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UNIVERSITI MALAYA
Department of International and Strategic Studies

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THE MALAYSIAN JOURNAL OF INTERNATIONAL RELATIONS

The Malaysian Journal of International Relations (MJIR) is a peer-reviewed refereed journal published annually by the Department of International and Strategic Studies, University of Malaya. The MJIR welcomes original contributions related to international relations, foreign policy, diplomacy, political science, international political economy, strategic and security studies, and related fields, to be considered for publication. In particular, the journal welcomes manuscripts with a focus on international relations in the Asia-Pacific.

Objectives

The world of international politics in the 21st century is a dynamic one, with challenges as well as opportunities. Contemporary news highlights the threat of nuclear proliferation, of terrorism in various parts of the world, climate change, and of the continuing side effects of the financial meltdown. Equally there are opportunities to advance such causes as nuclear disarmament and crisis resolution. Hence, there is a need for scholars to address the challenges and arising issues in contemporary world affairs. Along these lines, the objectives of the MJIR are to promote scholarly research on international relations and strategic studies, to provide a channel for the publication of articles based on research, original thought, and commentaries on these topics, and to stimulate further debate and interest in the study of international relations.

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CONDUCTING POLITICAL RESEARCH IN A HIGHLY SENSITIVE POST-CONFLICT ENVIRONMENT: REFLECTIONS FROM THE INTERNALLY DISPLACED CAMPS IN KENYA

Muhamad Danial Azman

ABSTRACT

This article elucidates the ethical and methodological intricacies of the semi- structured interviews when the author conducted his qualitative-based fieldwork in the Internally Displaced Camps (IDPs) in Nairobi and Rift Valley, Kenya. Research can be regarded as the production of knowledge, and the research process is the roadmap used in order to produce scientific knowledge about the objectivity of individual agency and its social reality, but there is a paucity of recent studies that reveals the complexity of conducting research in highly sensitive environments, especially in the IDP camps. This study hopes to fill in the gap in scholarship by interviewing the survivors of the 2007/2008's postelection violence (PEV) who occupied the IDP camps and urban slums using a framework of research ethics on the IDPs. The essay looks into the process of ethical and moral considerations in response to the issues of political sensitivity when interviewing the IDPs. The paper begins with a brief introduction to the case study. Secondly, the research ethical framework and the actual research design are discussed. Following this, the challenges faced by the author regarding research important decisions made before, during, and after the fieldwork (research steps and processes) are examined. The analysis concludes by suggesting the research prospects and limitations of the semi- structured interview method in the IDP camps, and highlights the importance of recognising the 'positionality' of the researcher from just 'observing' to the further step to 'do good' within a setting of the post-conflict environment.

Keywords: displacements, human rights, individual agency, Kenya, reflectivity, research ethics and method, violence

INTRODUCTION

This article is based on a study that was designed to research the impact of Transitional Justice Mechanisms (TJMs)[1] in addressing the shattered living conditions of Internally Displacement Persons (IDPs) [2] following the 2007/2008 postelection violence (PEV)[3] in Kenya. In that study[4], the author examined the role of the legal and political institutions that were established in the wake of the 2008 disputes over the presidential election, with specific attention paid to the role of the national Truth, Justice and Reconciliation Commission (TJRC) and the International Criminal Court (ICC) proceedings in Kenya between 2008 and 2013 – both defined here as TJMs.

Accordingly, the PEV 'inspired a burst of academic productivity' in the numerous scholarly works on African politics during the few years since the crises came to be regarded as the worst event to befall the country since independence.[5] Arguably, the PEV provides an instructive opportunity for cross-disciplinary commentators to examine the relations between the broader comparative themes of procedural democracy in African politics and the mushroomed publications of socio-legal analysis in suggesting the potential of the TJMs (as a set of conflict resolution mechanisms) in resolving a recent electoral violence, regime change, and 'Arab Springs' in Africa, all of which hinted for a clearer understanding that the legalistic nature over the study of TJMs requires a heightened degree of political analysis.[6]

As such, there is an overwhelming tendency in the literature of Transitional Justice (TJ) to treat post-conflict justice experiments in the post-authoritarian environments in Latin America and Eastern Europe as similar to the current situation concerning the consolidation of 'third wave' democracy and post-conflict peacebuilding in African countries like Kenya.[7] While integrating TJMs with the broader peacebuilding concerns of addressing the IDPs seems persuasive, there is ample evidence that suggests both TJMs (the ICC and TJRC in Kenya) are not directly connected to the IDPs' fundamental needs of justice, reconciliation, and reparation in the aftermath of the conflict.[8] For that reason, this research is anchored in the idea that the attempt of TJMs to successfully implement some form of post-conflict justice in Kenya was flawed because they did not take into account how these institutional arrangements were subjected to elite brinkmanship

games, and as a result, TJMs in Kenya failed to address the problems of the IDPs, whose politically subjectivity and agency were denied in the process of achieving realistic forms of justice and reconciliation.[9]

This paper begins with a brief introduction of the case study. Secondly, the research ethical framework and the actual research design are discussed, followed by the challenges faced by the author regarding important research decisions made before, during, and after the fieldwork (research steps and processes). The analysis concluded by suggesting the research prospects and limitations of the semi-structured interview method in the IDP camps, and highlights the importance of recognising the 'positionality' of the researcher from simply 'observing' to the next step to 'do good' within a post-conflict environment.

INTRODUCING THE CASE STUDY: THE DILEMMA OF THE IDPS IN KENYA

While the Kenyan government has loudly demonstrated their commitment toward implementing the TJMs, various studies have challenged such commitment.[10] Indeed, throughout the author observations between 2009 and 2013 (during the implementation of the TJMs in Kenya) the projects remained politically unsuccessful. What are worse, various top- and middle-profile politicians within the circles of government intentionally subverted the policies and consequently impeded the actual process of justice seeking through the ICC's proceedings in Kenya. They forcefully evicted the remaining camp residents into illegal slums settlements scattered throughout suburban Nairobi.

