

The Experience of Testifying in a War-Crimes Tribunal in Sierra Leone

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Psychosocial staff at a war crimes tribunal in Sierra Leone conducted interviews with 147 witnesses after they completed their testimony. The interviewers asked participants to describe the most positive and most difficult aspects of their experience of testifying. Responses were recorded, coded, and examined using content analysis. Nearly all witnesses reported both empowering and difficult aspects, but the former outnumbered the latter. Witnesses mentioned 35 conceptually distinct positive aspects and 26 conceptually distinct negative aspects. The most frequently mentioned positive aspect was "being given the chance to tell my story, being able to talk about difficult/painful experiences, breaking silence." The second most frequently mentioned positive aspect was "being listened to, feeling believed/understood." The most frequently mentioned negative aspect was "emotional difficulty with some questions, talking about painful experiences." The second most frequent response was "nothing was difficult." Victim witnesses portrayed the experience more positively than nonvictims. For many witnesses, despite some challenging components, testifying provided a valued opportunity

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to narrate their wartime experiences and be heard by the public and/or court staff. The researchers underscore the need for an appreciation of both witness vulnerability and resilience. The findings enrich existing knowledge about processes of psychosocial repair in the aftermath of mass atrocities.

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The primary aim of a war crimes tribunal is to prosecute individuals for serious violations of international humanitarian law. During the past quarter-century, however, the frames of international criminal justice have dramatically expanded to include a plethora of other goals. These include societal reconciliation, victim vindication, trauma recovery, perpetrator rehabilitation, and the establishment of a historical record for future generations. As a result, the role of witnesses has become far more central to the processes and outcomes of contemporary war crimes trials, especially compared with the post-Second World War era.

One of the key assumptions underlying contemporary approaches to postconflict justice is that survivors of wrongdoing have a compelling need to tell their stories in order to obtain acknowledgment or to speak on behalf of the dead or those unable to speak. Indeed, the telling of experiences of suffering has been referred to as the "oldest human longing" (Hurstun, 1937, p. 6). When such telling is bound by an oath and occurs as part of an effort to impress upon a listener or appeal to a community, it is called "testimony" (Felman, 1992).

In this article, we explore the ways that witnesses perceive their experiences of testifying in a war crimes tribunal in Sierra Leone. From a theoretical perspective, this exploration can contribute to knowledge about the testimony construct. From a practical perspective, a deeper understanding of the most positive and most difficult aspects of their experiences can enhance the effectiveness of witness support programs in war crimes tribunals and related settings.

In the first section, we discuss findings from empirical studies undertaken in four transitional justice settings: truth commissions, national courts, Gacaca courts, and international war crimes tribunals. In the second section, we discuss findings from our interviews with 147 wit-

nesses from the Special Court for Sierra Leone (SCSL). The SCSL was an international hybrid court established by the United Nations and the Sierra Leonean government in 2002 to prosecute persons accused of bearing the greatest responsibility for atrocities committed during Sierra Leone's 10-year civil war. The court held a total of three trials in Freetown, corresponding to different factions involved in the war, and tried the former Liberian president Charles Taylor in the Hague. Nine individuals who were among those accused of bearing the greatest responsibility for war crimes and crimes against humanity were convicted and sentenced prior to the SCSL's completing its mandate and officially closing in December 2013.

Witnesses and Postconflict Justice

Until recently, little was known about witnesses and their experiences in postconflict settings. Since the 1990s, however, coinciding with the rapid development of the transitional justice field, growing theoretical attention has been given to the act of bearing witness to mass atrocities within diverse contexts, including international trials, truth commissions, and national as well as community-level courts (Dembour & Haslam, 2004; Mertus, 2004; Ross, 2003).

Drawing on observations from the war crimes trials of eight former military policemen charged with perpetrating torture in a prison camp in Croatia, Ilic (2004) argued that the experience of testifying about human rights abuses has both "desirable" and "problematic" aspects. Ilic asserted that testifying has a "healing function" and is essentially a "therapeutic process" (p. 379). Furthermore, he suggested that the trial and punishment help witnesses regain feelings of power and reduce the risk that feelings of helplessness vis-à-vis the torturer, as well as rage and a desire for revenge, will persist. Yet he also cautioned that testifying

could worsen the victim's psychological state. He argued that this risk could be reduced by providing victims with information about courtroom procedures before the trial begins, offering protective measures during testimony (e.g., a screen to hide the witness's identity, a support-person in the courtroom), and providing witnesses with affirming feedback.

Truth Commissions

Truth commissions are generically described as official investigatory bodies set up to document past atrocities of a prior regime or atrocities committed during periods of armed conflict. Although there are a variety of models, the four primary elements of truth commissions are as follows: a focus on the past; creating an overall picture of human rights abuses; their temporary, ad hoc nature; and their authority to gather information and make findings and recommendations (Hayner, 2011). Truth commissions, thus, gather factual information about past wrongdoing to establish an accurate "truth" about a specified period of time through public acknowledgment and accountability.

Truth commissions have been applauded because of their capacity to allow victims to tell their stories, and the belief that these stories might contribute to societal reconciliation (Hayner, 2011; Minow, 1998). However, as Shaw (2007) points out, the assumptions underlying the paradigm of redemptive memory are problematic. To date, few studies have examined the experiences of individuals who give testimony in truth commissions (Sonis, 2009). These empirical studies have focused primarily on the South African Truth and Reconciliation Commission (TRC).

In a thematic analysis of transcripts from public hearings of the South African TRC and interviews with key players, de la Rey and Owens (1998) reported that victims repeatedly mentioned the psychological importance of being listened to. In addition, many noted the importance of obtaining public acknowledgment of their stories and their suffering. Though victims found it painful to testify, they valued the opportunity to regain a sense of dignity and to contribute to societal awareness about apartheid-era violence.

These findings had both similarities and differences from those of Byrne (2004), who con-

ducted semistructured interviews with South African victims who had given testimony in the TRC. Of the 30 interviewees, only 7 felt that they had benefited from testifying; in particular, they found it meaningful to tell their stories in a public forum. In addition, some of these 7 interviewees expressed appreciation at having had the opportunity to narrate their experiences, without emphasizing the public audience. However, Byrne found more negative than positive aspects in the participants' experiences with the TRC, including frustrations with the TRC bureaucracy, the physical and emotional stress of giving testimony, and unmet expectations. Four fifths of the interviewees reported having suffered psychological distress at the time of testimony, particularly when listening to perpetrators' accounts of how their loved ones were tortured or killed. One third of the participants were disappointed that the TRC had not provided them with greater material, economic, or medical assistance. Byrne's sample was recruited from a trauma center specializing in counseling for victims of human rights abuses. The characteristics of a sample obtained from such centers may differ from survivors of human rights violations in broader community settings.

In another South African study, Backer (2004, 2007) compared victims of apartheid-era violations who had testified in the TRC's public hearings, those who merely gave a statement to the TRC, and those who did neither. He conducted focus group discussions with 70 participants and then administered a Likert-type survey to 404 victims. He found that many TRC participants appreciated being able to tell their stories and document their suffering, but they voiced frustration that expectations for reparations were not fulfilled. Some expressed disappointment that the TRC process did not produce information about the fate of their loved ones.

