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Interview

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Fiona Terry of the International Committee of the Red Cross talks about *The Roots of Restraint in War* and the intersection of research and humanitarianism

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Abstract
Fiona Terry is the Head of the Centre for Operational Research and Experience at the International Committee of the Red Cross (ICRC). She is the co-author of *The Roots of Restraint in War* (https://www.icrc.org/en/publication/4352-roots-restraint-war), which the ICRC published in 2018. The report examines how and why formal and informal norms shape armed group behavior in war. In addition to discussing some of the report's main findings, the interview addresses the relationship between academic research and humanitarian practitioners; how external researchers are able, or not able, to shape internal organizational culture; the ethics of data collection; gender and the laws of war; and the differences between formal state militaries and other kinds of non-state actors that engage in violence. The interview was conducted by Helen M. Kinsella, Associate Professor of Political Science at the University of Minnesota, and Scott Straus, co-editor-in-chief of the journal. Author of *The Image before the Weapon: A Critical History of the Distinction between Combatant and Civilian*, Kinsella was a Council on Foreign Relations

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Fiona Terry (F in the interview) is the Head of the Centre for Operational Research and Experience at the International Committee of the Red Cross (ICRC). She is the co-author of *The Roots of Restraint in War* (https://www.icrc.org/en/publication/4352-roots-restraint-war), which the ICRC published in 2018. The report examines how and why formal and informal norms shape armed group behavior in war. The interview was conducted by Helen M. Kinsella (H), Associate Professor of Political Science at the University of Minnesota, and Scott Straus (S), co-editor-in-chief of the journal. Author of *The Image before the Weapon: A Critical History of the Distinction between Combatant and Civilian*, Kinsella was a Council on Foreign Relations Fellow at the ICRC, where she focused on gender and armed conflict, in the 2018–2019 academic year.

H: I think the first question to ask is why you started the research unit in the ICRC (International Committee of the Red Cross)?

F: I've been carrying out research for the ICRC on and off for the last 10 years and I realized that when you're an independent consultant, it's very hard to push through your recommendations or research findings if you're not embedded in the organization. I also realized this was part of a broader phenomenon of impediments to the uptake of research findings: often academics and policy consultants were commissioned to conduct research but—maybe due to a change of personnel overseeing a research project or the researchers needed greater insider knowledge of the organization to be able to make pertinent recommendations—their recommendations stayed on shelves. There is a graveyard of lost recommendations outside the main building. And so, I wanted to try to improve the quality of research, to improve the evidence base of some of our operational decisions and ensure that research was pertinent to the field.

The ICRC, being 150 years old and steeped in tradition, has a very experiential base to its workings. Often, it's the senior person with the most experience who will say, "Well you know, this is the way we've done it before," and that may form the basis of a decision as opposed to perhaps having more data and evidence at the base of it. So it was really a coming together of several of those issues, and trying to also improve the coherence of different research endeavors across the house, because it's a very big institution—there are eighteen thousand people—that it seemed like a good idea to create an operational research unit to conduct

research, advise colleagues on research methodology, and work on enhancing the uptake of research findings.

H: This echoes what you said when you first cautioned me about my research: "It's not going anywhere, it's just going to be a lost recommendation." What you're doing makes *so* much sense as it is deeply rooted in operations, nevertheless I am sure there has been resistance. What has posed the most challenges when working across the entire organization?

F: To be perfectly honest, the ICRC—like many humanitarian organizations—is lacking a research culture. And people don't know what they don't know. There is little knowledge of, for example, research methodologies among non-specialized staff, so that putting a survey together with nonbiased and non-leading questions is far from given. So that's a big challenge—to try and change the culture, to recognize that sometimes research can take more time than expected and needs to be well prepared in order to get meaningful results.

H: We've talked about how the ICRC gathers and uses data in ways specific to its mandate, and also in ways that are not necessarily easily shared across the organization—do you think the research unit has impacted that at all?

F: The ICRC is investing a lot of energy in the data environment at the moment because there is recognition that most of the data we collect are program oriented, so people come up with indicators or definitions that are specific to their context. This makes it difficult to compare data across contexts. So there's a lot of work being done to harmonize data collection and increase data literacy in the organization. The research unit is not involved at the granular level but rather indirectly through requesting analyses of certain data by data scientists and giving feedback on what might be useful in the future.

H: Are there any specific ethical or methodological issues you think are especially worth highlighting in regard to these processes of data collection?

F: I think there are a number of questions we should be posing to ourselves. While the ICRC is leading the humanitarian field in terms of data protection, I sometimes wonder if collecting certain data is seen as an end in itself rather than a means to understand better and inform our actions. Surely, we should be collecting incident data to bring cases or patterns of violence against civilians to the armed actors to try to change their behaviors. Where I feel discomfort is at the prospect of people being interviewed about some traumatic episode—perhaps their home was bombed with their whole family inside—being retraumatized by recounting what happened, without knowledge that the data will actually be used. Obviously, we have to start collecting data in order to know what we're going to do with it, or know whether there's a pattern. But I wonder if there's a point at which we should stop.

