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Gunsmoke and Mirrors: Transitional Justice Implementation During Armed Conflict in Uganda (abstract)

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2015 Conference of the University of Dayton Human Rights Center

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Research Panel: Justice and Judicial Systems

Presenter: Cyanne E. Loyle, West Virginia University

Title: Gunsmoke and Mirrors: Transitional Justice Implementation during Armed Conflict in Uganda

Abstract: Transitional justice (e.g. trials, truth commissions, reparations, amnesties, etc.) has been vociferously championed as a tool to improve human rights and prevent the resumption of violence in the post-conflict period, yet little work has been undertaken to understand the prevalence of these practices while conflict is ongoing. The assumption within the literature is that transitional justice (TJ) is put in place once conflict has ended or a political transition occurs, but this need not be the case. Through an empirical analysis of the ongoing conflict in Uganda between the government and the Lord's Resistance Army, this paper traces the implementation of various TJ processes across the conflict's twenty-year history. Drawing on existing arguments within conflict studies regarding government behavior during conflict, this paper theorizes and empirically assesses the government's decision to implement TJ at various time-points during the conflict. Relying on new data from the During-Conflict Justice dataset, primary source material on the conflict in Uganda, as well as sixty in-depth interviews conducted with government ministers, Ugandan legal scholars and justice advocates, I find that the relative strength of the government vis-à-vis the rebels is an important determinant of when TJ is implemented during conflict and what processes are put in place. These findings have important implications for how the international community views and supports TJ both while conflict is ongoing and in the post-conflict period.

Keywords: Transitional Justice, Civil War, Uganda, International Law

Biography: Cyanne E. Loyle, Ph.D. is an Assistant Professor of Political Science and International Studies at West Virginia University. Dr. Loyle's current research focuses on transitional justice adopted both during and after armed conflict and the strategic use of justice processes in Rwanda and Uganda. She is an East African specialist and has done field work in Rwanda, Uganda, Burundi, the Democratic Republic of Congo as well as Nepal, Northern Ireland, and Turkey. Dr. Loyle received her M.A. in Holocaust and Genocide Studies from Stockton College and her M.A. and Ph.D. in Political Science from the University of Maryland. Currently, Dr. Loyle is the Assistant Director of the Northern Ireland Research Initiative and co-creator of the Post-Conflict Justice (PCJ) and During-Conflict Justice (DCJ) databases. Loyle's work on during-conflict justice is currently being funded by the National Science Foundation and the US Institute of Peace. Her research has been published with the Social Science Research Council, *Conflict Management and Peace Science*, *Journal of Human Rights*, *Journal of Peace Research*, *International Journal of Conflict and Violence*, *International Interactions*, *Genocide Studies and Prevention* and *Global Public Health*. Additional information can be found on her website: www.cyanneloyle.com