Backer's findings are comparable to those of Phakathi and van der Merwe (2008). The latter interviewed 27 survivors of apartheid-era violations who had participated in the TRC amnesty hearings. Most interviewees noted that testifying in the hearings had afforded them a valued opportunity to tell about their victimization, and some felt that doing so had helped restore their dignity. Nevertheless, most expressed disillusionment, primarily because their expectations for financial reparations and for full disclosure by those seek-

ing amnesty had not been fulfilled. This frustration was attributed mainly to "the limited investigative capacity of the TRC" (p. 137). Such concerns may be less salient for tribunals, in which professional investigators are tasked with uncovering and documenting wartime events.

National Courts

National courts have "universal jurisdiction" to try individuals for serious crimes under international law, such as war crimes, crimes against humanity, genocide, and torture, provided that domestic legislation empowers the court with the jurisdiction to investigate and prosecute accused persons. In one pioneering study, the Amani Trust (2002) conducted posttrial interviews with 33 witnesses who had testified in the High Court of Zimbabwe regarding organized violence and torture they had suffered during the 2000 parliamentary elections. Participants described substantial positive aspects of testifying. Some witnesses reported that they felt intimidated by cross-examination and/or by the presence of the defendant in court, whereas others "felt it was important to testify in front of the defendant . . . [and] felt empowered by doing so" (p. 11). In addition, participants described a few discomforting aspects of testifying: fears of placing themselves or their loved ones at risk and cultural beliefs that traumatic experiences should only be revealed in confidential settings.

As Clark (2010, p. 317) observed, there is a lack of empirical data on how witnesses fare in national courts when they come to bear testimony. Further research into these experiences is warranted to ascertain the factors that hinder or enhance the experience of testifying and the similarities and differences between local and international war crimes courts.

Gacaca Courts

In Rwanda in 2001, community-based courts called "gacaca" were established to promote truth-telling and justice regarding acts perpetrated during the 1994 genocide. Brounéus (2008) conducted in-depth interviews with 16 survivors who had testified in the gacaca. She reported that for all 16, giving testimony involved "intense psychological suffering," and that "5 could not complete their testimonies because of severe psychological ill-health" (p.

71). Furthermore, she reported that none of the 16 interviewees viewed their participation as a healing experience. Brounéus's sample, however, was recruited through an association that provided medical and psychosocial aid to widows. She acknowledges that her sample may have different characteristics than those found in a broader community of genocide survivors. Furthermore, many of the interviewees had reportedly been subjected to threats and intimidation. Thus, it is not clear whether their negative feelings about participating in the gacaca resulted from testifying per se or from being harassed.

In another study involving exploratory interviews with women who testified in the gacaca (Funkeson, Schroder, Nzabonimpa, & Holmqvist, 2011), all eight participants reported having experienced psychological distress while giving testimony, particularly while listening to descriptions of how friends and relatives were killed. Some described intense anxiety symptoms (e.g., racing heart, trembling, intrusive recollections). Several mentioned feeling distressed when a perpetrator denied the truthfulness of their testimony. Nevertheless, most of the respondents stated that they felt a sense of deep relief, and even felt that they had undergone positive psychological change, as a result of telling their story in the gacaca. Thus, Funkeson et al. (2011) portrayed these witnesses' experiences as having beneficial and painful aspects. Both of these studies used relatively small samples, and neither included men.

International War Crimes Courts

International war crimes courts or tribunals have jurisdiction to try perpetrators of crimes under international humanitarian law (also known as the laws of armed conflict). After the Second World War, the Allies established the Nuremberg and Tokyo international criminal tribunals to prosecute and punish military and political leaders responsible for crimes against peace, war crimes and crimes against humanity. These tribunals were the first of their kind in history. It would take another 50 years before another international war crimes tribunal was established.

In May 1993, the United Nations Security Council authorized the creation of the ad hoc International Criminal Tribunal for the former

Yugoslavia (ICTY) to prosecute persons responsible for serious violations of international humanitarian law in the territory of the former Yugoslavia. The following year, the International Criminal Tribunal for Rwanda (ICTR) was established by the United Nations (UN) Security Council to prosecute those responsible for serious violations of international law during the Rwandan genocide. The ICTY and ICTR have become prototypes for the establishment of the International Criminal Court (ICC)—the world's first permanent criminal court, entered into force in 2002, and based in the Hague, as well as other international hybrid and national courts in a variety of geographic regions. Currently, international criminal tribunals or courts have jurisdiction to prosecute and punish individuals responsible for genocide, crimes against humanity, and war crimes.

Until recently, little was known about the experiences of witnesses who testified at international criminal tribunals. A number of the earliest reports were single-case studies. For example, Neuffer (2001) described a woman known as "JJ," who testified in the ICTR about being raped during the genocide. Despite suffering some negative long-term consequences from her involvement with the tribunal, she had reportedly found it empowering to testify. In another single-case study, focusing on a Sierra Leonean survivor of war crimes who testified in the SCSL and also created, directed, and performed in a play about her victimization, Stepakoff (2008) noted that the witness described her experience of testifying in substantially positive terms.

Further observations have been made by professionals in law and human rights, but were not based on systematic research. For example, with regard to one of two ICTR witnesses she had interviewed, Power (2003) mentioned that the witness felt gratified by seeing the perpetrator powerless in the courtroom, yet nevertheless erupted in tears upon taking the stand. Wald (2001), a North American jurist who served as a judge in the ICTY, noted that some witnesses had been threatened with reprisals after testifying and, understandably, expressed concerns about their future security. Also, Nowrojee (2005) undertook six interviews with Rwandan rape victims who had testified at the ICTR. Her interviewees articulated the importance of witnesses being treated with respect and care be-

fore, while, and after testifying; adequate preparation and information to ensure that witnesses know what to expect; and "an enabling environment in the courtroom" (p. 4).

To date, however, systematic research into the experiences of war crimes witnesses has been relatively sparse. The first empirical study was undertaken by Stover (2005), based on semistructured interviews with 87 prosecution witnesses from the ICTY. Stover found that for most witnesses (74%), the experience of testifying had been primarily positive. Witnesses reported feeling that their suffering had been acknowledged and that they had fulfilled a moral obligation to speak on behalf of those who were killed. A number of respondents, however, reported that they had experienced some negative consequences.

More recently, in the first empirical study of witnesses who have appeared before the ICC, the Berkeley Human Rights Center (Cody et al., 2014) conducted survey interviews examining the experiences of 109 witnesses who testified in the ICC's first two trials (the *Lubanga* and *Katanga* trials). Both female and male witnesses depicted their experience of testifying as positive (higher among female witnesses), although female witnesses were less likely than their male counterparts to believe that their testimony helped to establish the "truth" or "justice." In a follow-up survey 6–12 months after testifying, most witnesses reflected on their experience of testifying as having been positive.

In relation to the SCSL, Sanin and Stirne-mann (2006), in a report based on interviews with 14 child witnesses, and with child protection professionals and the court's psychologist, as well as reviews of testimony transcripts, portrayed the experience of testifying in the SCSL as "primarily positive" (p. 36). They noted that the child witnesses had "found it helpful to talk about difficult issues in a supportive environment, and it enhanced their overall reintegration" (p. 32). Similarly, Stepakoff (2006a) argued that for most SCSL witnesses, the process of verbalizing their traumatic experiences and placing the wartime events into a coherent narrative framework had psychologically reparative functions. Likewise, a mixture of positive and negative aspects of the witness experience was described in a qualitative study of 10 victims of wartime sexual violence who either

testified in the SCSL or who were selected to testify but were dropped from the witness list because of a judicial ban on testimony about gender-based violence in one of the trials (Staggs-Kelsall & Stepakoff, 2007).