The report jointly published by researchers from the Internal Displacement Monitoring Centre (IDMC), Overseas Development Institute (ODI) UK, and Berkeley University, California US[11] on the status of urban resettlement and city sanctuary for the city of Nairobi, stated that Kenyan government officials claimed that they have successfully resettled the IDPs from the 2008 crisis as evidenced by the closure of several camps.[12] However, various studies discovered that huge numbers of IDPs who previously occupied the camps around Nairobi and southern Rift Valley have been forcefully migrated to the slums nearby Nairobi, triggering the emergence of a huge number of

illegal slums. These conditions are worsened by urbanisation and the massive construction of foreign private projects in rural cities leading to a new wave of homeless individuals from rural areas.[13]

In his PhD research, the author have discovered that those previous PEV's IDPs who are now resettled in slums like Mukuru, Mathare, Dandora, and Korogocho have difficulty accessing justice, security, job opportunity, and medical needs, especially when they cannot legally be identified as IDPs. This means that their existing humanitarian needs have been compromised and subjected to civilian status or as an illegal settler.[14]

As such, the IDPs that the author interviewed are those who either still live in camps in different parts of the Rift valley (in particular the self-help camps), or those who have been forced to migrate to illegal settlements or slums around Nairobi (illegal/slum settlers). The author has captured the vulnerabilities of the IDPs though the choice of a single case study research design and semi-structured qualitative interviews.

ETHICAL RESEARCH FRAMEWORK: MORAL IMAGINATION

While a lot has been written about TJ, peacebuilding, and IDPs, few researches have focused on the IDP as an object of victim testimonials within the literature of TJ. The IDP or a theme on "displacement has not as of yet figured prominently in the literature or practice of transitional justice"[15]. While such hints allow the author to focus on researching the IDPs, the politically sensitive status of the IDPs and the author's status as an outsider while interacting (in the form of power relations) with them have provided a clear justification[16] for the needs of extensive consideration on the research ethics. In this respect, ethical research dilemmas appeared to be important and arise when we try to decide between one course of action and another not in terms of expediency or efficiency, but by reference to standards of what is morally right or wrong.[17]

Accordingly, considering research ethics is not only placed on the research outcome but also on the research process and all the actors involved during the course of the fieldwork. Despite the strong emphasis on the internationally recognised and rigid code of practices, there is

still room for a researcher to subjectively deliberate, and to perhaps compromise, which requires reflexivity and moral judgments.[18] This brings the adoption of moral imagination: the imaginative process of moral deliberation occurs when the researcher have to take precautions beyond the rigidity of doctrinal rules and universal research ethics in favour of adjusting research practices according to unusual contexts and the likely consequences of research therein.[19]

The author's research "conversations" with the IDPs is driven by a moral imagination[20] concerned with empowerment and power relations, including recognitions over the structural inequality that conditioned the position of the IDPs. Thus, it posits that the consequence of the fieldwork should be for the good of the respondents and the people around them. This takes the author a step further from the universal ethics of 'just observe', to one of ensuring no harm or 'doing good'.[21] Having such a moral imagination helps the author reflect on various possibilities of actions to deal with the vulnerabilities of the IDPs.

RESEARCH DESIGN, FIELDWORK PERIODS AND LOCATIONS

In this study, the author focused on a single case study, using specific living conditions of the IDPs Camps or 'Self-Help' Camps [22] that were eventually closed by the Kenyan government in order for the government to politically demonstrate that demands for reconciliation and rehabilitation that have been made by the IDP camp residents have been fully resolved. According to Jason Walton, the selection of a single case study research design was used, "to demonstrate a causal argument about how general social forces shape and produce results in particular settings".[23] Therefore it was deemed relevant and applicable for the study, where social forces observed in the post-conflict environment of the IDP camps have an impact on a specific IDP and illegal slum community (setting). Using a case study research design enables the researcher to use the semi-structured interview data, and to connect the micro level of analysis to the macro level. This provides insight that will enable the researcher to expand/build theory. Additionally, the case study was not selected as a design for the study with the aim of making generalisations, but rather to produce theory. Robert Yin confirms this by stating that one possible rationale

of a single case study is that the case represents a critical opportunity in testing a well-formulated theory.[24] Yin further explains that testing the theory entails determining if the propositions of the theory are correct or if there are alternative explanations that are more relevant to explain the social phenomenon.[25] The discussions below provide a methodological review of the research process involved, periods, and locations in gathering primary data for the above-mentioned case study, including an overview of the fieldwork process.

In conducting the research, the adopted methodology can be divided into two main parts. The first involved a use of secondary literature, and an in-depth survey of the more widely discussed themes in the study of TJMs and the 2008 crisis in Kenya's political economy. There is an expanding body of literature covering models of conflict resolution adopted in resolving election disputes, and its immediate and long-term impact on the sustainability of peace and reform policies in Kenya, Zimbabwe, Ghana, Mali, and the Ivory Coast. In addition to drawing from existing works of secondary literature, the author acknowledges the recent critiques made by a contemporary Kenyan writer, Ngugi wa Thiong'o that, "there's a tendency to assume that knowledge, education, jurisprudence, and especially philosophy came from the pen. This is because knowledge, the world over, reaches us through books".[26]

Although text has existed for a relatively brief period in human history, there is a tendency in today's society to assume that, "a person who cannot write and read is ignorant, or that the knowledge they possess is not good enough for sharing with others or benefitting the nation".[27] This was the case for the individuals who were identified as displaced victims after the PEV. Politically, they were excluded not for being illiterate, but because their unrecorded living experience during and after the PEV challenged some of the major assumptions of secondary literature.[28] Given the novel attempts of the Kenyan government and society to utilise TJMs in order to resolve the difference that emerged after 2008 and the IDPs' demands, the author's research constitutes the first in-depth analysis of the entire TJ process and surrounding debates in Kenya from the perspective of the displaced victims of PEV, especially the IDPs.