H: Who has the ICRC involved in this? I think what is really interesting about this effort is whether and how academics can be useful in addressing and sorting these kinds of ethical and methodological questions, while also pointing to another area of continued meaningful exchange between practitioners and scholars.

F: I'm currently working on an ethical review process for research in the ICRC, which immediately raises the question of whether we should hold researchers to higher ethical standards than our operational staff. When somebody collects information on a violation of International Humanitarian Law (IHL) such as an indiscriminate attack on a village and they're not a researcher but an ICRC delegate, shouldn't they follow the same fundamental ethical principles as a researcher? I think there's a lot of work to be done in this space. It's very much on the agenda.

S: I want to pull us back to the *Roots of Restraint* project. Could you maybe tell us a little about the origins of that, the motivation and then some of the process, some of the methods of how you went about that project?

F: *The Roots of Restraint in War* study was published in June 2018 and it was an update of a 2004 study called *The Roots of Behavior in War*. The ICRC was interested in conducting these studies because a lot of our work is aimed at getting soldiers and fighters to fight in accordance with the laws of war, IHL. Obviously, if we want to try to influence them, we need to know more about what motivates their behavior and why they may commit violations or not. Before the 2004 study was conducted, the ICRC's main approach to encouraging compliance with IHL was to disseminate knowledge of IHL through presentations to different armed groups and armies. The 2004 study looked at what might condition behavior to either violate or to conform with IHL, exploring the psychosocial influences on a solider, using the famous work of Stanley Milgram and Dave Grossman—some of the big thinkers on what makes the individual either apply restraint or violence. The 2004 study made important recommendations for the ICRC which were adopted. It was one of my first examples of academic research that then led to policy that then led to practice.

H: You were with the ICRC at that point, right?

F: I was but I had nothing to do with that study; I was in Myanmar. But in a nutshell, that study took the ICRC from a focus on dissemination to a recognition that it's not just knowledge of the law that is going to influence the behavior of fighters, there needs to be more than that. Leaning on Milgram's work, the study's authors argued that "It's obedience to authority which is going to make the difference"—and so recommended emphasizing legal obligations rather than moral and values as a way of promoting restraint in combat.

So from this recommendation developed what we call the "integration approach" in which the ICRC assists armed forces and non-state armed groups, to incorporate

IHL in their doctrine or codes of conduct, their training, and to ensure that there are punishments, compliance mechanisms, to create disincentives for violating IHL. And that is basically what the ICRC has been doing for the last 15 years.

But one shortcoming of the integration approach is that it presupposes a vertical structure to an armed force or an armed group, because we rely on obedience to authority to trickle down vertically. What we have seen in the last decade has been the proliferation of non-state armed groups with more of a horizontal structure—networks of small groups who form fluid alliances, rather than the highly centralized armed groups more prominent in the past. Such groups and alliances can be seen throughout Syria, for instance. The co-author of *The Roots of Restraint*, Brian McQuinn, has conducted very interesting research in the past on how non-State armed groups form and operate, and led us to focus on a structural analysis.

So when updating the 2004 study, we set out with two objectives. One was to find evidence for whether the integration approach actually makes a difference to field behavior, because we're not very good in the humanitarian world at actually testing what we do empirically. And the second objective was to explore how we can try to influence the behavior of groups that do not have a vertical structure necessary for the "integration approach" to promoting adherence to IHL.

We did this by looking at the armed groups that the ICRC was dealing with—armed forces and armed groups—and categorized them according to their organizational structure into four different types. The first was integrated state armed forces. The second type was vertically structured non-state armed groups, by which we mean groups like the Maoists in Nepal, the Revolutionary Armed Forces of Colombia (FARC), or the Liberation Tigers of Tamil Eelam (LTTE) in Sri Lanka. The third type of group were decentralized non-state armed groups, of which there are many. And then the fourth category—and it was controversial in the ICRC to include this category because this type of group lacks the organizational structure to be considered an armed group under IHL—was what we refer to as "community-embedded armed groups." By this, we refer to the sorts of village defense forces that have arisen to protect the community from armed groups in countries like Nigeria, or the cattle-guarding groups in South Sudan that are often mobilized and sometimes instrumentalized by other armed groups to fight alongside them, but who melt back into their communities at the end of the fight. They are not considered an armed group under IHL but nonetheless they are a cause of grave humanitarian problems that we increasingly see in the field. So we decided to include them as a fourth category. We debated whether we should have included a fifth category, which could have been gangs, but that would have added another layer of complication to an already complex research project.

We then made a call for research proposals for a comparative study of two armed groups in the same context, within the same category, except for state armed forces for which we did a comparative study of the Philippine armed forces and the

Australian armed forces. We put this call out and we were astounded at the response we got. Really fantastic, we had more than 50 proposals from specialists in armed groups proposing variations of which groups they proposed to study. To be eligible for selection, the researchers had to have proven experience, or proven publications on these armed groups to ensure that they had good contacts within, and we knew that they could give us some solid knowledge about these groups. And then from there we had to decide which of those groups were of most interest to the ICRC, which ones we knew little about, but also their location and whether it would be possible for them to be studied. It's not a given that you can invite an academic to conduct research on an armed group on behalf of the ICRC in a context where the ICRC's own relations with that group are fragile or tenuous. So once that was *finally* decided, the researchers started their comparative studies. All were tasked with the same research question: to identify sources of influence over the development of norms of restraint in these different armed forces and armed groups. We were very much influenced in our use of the term *restraint* by your work Scott,[1] and also by Elisabeth Wood's study on the LTTE in Sri Lanka.[2] Adopting the notion of restraint also got me out of the whole IHL conundrum.