A number of findings on the experience of testifying in a war crimes tribunal have been drawn from an internal program evaluation at the SCSL (Charters, Horn, & Vahidy, 2008). In one pertinent article (Horn, Charters, & Vahidy, 2009a), witnesses reported that they experienced the courtroom environment as supportive and rated their experiences of both examination-in-chief and cross-examination as being largely positive. Only two variables—worry at the time of testimony and respect from court staff—predicted witnesses' evaluation of their experience. In an analysis of only responses from direct victims (Horn, Charters, & Vahidy, 2009b), participants expressed satisfaction with the preparation they had undergone with their lawyers and indicated that they appreciated both the emotional encouragement and the practical preparations they had received. Respondents' overall evaluations of their experience of testifying were associated with positive evaluations of their lawyers' attitude toward them.

Unfortunately, there were a number of limitations with the internal program evaluation. The rating scales were worded in a manner that can elicit a bias toward positive ratings. Witnesses were asked to rate how pleased they were with their experience, and the rating scales included levels of satisfaction, but were not asked to rate displeasure or dissatisfaction. Picture cards were used that have been found to be the least valid among three visual, nonverbal rating methods (Harding et al., 2007). All of the interviews were conducted in Krio or English. Though Krio is the lingua franca of Sierra Leone and was familiar to most witnesses, many witnesses are more comfortable and expressive when speaking in their native languages. Furthermore, it is difficult for an interviewer to instantaneously categorize all components of a complex narrative response in the midst of an interview. These limitations can be reduced if all responses are recorded verbatim and categorized after the interview has been completed. A qualitative phenomenological approach (Giorgi, 2009), whereby conceptual categories are generated from witness responses, reduces the

risk of inadvertently ignoring aspects of the response that are not included among listed choices.

Overall, the previously described empirical literature suggests that the experience of testifying before a truth commission, national or civil society court, or international war crimes court is likely to be mixed. Some witnesses may find the experience of recounting traumatic memories to be painful, others might relish the opportunity to describe their suffering before a public audience, while others might experience both cathartic and painful feelings at the same time or at different points in the process. These results are perhaps unsurprising given the range of individuals who come to bear witness in the aftermath of atrocity and the array of experiences they might have. Nonetheless, it is important to investigate and document the experiences of individuals who testify before legal, quasi-legal, and nonlegal transitional justice mechanisms to ultimately work toward harnessing the potential of these diverse spaces for the safety and dignity of all witnesses.

Rationale for the Present Study

The present study was intended to deepen our understanding of the experience of testifying by using a predominantly qualitative approach in a large and diverse sample of witnesses and by inviting witnesses to structure their own narrative responses. By recording their full responses, and generating coding categories from these responses later, we hoped to obtain "a careful description of precisely the features of the experienced phenomenon as they present themselves to the consciousness of the researcher" (Giorgi, 2009, pp. 130–131).

This research addresses a number of questions that have not been answered in previous studies. While Stover (2005) interviewed witnesses from the former Yugoslavia and Cody et al. (2014) interviewed witnesses from the Democratic Republic of Congo and the Central African Republic, we focused on Sierra Leonean witnesses. This allows us to consider the ways that the experience of testifying may be similar and/or different across dissimilar cultural contexts. Furthermore, the International Criminal Tribunal for the former Yugoslavia and the International Criminal Court are located in the Hague, a geographic area distinct from

that in which the crimes occurred. In Sierra Leone, by contrast, the international tribunal was based in the same country in which the crimes were committed. Though one of the four trials was held in the Hague for security reasons, we chose to focus only on the three trials that took place inside Sierra Leone. Giving evidence in the same country in which the crimes were committed could affect the experience of testifying.

In addition, previous research on the experience of testifying has focused primarily on victims. By contrast, we sought to consider potential differences between victims and nonvictims. The nonvictims were members of the armed factions whose senior leaders were on trial ("insider" witnesses). This is an important issue to explore given that in many trials a substantial proportion of witnesses are insiders. For example, over a third of the witnesses in the recent SCSL trial of former Liberian president Charles Taylor were nonvictims (Open Society Justice Initiative, 2012). In addition, a recent study showed that insiders tended to report different motivations for testifying than did victim witnesses (Stepakoff, Reynolds, Charters, & Henry, 2014). Victims were more likely to report that they testified to denounce wrongs that had been committed against them, whereas insiders were more likely to report that they testified to explain their involvement in the war. Because they have dissimilar motivations, victims and insiders may have different perspectives on the experience of testifying.

Thus, the present study was designed to enhance our understanding of the experience of testifying in a war crimes tribunal by systematically examining the following questions:

- For most witnesses, is the experience of testifying in a war crimes tribunal primarily positive, primarily negative, or mixed?
- What do war crimes tribunal witnesses view as the most positive and most difficult aspects of the experience of testifying?
- What characteristics of witnesses and trial settings shape the testimony experience?

Method

Sample

A total of 147 witnesses who had testified in the SCSL were interviewed between June

2005 and July 2007, representing nearly half of all witnesses who had completed their testimony. The data analyzed for this study consisted of responses from 160 interviews with these witnesses. Twelve of the witnesses were interviewed more than once. When this occurred, duplicate responses given at different times by the same witness were excluded, whereas any new responses that shed additional light on the testimony experience were included. The demographic and witness-type variables are depicted in Table 1.

Procedure

Stepakoff (first author) was the psychologist for the SCSL during the 26 months that data for this study was collected. Her responsibilities within the Witness and Victims Section (WVS) of the SCSL included posttestimony psychosocial assessment. Thus, she designed a posttestimony interview instrument and supervised the administration of this instrument.

As part of the WVS mandate, witnesses who completed their testimony were routinely administered at least one interview designed to assess their posttrial psychosocial functioning. These interviews were conducted by a multicultural team of skilled Sierra Leonean psychosocial support staff, under the close supervision of the first author. Her internal position allowed for access to witness contact information that would not have been available to external researchers. Interviewers were fluent in Krio (the lingua franca of Sierra Leone), English, and at least one local language.

The chief and deputy chief of the tribunal's witness protection unit, along with the tribunal's witness support coordinator, approved the materials and methods, including the procedures for obtaining informed consent. Under the supervision of the first author, WVS psychosocial staff contacted witnesses in person after their testimony had been completed. Staff informed the prospective participants that their responses would be used to assess whether they had been harmed by their participation in the trials, as well as to generate knowledge about the experiences of witnesses in tribunals, to be published in the form of articles, reports, and/or books. Interviewers took care to ensure that prospective participants understood the dual nature of the interview (routine follow-up and

Table 1
Percentages of Witnesses Across Demographic and Witness Categories

Variable	%	N
Gender		
Male	74	109
Female	26	38
Age		
17-30	22	29
31-40	25	34
41-50	24	33
51 and over	29	39
Language of interview ^a		
Krio	65	95
Mende	12	18
Temne	4	6
Kono	1	2
Fula	1	1
Mandingo	1	1
English	6	9
Side		
Prosecution	57	84
Defense	43	63
Trial ^b		
CDF	30	44
RUF	27	40
AFRC	49	72
Witness type ^c		
Victim	79	116
Insider	18	26
Child noncombatant	1	1
Child combatant	3	5

Note. CDF = Civil Defense Forces; RUF = Revolutionary United Front; AFRC = Armed Forces Revolutionary Council.