The author began his fieldwork in February 2009. The previous year, the Kenyan National Dialogue and Reconciliation (KNDR) agreement were signed by all Kenyan conflicting parties, and the ICC started its investigation following the rejection of a local tribunal bill by the Kenyan parliament. Additionally, the TRJC's mandate for executing restorative and redistributive justice became effective. The second period of fieldwork began in January 2012. At this point in time, the ICC's Pre-Trial Chamber II confirmed the charges against four of the six PEV suspects and scheduled its first trial date for April 2013.

The second period of the author's fieldwork ended in May 2012, when the TJRC reports were still pending. The final period of fieldwork ran from February 2013, a month before the election, to April 2013, when the ICC's proceedings were still ongoing. The research draws from 157 interviews with individuals from all of the relevant categories of stakeholders in the constitutional implementation of the TJRC and the ICC's proceedings. These individuals range from officials who were indirectly and directly involved in implementing the aforementioned TJMs, to academic commentators, NGO personnel, and the ordinary citizens who were affected by these mechanisms. The interviews consisted of both formal and informal conversations (including multiple interviews with many of the same individuals, some of which span a period of more than four years) in order to provide a broader perspective of the initial intentions, modus operandi, and outcomes of the TJMs implemented as a result of the KNDR agreement. This allows the author to construct popular narratives of justice and reconciliation in Kenya, conducted during his thirteen months of living and interacting with various Kenyans. Research took place while the author was stationed at the Young Women's Christian Association's (YWCA) hostel on Nyerere Road in Nairobi, the British Institute in Eastern Africa in the Kileleshawa district in Nairobi, and a tea and flowers smallholding in the Central Province of Kenya. The interviewees came from various groups of stakeholders, such as Kenyan government officials, US embassy personnel, AU personnel, TJRC officers from the research division, the audience and participants in TJRC hearings from various regions, members of small business communities in Nairobi, academics from the University of Nairobi and the United States International University based in Nairobi, and various international and local NGOs personnel.

Finally, the author travelled to The Hague, Netherlands to interview individuals who had been witnesses to the ICC's proceedings, Special Court for Sierra Leone (SCSL), Special Tribunal for Lebanon (STL), and Extraordinary Chamber at the Court of Cambodia (ECCC). These individuals were asked for their legal and political opinions on a wide range of issues influencing Kenyan criminal accountability and the workings of TJMs under the KNDR agreement. The author also travelled to New York, Geneva, and Paris to interview former international policymakers and observers from various UN agencies and organisations related to various TJ experiments across the globe. Finally, the author travelled to the AU headquarters in Addis Ababa, Ethiopia to gauge the views of the individuals residing in this region towards the precarious Kenyan approach to TJ. Drawing from such extensive fieldworks allows the author to highlight several reflections about the research design that will be discussed next.

REFLECTIONS FROM THE IDP CAMPS IN KENYA

In this section, the author shares the major dilemmas that arose before, during, and after the fieldwork that emerged perhaps due to working in the new environment of the IDP camps and Kenya (Africa), as well as being new to using the semi-structured interview method in highly sensitive political environments. Although he had travelled to the country prior conducting his extensive fieldwork in 2012, he was new to the study site (IDP camps and slums in suburban Nairobi and Rift Valley), with prior knowledge based only on having learned about it through secondary literature and media from the area. Prior to embarking on his extensive fieldwork, the author had also lived and completed his postgraduate research training both in England and Scotland for 4 years and was thus exposed to different cultures and what that meant in terms of research design.

Within the literature of qualitative research methodology, a non-western researcher based in Canada describes this as being in a bind, "where one is a third-world researcher who lives and works in the first world, yet whose field of research is a third world site".[29] Nevertheless, the non-western researcher mentioned here described how she has been perceived as an outsider despite her ancestral linkages to her field site, Pakistan. Others have also written about their ethical and methodological intricacies whilst either working in the Global South

or with marginalised communities. For instance, Catherine Kohler Riesman vividly mentioned how her research participants (barren women) in South India resisted signing the informed consent form, as they were suspicious, associating 'signing' with a formal government document.[30] It was within such a backdrops that the research was planned and carried out. The author thus shares his experiences under the mandate of qualitative research reflectivity and for those researchers planning to work in new contexts.

Preparing for the Fieldwork: Before Visiting the Camps

Research in new contexts can be daunting, and in preparation the author explored, as far as was possible, background literature about the peoples, history, and politics of Kenya, as well as engaged in dialogue on the methods and ethical guidelines to be used. By 2011, during his first year PhD review, the author was wisely advised[31] by the Convener for the research students at his School of International Relations to seek substantive advice from his Principal Supervisor, Professor Ian Taylor[32] in regards to research ethics and risk assessment prior to conducting fieldwork. For that, as part of the requirements to upgrade his status from a general research student to a full-time doctoral (PhD) researcher, the author agreed with his supervisor advices to audit and to attend the additional (thought) postgraduate modules[33] offered by his School of International Relations, as well as the MPhil core modules[34] in the Social Sciences conducted by the University of St. Andrews as a pre-requirement of conducting my fieldwork in Kenya. On 25th April 2011, the author received a letter[35] from the Postgraduate Committee (at the School) to inform that he has been successfully upgraded as a PhD researcher, which allowed him to conduct his fieldwork. At this initial stage, without the advice of his supervisor and the flexibility of the University in offering these modules and social support, the author may have not equipped himself with the fundamental knowledge in research and writing.

Subsequent to completing the module of IR5601 *Research in International Relations* and SS5103 *Qualitative Methods in Social Research*, and upon returning from his second fieldwork excursion and after having gathered all the necessary information, the author submitted his Research Ethical Form for all the periods of fieldwork that he conducted and planned to conduct. As stipulated by the School

Handbook for PhD students and the University Regulations for a research degree, any doctoral candidate intending to conduct fieldwork must submit two different application forms to the School's Research Ethics Committee, and the University Teaching and Research Ethics Committee (UTREC) for their considerations and approval before the student's final submission of his/her thesis for the purpose of the oral examination/viva. On 13th September 2013, the author received a three-year period of approval for all his fieldworks within his doctorate years (2011-2013). The letter strictly insisted that he must follow all the guidelines in regards to conducting fieldwork with a living human being[36], as stipulated by the UTREC's guidelines. Additionally, the author also submitted his Fieldwork Risk Assessment Form with wide consultation from my supervisor, and the Head of the School in regards to evaluating the potential hazards that may hinder his research and life.

