<sup>107</sup> Hesford, *supra* n 21 at 123.

<sup>108</sup> Theidon, *supra* n 100 at 474.

want to speak about the rape or to focus on that part of her life. It is private and she wishes to move on from it.<sup>109</sup> Transitional justice processes, in this sense, can arguably hamper recovery and resilience by, in some cases, requiring individuals to recount their stories – and more specifically particular aspects of their stories – several times.<sup>110</sup> This, in turn, can contribute to solidifying an image of particular bodies as irreparably damaged and broken. Creating a space, for example within TRCs and memorialization processes, for the articulation of more positive embodied narratives would help to underscore that bodies should be viewed not as objects, but rather ‘as *events* that are continually in the process of becoming – as multiplicities that are never just found but are made and remade’.<sup>111</sup>

Accentuating the power of bodies, moreover, can aid in fostering dialogue – an important dimension of functional connectivity. According to Freire, if faith in humankind is a critical prerequisite for dialogue, there can be no dialogue in the absence of hope.<sup>112</sup> Hope, he argued, ‘is rooted in men’s incompleteness, from which they move out in constant search – a search which can be carried out only in communion with others’.<sup>113</sup> Bodies that simply wait – for ‘justice’, for reparations, for change – can easily fall prey to hopelessness. Encouraging bodies to formulate demands and to actively seek to bring about positive change can galvanize hope, and this embodied hope can draw people together around shared goals and interests.

As a final possible way of doing embodied transitional justice, attention should be given to ‘leaky’ bodies and to the emotions that they evoke. When bodies leak within transitional

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<sup>109</sup> Questionnaire application, BiH, 17 September 2018.

<sup>110</sup> Nicola Henry, ‘The Impossibility of Bearing Witness: Wartime Rape and the Promise of Justice’, *Violence against Women* 16 (2010), 1108.

<sup>111</sup> Shelley Budgeon, ‘Embodiment as an Identity Event’, *Body & Society* 9 (2003), 50.

<sup>112</sup> Paulo Freire, *Pedagogy of the Oppressed* (London: Penguin Classics, 2017), 64.

<sup>113</sup> *Ibid.*

processes – when they leak tears, pain, love – how does this make other people feel, and in particular members of the community? What emotions and sentiments do they themselves experience when they observe the leaking bodies of their fellow citizens? In short, how, in practice, do leaky bodies make people aware of their inter-corporeal connections – and affect how they view each other? Such questions are rarely asked within the framework of transitional justice. Adams-Hutcheson underlines that ‘...emotion is what binds or sticks the skin of the social body together’.<sup>114</sup> Hence, creating reflective spaces within transitional justice practice for discussions about emotions and feelings can provide an important basis for operationalizing functional connectivity. As Niedenthal et al. point out, ‘...empathy, or understanding of another person’s emotional state, comes from mentally “re-creating” this person’s feelings in ourselves’.<sup>115</sup>

A potentially facilitative meta concept in this regard is ‘corporeal citizenship’. Developed in the context of environmental politics, and building on the idea of ‘green citizenship’,<sup>116</sup> the starting point for corporeal citizenship is ‘the fact of humans’ inescapable embeddedness in both social and natural contexts’ and ‘an understanding of the human body as porous but resistant, plural and connected’.<sup>117</sup> Citizenship, from this perspective, thus extends beyond rights and obligations. It also includes the performativity of citizenship in a way that reflects the realities of inter-corporeal connectivity. This, in turn, has wider implications for transitional justice. If, as Gabrielson and Parady argue, ‘the ontological approach of corporeal citizenship...broadens the range and scope of issues that might be considered

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<sup>114</sup> Adams-Hutcheson, supra n 61 at 110.

<sup>115</sup> Paul M. Niedenthal, Lawrence W. Barsalou, Piotr Winkielman, Silvia Krauth-Gruber and François Ric, ‘Embodiment in Attitudes, Social Perception and Emotion’, *Personality and Social Psychology Review* 9 (2005), 186.