^a Language of interview was not recorded for 15 of the interviews. ^b A total of 10 witnesses participated in more than one trial. Nine witnesses testified in both the RUF and the AFRC trial. One witness testified in both the RUF and the CDF trial. ^c The "Victim" category excluded former child combatants but included one child (noncombatant) victim witness, who was nearly 18 years old. Of the six child witnesses, five were former combatants.

empirical research). As part of the consent process, interviewers emphasized that witnesses were free to decline participation, and that the provision of needed psychosocial assistance would not be linked with participation or non-participation. Furthermore, interviewers underscored that participants could end the interview at any time and could decline to answer any questions they wished to refrain from answering. All witnesses contacted gave their informed consent to participate.

In most instances, interviewing witnesses required that the psychosocial workers travel to

remote areas of the country on difficult roads under challenging security conditions. Furthermore, the three trials in which the witnesses had testified were all of long duration (between 21 and 48 months). Thus, time between completion of testimony and posttestimony interview varied based on practical exigencies such as weather, availability of staff and vehicles, the schedule of trial recesses, and so forth. Some participants were interviewed within their first week of testifying, though most interviews took place after periods ranging from 1 to 12 months posttestimony. Data collection began in June 2005, with over 90% of the interviews completed by February 2007.

Staff persons were assigned particular witnesses to interview based on their fluency in the witness's native or preferred language. Interviews were conducted in a total of 7 languages (Table 1). Because many local languages in Sierra Leone are primarily oral, and staff were more comfortable writing in English, the interviewer translated the response into English. Then, the interviewer read the response back to the witness in the witness's native language and asked whether the written words had captured the witness's response accurately and completely. The witness then had an opportunity to correct any inaccuracies and to add any information that had not been fully captured. Staff then entered the responses on a computer.

The first author read through all 160 interviews several times, and on this basis, created a preliminary coding scheme that would contain a code for every type of "most positive" or "most difficult" aspect mentioned. Then, the first and third authors met several times, together with a Sierra Leonean research assistant, to further develop the scheme and to ensure that it was comprehensive and culturally sensitive. Subsequently, the second author reviewed the aforementioned draft coding scheme, and proposed additional revisions (Stepakoff, Charters, & Reynolds, 2007). (See Appendix A, available online in supplemental materials, for examples of actual responses that corresponded to each code for the self-reported most positive and most difficult aspects of testifying.)

Instrumentation

Two types of interviews were conducted: "Short-term" interviews were conducted within

1 month of testifying, whereas "long-term" interviews were conducted 1 month or more after testifying. Because of limited resources and personnel, most witnesses received only one of these types of interviews. In both types, the questions regarding the respondents' subjective appraisals of the most positive and most difficult aspects of their experience of testifying were the same: "What was the best part for you about testifying?" and "What was the most difficult part for you about testifying?" If the witness appeared to be struggling to understand the concepts of the "best" or "most difficult" aspects, interviewers were permitted to ask them, "What did you like most about your experience of testifying?" and "What did you like least about your experience of testifying?"

In addition, the interview assessed several demographic and witness-type variables (e.g., gender, age). We assigned codes for the trial each witness participated in (Civil Defense Forces [CDF], Revolutionary United Front [RUF], Armed Forces Revolutionary Council [AFRC]), and the side for which he or she had testified (prosecution or defense). Also, we assigned codes based on the witness-type labels used by the court: *insider*, *victim*, *child combatant*, *expert*, or *other*. *Insiders* were defined as witnesses who had been members of one of the factions whose alleged leaders were indicted by the court and who had participated in these factions' activities. In virtually all instances, insiders were acknowledged perpetrators of war crimes but were not at risk of being prosecuted, because of a general amnesty combined with the fact that the court's mandate centered only on alleged senior commanders. *Victims* were defined as witnesses who were victims of one or more war crimes and who were not perpetrators or insiders. In keeping with well-documented facts about the Sierra Leone conflict, we viewed child combatants (i.e., persons who were abducted into an armed faction prior to age 15) as a separate group and did not include them in the adult insiders or noncombatant victims groups. We also excluded *experts* and *other* witnesses.

Analysis

Based on the totality of witness responses, the authors created two coding schemes: one to represent the most positive aspects of testifying and one to represent the most difficult aspects of tes-

tifying. The first and second author independently coded all of the responses to the two questions, "What was the best part for you about testifying?" and "What was the most difficult part for you about testifying?" Cohen's kappa coefficients were calculated to estimate the coders' agreement. The data from the two coders showed a substantial amount of agreement (66%) in the categorization of the most positive aspects of testifying (Cohen's $k = .64$). There was also a substantial amount of agreement (74%) in the categorization of the most difficult aspects of testifying (Cohen's $k = .74$). Because there was substantial agreement between the two coders, the remaining analyses were conducted on data from the first coder. The most positive and most difficult aspects of testifying were described in terms of the frequencies with which the codes were applied. Chi-square analyses were computed to test whether the responses were independent of time, witness type and demographic variables. The chi-square results used Fisher's exact tests, which are sensitive to samples with few cases per cell.

Results

We first present the findings for the most positive aspects of testifying. Next, we present the findings for the most difficult aspects of testifying. In each of these sections, we first report the response complexity and frequencies. Extensive examples of actual responses corresponding to each code for the self-reported "most positive" and "most difficult" aspects of testifying are provided in Appendix A (available online in supplemental materials). In each section, after reporting response complexity and frequencies, we describe the findings with regard to age, gender, victimization status, side, and trial. We then report the findings for time. We conclude the section by discussing methodological challenges of this research.

The Most Positive Aspects of Testifying

The coding scheme representing all of the self-reported most positive aspects of testifying consisted of 37 categories: 35 conceptual categories, plus codes for "other" and "not answered." All of the response categories and the frequencies of each response are presented in Table 2.

Response complexity. There were 294 responses coded for most positive aspect of testifying. A total of 152 interviews contained at least one self-reported "best part" about testifying. Of these, 54 witnesses mentioned two best parts, 20 said there were three best parts, and nine witnesses reported four best parts. Four

witnesses reported five or more best parts. Only five of the 147 interviewees did not respond to the question about the most positive aspect of their experience of testifying.

On average, victims gave more responses to the question of the most positive aspects of their experience ($M = 1.91$, $SD = 1.10$) than did