Having satisfied all the foreseeable significant hazards associated with the fieldwork and introducing adequate controls, the author received the written consent for all his fieldwork on 27th May 2014. In short, he consulted the relevant bodies regarding ethical framework, drafting his ethical guidelines from it, and editing it through input and critique from colleagues, and lessons learned from prior research engagements. Additionally, he received valuable advice from attending various research seminars and workshops from various relevant institutions, including the University of St. Andrews library, the University of Oxford's Bodleian Library for Social Sciences, the Royal African Society (RAS), the British International Studies Association (BISA), the International Political Science Association (IPSA) all based in UK and Canada, and the British Institute for Eastern Africa (BIEA) in Kenya.

Dilemma during the Fieldwork at the Camps

Despite careful preparation, the author experienced a range of dilemmas. Paul Cloke, Phil Cooke, Jery Cursons, Paul Milbourne and Rebekah Widdowfield reported similar experiences with their research among homeless people in England and stated that this may be because the theoretical information and preparation, sometimes become less clear and noticeably more personalised when imposed in a different context, removed from the one for which the ethical and methodological procedures were originally designed.[37] Furthermore,

there have been lengthy polarised debates on which research ethics should prevail between those supporting a universal code of research practice (deontological) and those who believe it should be contextual (consequential). Through the framework of moral imagination discussed earlier, the author decided to take a pragmatic approach that spurns the rigidity of doctrinal rules in favour of adjusting research practices according to different contexts and the likely consequences of research therein.

Given that this research is driven by a personal motivation for social justice, a philosophical concern with empowerment, and facilitating agency, not only individuals, but in the whole society, the author posits that the consequence of the research should be for the good of the participants and the people around them and having moral sensitivity and good intentions with a moral imagination to protect the IDPs who respond to my questions (during the interview sessions) from any calculated political repercussions, and not passing any biased theoretical judgement that may not reflect their social realities in his writing.

For example, Lucy (not a real name), one of the senior female IDP's accounts of resistance toward political violence in Kenya was recorded through a series of six semi-structured interviews conducted as part of an extended set of discussions held every 2 weeks between March and April 2012.[38] In the course of these interviews, each spanning approximately 4 hours, she provided an oral account of her explicit experiences during the outbreaks of the political violence. The exchange was recorded and later transcribed in its original Kiswahili and translated into English by the author's translator, a retired professor of Kiswahili at a public local university in Kenya. At the next meeting, the Kiswahili version was read back to her, normally by a close family member, for confirmation and amendment. These changes were then added to both the Kiswahili and the English versions that were checked by the translator. Given the deeply personal nature of her narratives, the author arranged a copy of the full typed transcript to Lucy, so she could keep a written record of our discussions.

At the conclusion of the author's discussion, Lucy refused to accept any written copy. Leaving papers behind after his visit would start rumours at the camps, she explained; therefore, the author

must leave with the papers in the same noticeable brown envelope, just as he had arrived. This is one of the few examples on how the author practiced his ethical consciousness during the fieldwork. By respecting Lucy's confidentially and to ensure the safety of the local assistants, interviewees, and translators from any possible political repercussions created by his research, all names referred through the author's research have been given pseudonyms. This article largely agreed with Morwenna Griffiths' advice that methodology provides a rationale for the researcher and more than a description of techniques or tools, as it provides reason for using such techniques in relation to the kind of knowledge that is being collected or constructed.[39]

In relation to the fieldwork in the IDP camps, additional research was undertaken in various slums in suburban Nairobi occupied by previous members of the IDPs that were subjected to an involuntary resettlement scheme since May 2008. Observation and informal conversation with the IDPs were very helpful in understanding both the physical and social environment of the slums. One of the distinct features of those who lived at the slums is that basic infrastructures were incomplete and dilapidated, where some wooden houses and tents are occupied with more family members that it can accommodate. This lack of privacy meant people having discussion with the author in various small groups, and some held a returned meet for further interviews at the places where the author was stationed during his fieldworks. Throughout multiple meetings with some of the slum members, the IDPs freely expressed discussed without any hesitation or interruption in a discreet location where the author was based. Some commentators would described this as researchers taking the opportunity to use their 'distinct powers' on behalf of 'disadvantaged groups'. It is an example of going beyond the principle of doing no harm, to one of doing good.[40] In other words, it was an instance of taking Patricia Werhane and Brian Moriarty's advice, "to disengage from one's primary framework or extend or adapt that framework in a meaningful way".[41]

Through such meaningful engagements, the author has managed to organise the selection of participants, the IDPs, and slums involved in his study. Participants comprised both male and female adults over 21 years of age. The total number of interviewees was 103 individuals consisting of 30 Kikuyus, 30 Luos, 30 Kalenjins, and 13 individuals

from other ethnic minorities (with varying professions, political and religious affiliations, and social classes). In general, both IDPs and slum residents consisted of victims of PEV, and the interviews were conducted over a thirteen-month period that was split over 2009, 2012, and 2013. However, their narratives have had to be taken with a pinch of salt, especially in relation to exaggerated, self-aggrandizing, and misleading statements.[42] As such, the interpretive process of recording, translating and analysing IDPs' narratives was painstaking and delicate, yet an imperfect process.[43] The data triangulation process aimed to tackle some issues of translating personal accounts across cultures and drawn on the recent methods adopted by Antjie Krog, Nosisi Mpolweni and Kopano Ratele to understand transcripts of atrocity provided before the South African Truth and Reconciliation Commission (TRC).[44]

These authors argue for the need to read and interpret written transcripts inside an understanding of the immediate social context from which the individual IDPs and slum residents was speaking. The strength of engaging the IDPs has aided this research in accessing their world-view as well as a given account of events. Their recorded transcripts were the primary sources in contextualising the social reality, and a triangulation process tracing the gathered information back to its original source for verification undertook further research. Finally, the focus on the residents of the IDP camps and slums does not mean that they are deemed to represent the interests and identity of the wider critical and dissident views of the public, but simply that they provide a sound articulation of the role of the critical agent within the various segments of Kenyan society. This allows a heuristic focus to illuminate the IDPs' sets choices over time and substantiates further the author's argument that the official language of justice and reconciliation preached by the international and national elites is not recognised or understood by the ordinary *wananchi* (populace).