S: What is the IHL conundrum?

F: That IHL was not the applicable legal framework covering all armed groups in our typology. For an armed group to be considered as a party to an armed conflict according to IHL, it must meet certain criteria, one of which is its level of organization.[3] There was no use looking at ways to persuade community-embedded groups to respect IHL because they are not covered by this legal framework. But fighting with restraint is what the ICRC is ultimately aiming to promote and so adopting this term was very useful. On a practical level, it was also much easier to question soldiers and fighters on their attitudes and behavior with regard to restraint than towards IHL violations. So that was a huge advantage in terms of the way you're pitching the questions. But restraint also got us across the four case studies without us having to go into whether IHL was applicable to this behavior or this armed group or not.

S: Can you tell us a little bit about the findings?

F: The good news for us was that Andrew Bell, an American academic who was our researcher on the Australian and Philippine cases, found evidence that training does make a difference to behavior, at least intended behavior. He was aware that coming in as a researcher working for the ICRC and interviewing military personnel on how they would react to a certain situation would produce strong bias toward saying what they thought we wanted to hear. So he pitched a lot of the questions in terms of a dilemma that had no right or wrong answer, which was excellent. And so we have evidence that training makes a difference, but not just any type of training. The training needs to be tailored to the audience. That might seem simplistic, but the audience varies considerably in its views depending on rank, the place, and the experience of that group. Take, for example, who is the

most credible trainer for soldiers. We were surprised to find how much variation there was between Australia's case and the Philippines' given that they're structured fairly similarly. For the Australians, the most credible trainer was the veteran coming back with mud on his or her boots, but in the Philippines, it was the international lawyer. And while the brigadier general had the biggest influence with all ranks in the Philippines, in the Australian army, it was much more the immediate superior. So this suggests we can do more to tweak our work with different militaries around the world, to tailor our suggestions to them on how best to maximize the potential for promoting adherence to the rules.

Also, testing how well the rules stick under duress was an interesting finding from the Australian study: it's not enough just to have exercises and PowerPoint presentations and teach the law, you really need to get out into battlefield-like conditions where the soldiers are sleep-deprived and food-deprived and taking over an area, and seeing how well they still comply with IHL in those sorts of situations.

H: And the reception—at least when you have briefed state militaries—has been very positive?

F: It has for the most part. I have to say a few military legal officers did not like the finding that they have less influence over behavior than the combat veteran. Also, in our surveys, we asked respondents to rank sources of influence on their behavior, and the Geneva Conventions or possibility of being prosecuted for war crimes by an international court was far less of a disincentive to commit an IHL violation than other things. I think that was an important finding. It was a bit of a wake-up call that not everybody liked because the ICRC is such a legally based institution. But other than that, I think the findings resonated fairly broadly. Especially the fact that we need to go deeper into socialization, beyond just "Ok, these are the rules, you have to obey the rules, because they are the rules," and to promote the internalization of the norms of IHL into "It's how we behave, it's who we are"—this resonates very well with militaries across the board.

I've presented the report in Russia and there were eight ministry of defense officials in the audience. It's very interesting to see that the pick-up is on those sorts of issues and I think this notion is very well embedded in many militaries. It may be the only way (or at least a strong way) to respond to questions like, "Why should we obey IHL when our opponents do not?" That question was raised in our discussions with soldiers in the Philippines and in many contexts in which we work. What can you say to that except, "Well, because it's not who you are, and if you're true to what you're saying that you're defending the people of the Philippines against these threats, then you can't yourself go and behave in the same way."

H: Organized state militaries begin, from the moment of training, to inculcate that sense of identity from the start, right? That is, "This is who we are," and thus "What does it mean to be who you are?" But, I'm always curious about the translation of "who we are" for groups that are undergoing great internal and external

change, what you call fluid alliances, in who they are and what they're doing because *of* their very nature as less formal armed groups, and as less institutionalized or hierarchical organizational structures attached to the state. For those groups, perhaps, it is their very identities over time which are changing—even from a dissident or rebel group to representative of the state—so the questions of who you are and what does it mean is actually open for more contestation. Have you presented that kind of information anywhere else or have you seen it work in operations?

F: No, and I think it's a really good question. The "who we are" is really trying to understand much better the culture, traditions, the beliefs, and to try to talk about that. About their own representation of themselves and therefore how would that translate into their behavior with regard to others. So it's really to engage them in that conversation and to try to then steer the questioning around to a way where in fact they would come up themselves to realize that they don't want the same treatment to be metered out to them, so therefore why would they do it to others. The implementation of the findings of the study has been much easier for all those reasons with the state militaries than it is with the cattle-guarding groups. It's a work in progress, this one.