Table 2

Most Positive Aspects of Testifying: Frequency and Percentage of Each Response

Code	Response frequency	% of Responses	% of Witnesses
Being given the chance to tell my story, being able to talk about difficult/painful experiences, oral expression, breaking silence	49	16.67	33.33
Helping to establish the truth, exposing the reality of what happened, correcting inaccuracies	28	9.52	19.05
Sense of satisfaction, pride, accomplishment with my performance	23	7.82	15.65
Ability to cope with cross-examination, meeting the challenge of cross-examination	20	6.80	13.61
Being treated in a respectful/caring manner by employees of the court	18	6.12	12.24
Being listened to	12	4.08	8.16
Feeling strong/empowered/bold/brave, overcoming anxiety	11	3.74	7.48
Physical safety, security, protection, absence of threats	11	3.74	7.48
Other	11	3.74	7.48
Contributing to the pursuit of justice, helping to ensure that those responsible for war crimes are punished	9	3.06	6.12
Seeing/confronting/identifying the accused, being seen or heard by the accused	8	2.72	5.44
Emotional support provided by employees of the court	9	3.06	6.12
Discovery that the accused no longer have power, fact that the accused are not permitted to speak, seeing the accused under guard	6	2.04	4.08
Responding to wrongs committed against others, fulfilling a sense of moral duty to those who were wronged, denouncing wrongs committed against others	7	2.38	4.76
Responding to wrongs committed against me, moving from a helpless to an empowered position, denouncing wrongs committed against me	7	2.38	4.76
Material and medical assistance provided by court	6	2.04	4.08
Opportunity to contribute to public knowledge about the war	5	1.70	3.40
Opportunity to clarify/explain my involvement in the war	5	1.70	3.40
Feeling believed or understood	5	1.70	3.40
The physical environment and the facilities	5	1.70	3.40
Assisting the court/assisting the judges	4	1.36	2.72
Feeling of emotional release, reduction in emotional pain, unburdening	4	1.36	2.72
Feelings of patriotism, contributing to the good of the country	4	1.36	2.72
Expressions of appreciation/praise given to me by court staff	3	1.02	2.04
Courtroom briefing, feeling well-prepared before trial, being told what to expect	3	1.02	2.04
Nothing	3	1.02	2.04
Contributing to peace, helping to prevent future war crimes	2	0.68	1.36
Learning about the court, learning about legal/judicial processes	2	0.68	1.36
Being invited/permitted to show my injuries or scars	2	0.68	1.36
Sense of pride/importance in having been chosen as a witness	2	0.68	1.36
Availability of language interpretation/translation services	2	0.68	1.36
The professionalism and seriousness of the court	2	0.68	1.36
Meeting new people, making new friends	2	0.68	1.36
Everything	2	0.68	1.36
Heightened sense of aliveness, appreciation for life, gratitude for having survived	1	0.34	0.68
Courtroom procedures and rules	1	0.34	0.68
Total	294	100	100

insiders ($M = 1.47$, $SD = .79$), $t(155) = -2.18$, $p = .03$. Prosecution witnesses gave more responses to the question of the most positive aspects ($M = 2.00$, $SD = 1.14$) than did defense witnesses ($M = 1.55$, $SD = .85$), $t(155) = 2.70$, $p = .008$. Also, witnesses who participated in the RUF trial gave significantly more responses to this question ($M = 2.12$, $SD = 1.13$) than did witnesses from the other two trials ($M = 1.75$, $SD = .96$); $F(1, 155) = 4.54$, $p = .035$.

Spearman correlation estimates of the co-occurrence of each code (see Appendix B, available online in supplemental materials) indicated that "seeing the accused" was correlated with the "discovery that the accused do not have power, they are under guard and not permitted to speak" ($r = .41$). The medium correlation between these two codes indicates that witnesses who valued the opportunity to see the accused per se tended to also appreciate the experience of seeing that the accused no longer had power.

A second notable pattern is that in 46% of the instances in which a response was coded as "sense of satisfaction, pride, accomplishment with one's performance," the code for "ability to cope with cross-examination" was also assigned ($r = .37$). Thus, a medium proportion of the sense of satisfaction, pride, or accomplishment that witnesses felt was associated with a sense of having successfully coped with the challenge of cross-examination.

Frequencies. As shown in Table 2, of the total of 37 codes, the 25 most frequently assigned codes accounted for 93% of all the responses. The aspect of testifying that was most frequently mentioned as being the most positive was "Being given the chance to tell my story, being able to talk about difficult/painful experiences, breaking silence." This concept was conveyed by 49 witnesses, and it represented 17% of the total responses given.

Approximately 12% of the witnesses reported that "being listened to" or "feeling believed or understood" was the most positive aspect of their experience of testifying. Of these, 13 participants cited being listened to as the best part of their experience, and five cited being believed or understood as the best part of their experience. Of these 18 witnesses, five specified *the judges'* listening as the best part, and one witness specified that it was the *lead attorney's* understanding that was the best part.

The other 12 did not specify by whom they felt listened to, believed, or understood.

A total of 12% ($n = 18$) of the witnesses reported that "being treated in a respectful/caring manner by Court personnel" was the most positive aspect of their experience. Of these, 12 specified which court personnel they were referring to when they cited respectful, caring treatment: *the judges* ($n = 8$), *the support staff at the safe house* ($n = 3$), and *the lead attorney* ($n = 1$).

A total of 5% of witnesses ($n = 8$) mentioned "direct examination" or "the questioning" as the most positive aspect of their experience. Of these, five cited "direct examination," and three cited, somewhat more vaguely, "the questioning."

Only 11 responses (3.6%) were coded as "other," meaning that no category on the coding scheme fully captured the concept that the witness conveyed. For example, one witness mentioned that "seeing and talking to white men in the courtroom" was the best part, adding "The white men look nice and handsome." One witness said what he liked best was that "the courtroom was quiet and conducive to talking."

Victim status. Responses indicating that the most positive aspect of the witness's experience of testifying was "having the opportunity to clarify or explain my involvement in the war" were significantly related to witness type. No victims gave this response, but four insiders did, $\chi^2(1, N = 147) = 18.05$, $p < .001$. Insiders were also more likely than victims to respond that "the ability to cope with cross-examination" was the best part of testifying. Specifically, 27% of insiders gave this response, versus 10% of victims, $\chi^2(1, N = 147) = 5.60$, $p = .018$.

Slightly more than 37% of victim witnesses responded that "being given the chance to tell my painful/difficult story" was the most positive aspect of their experience of testifying, whereas only 11% of insider witnesses gave this response, $\chi^2(1, N = 147) = 7.41$, $p = .006$.

Gender. Gender was a significant predictor of whether a witness reported "the opportunity to tell my story, to talk about difficult/painful experiences, breaking silence" as the most positive aspect of testifying. Specifically, 44% of the women gave this response, whereas only 28% of the men did, $\chi^2(1, N = 147) = 3.71$, $p = .05$. Also, a significantly greater proportion

of men (22%) than women (7%) reported that the most positive aspect of testifying was "helping to establish the truth/exposing the reality of what happened," $\chi^2(1, N = 147) = 4.19, p = .041$.

Side. Two categories of the most positive aspects of testifying were mentioned *only* by prosecution witnesses: "seeing or confronting the accused," and "responding to wrongs committed against me." A total of 8% of prosecution witnesses reported the former, and 7% reported the latter, as the best part of their experience, whereas no defense witnesses gave either of these responses, $\chi^2(1, N = 147) = 5.80, p = .016$, and $\chi^2(1, N = 147) = 4.29, p = .04$, respectively. In addition, prosecution witnesses (10%) were more likely than defense witnesses (1%) to cite the security procedures and absence of threats as the best part of their experience, $\chi^2(1, N = 147) = 4.19, p = .04$.

A greater proportion of defense witnesses (10%) than prosecution witnesses (2%) gave idiosyncratic responses; that is, a response that was given by only one participant, $\chi^2(1, N = 147) = 4.34, p = .04$.

Trial. There was a significant association between the particular trial (CDF vs. RUF + AFRC) and the response that "nothing" was positive about the experience of testifying, $\chi^2(1, N = 147) = 7.29, p = .007$. When asked what had been the best part of their experience, only three witnesses replied "nothing." All three of these had testified in the CDF trial (two for the defense, one for the prosecution). No witness from the other trials gave this response.

A relatively greater proportion of witnesses (10%) who testified in the RUF trial than in the other trials (3%) reported that the most positive aspect of their experience of testifying was "feeling strong/empowered/bold/brave, overcoming anxiety," $\chi^2(1, N = 147) = 9.34, p = .002$.