Reflections and Lessons Learned from the Fieldwork

Like many qualitative, interview-based research, there were two major obstacles confronting the fieldwork: building trust with the respondents and framing an impartial perspective. While the country has enjoyed relative peace since February 2008, the IDPs who imparted their opinions to the author exhibited a heightened sense of vulnerability

and distrust towards the state, especially when engaged in highly sensitive and political topics of conversation. This reluctance to give an opinion can be explained by the fact that the ICC and TJRC's proceedings were still ongoing (at the time of the research), and that those questioned on these processes were subject to multiple political penalties for their opinions.

Additionally, the attempts to build the trust with the IDPs revealed the 'positionality and power'. The asymmetrical relations between the author's position as a researcher and the IDPs constitutes certain normative barriers and presumptions among the IDPs resulting in an initial awkward interaction when those who the author interviewed were curious and suspicious, especially when many previous researchers before the author asked relatively similar questions.[45] Thus, the conversations were initially statured with conflicting expectations, including asking for financial help to buy food and other basic needs. In this situation, the author broke the ice or the awkwardness by sharing some of the hardship livelihoods that he has suffered while growing up in a poor economic background with previous experience living in slums in southern Malaysia during his high school years. This created a shared temporal moment for the IDPs to ask more leading them eventually to freely discuss their thoughts on the author's questions. However, the most difficult challenge in engaging with the IDPs is a feeling of fear among the IDPs from being seen by other IDPs, or Kenyans including the local authority conversing with the author.[46] This was mostly resolved through meeting at his place rather than the author having a frequent visit to the camps or slums. In this instance, power relations manifest evidently in the differences of wealth and social relations between the author and the IDPs who conversed, requiring an act of empathy by sharing some of his food or water with those who agreed to have a separate individual meeting with the author for future discussion. This is one of the examples that were likely to have been uncomfortable and not necessarily anticipated, with the author unable to prepare for every eventuality. Through a moral imagination process, he deliberated on this issue in hindsight, deciding that on future occasions the author would either leave his water bottles in the car, or take enough water to share with the participants. He did take some groceries to the camps, such as loaves of fresh bread and other foods like fruits that were very hard to come by in these hostile camps/slums. This was also a cultural gesture since it is appreciated

when a visitor brings 'milk and bread'.[47] However, the gifts of 'hard to come by foods' may also have aggravated the power imbalance. Such instances go beyond a formal ethical framework designed in, and for a western context.

In order to minimise disparities of power, the author did his best to behave in a way that was as culturally aware as possible. For instance, he dressed simply, in a similar style to that of the IDPs. The author also adopted a friendly disposition and conversed in Kiswahili, only speaking English if the other person appeared comfortable with it. By acquiring basic Kiswahili and relying on a reputable local translator to engage with various Kenyans (since the author is not a Kenyan nor spoke Kiswahili prior to undertaking the research), it was possible to reduce the occurrence of cultural and contextual misunderstandings. Though using the local language helped develop trust and to be seen as 'one of them', we were still seen as having 'superior' knowledge.[48] Kathleen Lynch describes this as an ironical situation, in that, despite the author's efforts to fit in, he still presented 'dominance'.[49] Perhaps an ethnographic style of research method in the community would have helped better in overcoming power dynamics, but time and resources constraints did not allow this.[50]

The second major obstacle to conducting the research is the local authorities whose presence sometime hindered its progress. Most of the time, the author was able to explain and 'escape' from local bureaucracies. Meanwhile, officials and those involved in collecting the testimonies of human rights violations through TJRC hearings refused to let the author see the primary sources of the collected testimonies. To overcome this challenging fieldwork environment, the author conducted additional interviews with some of the IDPs and borrowed their everyday notes[51] as data from which to construct a view of the rehabilitation and reconciliation processes.

The third major challenge is to face issues surrounding confidentiality. During the interviews, the author has learned of situations that were obviously harmful, especially the explicit details of sexual and other types of physical violence committed at the camps/ slums or previous encounters of such crimes that have escaped the local authority or the police.[52] After hearing this, the author was faced with an ethical dilemma because though he had promised the IDPs

not to discuss their data with anyone, he have felt that their safety was at risk and eventually spoke to some researchers and NGOs without mentioning the IDPs names.[53] Most of the NGOs' officers had grown up in the area and were aware of the violations and crimes that occurred during the 2008 crisis. The suggestion then what for the constant dialogue with communities to speak with each other and their stories will be compiled by the local NGOs for various civil attempts to seek criminal justice at the national court.

Last but not least is the issue of consent and permission. Prior to embarking on the fieldwork, the author was officially informed that he only needed a social visa (renewable every two months) to enter the country, and no further permit applications is required for conducting fieldworks. However, the local authority that engaged with the author at the camps/slums was sometimes hesitant and questioned the author's authority to be at the camp/slums. In this regard, soft and informal norms took place and followed a chain of command. To protect the safety of those involved, the author both cancelled his visits on that day and asked for more assurance from the IDPs involved leading them to travel to his location for in-depth discussions. [54] As such, the author negotiated a process of informed consent with his research participants. Informed consent in this IDP community was different from what might normally be regarded as consent in western contexts, in that it followed a chain of command. For example, after getting permission from the various and relevant ministerial departments in charge of the IDP and District Officer, the author met the slum/camp leaders and local NGOs and it was through them that he came to meet the IDPs. This chain of negotiating entry varies across contexts and shows that gaining permission is not always a one off event. This bears methodological implications to researchers wanting to work in the Global South, although collaborating with local NGOs, as the author did, helps to bridge these different methodological circumstances as they are obviously more aware of local customs and protocols.