H: Would you see the *Roots of Restraint* study and its findings becoming a part of that original onboard training, to assist new ICRC delegates in understanding or thinking about differentiation of and among military, social, and political cultures? I ask because the implications of *The Roots of Restraint* suggest operations must begin to acknowledge and obtain this historical, political, or cultural sophistication and nuance, and be able to have those kinds of conversations. So, how do you think that would best be implemented, if it could be done?

F: It could be. I would say less in the initial training except as a general concept, but yes, in more depth once new delegates get to their field duty station. Naomi Pendle, who was our researcher for South Sudan, wrote a really interesting piece that went into very specific details about the Dinka and Nuer cattle-guarders and they are quite different in terms of who wields influence over their behavior. So maybe there could be a generic set of questions that could be posed in any context to help delegates to analyze the armed groups in an area for which they will be responsible for one year. This is one of the difficulties I think we face, when you send people out to hardship postings, they go for 1 year, and most of them say when they come back that it's only at the end of the year that they're starting really to understand the context. This is where we need to be much more inclusive and reliant on the South Sudanese staff, who stay there for much longer and who have a much deeper understanding of their culture, and it needs to be written down, because we can't reinvent the wheel and every time expect that the first 6 months of a new delegate's time will be spent trying to understand this. There has to be a lot better transmission of knowledge on these things, and possible approaches of influence to pursue according to a solid anthropological and

ethnographic analysis. Because, at the end of the day, that's what *The Roots of Restraint* was aiming to do—to come up with a set of considerations that people should apply in their contexts to different armed groups. Because it's not on the basis of eight case studies that we can say, "Wow, now we know how to influence behavior in armed groups." So obviously, it just had to be, "These are what the findings are from our studies, these are what some of the implications might be, and these are the approaches that you could think about going forward with."

H: And would that be a potential juncture where academics could again be of use? Say if Scott presented his own experiences and research, and there was a conversation, a rich exchange, in which he offered his expertise? In other words, if academics were available for a day or two, when delegates were readying to go to the field, to provide insight into the conflict and its dynamics.

F: Yes. I think as long as the academic could take the time to understand the peculiarities that you faced. I mean you could answer that question better than me, Helen. Your insights into what it was like for you coming into an organization and how long it takes to understand the culture of that organization would be very interesting.

H: True, perhaps I would do a modified introduction for academics so that the context and mission of the ICRC is made clear, and then the academic would do the second field specific training.

S: Helen, how did that work? As an academic, coming as an outsider to an organization, what did you have to learn to be effective?

H: Hierarchy, I had to learn a very formal hierarchy. I also, not surprisingly, had to trace multiple informal sources of internal information and learn the institutional protocols. I had to understand and figure out a way to respond to the presumption that because you're an academic, if you don't have field experience for the ICRC, you *do not* have field experience: you're done. If you have not been in *ICRC operations* in the field, you have no real validity or legitimacy.

F: Well, it could be under MSF [Doctors Without Borders], I think. *[Interviewers laugh]*

H: Yes! Still, the ICRC prides itself that the only true insights into armed conflict available are the ones that they provide, and therefore as an academic you can't possibly understand what the needs are (regardless of field experience or research that is otherwise directly pertinent). It's very hard to get traction and to have traction, and to have someone take you seriously. Furthermore, if you work on gender, you can't *possibly* understand *anything* else but gender (which is taken primarily to mean women). And so there is a doubled dismissing and devaluing of anyone who works on gender.

F: Can I just say though, you have had an influence. The next research project I'm embarking on has been very influenced by you and your work on gender, and thinking through these issues and masculinities. It's partly inspired by that and partly inspired by this study I read about in Papua New Guinea.[4] You know, so much of how we deal with sexual violence is through the lens of the victim, we help the victim, and we don't really deal with the perpetrators very much. But obviously *The Roots of Restraint* was all about how can we tackle perpetrators or potential perpetrators. The project proposal I'm writing at the moment is a study where we engage with men on questions of sexual violence, asking their opinions about expressions of masculinity, whether sexual violence *was* an expression of masculinity, and ask their advice on whether there were alternative *non*-violent forms that could be promoted. But not just talk about it with the men, but also to get women's perspectives on masculinities. It was a longitudinal study in Papua New Guinea. The researchers interviewed in-school and out-of-school men between the ages of 15 and 20. First, they asked them what was their definition of sexual violence, and that in itself was *so* interesting—and I bet we *never* ask that question—and their main answer was "When you contract a venereal disease from raping a woman." So it was pretty shocking, to realize that there can be such a gulf in understanding what constitutes sexual violence . . . Because we talk to all sorts of different groups in the field—armed groups, the police, local authorities—about sexual violence, but we probably use the terminology thinking that people assume it's the same thing that we do. So that was one of the very interesting things I wanted to look at more. Another of the findings was that "Women that transgress social norms deserve to be raped," which we see in so many cultures. But it was really the idea, which we haven't done so much of in the ICRC, to get the men involved to think through ways that we could use to curb sexual violence.

S: Could you now come back to the report and the finding on socialization? One of the questions that I've always asked myself about this question of "who we are" is that it tends to be quite sticky. And so if you find an armed group where norms of restraint are not already part of the definition of "who we are"—or where the answers to those questions would predispose a group towards different kinds of victimization or absences of empathy, or a lack of respect for IHL—how do you change that or how do you influence that?