Time since testifying. The vast majority of the most positive aspects of testifying were reported with equal frequency in the short-term and long-term interviews. Only three responses appeared to be related to follow-up period. All eight respondents who described seeing or being seen by the accused as a most positive aspect of testifying were interviewed more than a month after they testified, $\chi^2(1, N = 147) = 4.63, p = .05$, and 18 of the 24 witnesses who described meeting the challenge of cross-

examination as a most positive aspect were interviewed more than a month after testifying, $\chi^2(1, N = 147) = 4.74, p = .03$. Only one "most positive aspect" was more likely to be mentioned in the short-term interviews. Namely, about one quarter of witnesses interviewed within a month of testifying reported that helping to establish the truth was a most positive aspect of their experience of testifying, whereas only 12.8% of witnesses interviewed more than a month after testifying reported this as a most positive aspect, $\chi^2(1, N = 147) = 4.89, p = .03$.

Self-reported positive aspects of testifying did not differ by age.

The Most Difficult Aspects of Testifying

The coding scheme representing all of the responses to the question about most difficult aspects of testifying contained 26 distinct most difficult aspects, plus "nothing was difficult," "other," and "not answered." All of these response concepts are listed in Table 3.

Response complexity. There were 238 responses coded for self-reported most difficult aspects of testifying. A total of 37 witnesses reported two "most difficult" aspects. Sixteen witnesses mentioned three "most difficult" aspects.

On average, prosecution witnesses offered more responses to this question ($M = 1.51, SD = .77$) than did defense witnesses ($M = 1.27, SD = .57$), $t(155) = 2.11, p = .036$. In addition, witnesses from the RUF trial gave significantly more responses to this question ($M = 1.66, SD = .75$) than did witnesses from the other two trials ($M = 1.33, SD = .66$), $F(1, 155) = 8.04, p = .005$.

Some responses were significantly intercorrelated (see Appendix B, available online in supplemental materials). In particular, 74% of witnesses who cited "cross-examination" as a most difficult aspect also mentioned "discomfort with aspects of the questioning process" ($r = .70$). Another notable correlation among responses was that 70% of the witnesses who mentioned "concerns about security/safety" as the most difficult aspect of their experience also mentioned "perceived disapproval or negative reactions from others" ($r = .74$).

In addition, there was a small but significant correlation between the responses "emotional

Table 3
Most Difficult Aspects of Testifying: Frequency and Percentage of Each Response

Code	Response frequency	% of Responses	% of Witnesses
Emotional difficulty with some questions or topics/feeling emotional pain, painful memories, talking about difficult/painful experiences	43	17.99	29.25
Nothing was difficult	37	15.48	25.17
Discomfort with aspects of the questioning process	32	13.39	21.77
Cross-examination/behavior of the opposing attorney	31	12.97	21.09
Trauma symptoms	12	5.02	8.16
Being disbelieved or misunderstood, being accused of lying	10	4.18	6.80
Concerns/fears about security/protection/confidentiality, breach of protective measures	9	3.77	6.12
Strangeness/newness/unfamiliarity of the courtroom environment, feeling awed/disoriented/confused by courtroom/judges/procedures	7	2.93	4.76
Perception of potential or actual disapproval by or negative reactions from others	7	2.93	4.76
Anxiety/fear/worry before or at the start of testifying	6	2.51	4.08
Lack of opportunity to tell about certain experiences, lack of opportunity to tell my story in my own way.	6	2.51	4.08
Other	5	2.09	3.40
Cognitive difficulty with some questions or topics	4	1.67	2.72
Not having the opportunity to see the accused, absence of one or more accused or direct perpetrator from the court proceedings	3	1.26	2.04
Fear of being arrested/detained/charged/guarded	3	1.26	2.04
Physical discomfort before or during testimony	3	1.26	2.04
Physical environment and facilities	3	1.26	2.04
Concerns/disappointment about the level of SCSL material or medical support	3	1.26	2.04
Perception that the accused are being treated too well, are not suffering enough	2	0.84	1.36
Treated disrespectfully by employees of the court	2	0.84	1.36
Being asked to show a bodily scar/wound/injury	2	0.84	1.36
Feeling guilty/embarrassed about testifying against one's neighbors or one's former comrades/friends/commanders	2	0.84	1.36
Anxiety/fear/worry during testimony	1	0.42	0.68
Anxiety/fear/worry after testimony	1	0.42	0.68
Being in the courtroom with the accused	1	0.42	0.68
Insufficient preparation	1	0.42	0.68
Language/translation difficulties	1	0.42	0.68
Lack of acknowledgment	1	0.42	0.68
Not answered	1	0.42	0.68
Total	239	100	100

Note. SCSL = Special Court for Sierra Leone.

difficulty with some questions/feeling emotional pain/painful memories, talking about difficult/painful experiences" and "trauma symptoms" ($r = .26$). This means that witnesses who reported that the hardest part of testifying was dealing with the emotional pain also tended to report difficulties managing their trauma symptoms during or after testimony.

Frequencies. As shown in Table 3, the 15 most frequently mentioned "most difficult aspects of testifying" accounted for 95% of all the responses given. The most frequent response to the question "What was the most difficult part

for you about testifying?", given by 43 witnesses (29%), was "Emotional difficulty with some questions, talking about difficult/painful experiences." This response represented 18% of all the responses to the question.

The second most frequent response was "Nothing was difficult." A quarter of the witnesses ($n = 37$) reported that they found nothing difficult about testifying; this response represented 15.5% of the total responses to this question. This contrasts markedly with the findings for the self-reported most positive aspects. More specifically, only three witnesses men-

tioned that "nothing" was positive about their experience, whereas fully a quarter of the witnesses stated that "nothing" was difficult about their experience.

Slightly more than a fifth of the respondents ($n = 31$) mentioned "discomfort with aspects of the questioning process" as a most difficult part of their experience. Of these, 23 *also* mentioned cross-examination as one of the most difficult parts of their experience, whereas eight mentioned only aspects of the questioning process *other than* cross-examination (e.g., the pace of questioning, objections by the opposing attorney, use of legal jargon). Seven witnesses mentioned cross-examination as a most difficult aspect of their experience without concurrently referring to any other aspects of the questioning process. Thus, for about a quarter of the witnesses ($n = 38$), the most difficult parts of their experience of testifying included cross-examination and/or discomfort with aspects of the questioning process.

Twelve witnesses reported that the most difficult part about testifying was their experience of trauma symptoms during or after the courtroom testimony. Trauma symptoms during or after testimony constituted 5% of the total responses to the question about the most difficult aspects. Of these witnesses, one specified that the trauma symptoms were felt *during* testimony, two specified that the symptoms were felt *after* testifying, and the remaining 10 did not specify the time period during which the trauma symptoms occurred.

Seven witnesses reported that the most difficult aspect of testifying was perceived disapproval by or negative reactions from others. Of these, six cited "relatives and supporters of the accused," and one cited "the community," as the primary source of the disapproval.

Of the three witnesses who reported that the physical environment of the courtroom was the most difficult part of their experience, two complained specifically that the courtroom was cold, and one mentioned that the headphones were burdensome.

Five witnesses gave idiosyncratic responses. These responses were as follows: "loneliness at the safe house," "examination in chief," "having to talk about something I hadn't seen," "talking about the two fighting groups" and "illness/trembling."

Side. More than one third (37%) of defense witnesses reported that "nothing was difficult" about testifying, whereas only 15% of prosecution witnesses gave this response, $\chi^2(1, N = 147) = 9.78, p = .002$.