CONCLUSION

In a nutshell, all of the IDPs were very responsive and pleased that the author had chosen to work with their camps/slums.[55] The author appreciated this warm welcome.[56] He had experiences where even if IDPs were open to a study, they asked critical questions about the

author's intentions and how they will benefit from the study.[57] Here it was different, and at times the author wondered whether their unquestioning acceptance was partly because of the power issue or perhaps a culture that obeyed authority without question. However, by continuing to engage in multiple social interactions with similar respondents over certain periods, it was possible to establish a reliable relationship with each interviewee and to provide a 'comfort zone' in which the IDPs could speak freely about complicated issues surrounding the TJ mechanisms; building trust and network with the IDPs.

Yet, the method adopted by this study suffers from certain limitations. It is almost impossible to generate a comprehensive story of the bottom-up perspective towards international justice and political reconciliation in Kenya due to the limited number of participants, geographical confusions, and the fact that the ICC's proceedings were still on-going (at the time of the research). Situating the IDPs worldviews within a complex array of legal jargon also proved difficult. In the author's interactions with respondents, the key questions surrounding justice and reconciliation proved to be too large to be comprehensively summarised by one single research project. It proved necessary for the author to engage in more unstructured and informal modes of interactions with members of the public. This provided a deeper understanding of the perspective of ordinary Kenyans, in particular from the camps/slums in relation to the various government attempts to address collective wrongdoings through TJ mechanisms.

Utilising the IDPs narratives illuminates a rich and broad field of state-society relations and inherent social patterns. As such, the most accurate written reflection of IDPs' narratives would be to include the full or partial transcript throughout the author's research. The everyday lens of the IDPs revealed the shortcomings of the legalistic language of justice that emphasise the institutional building of TJ mechanisms in post-conflict societies. Yet power relations and how these institutional arrangements become parts of the local elite's brinkmanship games, as well as the global template of post-conflict peacebuilding, invoke through the notion of sovereignty and national security, which defy the already decays of the international justice, especially the ICC's legitimacy at the eyes of African countries and other developing countries. While critiqued[58] argued that TJ institutions are not fully

moulded by the ruling class per se, and concerted as parts of the civil society's crusades in 'taming the leviathan', the author immediate replied would be calling for a wakeup call among the debaters[59] of African politics and international justice in order to distinguish between efforts to build standard settings of the legal framework (procedurals) and the integration of these legal exercise with the interplay with local agency and how various agencies corresponds toward these legal institutions (substantives). Understanding this is key to acknowledge the 'blind spot' in analysing African politics and international relations.[60]

Given such considerable delicate understandings, the semi-structured interviews conducted with the IDPs in Kenya can be considered one of the plausible avenues to explore the method of what the author have argued elsewhere[61] as the 'fourth generation of peacebuilding scholarship' (also known as Critical Peacebuilding Scholarship/CPS).

The CPS with its critics of 'peace-as-governance' and their demands for a broader reconceptualisation of peacebuilding as the means to research conflict is by using the bottom-up approach. In this respect, the IDP narratives considered in this research allow the author to position his research inquiry and to recognise the marginality of the individual human agency in responding to any form of power play or peace arrangements, which has been mediated by top-down regional and international elites.

With that understanding, future research should consider experimenting with the IDPs' perspectives as a way to visualise what is termed local, instead of national or international (in level of analysis); challenging the hegemon of international narratives and its reductionist approaches in contextualising politics and international relations. This is particularly useful in the hybrid *locus standi* of the state-society relations with its multiple transnational interactions (beyond the tapestry of Northern America and Western Europe) where terms like 'power', 'sovereignty', 'authority', 'citizen', and 'subject' are highly contested and fluidly interchangeable because they do not firmly 'sit' within the binary dichotomy of either national or international.

NOTES

[1]　For a useful discussion on the overview of transitional justice, see Neil Kritz, *Transitional Justice: How Emerging Democracies Reckon with Former Regimes*, Washington DC: United States Institute of Peace (USIP), 1995.

[2]　Between 2011 and 2012, a few workshops were conducted between the Department of International Development, London School of Economics and Political Science with the International Centre for Transitional Justice. Most commentators recognised that the theme of displacement remained insufficiently addressed by transitional justice research, see Roger Duthie, "Incorporating Transitional Justice into the Response to Displacement," in Roger Duthie (ed.) *Transitional Justice and Displacement*, New York: Social Science Research Council, 2012, pp. 11-36.

[3]　Susanne D. Mueller, "The Political Economy of Kenya's Crisis," *Journal of Eastern African Studies,* Vol. 2, No. 2, 2008, pp. 185-210; Susanne D. Mueller, "Dying to Win: Elections, Political Violence, and Institutional Decay in Kenya," *Journal of Contemporary African Studies,* Vol. 29, No. 1, 2011, pp. 99-117; Susanne D. Mueller, "Kenya and the International Criminal Court (ICC): Politics, the Election and the Law," *Journal of Eastern African Studies*, Vol. 8, No. 1, 2014, pp. 25-42.

[4]　See Danial Azman, "Resolving Post-Election Violence and Developing Transitional Justice Institutions in Kenya: "Power" and "Ideology" in Kenyan National Dialogue and Reconciliation," Ph.D. Thesis, St. Andrews: University of St. Andrews, 2014.

[5]　Rita Abrahamsen and Nic Cheeseman, "Kenya Virtual Issue," *African Affairs,* Vol. 112, 2013, p. 1.

[6]　Thomas Obel Hansen, "The Vertical and Horizontal Expansion of Transitional Justice: Explanations and Implications for a Contested Field," in Susanne Buckley-Zistel, et al. (eds.), *Transitional Justice Theory*, London: Routledge, 2014, pp. 105-07.