F: First, a word about how we came to socialization. Our question was to identify how norms of restraint developed and were propagated in armed groups, and so processes of socialization came into focus, when you look at the FARC for instance and their whole world socialization experience. In all these different groups and in Mali, where we looked at two jihadi groups—Movement for Oneness and Jihad in West Africa (MUJAO) in Gao and Ansar Dine in Kidal back in 2012—we asked, "How are these norms adopted and percolated through these armed groups?"

It led us to look into the literature on socialization, and we realized that the idea of three levels of socialization seemed to speak to where the ICRC pitches its influence right now and where we ought to be pitching it. In our current work, I feel we fluctuate between aiming at Level 0 (someone conforms with the norms because of punishment or reward) and Level 1 (someone conforms with the norms because it is expected by the group). We need to be aiming for Level 2 socialization that internalizes the norms into "It's who we are."

As mentioned earlier, the research in the Philippines reignited discussions over "Why should I obey the laws of war?" and the response was about who you are, what you're representing and what you're fighting for. It seemed to echo too in the Australian military when talking about behavior and how to instill restraint by emphasizing the purpose of the mission for which they were deployed. "If we violate IHL while fighting, then we're no better than the people that we are supposed to liberate these civilians from." There wasn't really anything new in it—it's just that, as the ICRC, as we are working with armed forces from so many different countries, it seemed to resonate with many people that we thought it offered a lot in terms of arguments. And the Ukrainians embraced it so much that they even made a film where they've got several high profile war heroes and generals saying, "We don't torture prisoners, because it's not who we are." It's powerful. But I think it is more effective in state militaries than for non-state armed groups.

So to your question . . . I think you will always find norms of restraint within groups. Groups might be selective in who they consider are worthy of restraint, and certain traditional norms restraining warfare—that we see in most societies—might have eroded over time, but I cannot imagine a group that fights without any restraint. But having identified sources of influence over these norms can raise its own set of dilemmas. Take South Sudan, for example, where we have seen the erosion of traditional rules of fighting since 2013. There are far more killings of women and mutilations of children seen than before. So that might lead us to say, "Well if we could just empower more of the traditional leaders, perhaps they could bring in more restraint." But of course, the negative side to that could be that in strengthening one norm of restraint we may be undermining other norms, for instance, on the place of women in society, which we could be setting back 35 years, or perhaps these same tribal leaders are in favor of female genital mutilation. So, how we are able to strengthen some norms while not strengthening others is a very good question. Perhaps a further research topic.

H: I think that question of which norms is a crucial one, as is the question of the effects of strengthening some and not others, is essential. To actively consider these questions also challenges the whole predicate of the ICRC, namely, "We don't do social engineering" which comes up especially when talking about gender norms. If gender is addressed, it is quickly dismissed as social engineering and beyond the purview of the ICRC, but if restraint is addressed it is taken as central to the ICRC mandate even if, as we know, restraint is a gendered concept.

The ICRC is still grappling with what the meanings of neutrality and impartiality are, and what are those meanings when dealing with the power politics of a particular society for a particular end.

F: Yes absolutely, and I don't think we would overtly seek to strengthen a tribal chief, because that would not be neutral. But we would certainly encourage the discourse on restraint or sit down in discussions with that tribal leader to talk about how this could be re-strengthened.

S: Just as an aside, but this sort of finding around "who we are" is basically my finding too around the genocide, why genocide and no-genocide, I mean I called it narratives or founding narratives.[5]

F: I was fascinated by that!

S: It's the same logic: how you define your own values and your community, and how that shapes the way you respond in a military crisis. And so, I personally think that's super powerful but sometimes hard to measure.
Fiona, could you talk about how you translate these findings into practice in general?

F: I think the uptake of research findings in an organization is the biggest challenge. I started in a unique place there. I had to translate, though, each 18,000-word report on each context studied into a 2000-word chapter and even then, I had people telling me it was too academic. So, it is difficult, but it has been received internally, with quite some attention—by the way, helped by the fact that it was praised externally, because that's another way to get it praised internally. I think it was one of our young associates at the time who came up with the idea of also summarizing it all into a fold-out blueprint sheet with icons and point messages and she was right. In addition to making it something you had to read, making it something you could interact with a bit more, you could hang on your wall, you could think through, I think that really helped in terms of getting it into the field as a useful thing. But definitely if you don't have people driving it internally it would sit on a shelf for sure . . . This is where working with the ICRC is just so phenomenal: you get the stage in so many different places, you're constantly invited to presentations, to workshops, to places with all sorts of people.