Approximately a third (33%) of the prosecution witnesses reported that the hardest part about testifying was "having to talk about difficult or painful experiences," whereas only 18% of the defense witnesses gave this response, $\chi^2(1, N = 147) = 4.64, p = .03$.

None of the defense witnesses reported perceived disapproval by or negative reactions from others as the most difficult aspect of their experience. This response, however, was given by 8% of the prosecution witnesses, $\chi^2(1, N = 147) = 4.91, p = .027$.

Trial. Five of the seven witnesses who reported disapproval by or negative reactions from others as the most difficult part of their experience had testified for the prosecution in the CDF trial (11% of the CDF witnesses overall), whereas only two witnesses (fewer than 2%) from the other trials listed this difficulty, $\chi^2(1, N = 147) = 6.28, p = .012$.

Witnesses who reported that trauma symptoms constituted the most difficult aspect of testifying were significantly more likely to have participated in the RUF trial than in the other trials. Specifically, 20% of the RUF witnesses in this study cited trauma symptoms as the most difficult aspect of their experience, versus only 2% of the witnesses in either of the other two trials, $\chi^2(1, N = 147) = 15.87, p < .001$.

Neither gender nor age nor victim status was significantly associated with any of the self-reported most difficult aspects of testifying. Also, no self-reported most difficult aspect differed based on time since testifying.

Strengths and Limitations

The results should be understood in the light of the strengths and limitations of the methods used. We obtained a large sample, allowing us considerable statistical power. Of the total target group, we were able to conduct interviews with slightly more than half. We included insiders as well as victims, and we combined qualitative and quantitative methods of analysis. We did not systematically test whether the experience of testifying differed for witnesses who participated in our study versus those

who did not. However, the demographic profile of the interviewees was similar to that of the overall population of SCSL witnesses, thus there is little reason to suspect such differences exist.

By using open-ended questions, the interviewers were able to gain important insights into the testimony experience that may not be achievable with methods such as checklists or Likert scales. Because of shortages of time, resources, and personnel, we were not able to obtain back-translations by external researchers to check the accuracy of the interviewers' translations of witness responses. Nevertheless, it is worth noting that all interviewers had extensive experience with language interpretation in the context of providing supportive services for witnesses as part of their overall professional responsibilities. In addition, we were not able to analyze inter-interviewer reliability. It is possible, thus, that responses were related to the interviewer's skillfulness, sensitivity, or interviewing style. This possibility was reduced by the fact that all interviewers underwent similar training and followed an identical script.

Also, we were not able to analyze "time since testifying" as a continuous variable, and instead used a dichotomous variable of "less than a month" or "more than a month" after testifying, because we did not obtain information about the precise number of days that had elapsed between testimony and interview. It is possible that a continuous measure of "time since testifying" may have yielded different results for that variable.

Witnesses may have felt reluctant to speak frankly about negative aspects of testifying, given that the interviewers were WVS staff. This possibility, however, is contradicted by the fact that witnesses were quite willing to complain to WVS staff when they were discontented about any aspect of their experience with the SCSL (e.g., safe-house furnishings, transportation arrangements, etc.). Moreover, the use of outside interviewers was not possible because of the need to keep witnesses' identities confidential.

Discussion

We discuss congruities and incongruities between the present findings and previous research, and offer some possible explanations for

the incongruities. We then provide interpretations of the findings on gender, witness type, and trial. Next, we draw on the present findings to highlight the empowering as well as the difficult components of the testimony experience. We close by suggesting some directions for future research.

The Testimony Experience in the SCSL: Multifaceted but Predominantly Positive

The findings that the experience of testifying in the SCSL was characterized by a mixture of positive and negative elements, and that for most witnesses the positive aspects outnumbered the negative, are consistent with previous studies of war crimes tribunals in other settings (e.g., Cody et al., 2014; Stover, 2005). We found considerably greater complexity and positivity of responses, however, than did Byrne (2004) in her research on the South African Truth and Reconciliation Commission. It may be that her smaller sample size did not allow for a wider variety of responses.

Some of the positive aspects of testifying in a war crimes tribunal (e.g., helping to ensure that those responsible for war crimes are punished) may be absent in a truth commission. Additionally, many of the Byrne respondents' negative experiences with the TRC related to their having to listen to the perpetrator's remarks, which often were perceived as lacking in responsibility or remorse. In contrast to the approach used in the South African TRC, the Special Court for Sierra Leone did not include processes whereby witnesses listened to perpetrators. In the SCSL, perpetrators were not allowed to speak except during the defense phase of the trial when giving testimony in their own defense. Thus, except for one instance in which an indictee briefly acted as his own attorney, victim witnesses in the Special Court were not spoken to by the accused. This protection from exposure to the perpetrator's remarks may also shed light on why SCSL witnesses portrayed the experience of testifying far more positively than did those in studies of the Rwandan *gacaca* (e.g., Brounéus, 2008; Funkeson et al., 2011).

Furthermore, *gacaca* witnesses were not provided with legal representation. Accused individuals were required to present their own defense, and victims were required to share their stories without the assistance of an attorney.

Moreover, gacaca witnesses did not undergo an extensive preparatory process before sharing their stories aloud. By contrast, Special Court witnesses worked closely with attorneys and usually told their stories during multiple "prepping" sessions prior to testifying in court.

There are important differences between the structure and processes of the local, community-based gacaca and UN supported international war crimes tribunals. For example, some witnesses in UN-backed tribunals value the opportunity to contribute to worldwide knowledge about the war (Stepakoff et al., 2014). It is interesting that the more formal atmosphere of a tribunal, while potentially disconcerting for some witnesses, may also provide a greater sense of legitimacy and security relative to the less formal, community-based gacacas.

Gender, Witness Type, and Trial

Gender. Women were more likely than men to emphasize the opportunity to break silence and verbalize their stories, whereas men were more likely to emphasize the establishment of truth and exposure of war-related events. This finding is consistent with research by Gilligan and Attanucci (1988) indicating that in making decisions about moral issues, men tended to utilize abstract principles whereas women tended to focus on interpersonal relationships and a desire to reduce suffering.

Type of witness. The findings indicate that victims and nonvictims may experience the process of testifying quite differently. Insiders appear to appreciate the opportunity to meet the challenge of cross-examination and to publicly justify the actions they took during the war, whereas victims most value the opportunity to break their long-held silences about the suffering they endured. Similarly, prosecution witnesses—but not defense witnesses—view testifying as a means of responding to wrongs committed against them and as an opportunity to see that the accused are in custody. Tribunal staff may need to bear these differences in mind when designing supportive services for witnesses.

Trial. The experience of testifying is influenced by larger sociopolitical forces (e.g., the perceived culpability of the faction on trial, popular sentiments about the prosecutions).

The RUF forces were widely considered to have committed the most frequent and severe atrocities of the three factions charged with war crimes at the SCSL. Furthermore, the prosecution of the RUF leaders was widely supported in Sierra Leonean society, whereas there was somewhat less support for prosecutions of the leaders of the other two factions, particularly the CDF leaders, whom many Sierra Leoneans viewed as heroes because they were fighting to restore the country's democratically elected government. Given that the CDF prosecutions were more controversial than the prosecutions of the other two factions, it is not surprising that some of the witnesses who testified for the prosecution in that trial feared possible social repercussions. The finding that witnesses from the RUF trial felt more positively about their experience of testifying than those from the other trials even though they were also more likely to report having suffered trauma symptoms while testifying supports the idea that the emotional pain of giving testimony does not negate or overshadow the beneficial aspects. Telling about a traumatic incident, while painful, can, under supportive circumstances, ultimately contribute to reductions in distress.