[7]　See also, Chandra Lekha Sriram et al. (eds.), *Transitional Justice and Peacebuilding on the Ground: Victims and Ex-Combatants,* London: Routledge, 2013; M. Arenhovel, "Democratization and Transitional Justice," *Democratization,* Vol. 15, No. 3, 2008, pp. 570-87.

[8]　Danial Azman, "Transitional Justice and Peacebuilding in Africa: Nexus or Nemesis?," *Malaysian Journal of International Relations,* Vol. 2, 2014, pp. 23-47.

9   Thomas Obel Hansen, "Kenya's Power-Sharing Arrangement and Its Implication for Transitional Justice," *The International Journal of Human Rights*, Vol. 17, No. 2, 2013, pp. 307-318.

10   Stephen Brown and Rosalind Raddatz, "Dire Consequence or Empty Threats? Western Pressure for Peace, Justice and Democracy in Kenya," *Journal of Eastern African Studies*, Vol. 8, No. 1, 2014, pp. 43-62; Bruce Berman, Jill Cottrell and Yash Ghai, "Patrons, Clients, and Constitutions: Ethnic Politics and Political Reform in Kenya," *Canadian Journal of African Studies*, Vol. 43, No. 3, 2009, pp. 462-506; Lydia Kamuto Bosire and Gabrielle Lynch, "Kenya's Search for Truth and Justice: The Role of Civil Society," *International Journal of Transitional Justice*, Vol. 8, No. 2, 2014, pp. 256-276; Stephen Brown and Chandra Lekha Sriram, "The Big Fish Won't Fry Themselves: Criminal Accountability for Post-Election Violence in Kenya," *African Affairs*, Vol. 111, No. 443, 2012, pp. 244-260; Nic Cheeseman, Gabrielle Lynch and Justin Willis, "Democracy and Its Discontents: Understanding Kenya's 2013 Elections," *Journal of Eastern African Studies*, Vol. 8, No. 1, 2014, pp. 2-24.

11   Victoria Metcalfe, Sara Pavanello, and Prafulla Mishra, "Sanctuary in the City? Urban Displacement and Vulnerability in Nairobi," *Internal Displaced Monitoring Centre*, 2011, <http://www.internal-displacement. org/publications/2011/sanctuary-in-the-city->

12   Ibid.

13   See Simon Robins, " "To Live as Other Kenyans Do": A Study of the Reparative Demands of Kenyans Victims of Human Rights Violations," in *International Centre of Transitional Justice*, Nairobi: International Centre of Transitional Justice, 2011, pp. 75-77; Gabrielle Lynch, " 'Durable Solution', Help or Hindrance? The Failings and Unintended Implications of Relief and Recovery Efforts for Kenya's Post-Election IDPs'," *Review of African Political Economy*, Vol. 36, No. 1, 2009, pp. 604-610; Edwin Odhiambo Abuya and Charles Ikobe, "Wasted Lives: Internally Displaced Persons Living in Camps in Kenya," *Journal of International Humanitarian Legal Studies*, Vol. 1, No. 2, 2010, pp. 233-74; and Prisca Mbura Kamungi, "The Politics of Displacement in Multiparty Kenya," *Journal of Contemporary African Studies*, Vol. 27, No. 3, 2009, pp. 345-64.

14   Azman, "Resolving Post-Election Violence and Developing Transitional Justice Institutions in Kenya," pp. 7-67.

15   Duthie, "Incorporating Transitional Justice into the Response to Displacement," p. 12.

16   See also Samir Elhawary, "Post-Election Kenya: Land, Displacement and the Search for 'Durable' Solutions'," *Review of African Political Economy,* Vol. 36, No. 119, 2009, pp.130-137; Patricia Daley, "Refugees, IDPs and Citizenship Rights: The Perils of Humanitarianism in the African Great Lakes Region," *Third World Quarterly,* Vol. 34, No. 5, 2013, pp. 893-912; and Patricia Daley, "Rescuing African Bodies: Celebrities, Consumerism and Neoliberal Humanitarianism," *Review of African Political Economy,* Vol. 40, No. 137, 2013, pp. 375-93.

17   Susan Kiragu and Molly Warrington, "How We Used Moral Imagination to Address Ethical and Methodological Complexities While Conducting Research with Girls in School against the Odds in Kenya," *Qualitative Research,* Vol. 13, No. 2, 2013, pp. 174-75.

18   Paul Cloke, Phil Cooke, Jerry Cursons, Paul Milbourne and Rebekah Widdowfield, "Ethics, Reflexivity and Research: Encounters with Homeless People," *Ethics, Place & Environment*, Vol. 3, No. 2, 2000, p. 135.

19   Mark Johnson, "Imagination in Moral Judgement," *Philosophy and Phenomenological Research,* Vol. 46, No. 2, 1985, p. 272.

20   Based on the compiled narratives of IDPs, see Kenya Human Rights Commission, *Elusive Justice: A Status Report on Victims of 2007-2008 Post-Election Violence in Kenya*, Nairobi: Kenya Human Rights Commission, 2010.

21   Derica Lambrechts, "Doing Research on Sensitive Topics in Political Science: Studying Organised Criminal Groups in Cape Town," *Politikon*, Vol. 41, No. 2, 2014, p. 250.

22   It is not clear whether the 'self-help' or integrated IDPs camps in Kenya no longer have needs related to their displacement. However, the Kenyan government forcefully introduced Operation *Rudi Nyumbani* (Operation Return Home) and then proclaimed to an international audience that all IDPs had returned. See Prisca Mbura Kamungi and J. M. Klopp, "Failute to Protect: Lessons from Kenya's IDP Network," *Forced Migration Review*, Vol. 28, 2008, pp. 52-53; Prisca Mbura. Kamungi, "The Politics of Displacement in Multiparty Kenya," pp. 345-64; and Prisca Mbura. Kamungi, *Municipalities and IDPs Outside of Camps: The Case of Kenya's 'Integrated' Displaced Persons*, New York: The Brookings Institutions, 2013.