On one hand, we have some external messages that we want to deliver through the study, the first and foremost being that this study demonstrates empirically that we are able to influence the behavior of those carrying guns in the field. But there is a legal context to contend with. Non-state armed groups that are considered to be terrorists are put on a list, especially by the United States, but by many other governments, and if you are seen to be giving any material support to them, which can even include pamphlets, or dissemination sessions, then you can be charged under legislation. So criminalizing contact with these groups is

counterproductive to our efforts to try to influence their behavior. *The Roots of Restraint* study has gone to lengths to show that it *is* possible to influence the behavior of armed actors. So that's our metamessage. I've presented the report at events in Geneva, London, several cities in Australia, in Moscow and St Petersburg, in Nur Sultan (formerly Astana), Oslo, in New York, and early 2020 will in Beirut and Dakar. But the most impressive invitation was to present the report at the ICRC's annual SWIRMO (Senior Workshop on International Rules for Military Operations) meeting that was held in Moscow in October. This meeting gathers senior military officers from all over the world to enhance understanding of IHL including through scenario-based exercises and allow them to share their own experiences and challenges. It is a unique platform because we often have belligerents sitting side by side which is really interesting. It provides an excellent opportunity to pass messages to the very highest levels of military leadership and to hear their views on what we are saying and promoting.

While I have focused much of my attention on the external world, my colleague Brian McQuinn has focused on the internal side. He's been presenting the findings to the internal yearly meetings of various departments including protection and prevention, and the unit in charge of relations with armed forces. We really have to socialize the results of the report internally, and we have to give the hook to people, to tell them why this report is interesting for them.

Another important method in the uptake of research findings was to get *The Roots of Restraint* into the annual planning process, whereby we offered delegations the chance to engage with the study either in having an event around it or to choose aspects of the report to talk about or implement—whatever is interesting in different contexts. There were any number of things you could pick up from it. There hasn't been enormous uptake in the field yet, although in dribs and drabs I'm getting different reports of it. In Papua New Guinea, for instance, they used our framework to try to analyze the different tribal fighting groups and how they are behaving. And the report has sparked many discussions between delegations and local armed forces over how to promote compliance with IHL.

S: Is there any magic in translating 18,000 words to 2000 words, or in general translating a dense academic study to more usable work for practitioners? How do you do it? What do you recommend?

F: I'm an aid worker who did a PhD, I'm not an academic who does aid work. So I think that from that angle, I know better what will speak to people in the culture of the ICRC or in MSF—what will resonate and what they will discard. I would have loved to have gone more deeply, for instance, into Elisabeth Wood and Francisco Sanín's "Patterns of violence,"[6] but even what I did include has fallen flat. It is seen as too academic. To break a pattern of violence into repertoire, technique, frequency, and target was too much. People couldn't relate to that. Even when I sat down with data people and talked about "Is there any way of

categorizing this?" it was "No, we simply don't have the data." So, that's something that's academic that I don't think is ever going to be translated into practice, at least at the ICRC, and that's a pity because it makes so much sense intellectually.

S: So is it that what speaks to the practitioner is what's practical? And it's the more conceptual, analytical categories, etc.—I mean, what is it that resonates versus what doesn't resonate?

F: I think it has to have a practical . . . No, it's really hard to generalize because most people who work for us have at least a master's degree. But I think if you ask what is the most useful source of information to the ICRC in general, I would suggest it is International Crisis Group's types of reports. The way that they present information is digestible. Because they usually provide a solid analysis of the intricacies of the conflict and the players.

H: I just want to also underscore that we underestimate the amount of work and effort that goes into being able to translate between the fields. I think for the individual doing it, it's such a time commitment to be able to do it and you have to know both sides in some way. I feel like we often talk about the academic–practitioner divide and we assume that it's easily solvable if academics would just write more simply. I think that's part of it, but I also think there's a huge investment of time that we don't acknowledge—it's not an easy thing to do. It takes a lot of time and energy to do so.

F: Let's use a concrete example of talking about traditional ways of wrestling to give an example of how we translate research findings into practice. The gender-insensitive example that I used, because believe it or not, it's not easy to find other examples, illustrates basically the change in recommendations from the 2004 study *Roots of Behavior in War* and the 2018 *Roots of Restraint in War*. We questioned one of the main recommendations that had been a cornerstone of the earlier study, which basically said, "Do not go down the path of discussing morals and ethics with combatants, emphasize the law. The law is objective. It doesn't slip and slide in the course of conflict. It's either against the law or it's not. And therefore, we should focus on that." What we found, not just from the study but from field practice over many years, is that you can't just talk about IHL with many of the armed groups we're dealing with. To talk about the law and only the law is counterproductive, you shut the conversation down straight away. So what we have been doing in practice, was to document different traditional rules of war—we have study from 1998, on the Somali traditional rules of war, and we did the same throughout the Pacific at some stage. Plus we have an important workstream that explores parallels between IHL and Islamic law. We have specialists on Islamic Law who engage in fascinating dialogue at many levels with Islamic scholars, and also with members of armed groups that have a jihadi or Islamist philosophy.