Empowering Components of the Testimony Experience

Several aspects of testifying were suggestive of an experience of empowerment. The most frequently reported most positive feature had to do with being able to break long-held silences and talk about painful experiences. It appears that for a substantial portion of witnesses, the experience of giving testimony in the courtroom was characterized by important components of a psychologically reparative process.

The finding that witnesses who listed "seeing the accused" as a positive aspect of their experience showed a moderate tendency to also list "discovery that the accused do not have power, they are under guard and not permitted to speak" suggests that seeing the accused in the courtroom during testimony is gratifying because it allows witnesses to feel that the accused are no longer frightening as they were during wartime. Immediately after testifying, witnesses are focused on other aspects of their experience but over time, the recollection of having seen the accused in a context in which the power

dynamics were the opposite of those in place during the war becomes more salient. Perhaps the experience of seeing the accused in custody is more fully relished with the passage of time. Considering that this aspect was mentioned by only 8 out of 147 respondents, however, this finding should be interpreted with caution and examined more thoroughly in future research.

The finding that seeing the accused in court was experienced positively by some witnesses is consistent with findings reported in the Amani Trust's (2002) monograph. Specific comments by participants in the Amani study (p. 9) illuminated this point (e.g., "it was a great opportunity to be in court with the perpetrators since they were said to be invincible"). Furthermore, the Amani monograph notes (p. 12) that in those instances where the defendant was not present in court, several witnesses were disappointed: "I wanted him to see me testify"; "I wondered why he was not there because I wanted to testify to his face." In the Amani study, however, some witnesses reportedly felt intimidated by the presence of the defendant in the courtroom, whereas none of the witnesses we interviewed mentioned the presence of the accused as a negative feature of their courtroom experience. Our results are also consistent with Power's (2003) observation that a witness in the International Criminal Tribunal for Rwanda relished the opportunity to see that in the courtroom setting the perpetrator had little power. We also obtained empirical support for Ilic's (2004) observation that "the trial and punishment [help the witness achieve] a rebalance of power over his or her torturers" (p. 379).

These findings contrast with findings from a Canadian study of sexual abuse litigation (Feldthusen, Hankivsky, & Greaves, 2000), namely, that one of the "worst aspects" of the experience of testifying against sexual abusers was direct confrontation with the perpetrator in the courtroom. However, courtroom exposure to the presence of a childhood sexual abuse perpetrator has different psychological dynamics than exposure to the presence of an accused war criminal. In the former, the accused would more often be a person who was known and trusted by the victim. In the Special Court for Sierra Leone, the indicted were high-level leaders of the factions involved in the war who were accused of command responsibility for atrocities. In contrast with Herman's

(2003) view that the presence of the perpetrator in the courtroom directly opposes the psychological needs of victims of violence, in war crimes trials there may actually be psychological benefits to seeing that a figure who had previously been viewed as omnipotent is now in a relatively silent and powerless position. These benefits may accrue not only for the victim witness, but also for victims in the wider society who see the accused in TV or Internet coverage of the trial.

Our finding that many witnesses experienced cross-examination quite positively is consistent with previous reports that more witnesses viewed cross-examination favorably than unfavorably (Horn, Charters, & Vahidy, 2009b; Stepakoff, 2006a). As with the findings on seeing the accused and on the greater number of positive versus difficult aspects of the overall experience of testifying, this finding points to a need to reexamine some common implicit assumptions regarding the balance of fragility and resiliency in witnesses. More specifically, although cross-examination is difficult for some witnesses, there is no empirical basis for the widely held view that most witnesses have negative experiences with cross-examination.

In considering the positive aspects of testifying described in our study, it is important to bear in mind that the SCSL received support and legitimization from the UN. It was an international tribunal with a large number of expatriate staff from all over the world. It was generously funded, and its facilities were modern and well-maintained. The experience of giving testimony in such contexts may differ from the experiences of witnesses who testified in the South African or Sierra Leonean Truth and Reconciliation Commissions or the Rwandan *gacaca*, with some witnesses feeling more comfortable in a smaller, more familiar, community-based setting such as *gacaca* and/or in a nonadversarial process such as a TRC, and other witnesses feeling less comfortable. The latter may prefer the qualities of international recognition and protection that are present in a UN tribunal.

Difficult Components of the Testimony Experience

Testifying about traumatic events can be emotionally stressful (Brounéus, 2008; Byrne,

2004; Feldthusen et al., 2000; Herman, 2003; Ilic, 2004; Stover, 2005). For some individuals, the experience of testifying in the Special Court included emotional pain and/or an activation or exacerbation of trauma symptoms (e.g., flashbacks, intrusive images, dissociation, hyperarousal). This finding underscores the importance of providing adequate psychological support for witnesses before, while, and after they give evidence in court.

Also, a portion of witnesses reported anxiety regarding their safety, and/or concerns that other people might react negatively to them because of their involvement with the Special Court. By promoting attitudes of acceptance, understanding, and nonviolence in the communities from which witnesses originate, witness protection staff and a tribunal's community outreach unit can help to mitigate these concerns.

Directions for Future Research

The importance of psychosocial support.

The availability of extensive psychosocial support services (see Stepakoff, 2005 and Stepakoff, 2006b for a detailed description) may help to explain why participants in the present study portrayed the experience of testifying in largely positive terms. It sheds light on the discrepancies between our findings and those of some researchers in other transitional justice settings. Without adequate psychosocial support, the negative features of the testimony experience (e.g., emotional pain) would likely become more prominent. Future researchers could compare the experiences of witnesses in settings in which supportive services were provided with those in which such services were minimal or absent.

Differentiating "difficult" from "negative".

We asked witnesses about the most difficult part of testifying. We conceptualized "difficulty" as a fundamentally negative experience. However, an experience can be difficult without being negative. For example, in psychotherapy a person is expected to talk about painful material and may find it emotionally difficult to do so. Yet at the same time, the person may feel that there is something positive and even reparative in the opportunity to connect with the truth of his or her experience and share this truth with another person. Differentiating the concepts of "difficult" and "negative" in future research is

particularly important in light of our finding that many witnesses *valued* the opportunity to talk about their painful experiences. Future researchers should take care not to view "difficulties" in the experience of testifying as preclusive of beneficial outcomes. It may be that testifying about war crimes entails both psychological discomfort *and* opportunities for psychological healing.

Relationship between verbal expression and psychosocial functioning. A cornerstone of most trauma recovery models is the belief that it is ultimately beneficial to put difficult experiences into words, and to allow oneself to feel the associated emotions and to grieve the associated losses, even when the process of doing so is arduous. Future research with war crimes witnesses should systematically examine the relationship between psychosocial functioning and verbal narration about war atrocities. Evidence for such a relationship would contribute substantially to a broader theory about the role of verbal expression in the cognitive and emotional processing of traumatic events.

Conclusion

Despite some stressful features, testifying had many potentially empowering components and provided a valued opportunity for individuals to verbally narrate their wartime experiences and to be heard by the public and/or court staff. Psychosocial support workers can use the insights reported here to enhance the positive aspects of testifying and attenuate the negative aspects. The evidence that at least in some contexts, testifying about human rights abuses is not inherently difficult, and may in fact be experienced quite positively, underscores the need for an appreciation of witness resilience in addition to vulnerability. The findings enrich existing knowledge about the experience of giving evidence at war crimes trials and about processes of psychosocial repair in the aftermath of mass atrocities.

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