23   Jason Walton, "Making the Theoretical Case," in C. Ragin and H. Becker (eds.), *What Is a Case: Exploring the Foundations of Social Enquiry*, Cambridge: Cambridge University Press, 1992, p. 122.

24   Robert Yin, *Case Study Research: Design and Methods,* Thousand Oaks: Sage Publications, 1984, pp. 42-43.

25   Ibid., p. 43.

26   Ngũgĩ wa Thiong'o, "Tongue and Pen: A Challenge to Philosophers from Africa," *Journal of African Cultural Studies,* Vol. 25, No. 2, 2013, p. 158.

27   Ibid., p. 158.

28   Fieldwork note #2, Rift Valley, 25 March 2012.

29   Shanaz Khan, "Reconfiguring the Native Informant: Positionality in the Global Age," *Signs,* Vol. 30, No. 4, 2005, p. 2018.

30   Cathreen Kohler Riessman, "Exporting Ethics: A Narrative About Narrative Research in South India," *Health: An Interdisplinary Journal for the Social Study of Health, Illness and Medicine,* Vol. 9, No. 4, 2005, p. 487.

31   The author wishes to express his sincere gratitude to Dr. Roger Mac Ginty, the Postgraduate Convener for School of International Relations, University of St. Andrews.

32   The author is heavily indebted to his supervisors, Prof. Dr. Ian Taylor and Assoc. Prof. Dr. Hazel Cameron for their constant words of encouragement when faced with difficulties in research.

33   The modules: *IR3024: The Politics of Africa*; *IR3033: Post-Conflict Transition in Sub-Saharan Africa; IR4516: The International Relations of Sub Saharan Africa; IR5702: Case Studies in Conflict and Fieldwork and IR5723: Conflicts and Security in Africa*

34   SS5102: Philosophy and Methodology in Social Sciences.

35   The letter to approve the candidacy status of the author as a PhD student was received by 25 April 2011.

36   While the regulation mainly governed the research conduct in the field of medicine and health sciences, UTREC applied these regulations to all research that deals with a living human being, including those who occupied the conflict zone.

37   Paul Cloke, Phil Cooke, Jerry Cursons, Paul Milbourne and Rebekah Widdowfield, "Ethics, Reflxivity and Research: Encounters with Homeless People," p. 33.

38   Interview with IDP #19, Rift Valley, 16 February 2012.

39   Morwenna Griffiths, *Educational Research for Social Justice: Getting Off the Fence,* Buckingham: Open University Press, 1998, pp. 38-76.

40   Ian Hay, "Making Moral Imaginations: Research Ethics, Pedagogy and Professional Human Geography," *Philosophy & Geography,* Vol. 1, No. 1, 1998, pp. 55-76.

41   Patricia Werhane and Brian Moriarty, "Moral Imagination and Management Decision Making," Bridge Papers, Charlottesville, VA:

Business Roundtable Institute for Corporate Ethics, 2009, <http://www.corporate-ethics.org/pdf/moral_imagination.pdf.>

[42] Most of the IDPs identified here are known through their networks with local NGOs. The author would like to express his deep gratitude to the Kenyan citizens who co-operated with him throughout his research and who made the writing of his thesis project possible.

[43] The author decided to remove the original name of the IDPs and keep their identities anonymous by using numeric records for both of his personal record and citations throughout this research project. By doing so, he has exercised the best of his individual capacity as a researcher to secure their anonymity in case their recorded narratives are subjected to any future mitigation.

[44] Antjie Krog, Nosisi Mpolweni and Kopano Ratale, *There Was This Goat: Investigating the Truth Commission Testimony of Notrose Nobomvu Konile,* Cape Town: University of KwaZulu-Natal Press, 2009, pp. 175-207.

[45] Interview with IDP #2, Rift Valley, 10 February 2009.

[46] Interview with IDP #4, Rift Valley, 4 February 2009.

[47] Interview with IDP #5, Rift Valley, 21 February 2009.

[48] Griffiths, *Educational Research for Social Justice*, p. 40.

[49] Kathleen Lynch, "Equalities Studies, the Academy and the Role of Research in Emancipatory Social Change," *Economic and Social Review*, Vol. 30, No. 1, 1999, p. 45.

[50] The author's research was funded and his bursary required him to complete his fieldwork and thesis writings within 36 months.

[51] Success in establishing a good relationship with 50 IDPs allowed the author to provide them with mini notepads that in turn allowed them to write down their daily activities at the camps/slums when they were not meeting the author. Of course, they voluntarily agreed to do so and managed to hide these mini notepads from being accessed by any individual who they perceived as a 'threat' to their writing. Upon receiving their verbal consent, the author kept these 'anonymous' notepads for getting an inside perspective on livelihoods in the camps/slums.

[52] Interview with IDP #11, Rift Valley, 8 February 2012.

[53] Interview with Human Rights Watch Officer #1, Nairobi, 27 February 2012.

[54] Interview with IDP #18, Rift Valley, 15 February 2012.

[55] Interview with IDP #6, Rift Valley, 26 February 2009.

[56] Interview with IDP #9, Rift Valley, 25 February 2009.

[57] Interview with IDP #12, Rift Valley, 9 February 2012.

58 Not all agreed with the author's conclusion. For example see Rachel Spronk, "Exploring the Middle Classes in Nairobi: From Modes of Production to Modes of Sophistication," *African Studies Review,* Vol. 57, No. 1, pp. 93-114.

59 The author would like to express his deep appreciation for the enlightened debates that he had with Associate Professor Dr. Gabrielle Lynch (Warwick, UK) during his Ph.D. *viva voce*. Dr. Lynch provided very insightful perspectives on the philosophy of intellectualism in Kenyan political scholarship.

60 For a useful discussion on a critical appraisal on the term 'blind spot' in researching African politics, see Ian Taylor, "Blind Spots in Analyzing Africa's Place in World Politics," *Global Governance,* Vol. 10, No. 4, 2004, pp. 411-17. See also, Azman, "Transitional Justice and Peacebuilding in Africa," pp.23-73.