So in the *Roots of Restraint in War* study we advocate for taking this further, to find parallels between the laws of war and local norms of restraint. One example that came to us as we were writing was from a delegate called Paul Baker, who was in charge of relations with armed forces when he was in South Sudan. He was assisting at a first-aid training course because such training provides an excellent platform through which to talk to fighters because they want to learn how to in order to save their buddies on the battlefield. These courses provide an occasion to talk about the importance of sparing the lives of wounded soldiers and fighters. So this particular delegate knew that the Nuer love wrestling, that it's a rite of manhood to participate in such sport, and they're very proud of their tradition. So Paul got them talking, asking if they have rules to their wrestling matches, and so one Nuer guy says, "Yeah, of course we do," and explained the rules. Paul would pretend that he hadn't completely understood. And he said "Just bear with me. Would it be possible to challenge that woman sitting over there under a tree to a wrestling match?" and of course, the Nuer laughed and said, "No, it would not, because she's no match for me." And then he would say, "What about that child over there, could you challenge him to a wrestling match?" And the Nuer would laugh at the stupidity of this white guy and say "No! This would not be a fair fight." And on that basis, you open up the discussion on "What does a fair fight mean?" and "If you then fought with a neighboring village, why would you consider it fair to kill people that you considered were not your equal in wrestling?" etc. Now, of course Helen picks this up—and she's right—and she says, "Yes, but you are reinforcing stereotypes about the weakness of women and gender stereotypes." But I'm a little bit stumped about giving examples. For me, it's the lesser of two evils. You know, if we can get them to respect women and children and not kill them and rape them in the fighting, then that's a better outcome. But I agree that's it's not ideal either.

H: Well it's a better outcome, as long as we assume that points of conflict aren't rooted in gender inequality . . . It's hard to think about "who we are" outside of some kind of hierarchical relationship—which affects to a great extent who you protect, who you value—without immediately getting into understandings of gender relations, which are traditionally hierarchical in some way. I didn't provide you with an answer, per se, more of, again, a sense that these are the dynamics and nuances that should be attended to in assessing how to influence restraint and, again, that restraint is intersectional with identities that are, fundamentally, gendered.

S: Helen, what is it that this report or any report should be thinking about around questions of gender?

H: To put it really simplistically, you can think about gender as a binary opposition versus as a process and as a relationship of power. And thinking about gender as a relationship of power helps us understand the multiple ways in which power is exercised in war. I think the ICRC, because there's such hesitation about really thinking about it, still grapples with how to both conceptualize and operationalize gender analysis in the field. However, at the same time, operations are all about

documenting the relationships of power, right? Thus, there is something amiss in the analysis when gender is either conceived of as a binary or ignored altogether except when assessing risk of sexual violence, for example. And, of course, when the ICRC is still thinking about sex as male and female, as a binary opposition, we have or we've had a hard time seeing sexual violence against men, women as perpetrators of sexual violence, and so forth—it also means we miss other forms of violence against a range of non-conforming sex and gender expressions. But that doesn't get you very far in the ICRC, I don't think. What do you think, Fiona?

F: Look, I would say that the lens through which the ICRC looks at gender is more about acknowledging, for instance, when we're only talking to the male leaders in a group, that they're not necessarily representing the voices of others. So that's pretty simplistic, but at least that's become a lot more mainstream now, instead of sitting down with the elders who are typically all men. We are seeking to speak to who's not in the room, who's not in the discussion, to voice the fact that maybe there are far different opinions from other people.

S: Helen, would you say, "We can't really talk about sexual violence in war without thinking about gender and the way that gender and inequality shape those patterns of violence?" And that's what you mean by "it's a dynamic of power," right?

H: Yes. But my understanding is that the ICRC doesn't begin from the point of thinking about gendered inequality. The roots of war are in gendered inequality, so that if you're actually interested in minimizing violence, what you actually have to address is gendered inequality. That's not the ICRC's position.

F: Well that's really going into a much deeper societal change, things that would not be the remit of the ICRC.

H: The interesting thing about the ICRC is that the expanse of its remit depends on its interpretation, and that interpretation has changed over time. It expands or contracts depending on the politics of the organization at the time too, to a certain extent. My understanding of some of the stress right now within the ICRC is precisely over the expansion of its remit.

F: Yes, definitely. There is a whole discourse now that conflict is protracted, that we should not be having an emergency mind-set, even though we haven't by the way, for the last . . . I don't even know how long. For a long time, the ICRC has been working on economic programs on microeconomic loans and this type of stuff, which has been traditionally associated with development work. I think you can do those sorts of activities and still do it in accordance with humanitarian principles. But as soon as you start getting involved in development activities that tend to legitimize certain authorities, you're going to violate potentially conceptions of your neutrality and become a target of attack. That's what we saw a decade ago in Afghanistan once the war was declared over and the Taliban

defeated: a lot of NGOs switched to a development mind-set and threw their support behind programs of the Karzai regime and little by little found themselves attacked by the Taliban, because their activities were legitimizing the Karzai regime. So this whole development activity—I mean, it's a false divide if you're talking about activities, but it's not a false divide if you're talking about what is the ultimate outcome—is ultimately about empowering people. But empowering who at the expense of whom is a political decision. And so I think that's where the fundamental difference lies.

H: What would you want us academics to learn?

F: I didn't know I was instructing academics! I think you should stay as you are.

H: [*Laughter*] I wanted to give you a soapbox from which to hold forth! If this is to be translation on both sides, how do we think about continuing that kind of conversation?