<sup>116</sup> See, for example, Hartley Dean, ‘Green Citizenship’, *Social Policy and Administration* 35 (2001): 490-505.

<sup>117</sup> Teena Gabrielson and Katelyn Parady, ‘Corporeal Citizenship: Rethinking Green Citizenship through the Body’, *Environmental Politics* 19 (2010), 382.

environmental',<sup>118</sup> what it also demonstrates, by extension, is the significant role that bodies can play in helping to repair and reconstruct the human environment in post-conflict societies. A foregrounding of their inter-dependency and a reconfiguring of their leakiness as something positive rather than negative can contribute to community rehabilitation, which 'often means actively re-inventing community and re-imagining affiliation'.<sup>119</sup>

The significance of communities and the wider 'human environment' opens up, in turn, a broader meta dimension of functional connectivity. Hirsch and Spitzer are critical of memory studies that only focus on victims. Writing about the Shoah, they call for a 'cosmopolitan memory of the Holocaust' which incorporates 'the responsibility of perpetrators, the complicity of bystanders and the willingness of their descendants to claim the legacy of a traumatic past...'.<sup>120</sup> Mitchell and Wilson, for their part, critique the way that '[h]uman rights reports tend to bifurcate individuals into either victims or perpetrators', pointing out that 'these same individuals might want to assert another alternative identity (e.g. survivors, freedom fighters)'.<sup>121</sup>

Similar arguments can be made vis-à-vis transitional justice. The predominant focus within transitional justice on victims and perpetrators sits uneasily with the fact that some individuals do not fall neatly into these categories.<sup>122</sup> More problematically, the concept of

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<sup>118</sup> Ibid, at 376.

<sup>119</sup> Roberto Beneduce, 'Contested Memories: Peace-Building and Community Rehabilitation after Violence and Mass Crimes – A Medico-Anthropological Approach', in *After Mass Crime: Rebuilding States and Communities*, eds. Béatrice Pouligny, Simon Chesterman and Albrecht Schnabel (Tokyo: United Nations University Press, 2007), 57.

<sup>120</sup> Hirsch and Spitzer, 'The Witness in the Archive: Holocaust Studies/Memory Studies', *Memory Studies* 2 (2009), 165.

<sup>121</sup> Richard A. Wilson and Jon P. Mitchell, 'Introduction: The Social Life of Rights', in *Human Rights in Global Perspective: Anthropological Studies of Rights, Claims and Entitlements*, eds. Richard A. Wilson and Jon P. Mitchell (Abingdon, Routledge, 2003), 5.

<sup>122</sup> Erin K. Baines, 'Complex Political Perpetrators: Reflections on Dominic Ongwen', *Journal of Modern African Studies* 47 (2009): 163-191.

victimhood is often approached in an atomized and decontextualized way, without reference to the wider social ecologies<sup>123</sup> in which victims live. For example, one of the reasons why international courts like the recently-concluded International Criminal Tribunal for the former Yugoslavia (ICTY) have arguably had little positive impact on everyday inter-ethnic relations<sup>124</sup> is because they have failed to directly address the societal attitudes that hinder reconciliation processes. The establishment of 'facts', which can easily be contested and denied, and the issuing of legal judgements pronouncing the guilt of particular individuals are insufficient to alter ethnic narratives that sustain the construction of convicted war criminals as 'heroes'.<sup>125</sup>

Bodies, it is argued, draw attention to these social ecologies, thus bringing forth an important meta dimension of embodied transitional justice. In BiH, for example, one research participant recently explained that her husband cannot deal with the fact that she was raped. Soon after she told him, he started drinking heavily and whenever he is drunk, he is verbally and sometimes also physically abusive towards her. She stressed that what happened to her in 1995 has critically impacted on her marriage and her relationship with her husband. She also fears that it has affected her relationship with her son, in the sense that she has had to hide so many things from him in order to protect him.<sup>126</sup> In their work in northern Uganda, Hollander and Gill met Charles, who was severely injured in a landmine explosion. His trauma has altered his perception of himself and his body, as well as the dynamics within his family. Due to his injuries, he now 'depends on his mother and eldest daughter for even

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<sup>123</sup> Urie Bronfenbrenner, *The Ecology of Human Development: Experiments by Nature and Design* (Cambridge, MA: Harvard University Press, 1979).

<sup>124</sup> See XXXXX, supra n 79. Some authors, however, take a different viewpoint. See, for example, James Meernik and Jose Raul Guerrero, 'Can International Criminal Justice Advance Ethnic Reconciliation? The ICTY and Ethnic Relations in Bosnia-Herzegovina', *Southeast European and Black Sea Studies* 14 (2014): 383-407.

<sup>125</sup> Barbara Hola and Olivera Simić, 'ICTY Celebrities: War Criminals Coming Home', *International Criminal Justice Review* (2018), online access at: <http://journals.sagepub.com/doi/pdf/10.1177/1057567718770707>

<sup>126</sup> Questionnaire application, BiH, 26 September 2018.

everyday activities like bathing'.<sup>127</sup> These examples are illustrative of how personal trauma – and its embodiment – can leak across different social ecological levels. They also highlight the interconnections between bodies and 'the wider world',<sup>128</sup> and how the socio-cultural context shapes ideas about expected corporeal performativity.<sup>129</sup>

If, therefore, bodies constitute sites of functional connectivity at a meta level, this has significant implications for how transitional justice is done. Pointing out that transitional justice processes are frequently combined with liberal peace-building, Billingsley notes that 'The pervasive liberal peace model focuses on individual citizens rather than communities...'.<sup>130</sup> Bodies, however, show the importance of broadening this focus. Fundamentally, it is necessary to start asking more ecological-based questions that capture inter-locking layers of connectivity. For example, 'how does the process of giving testimony and participating in public hearings impact victim-survivors in terms of their emotional well being, their relationships with their families, communities and the state...?'.<sup>131</sup> How do bodies draw attention to wider social and context factors that can affect transitional justice goals?<sup>132</sup> If, as Walsh argues, '...family and community networks can be essential resources in trauma

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<sup>127</sup> Hollander and Gill, *supra* n 4 at 227.

<sup>128</sup> Herring and Chau, *supra* n 48 at 49.

<sup>129</sup> In her research on gang rape in the Cape Flats in South Africa, for example, Moolman notes that 'Gang rape and dominant masculinity are based on common values of dominance, control, conquest, competition, sexual performance and achievement. These values are drawn on in the construction of personal and social identities but have also been embedded in the socio-economic policies and in the political economy of South Africa'. Benita Moolman, 'The Reproduction of an "Ideal" Masculinity through Gang Rape on the Cape Flats: Understanding some Issues and Challenges for Effective Redress', *Agenda* 18 (2004), 122.

<sup>130</sup> Krista Billingsley, 'Intersectionality as Locality: Children and Transitional Justice in Nepal', *International Journal of Transitional Justice* 12 (2018), 68.

<sup>131</sup> Laplante and Theidon, *supra* n 72 at 229.

<sup>132</sup> Fletcher and Weinstein, for example, ask: 'if we do not understand the processes of civil destruction in a broader, ecological sense, how can we identify and address the crucial aspects of civic destruction?' Laurel E. Fletcher and Harvey M. Weinstein, 'Violence and Social Repair: Rethinking the Contribution of Justice to Reconciliation', *Human Rights Quarterly* 24 (2002), 216.

recovery when their strengths and potential are mobilized',<sup>133</sup> how can transitional justice harness and utilize these wider social resources?