F: I would say, from my point of view as the head of a new research center, I really enjoy discussions on the ethics of conducting research in conflict environments, and to have that discussion about the difference between the academic framing of it compared to the practitioners', and learning from your world about what we need to do together/better in ours. You're so much more advanced in conducting field research than we are, and so we have a hell of a lot to learn. But then we can help you I guess to think through what's realistic in the field. And how the cultures are different at aid organizations and what's likely to fly or not. So it's to have more discussions I would say.

S: And could you tell us more about what we haven't touched on yet in *The Roots of Restraint*?

F: One of the most significant findings for us came from the comparative study of the two jihadi armed groups in Mali conducted by Yvan Guichaoua and Ferdaous Bouhlel: we realized that patterns of behavior change very much between when a group is taking territory, from when it is ruling territory. There's actually a very big shift in terms of who has influence over their behavior at these certain times. And that's something that we need to look at much more closely.

Also, despite the fact that both these armed groups swore allegiance to al-Qaeda, their patterns of behavior were very different, and a lot of that was due to the connection with the civilians in the areas they controlled. MUJAO was made up of an amalgam of different groups from different places that didn't necessarily have any affinity with the population in Gao, whereas Ansar Dine is a mostly Tuareg-inspired movement that had deeper connections with the population in Kidal. And their treatment of the population was much less harsh.

I think another important finding for us was that we tend to lump civilians all into one sort of innocent category if you like, and yet giving civilians back their agency for good and for bad is very important. Because, for instance, when we talk about the civilian population in Gao, it was the business leaders, who were inviting the harsh Islamist group to town, in order to bring law and order so that their trafficking routes of drugs and humans would be protected. We saw this with the Taliban as well: people were welcoming the Taliban despite their very strict behavior codes, because they brought security. So I think we need to really think about the fact that sometimes it's the populations themselves that are calling for the harshest kinds of violence. It's not necessarily only the armed groups that are responsible. Sometimes, it's the armed groups themselves who are forced into or are convinced that they need to be very harsh towards certain members of the population. And sometimes those members of the population can just be people who are socially undesirable, as we saw in areas where the FARC was called upon to expel drug addicts from certain regions, or even kill them. So the study has nuanced a little bit more our ideas about who constitutes the civilian population and what role do they play.

Overall it was very interesting to focus on restraint as a theme. Thanks again to you, Scott, because once we opened our eyes to restraint instead of what we normally concentrate on, which is IHL violations, it opened up a much bigger scope for us to see who has influence. And of course, in order to identify restraint, it means that you have to look at patterns of violence over time, so you can see where violence has dropped off, and try to identify what might have been the restraining influence.

As one of our researchers, Francisco Gutiérrez-Sanín from the University of Colombia pointed out, you have to differentiate genuine restraint from mechanical restraint. Genuine restraint covers deliberate actions to limit the use of violence whereas mechanical restraint might be factors impeding the ability to fight such as the rainy season or mass desertion. One example he found in his study of Colombia was by the National Liberation Army (ELN) who used to bomb oil pipelines as one of its strategies, and then stopped. He was able to trace back possible reasons for the change in strategy, and saw the role of environmentalists. This was really interesting, because environmentalists had not been on our radar as an actor of influence in Colombia. So restraint opened up a broader spectrum of sources of influence. In fact while conducting the study we saw an example of the benefits of studying restraint in one of the hospitals in South Sudan in the town of Kodok—a report came in from the field that this hospital had not been attacked during a big clash in the town. The ICRC had received notification from two or even three different armed groups that there was going to be fighting in town, and they told the ICRC that it should evacuate the hospital and the patients, which was very nice of them. So we did evacuate the patients and then went around the hospital putting padlocks on the doors in the very faint hope that the hospital wouldn't be looted, as has been the pattern in the past. So our colleagues

were very surprised when they came back to find the whole outer compound was looted but in fact the padlocks were still on the doors. This enabled them to think about why the hospital was spared (and the ICRC's own compound was looted in the attack, so it wasn't out of respect for the ICRC). There was a real reason for that restraint. And what it told us was that the discourse of these local armed group leaders that "You know, I can't control my men," "Boys will be boys," "They like to loot," and "It's all part of war," was simply not true in this case. These guys had much better control on their fighters than they had led us to believe in the past. We understood that we were going to be able to use this in our arguments in the future, to hold them to a higher degree of accountability for their actions. We've been able to think more about this because our focus was on restraint.

So the report drew attention to looking at restraint in the ICRC, and also raised the question of how we can identify restraint which is, in effect, a counterfactual. A lot of our work is in the prevention field and we struggle to measure the success of a prevention program which, by definition, is successful when something doesn't happen. It's really difficult. So this work on restraint, thanks to your own work Scott, really helped us to start thinking about proxies for things and the importance of measuring or documenting patterns of violence, so we can see when there are changes.

S: If you can invest your resources like this, in thinking about how to influence behavior to encourage more restraint, first of all understanding what the roots of restraint are, and thinking about how to influence that, institutionalize it, it's such a different approach than "Here are the laws of war, you have to abide by them, if not you're in violation of Internationally Humanitarian Law" which I can see that just falls flat, and is very moralizing in a particular way. Whereas this seems to start from the ground up and taking the armed groups on their own terms, understanding what makes them tick, and then trying to think about ways of reinforcing restraining behavior or encouraging it.

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