Offering a strong critique of individualism, the late Martín-Baró rejected any approach to mental health that reduces human beings to 'individual organisms whose functioning can be understood in terms of their individual characteristics and features'.<sup>134</sup> As he saw it, 'Such a conception denies their existence as historical beings whose life is developed and fulfilled in a complex web of social relations'.<sup>135</sup> Building on Martín-Baró's foundations, this article ultimately argues for more ecological ways of doing transitional justice that give greater attention to this 'complex web of social relations'. Bodies both illuminate and form part of this web. In this regard, they are sites of grounded as well as meta functional connectivity that are relevant to transitional justice not only in terms of its goals (and specifically reconciliation) but also, more broadly, in terms of how it is theorized and operationalized.

## Conclusion

In her research with bulimic women, Burns describes 'how the body of the researcher can function as a text that participants interpret. Put another way, my body existed as a resource for participants' sense-making around women's bodies generally and around their own bodies in particular'.<sup>136</sup> Working with victims-/survivors of sexual violence can generate heightened awareness of one's own body. The stories these men and women tell and the details they disclose can cause one's body to wince, shudder, fight back tears as it listens

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<sup>133</sup> Froma Walsh, 'Traumatic Loss and Major Disasters: Strengthening Family and Community Resilience', *Family Process* 46 (2007), 208.

<sup>134</sup> Ignacio Martín-Baró, *Writings for a Liberation Psychology*, edited by Adrienne Aron and Shawn Corne, with a Foreword by Elliot G. Mishler (Cambridge, MA: Harvard University Press, 1996), 109.

<sup>135</sup> Ibid.

<sup>136</sup> Maree Leeann Burns, 'Bodies that Speak: Examining the Dialogues in Research Interactions', *Qualitative Research in Psychology* 3 (2006), 11.

and observes. The difficult relationships that some of these individuals now have with their body – loathing it, blaming it, viewing it as ugly and unattractive – can be a reminder of one’s own bodily insecurities. During these encounters, however, significant bodily connections can take place; stories are told, questions are asked, as part of an embodied process of respect, trust and understanding. Bodies, in other words, are an integral dimension of the ‘time–space bridging capacity of social relationships’.<sup>137</sup>

This article has sought to demonstrate why bodies are important for transitional justice, and to thereby carve out a space for ‘bodily involvement and rhythmicity’.<sup>138</sup> Bodies matter not only because of what is done to them, but also because of how they interact and inter-connect. Calling for more embodied ways of doing transitional justice, the article has argued that bodies represent sites of functional connectivity, thereby illustrating Hollander and Gill’s ‘embodied peace’. If this concept focuses not only on the body, but also on ‘the socioeconomic context within which it is located’,<sup>139</sup> this article has similarly emphasized the relationship between bodies and the wider social context, arguing that bodies constitute sites of both grounded and meta functional connectivity. At this meta level, bodies point to new, more ecological ways of theorizing and doing transitional justice that address inter-connectivity, in the sense of giving greater attention to intersections between individuals, families and communities.

This article’s emphasis on the corporeal suggests new avenues for exploration, including how ‘seemingly individual bodily experiences [can] become collective in struggles for

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<sup>137</sup> Heinz Bude and Jörg Dürrschmidt, ‘What’s Wrong with Globalization? Contra Flow Speak – Towards an Existential Turn in the Theory of Globalization’, *European Journal of Social Theory* 13 (2010), 490.

<sup>138</sup> Ibid, 483.

<sup>139</sup> Hollander and Gill, *supra* n 4 at 232.



peace'.<sup>140</sup> This relationship between the individual and the collective, in turn, underscores how bodies and their interconnectivity can contribute to making transitional justice processes more relevant to – and less disconnected from – communities on the ground.

## **Acknowledgement**

This research was supported by the European Research Council (grant number XXXXX).

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<sup>140</sup> Alisson Hayes-Conroy and Alexis Saenz Montoya, 'Peace Building with the Body: Resonance and Reflexivity in Colombia's *Legión del Afecto*', *Space and Polity* 21 (2017), 154.